

THE LEGACY ACADEMY

INITIAL CHARTER PETITION

Respectfully Submitted

to the

Santa Clara County of Education

September 21, 2016

By Lead Petitioner

Marc Buller

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Statement of Assurances

As the authorized representative of the applicant group, I, Marc Buller, hereby certify under the penalties of perjury that the information submitted in this application for a charter for The Legacy Academy Charter School to be located in San Jose, CA is true to the best of my knowledge and belief; in addition, I assure that this petition does not constitute the conversion of a private school to the status of a public charter school; finally, I certify that, if awarded a charter, the school:

- Shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]
- Shall be nonsectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. California Education Code section 47605(d)(1)]
- Shall not charge tuition. [Ref. California Education Code Section 47605(d)(1)]
- 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)]
- Shall, on a regular basis, consult with parents, guardians, and teachers regarding the school's educational programs. [Ref. California Education Code Section 47605(c)(2)]
- Shall admit all students who wish to attend The Legacy Academy, and who submit a timely application, unless The Legacy Academy 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. Admission to The Legacy Academy shall not be determined according to the place of residence of the student or his or her parents within the State. [Ref. California Education Code Section 47605(d)(2)(A)-(B)]
- Shall be deemed the exclusive public school employer of the employees of The Legacy Academy for the purposes of the Educational Employment Relations Act. [Ref. California Education Code Section 47605(b)(5)(O)]
- 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 1974, Title II of the Americans with Disabilities Act of 1990, and the Individuals with Disabilities in Education Improvement Act of 2004.
- 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)]
- Shall ensure that teachers at The Legacy Academy hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. California Education Code section 47605(l)]
- Shall at all times maintain all necessary and appropriate insurance coverage.
- 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).
- Shall notify the superintendent of the school district of the student's last known address within 30 days, if a pupil is expelled or leaves the charter school without graduating or

completing the school year for any reason, 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. California Education Code section 47605(d)(3)]

- Shall be deemed the exclusive public school employer of the employees of The Legacy Academy for the purposes of the Educational Employment Relations Act (“EERA”), shall comply with the EERA, recognizes that employees will not be part of the collective bargaining unit of the county, and recognizes that charter employees are not required to engage in collective bargaining, but they have that right if they choose as a group to do so.
- Shall follow any and all other federal, state, and local laws and regulations that pertain to the applicant or the operation of the school including but not limited to:
 - The Legacy Academy shall comply with all laws establishing the minimum and maximum age for public school enrollment.
 - The Legacy Academy shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection.
 - The Legacy Academy shall comply with all applicable portions of the Elementary and Secondary Schools Act (also referred to as the No Child Left Behind Act).
 - The Legacy Academy shall comply with all laws establishing the minimum and maximum age for public school enrollment.
 - The Legacy Academy shall meet or exceed the minimum number of school days.
 - The Legacy Academy shall comply with any applicable jurisdictional limitations to locations of its facilities.
 - The Legacy Academy shall comply with the Public Records Act.
 - The Legacy Academy shall comply with the Family Educational Rights and Privacy Act.
 - The Legacy Academy shall comply with the Ralph M. Brown Act.

Marc T. Buller
Lead Petitioner for the Legacy Academy

Date

Executive Summary

Introduction

The Founding Team of The Legacy Academy is proud to submit the following petition to establish and operate a public charter middle school for county-wide benefit, serving students in grades 6-8 for a proposed charter term of five years beginning in August of 2017. The Legacy Academy intends to open with 60 students in 6th grade, growing by an additional 60 students and one grade per year until it reaches full capacity in 2019-20 serving 180 students across 6th through 8th grade.

Mission and Vision

The mission of The Legacy Academy is to engage and inspire middle school youth to achieve academic and social success. The Legacy Academy is specifically committed to serving youth who have been involved in the Juvenile Justice or Foster Care System, as well as others who have significant social and academic challenges. The Legacy Academy embraces these students in Santa Clara County who are facing overwhelming obstacles, helping to ensure their success in high school, college and/or career, and life.

The Legacy Academy offers a cohesive and comprehensive program specifically designed to:

- Build the belief in all students that they can succeed
- Equip them with the tools to change their legacy

By doing so, The Legacy Academy will support students in transforming their experience, in turn changing the course of their Legacy within our community.

Who We Will Serve

The Legacy Academy seeks to serve the following “At Promise” student populations from across Santa Clara County:

- Students who have been involved in the juvenile justice or foster care system
- Students who have been suspended or expelled from previous schools due to significant behavioral problems
- Students who have been identified as showing signs of academic failure and/or behavioral issues at school or within their community.

These are the students who, through repeated failure, often believe that the future holds nothing for them.

County-wide Benefit

Students who have been involved with the Juvenile Justice or Foster Care System have unique needs, which must be met in order to set them on a different path for their futures. The Founding Team believes that its targeted population will be best served through a highly specialized program, provided as a county-wide benefit. Under the current model, the students in our target population are frequently moved from school to school both within and between school districts, which creates instability for the student and only increases the likelihood of them acting out their frustration in negative and harmful ways. All too often their view of their educational future becomes a portable somewhere, on a pathway to continuation school and perhaps a GED at best.

There is a large group of students across Santa Clara County who would benefit from a specialized school such as The Legacy Academy. In 2014 alone, there were:

- 500 youth under 14 referred for probation
- 1376 youth under 18 living in foster care
- An additional 2.5% of all youth being raised by grandparents

However, there is not the concentrated population of these At Promise youth within any one district to yield the student enrollment necessary to provide The Legacy Academy's comprehensive program. For this reason, The Legacy Academy intends to establish itself as a county-wide benefit charter school to meet the unique needs of these youth across Santa Clara County.

Core Features of Program

The Core Features of The Legacy Academy are rooted in the school mission and designed specifically to serve the target population detailed above.

To build the belief in all students that they can succeed, The Legacy Academy model includes:

- **Personalized Learning** - Students build belief in their ability to succeed when they realize success in tasks that are at an appropriate level of challenge, known as their Zone of Proximal Development (ZPD). The Legacy Academy employees specific structures to provide personalized learning to students at their "just right" level. This includes the use of Personal Learning Plans, an Advisory Program called Legacy Set & Reflect, Math and Literacy Labs, and robust intervention staffing (discussed in the next bullet).
- **Robust, Wrap Around Supports** - Students build belief in their ability to succeed when they receive the academic, social, emotional and behavioral supports they need. In partnership with the Seneca Family of Agencies, ALL students at The Legacy Academy will be provided with the wrap-around support services utilizing a Trauma-Informed Model. Supports include individual and group counseling and mental health services, behavior interventions, academic intervention and remediation, and language development. With an academic interventionist and mental health counselor in every classroom, these services are integrated into the classroom as well as provided on an individual and small groups basis.
- **Passion, Purpose, and Agency** - Students build belief in their ability to succeed when they feel they have a reason, have something to offer, and have control of their destiny. The Legacy Academy Enrichment courses, Leadership and Service Programs, and Personalized Learning discussed above, support students in developing their identity, discovering passions, finding their own unique gifts, and giving them agency over their own development.

To equip students with the tools to change their legacy, The Legacy Academy model includes:

- **A Focus on Math and Literacy** - Students receive 90 minutes each of Math and Literacy instruction to bolster core competencies. A Lab precedes Literacy to allow for front loading and proactive intervention, a lab follows math to provide students with just-in-time support to remediate or extend learning, reducing frustration and building empowerment.
- **Real-world Learning Investigations in Science and Social Studies** - Students are engaged in authentic, in-depth learning investigations, using *Project Lead The Way* for

Science and TCI History Alive and Facing History, Facing Ourselves for Social Studies. By making learning relevant, these investigations engage students and allow them to critically examine the world around them.

- **Enrichment Tailored to the Needs of At Promise Adolescents** - Enrichment programming focuses on the core needs of at promise adolescents - physical education and health to build healthy choices, the arts to explore passions and provide means of expression, and life skills to support growing autonomy and decision-making. As such, it not only builds positive belief systems, it also equips students with specific tools to change the course of their legacy.

Founding Team

The Founding Team consists of educators, community leaders, and business professionals who are deeply familiar with the assets and challenges of the target community. Each member is tied to the community through professional and/or personal links and possesses a unique set of skills addressing those necessary for the creation of and operation of the ambitious program put forth in this charter.

The middle school years are among the most formative years in a person's life, at a crossroads between childhood and adolescence, in the midst of discovering a sense of self. And it is too often within these years that students caught in the Juvenile Justice or Foster Care System find themselves falling behind, both academically and socially, and do not have the necessary resources available to catch up. For too many years the Founding Team and their colleagues in the Juvenile Justice and Foster Care systems have watched as young people's traumatic histories, bad decisions, or unfortunate circumstances begot life-long consequences - and while these individuals did what they could to make a positive impact, many times it was already too late. The Legacy Academy Founding Team believes that the formation of a charter school specifically designed to meet the needs of this population is a chance to pro-actively stop the cycle, to prevent future wrong turns by walking with students down the right path.

The Founding Team - which includes the Founding Executive Director and Board of Directors - and an overview of the very relevant and targeted experience they will bring to bear in the formation and operation of this school are as follows:

Executive Director

Marc T. Buller

Former Chief Assistant District Attorney

For over 30 years, former Chief Assistant District Attorney, Mr. Buller has been responsible for various functions of the District Attorney's Office. He has been a leader within the office on matters related to Juvenile Justice. Mr. Buller has been a member of the San Jose Mayor's Gang Prevention Task Force since 1993. He has developed multiple community and school outreach programs that includes an inter-agency committee on law enforcement and schools and Youth Court at local high schools, as well as establishing the Law Related Education Program (LRE) for 5th grade students. Mr. Buller has co-chaired the Juvenile Hall Advisory Board, as well as the liaison for the District Attorney's Office for the implementation of Juvenile Detention Reform initiative including the Disproportional Minority Representation committee. He has successfully procured over a million dollars for Juvenile Justice Programs as well as various programs he is involved with, and has shaped countless other programs/policies that aim to improve Santa Clara County's juvenile justice system with an emphasis on prevention. To this end Mr. Buller has built deep relationships with educational and community partners to address the needs of the youth of Santa Clara County. Mr. Buller received his J.D. degree from Pepperdine University, School of Law and has been a member of the California State Bar since

1983. Mr. Buller retired from the District Attorney's Office December 2014 to devote himself full time to opening The Legacy Academy.

Board of Directors

Frederick J Ferrer

Chief Executive Officer, The Health Trust

Mr. Ferrer leads the Health Trust, a non-profit charitable foundation that provides direct health services, offers grants, builds community partnerships, advocates for policy changes, raises money and leads new initiatives to support its vision: making Silicon Valley healthier for everyone. Before joining The Health Trust, Mr. Ferrer founded and led Manzanita Solutions, where he provided consultation on child development, non-profit management and community inter-relations. Mr. Ferrer is the former Executive Director of Estrella Family Services, and was chair of the FIRST 5 Santa Clara County Commission. He is on the Board of Santa Clara University's Ignatius Center for Jesuit Education and is a former member of its Department of Education's Autism Advisory Board. Mr. Ferrer serves as president of the Rocketship Education Board. He is a former board member of the American Leadership Forum Silicon Valley (ALF-SV) and a current ALF Senior Fellow (Class XI). He is also a community advisor to the Johns S. and James L. Knight foundation.

Andre V. Chapman

Chief Executive Officer, Unity Care

In 1992, as a National Director of Sales and disheartened by the lack of other minorities in the technology field, Mr. Chapman redirected his focus and founded Unity Care Group, Inc. with the goal of developing educational and social programs designed to enrich the lives of disadvantaged youth. As Founder and CEO, he is dedicated to making a positive impact on the youth in our community by providing opportunities (physically, emotionally, and spiritually) that will enhance their lives and teach them how to become productive citizens in our society. Mr. Chapman has received numerous awards of distinction and commendation honoring his tireless dedication and community involvement. His recognitions have included: "Outstanding/Invaluable Community Service" by United States Congress, "Human Relations, Board of Supervisors Award" by California State Senate/Assembly, "Partner of the Decade" by the City of San Jose, "Circle of Friends" Award by San Jose/Silicon Valley NAACP. Mr. Chapman is also the Chair of the Social Services Advisory Commission, Santa Clara County and current Network Development committee member of the American Leadership Forum Silicon Valley (ALF-SV) and a current ALF Senior Fellow (Class XXIII). Unity Care is a multi-service culturally proficient youth and family development.

Greg Lippman

Executive Director, ACE Charter Schools

Mr. Lippman joined ACE in 2007 as Executive Director, after a long history of working with public schools in San Jose. He was the co-founder and original Principal of Downtown College Prep (DCP), a charter high school in San Jose Unified whose mission is to help low-achieving students become the first in their family to graduate from a four-year college. Mr. Lippman has experience and expertise in many aspects of creating and sustaining new schools, especially standards-based academic program and school culture design, teacher and administrator development, and community outreach. Before joining DCP, he spent 8 years in the classroom as an English and ESL teacher in San Jose and East Palo Alto. Mr. Lippman received his BA in English Literature from Princeton University and his Masters in the Arts of Teaching from Stanford University.

Nancy Pena**Behavioral Health Consultant**

Ms. Peña is a Clinical Psychologist, who has been working in the field of Mental Health Service Delivery for the past 35 years. She began her career as the Mental Health Director of a community-based agency specializing in providing health and mental health services to the Spanish-speaking community of downtown San Jose. In 1984, she joined the Santa Clara County Mental Health Department, Acute Psychiatric Services, where she was Director of Psychiatric Inpatient Social Services and Child and Adolescent Services, which included services to youth in Juvenile Hall, the Children's Shelter, the State Hospital and local intensive residential treatment programs. In 1992, she became director of Mental Health Children and Family Services Division, and in 1998, she was appointed Deputy Director of the Mental Health Department. In December 2000, she was appointed Director of Mental Health. At the time of her retirement in December 2014, the Santa Clara County Public Mental Health System served over 28,000 children and adults annually through a large countywide network of county operated and contract providers with a budget of over \$350 million of county, state, and federal funds.

Mary Patterson**Community Instructor, Lucile Packard Children's Hospital**

Ms. Patterson is a specialist in the field of child and youth health and development. She is an experienced teacher, trainer, policy advocate, and executive manager. For more than 25 years, Ms. Patterson has worked in schools, government agencies, and nonprofit organizations to improve the lives of children and youth. Ms. Patterson's professional training is in the field of maternal and child health, and she holds a Master's of Public Health degree from the University of North Carolina at Chapel Hill and a Bachelor's degree in Human Biology from Stanford University. She has traveled extensively, including a year in Brussels, Belgium as a Fulbright Scholar conducting research in the field of child health. Ms. Patterson's work experience has included the U.S. Congress, the California Family Health Council, the Santa Clara County Executive's Office, and Project Cornerstone. Mary currently serves as a Community Instructor at the Lucile Packard Children's Hospital and the Director of Strategic Partnerships for The Health Trust.

Gary Rummelhoff**Chief Financial Officer, Unity Care**

Gary Rummelhoff brings 36 years of executive multi-industry experience, including a variety of leadership positions for multi-million dollar non-profit, government and corporate organizations. He holds an MBA from Southern Methodist University, Cox School of Business and a BS/BA from University of Missouri, Columbia, and College of Business. Mr. Rummelhoff was a CFO of the Year 2010 Finalist, San Jose Silicon Valley Business Journal. Mr. Rummelhoff has served on School Boards for San Jose Unified School District and the Santa Clara County Office of Education.

Element A: Educational Program

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

Governing Law: A description, for the charter school, of annual goals, 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).

Mission

The mission of The Legacy Academy is to engage and inspire middle school youth to achieve academic and social success. The Legacy Academy is specifically committed to serving youth who have been involved in the Juvenile Justice or Foster Care System, as well as others who have significant social and academic challenges. The Legacy Academy embraces these students in Santa Clara County who are facing overwhelming obstacles, helping to ensure their success in high school, college and/or career, and life.

The Legacy Academy offers a cohesive and comprehensive program specifically designed to:

- Build the belief in all students that they can succeed
- Equip them with the tools to change their legacy

By doing so, The Legacy Academy will support students in transforming their experience, in turn changing the course of their Legacy within our community.

Vision

The Legacy Academy’s vision is not only to intervene in the lives of young people who have already been involved with the Juvenile Justice or Foster Care System, but to offer these students a cohesive and comprehensive middle school experience with the supports necessary for them to transform the course of their legacy within their community. By building the belief in all students that they can succeed and equipping them with specific academic and non-academic tools, we will ensure each student is given the opportunity to create a positive legacy within their family and community. This legacy will not be determined by their experiences in the Juvenile Justice or Foster Care System, but rather through re-engagement of their innate ability to recognize and believe in their individual potential.

To build the belief in all students that they can succeed, The Legacy Academy model includes:

- **Personalized Learning** - Students build belief in their ability to succeed when they realize success in tasks that are at an appropriate level of challenge, known as their Zone of Proximal Development (ZPD). The Legacy Academy employs specific structures

to provide personalized learning to students at their “just right” level. This includes the use of Personal Learning Plans, an Advisory Program called Legacy Set & Reflect, Math and Literacy Labs, and robust intervention staffing (discussed in the next bullet).

- **Robust, Wrap Around Supports** - Students build belief in their ability to succeed when they receive the academic, social, emotional and behavioral supports they need. In partnership with the Seneca Family of Agencies, ALL students at The Legacy Academy will be provided with the wrap-around support services utilizing a Trauma-Informed Model. Supports include individual and group counseling and mental health services, behavior interventions, academic intervention and remediation, and language development. With an academic interventionist and mental health counselor in every classroom, these services are integrated into the classroom as well as provided on an individual and small groups basis.
- **Passion, Purpose, and Agency** - Students build belief in their ability to succeed when they feel they have a reason, have something to offer, and have control of their destiny. The Legacy Academy Enrichment courses, Leadership and Service Programs, and Personalized Learning discussed above, support students in developing their identity, discovering passions, finding their own unique gifts, and giving them agency over their own development.

To equip students with the tools to change their legacy, The Legacy Academy model includes:

- **A Focus on Math and Literacy** - Students receive 90 minutes each of Math and Literacy instruction to bolster core competencies. A Lab precedes Literacy to allow for front loading and proactive intervention, a lab follows math to provide students with just-in-time support to remediate or extend learning, reducing frustration and building empowerment.
- **Real-world Learning Investigations in Science and Social Studies** - Students are engaged in authentic, in-depth learning investigations, using *Project Lead The Way for Science* and *TCI History Alive* and *Facing History, Facing Ourselves* for Social Studies. By making learning relevant, these investigations engage students and allow them to critically examine the world around them.
- **Enrichment Tailored to the Needs of At Promise Adolescents** - Enrichment programming focuses on the core needs of at promise adolescents - physical education and health to build healthy choices, the arts to explore passions and provide means of expression, and life skills to support growing autonomy and decision-making. As such, it not only builds positive belief systems, it also equips students with specific tools to change the course of their legacy.

The Legacy Academy firmly believes that this vision will support our school in meeting its mission, and in turn will enable students to become successful in high school and ready for college, career and citizenship.

Targeted School Population

As required by Education Code Section 47605(d)(2)(A)-(B), The Legacy Academy will be open to all students in the State of California. The Legacy Academy will actively recruit a diverse student body from a range of socio-economic levels. The Legacy Academy will have a student population that is inclusive of students with a wide range of abilities, including students with special education needs and English Language Learners. The Legacy Academy will serve all families that submit an application for their children in available grades up to our enrollment

capacity. Should applications exceed the number of available spaces, a random public lottery will be held.

Desired Student Population

While keeping to the assurances detailed above, The Legacy Academy specifically seeks to serve Santa Clara County's most "at promise" youth. For The Legacy Academy, the use of this term is preferred over more deficit language such as "at risk" as it communicates our focus on the potential of students to change the trajectory of their lives for a more promising future. In serving these "at promise" youth, The Legacy Academy is designed to provide county-wide benefit by serving students who have characteristics including but not limited to the following:

- Students who have been involved in the Juvenile Justice or Foster Care system
- Students who have been suspended or expelled from their previous school due to significant behavioral problems
- Students who have been identified by their school or parents as showing signs of failure in school due to academic and/or behavioral issues at school or within their community.

These are the students who, through repeated failure, often believe that the future holds nothing for them. Under the current model, these students are frequently moved from school to school both within and between school districts, which creates instability for the student and only increases the likelihood of them acting out their frustration in negative and harmful ways. For too long, the founders of The Legacy Academy have watched these youth move from at-risk to becoming part of the justice system, both as youth and adults.

It is our intention to work with these students and their families to give them a permanent home for their middle school years, where they can learn to build positive relationships with their teachers and peers that anchor them in their community. The Legacy Academy structure, program, and curriculum have been designed to meet the needs of our county's youth most in need of additional support and a tailored and supportive program. Through a single cohesive and comprehensive county-wide middle school, The Legacy Academy will provide a new level of stability for the pockets of our targeted students located within the multiple districts of our county. We will continue to engage with each of the six surrounding school districts, to encourage referrals of 5th grade students who match The Legacy Academy target population.¹ This outreach began in 2014 and continues today, as detailed in [Appendix ES-1](#). We will also work with Social Services and Juvenile Justice agencies to encourage referrals to our school. District and community partners will set the parameters of these relationships, in order to ensure that laws regarding confidentiality are observed. Once referred, The Legacy Academy will work on an individual basis with interested students and families to discuss the program and potential benefit for their child.

Desired Student Population - Need and Scope

Students who have been involved with the Juvenile Justice or Foster Care System have unique needs, which must be met in order to set them on a different path for their futures. And while this is a population endemic throughout our county - in 2014 alone there were 500 youth under 14 referred for probation and 1376 youth under 18 living in foster care - there is not the concentrated population within any one district to yield the student enrollment for a specialized

¹ These districts include Franklin McKinley School District, San Jose Unified School District, Alum Rock Unified School District, Oak Grove School District, Evergreen Elementary School District, and Mount Pleasant Elementary School District.

school such as The Legacy Academy.² For this reason, we seek to establish a county-wide benefit charter school to meet the unique needs of these youth across Santa Clara County.

In looking at students involved in the juvenile justice system, research by the National Center for Child Traumatic Stress (University of California, Los Angeles, CA and Duke University School of Medicine, Durham, NC) has found that up to 90% of justice-involved youth report exposure to some type of traumatic event. This exposure to trauma typically begins early in life, is often in multiple contexts, and persists over time. As a result, on average 70% have a mental health condition and approximately 30% suffer from post-traumatic stress disorder (PTSD). It is not surprising that the researchers also found that these youth were then at high risk for interpersonal conflicts, substance use, academic problems, and child welfare involvement, in addition to delinquency and mental health disorders.³ These findings are consistent with the experience of The Legacy Academy Founding Team in working with Santa Clara County youth involved with or at risk of involvement with the juvenile justice system.

Within Santa Clara, overall adjudication rates are declining, but still too high, with over 2400 children under the age of 14 referred for probation in just four years as illustrated in **Figure A.1**. The Legacy Academy is designed to serve these youth, providing targeted social, emotional and behavioral supports within a trauma-informed model, in addition to a rigorous academic program that meets them where they are and accelerates their development.

Figure A.1 Santa Clara County, Referrals to Probation for Children under Age 14

Year	2012	2013	2014	2015	Total
Male	675	491	408	284	1858
Female	212	150	92	94	548
Total	887	641	500	378	2406

Source: Santa Clara County Juvenile Justice Annual Report, 2012, 2013, 2014, and 2015, available at <https://www.sccgov.org/sites/probation/Pages/Annual-Reports.aspx>.

In looking at students involved in the Foster Care system, this pattern continues. Youth in the foster care system endure numerous traumatic experiences, including removal from the home (perhaps due to abuse or neglect), separation from their families, and the potential of numerous removals and placements in out-of-home care (Racusin, Maerlender, Sengupta, Isquith, & Straus, 2005). As a result of this exposure to trauma, the severity and repetition of the trauma, proximity to the trauma, and their relationship with the victim (if they are not the victim themselves), youth in the foster care system are likewise at risk of developing mental health conditions and PTSD (American Academy of Child & Adolescent Psychiatry, 2011). Research has found that approximately 48% of youth in the foster care system have emotional or behavioral problems and 63% are victims of neglect (Casey Family Programs, 2011). Furthermore, PTSD symptoms are prevalent in 19.2% of children referred to child welfare for investigation and ultimately placed in foster homes (Kolko et al., 2010) and 21% of foster care alumni suffer from PTSD - a rate higher than that of U.S. war veterans (Pecora et al., 2005).⁴

² Santa Clara County Juvenile Justice Annual Report, 2012, 2013, 2014, and 2015, available at <https://www.sccgov.org/sites/probation/Pages/Annual-Reports.aspx> and www.kidsdata.org.

³ More information available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3714673/>

⁴ More information available at http://www.nrcpfc.org/is/downloads/info_packets/PTSDandChildren_in_FC.pdf

Again, these findings are consistent with the experience of The Legacy Academy Founding Team in working with Santa Clara County youth involved with the foster care system.

This is another population that needs the targeted support proposed by The Legacy Academy. As opposed to the declining number of students involved in the juvenile justice system, the number of children living in Foster Care is steadily rising - especially within African American and Latino families, as seen in **Figure A.2**. In addition, another 2.5% of children in Santa Clara County are being raised by grandparents. Again, The Legacy Academy is designed to serve these youth, by providing targeted social, emotional and behavioral supports within a trauma-informed model, in addition to a rigorous academic program that meets them where they are and accelerates their development.

Figure A.2 Santa Clara County, Children under 18 in Foster Care by Ethnicity

Race/Ethnicity	2012	2013	2014
African American/Black	123	133	156
American Indian/Alaska Native	8	4	8
Asian/Pacific Islander	59	58	79
Hispanic/Latino	699	894	969
White	174	159	164
Total Children in Foster Care	1,063	1,248	1,376

Source: www.kidsdata.org

Too often, these youth come from low-income families and are immigrants who are still acquiring the English language. In addition, due to struggles in traditional school settings many of these youth have been identified as having special needs and at a rate significantly higher than average. As such, The Legacy Academy expects its student population to be predominantly eligible for free and reduced lunch (80% or higher), Language Learners (35% or higher), Latino (85% or higher), and holding identification as a student with special needs (likely at least 20% and as high as 35-40%). These populations make up a significant portion of the enrollment of Santa Clara County, as seen in **Figure A.3**, as well as in San Jose Unified School District and for Franklin-McKinley School District, as seen in **Figure A.4** and **Figure A.5**. The former are provided as context for The Legacy Academy, as it seeks to be a county-wide benefit charter school. The latter are provided as these are the districts within which The Legacy Academy will most likely physically operate in Year One and Long Term, respectively. As such, they are the numbers that have been used to inform our student population forecasts and in turn budget.

Figure A.3 Santa Clara County Student Enrollment

	2013		2014		2015	
	Number	Percent	Number	Percent	Number	Percent
English Language Learners	64,408	22%	67,939	23%	66,784	24%
Students from low-income families	101,665	37%	107,377	39%	105,022	38%
Students who are Latino	106,809	39%	108,349	39%	108,245	39%
Students with special needs	24,945	9.1%	28,486	10.3%	27,927	10.1%
Total County Enrollment	273,701	100%	276,175	100%	276,689	100%

Source: www.ed-data.org and www.kidsdata.org

Figure A.4 San Jose Unified School District Student Enrollment

	2013		2014		2015	
	Number	Percent	Number	Percent	Number	Percent
English Language Learners	7,574	23%	8,166	25%	7,583	23%
Students from low-income families	14,637	44%	14,790	45%	14,239	43%
Students who are Latino	17,390	52%	17,579	53%	17,518	53%
Students with special needs	3,131	9.4%	3,483	10.5%	3,551	10.8%
Total District Enrollment	33,184	100%	33,152	100%	32,938	100%

Source: www.ed-data.org and www.kidsdata.org

Figure A.5 Franklin-McKinley School District Student Enrollment

	2013		2014		2015	
	Number	Percent	Number	Percent	Number	Percent
English Language Learners	5,592	52%	5,991	53%	5,585	50%
Students from low-income	7,407	69%	9,022	80%	9,155	82%

families						
Students who are Latino	6,582	62%	6,918	61%	6,905	62%
Students with special needs	810	7.6%	1,006	8.9%	895	8.0%
Total District Enrollment	10,703	100%	11,269	100%	11,193	100%

Source: www.ed-data.org and www.kidsdata.org

Desired Student Population - Tailored Support

The Legacy Academy is committed to providing a school aligned to the specific needs of this community, via a trauma-informed model in collaboration with the Seneca Family of Agencies that provides intensive academic, social, emotional, and behavioral supports for students. As introduced in our vision and detailed below in our program, these supports are specifically designed to build the belief in our student population that they can each succeed and equipping them with the specific tools necessary to change their legacy. The full details of this support are detailed further in this section.

Age, Grade, and Student Enrollment

The Legacy Academy will serve students in grade 6, 7, and 8. Starting with an initial class of 60 6th graders in 2017-18, The Legacy Academy will continue to add a new class of 6th graders each year and a new grade level as each class moves up. It will reach initial capacity of 180 students in grades 6, 7, and 8 in 2018-19. Class size will be approximately 20 students per core and enrichment class, with a smaller cohort of 12-13 students for the Legacy Set & Reflect advisory group. Students will be enrolled from throughout the county, then from outside of the county if space allows as set forth in the admissions preferences in [Element 14](#). In 2020-21 and outgoing, The Legacy Academy may increase the seats at each grade level to accommodate increased need and demand. Such an increase would take the cohort size to 75 students at each grade level and 225 students in the school as a whole.

The Legacy Academy's proposed enrollment plan for the initial charter term is outlined in [Figure A.6](#), which will be followed as state and federal funding and our parent community needs allow.

Figure A.6 Proposed Enrollment Plan

Grade	School Year				
	2017-18	2018-19	2019-20	2020-21*	2021-22*
6	60	60	60	60	60
7		60	60	60	60
8			60	60	60
Totals	60	120	180	180	180

*May increase to 75 students per grade level and 225 students for the school in total.

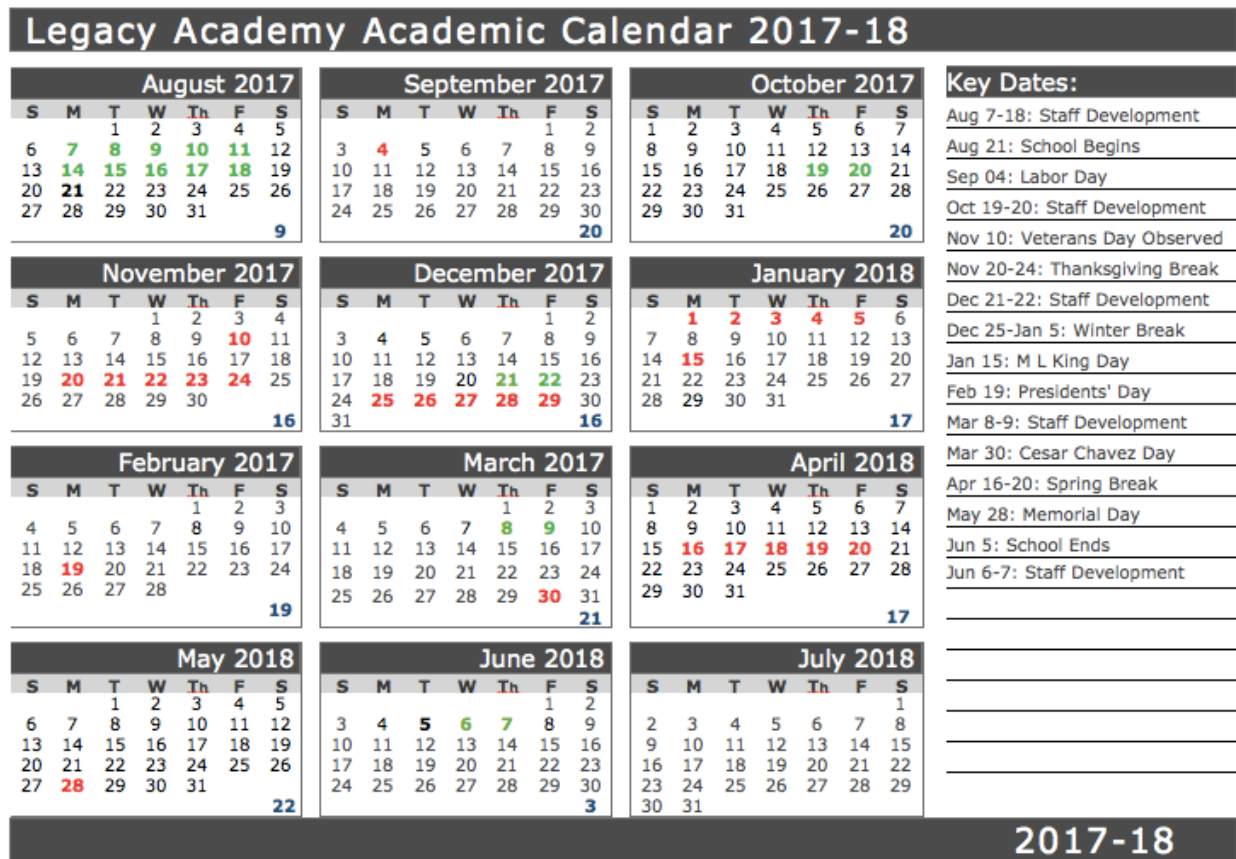
Attendance

School Year

The Legacy Academy’s proposed academic calendar will be in compliance with the minimum number of annual instructional minutes outlined in Education Code 47612.5. This requires, at a minimum, 54,000 minutes for students in grades 6th through 8th.

It is the intention of The Legacy Academy to open in 2017-18 in a single school site. The proposed calendar for 2017-2018 will include 180 instructional days, 5 more than required for charter schools.⁵ In addition, the calendar includes 18 days Staff Development Days in Year One and 13 days ongoing, with an additional five days for teachers new to The Legacy Academy. **Figure A.7** provides the proposed school calendar, which The Legacy Academy intends to adhere to as state and federal funding allows. The Legacy Academy retains the right to modify this proposed calendar to coordinate with the calendar of the district and the calendars of our professional development partners and such modification shall not be considered a material revision of the charter.

Figure A.7 2017-18 Proposed Calendar



School Day

The Regular School Day at The Legacy Academy runs from 8:30 am to 6:00 pm Monday through Friday, as illustrated in **Figure A.8**. One per month, The Legacy Academy runs on a Minimum Day Schedule to allow for Service and Leadership projects, as illustrated in **Figure**

⁵ California Code of Regulations, Title 5, Section 11960.

A.9. On this monthly Minimum Day, there is no Extended Day Programming and school ends at 4:00 pm.

Figure A.8 Regular Day Schedule

Legacy School Day - Regular					
8:30	Legacy Set & Breakfast	Legacy Set & Breakfast	Legacy Set & Breakfast	Legacy Set & Breakfast	
8:45					
9:00	Science or Social Studies (alternate every 9 weeks)	Math	Literacy Lab		
9:15			Math Lab	Literacy	
9:30					
9:45					
10:00		Literacy Lab	Science or Social Studies (alternate every 9 weeks)	Math	
10:15					
10:30					
10:45					
11:00	Literacy		Math	Math Lab	
11:15					
11:30					
11:45					
12:00	Lunch and Recess				
12:15					
12:30					
12:45	Math	Literacy Lab		Science or Social Studies (alternate every 9 weeks)	
1:00		Literacy			
1:15					
1:30					
1:45	Math Lab				
2:00					
2:15	Physical Education	Arts		Life Skills	
2:30					
2:45					
3:00					
3:15	Legacy Reflect & Snack	Legacy Reflect & Snack	Legacy Reflect & Snack	Legacy Reflect & Snack	
3:30					
3:45					
4:00	Life Skills	Physical Education		Arts	
4:15					
4:30					
4:45					
5:00	Arts	Life Skills		Physical Education	
5:15					
5:30					
5:45					

Figure A.9 Minimum Day Schedule

Legacy School Day – Minimum				
8:30	Legacy Set & Breakfast	Legacy Set & Breakfast	Legacy Set & Breakfast	Legacy Set & Breakfast
8:45				
9:00	Science or Social Studies (alternate every 9 weeks)	Math	Literacy	
9:15				
9:30				
9:45				
10:00	Literacy	Science or Social Studies (alternate every 9 weeks)	Math	
10:15				
10:30				
10:45				
11:00	Math	Literacy	Science or Social Studies (alternate every 9 weeks)	
11:15				
11:30				
11:45				
12:00	Lunch			
12:15				
12:30	Legacy Reflect	Legacy Reflect	Legacy Reflect	Legacy Reflect
12:45	Leadership & Service	Leadership & Service	Leadership & Service	Leadership & Service
1:00				
1:15				
1:30				
1:45				
2:00				
2:15				
2:30				
2:45				
3:00				
3:15				
3:30				
3:45				

Within this extended day program, Core Classroom certificated teachers work 8:00 am to 4:30 pm, with planning and preparation time from 8:00 to 8:30 am, 2:15 to 3:15, and 4:00 to 4:30 daily and a duty free lunch from 12:00 to 12:45. The one exception is the monthly minimum day schedule, in which they have planning and preparation time from 8:00 to 8:30 am and 4:00 to 4:30 daily and a duty free lunch from 12:00 to 12:30. Programming from 2:15 to 6:00 pm is provided by classified teachers and contracted community partners.

In Year One, The Legacy Academy intends to employ three full-time teachers as follows: one single-subject math teacher, one single-subject literacy teacher, and one multiple subject teacher to teach science and social studies. In Year Two, The Legacy Academy intends to employ six full-time teachers as follows: two single-subject math teachers (one each for 6th and 7th grades), two single-subject literacy teachers (one each for 6th and 7th grades), one single subject science teacher (who teaches 6th and 7th grade), and one single-subject social studies teacher (who teaches 6th and 7th grade). In Year Three, The Legacy Academy intends to employ

nine full-time teachers as follows: three single-subject math teachers (one each for 6th, 7th, and 8th grades), three single-subject literacy teachers (one each for 6th, 7th, and 8th grades), one multiple subject teacher to teach science and social studies (for 6th grade), one single subject science teacher (who teaches 7th and 8th grade), and one single-subject social studies teacher (who teaches 7th and 8th grade). This long-term design is intended to minimize the number of teachers a student works with during the entrance year, 6th grade, then increase that in 7th and 8th grade to support increasing complexities in subject area content.⁶

Attendance Accounting

The Legacy Academy will implement an attendance recording and accounting system, to ensure contemporaneous record keeping, which complies with state law. The Legacy Academy shall report daily attendance requirements to County Office of Education in a format acceptable to the County and State. Required reports regarding daily attendance shall be completed and submitted to requesting agencies.

What It Means to Be an Educated Person in the 21st Century

The Legacy Academy's targeted student population is on a path that will not prepare them to be productive and educated citizens in the 21st century. While they are "at promise," their involvement in the juvenile justice and/or foster care system is slowly eroding the possibilities for their future. The Legacy Academy seeks to disrupt that cycle, developing both the academic and non-academic qualities necessary to become productive members of 21st century society. Toward that end, The Legacy Academy will utilize a positive youth development approach to build the belief in all students that they can succeed and equipping them with the tools to change the path of their legacy.

These Non-Academic Qualities and Academic Qualities are detailed below and again in **Element B** of this charter.

Building the Belief - Non-Academic Qualities

The Legacy Academy is firmly committed to building the belief in all students they can succeed. The Legacy Academy's target population is faced with many obstacles in their lives. In studying children with these demographic profiles and others, researchers have identified a set of qualities that are linked with personal and professional success. This research includes studies completed across a variety of youth profiles including, but not limited to that of Tough,⁷ Howard,⁸

⁶ Teachers with a multiple subject credential may teach in the middle school setting provided they teach in a core or team teaching setting per the California Teaching Commission (CTC). Core is defined by the CTC as a setting where a teacher is assigned on the basis of a credential that authorizes self-contained classroom instruction to teach two or more subjects to the same group of students in grades 5-8. Both definitions are available at <http://www.ctc.ca.gov/glossary/glossary.html>.

⁷ Tough, Paul (2012). *How children succeed: Grit, curiosity, and the hidden power of character*. Boston: Houghton Mifflin Harcourt.

⁸ Howard, Jeff (1992). *Getting Smart: The Social Construction of Intelligence*. Retrieved from: http://www.efficacy.org/Portals/7/Article_Downloads/Writings_by_dr_jeff_howard/GettingSmart.JeffHoward.pdf

Dweck,⁹ Seligman,¹⁰ Duckworth,¹¹ Moffitt,¹² and others. It also includes research conducted specifically on adjudicated youth, including that of Kerig,¹³ Dierkhising,¹⁴ and Abram.¹⁵

The Legacy Academy will utilize the motto “Be Ready, Be Responsible, Be Respectful.” Toward this end, The Legacy Academy will build on students existing strengths to develop the following non-academic qualities in its students and holds these same expectations for families and staff:

- **Responsibility** - Students show responsibility by adhering to school policies, practicing strong work habits, and following through on their commitments to themselves, their families, and their community.
- **Respectfulness** - Students show respect for self, others, and the physical community by treating each with consideration at all times.
- **Collaboration** - Students show collaboration by working together, sharing ideas, and negotiating differences.
- **Integrity** - Students are truthful, fair, and trustworthy in both words and actions and try their best regardless of what other people may think.
- **Belief** - Students demonstrate the belief that they can achieve with hard work and effort, which is manifested in their own academic, social, and emotional development.

Equipping with Tools - Academic Qualities

Alongside the belief that they can succeed, student must be equipped with the tools to change their legacy and achieve high school, college and/or career, and life success. Many Legacy students will come in performing far below grade level and disengaged with the formal education process. It is the charge of The Legacy Academy to equip these students with an understanding of content, concepts, and skills across a broad course of study. The Legacy Academy’s focus on literacy and math is designed to develop proficient readers, writers, communicators, and mathematical problem solvers. The Real World Learning Investigations are designed to develop inquirers, explorers, and critical thinkers in social studies, science, and engineering. Finally, the Enrichment Program (focused on the core needs of adolescent youth) is designed to promote student’s ability to express themselves through the arts and physical activity, while embracing these domains to develop healthy habits and hobbies.

Aligned with The Legacy Academy mission and the California Common Core Standards (CCCS), California State Standards (CSS), and Next Generation Science Standards (NGSS) students at The Legacy Academy will develop the following Academic Qualities:

⁹ Dweck, C. S. (2006). *Mindset: The new psychology of success*. New York: Random House.

¹⁰ Seligman, Martin (1991). *Learned Optimism: How to Change Your Mind and Your Life*. A.A. Knopf, p. 13.

¹¹ Duckworth, Angela & Seligman, Martin (2005). “Self-Discipline Outdoes IQ in Predicting Academic Performance in Adolescents,” *Psychological Science* 16, no 12.

¹² Moffitt et al (2011). “A Gradient of Childhood Self-Control Predicts Health, Wealth, and Public Safety,” *Proceedings of the National Council of Science* 108, no. 7.

¹³ Kerig, P. K. (2012a). Introduction to part I: Trauma and juvenile delinquency: Dynamics and developmental mechanisms. *Journal of Child & Adolescent Trauma*, 5, 83–87.

¹⁴ Kerig, P. K. (2012b). Introduction to part II: Trauma and juvenile delinquency: New directions in interventions. *Journal of Child & Adolescent Trauma*, 5, 187–190.

¹⁵ European Journal of Psychotraumatology 2013, 4: 20274 - <http://dx.doi.org/10.3402/ejpt.v4i0.20274>

¹⁵ Abram, K. M., Teplin, L. A., Charles, D. R., Longworth, S. L., McClelland, G. M., & Dulcan, M. K. (2004). Posttraumatic stress disorder and trauma in youth in juvenile detention. *Archives of General Psychiatry*, 61, 403–410.

- **Language Arts** - Students will be able to read, write, and speak for a variety of purposes to a variety of audiences, and interpret and analyze a variety of texts for different purposes. They will understand the role and power language plays in our society and how to harness it in terms of consumption and production to promote a positive legacy.
- **Mathematics** - Students will be able to solve problems using multiple strategies, communicate an understanding of mathematical logic in the problem solving process, and apply mathematical concepts to real world scenarios. They will develop their confidence as mathematicians and see math as a potential part of their college and/or career paths.
- **History and Social Science** - Students will be able to analyze past and present events through multiple perspectives while demonstrating an understanding of how geography, government, economics, and culture shape their own lives and the lives of others. They will understand the systems and structures at play in their community and world, as well as the power of their own agency in navigating these.
- **Science and Engineering** - Students will be able to demonstrate an understanding of the core ideas, practices, and cross-cutting concepts of science and engineering and demonstrate the process of scientific inquiry through experimentation, data collection and analysis, and problem solving. They will engage in the process of making and tinkering, identify ways that they are already makers and inventors, and see possibilities for science and engineering to be part of their college and/or career paths.
- **Physical Education, Health, and Wellness** - Students will be able to demonstrate an appreciation and understanding of fitness/wellness issues along with a capacity to make conscientious decisions around important matters including nutrition, exercise, body image, healthy relationships, and the law.
- **Visual and Performing Arts** - Students will demonstrate an understanding of how to interpret and use the visual and performing arts to communicate ideas. They will understand the unique arts within their culture and community, and engage as both consumers and producers of the arts.

Educational Philosophy

The Legacy Academy's educational philosophy is rooted in our Mission and Vision and based on the principle that the needs of the whole child are best met in a community based setting. Research has consistently demonstrated that student's academic achievement is influenced by a variety of conditions outside the school, including their physical, social, emotional and economic circumstances. The Legacy Academy target student population face struggles in all four of these areas, often on a daily basis. A comprehensive community-based approach to meeting these needs can make a significant impact in our student's education, career, and life trajectories.

The community-based approach model is summarized by the UC Davis School of Education Center for Community School Partnership in their publication "Community School Tool Kit." The UC Davis School of Education has identified five key principles to achieve success at a community-based school. All five of these principles form a central part of The Legacy Academy educational philosophy:

- **Academic Excellence** - The school has a core instructional program with qualified teachers, a challenging curriculum, and high standards and expectations for students.
- **Expanded Learning Settings** - Students are motivated and engaged in learning – both in school and in community settings, during and after school.

- **Serving the Whole Child** - The basic physical, mental, and emotional health needs of young people and their families are recognized and addressed.
- **Cooperation and Trust** - There is mutual respect and effective collaboration among parents, families, and school staff.
- **Community Involvement** - Community engagement, together with school efforts, promotes a school climate that is safe, supportive, and respectful and that connects students to a broader learning community.

As a County-wide benefit public charter school, The Legacy Academy believes that this educational philosophy is in strong alignment with the needs of our students and community. In alignment with this philosophy, The Legacy Academy has developed a high quality, high-school preparatory middle school option for Santa Clara County's most "at promise" youth and their families.

How Learning Best Occurs

The Legacy Academy believes learning best occurs when students actively participate in the process of learning, and can engage in experimentation, exploration, and discovery. When students can see the connections between what they learn and what happens in the real world, when they are encouraged to go beyond the standard curriculum and can develop more deeply into various subjects, when students are challenged to use critical thinking and problem-solving skills, their education becomes a means to inspire them to reach their full potential. The Legacy Academy will foster these conditions within a site-based learning environment designed to meet the school's unique mission and vision:

- Building the belief in all students that they can succeed
- Equipping them with the tools to change their legacy

While separated into three areas for purpose of description in this petition, the following core components will work in concert with one another across the school day and are detailed in the remainder of **Element A**.

- Strategies for Social and Emotional Wellbeing
- Curriculum and Instruction Design
- Strategies for Serving Special Populations

Building the Belief - Strategies for Social and Emotional Wellbeing

Student must develop the belief that they can succeed - supporting students social and emotional well-being is an integral component in this development. The Legacy Academy will utilize an integrated model for this work, rooted in the following key features:

- Personalized Learning
- Robust, Wrap Around Supports
- Passion, Purpose, and Agency

Each of these key features is detailed below.

Personalized Learning

Students build belief in their ability to succeed when they realize success in tasks that are at an appropriate level of challenge, known as their Zone of Proximal Development (ZPD). The Legacy Academy employs specific structures to provide personalized learning to students at

their “just right” level. This includes the use of Personal Learning Plans, an Advisory Program called Legacy Set & Reflect, Math and Literacy Labs, and robust intervention staffing (discussed in the next section).

- **Personal Learning Plans** - The Legacy Academy core instructional program begins with an evaluation of students to help create an individualized Personal Learning Plan (PLP). In early July, every incoming sixth grade student will be assessed to analyze his/her social and emotional well-being, as well as academic needs in the building block areas of reading and math. Building upon strengths, a plan including goals, actions and measures will be developed in partnership with the student, family, and school. Students develop and monitor their own ILPs in their Advisory, empowering them to set goals, have access to and own their data, and build agency. (NOTE: This strategy is used for academic learning as well, detailed below)
- **Legacy Set & Reflect** - The Legacy Academy will intentionally be built as a small learning community, to ensure that it listens to and respects all of its members. In comparison to larger schools, small schools have been shown to produce more favorable student attitudes, positive social behavior, better attendance, lower dropout rates, and positive interpersonal relationships that support academic success. Core to this practice is Legacy Set and Reflect, a small advisory group of 12 to 13 students that meet at the beginning and end of each day to check-in, goal set, and reflect. Their Advisor loops with them for three years, to ensure every student is known well.
- **Math and Literacy Labs** - With a focus on building core competencies, The Legacy Academy schedule has built in “just in time” intervention blocks to support student success. A Lab precedes Literacy to allow for front loading and proactive intervention, a lab follows math to provide students with just-in-time support to remediate or extend learning, reducing frustration and building empowerment.
- **Robust Intervention Staffing** - As detailed below and in **Element E** of this charter, The Legacy Academy will utilize a robust staffing plan to ensure the needs of our targeted student population is met. This includes a teacher, classroom intervention specialist, and mental health counselor in every classroom - creating a 20:3 ration in core and enrichment classrooms and a 13:3 ratio in the Legacy Set and Reflect advisory classroom.

Robust, Wrap-around Services

Students build belief in their ability to succeed when they receive the academic, social, emotional and behavioral supports they need. In partnership with the Seneca Family of Agencies, ALL students at The Legacy Academy will be provided with the wrap-around support services utilizing a Trauma-Informed Model. Supports include individual and group counseling and mental health services, behavior interventions, academic intervention and remediation, and language development. With an academic interventionist and mental health counselor in every classroom, these services are integrated into the classroom as well as provided on an individual and small groups basis. The Unconditional Education Coach oversees implementation of the support services delivery model, to incorporate the best intervention programs available while maximizing the best reimbursement vehicles to sustain them.

Trauma-Informed Model

The Legacy Academy’s targeted student population is one that has often experienced traumatic stress. Traumatic stress occurs when a child experiences an intense event that threatens or causes harm to his or her emotional and physical well-being. This traumatic stress can impact the development of children’s brains and bodies, and children who have been exposed to one or

more traumatic events often develop reactions that persist over time, affecting their daily lives – at home, in school, and in the community. Such reactions may include intense emotional reactions to minor incidents, aggressive responses to perceived threats, withdrawal and isolation, anxiety, interpersonal difficulties, difficulties with attention, academic difficulties, nightmares, sleep and eating problems, and physical symptoms. All of these reactions can interfere with a child’s ability to concentrate, learn, and perform in school.

Ultimately, traumatic stress changes how children view the world and their futures. Danger and safety become core concerns for them, and consequently they may engage in unwise activities in an effort to feel safe. These may include physical altercations which they perceive as “self-defense,” carrying weapons, joining gangs, involvement in intense volatile relationships, and self-medication with drugs or alcohol. Core to the work at The Legacy Academy is the ability to respond effectively to these situations within the school environment in order to keep youth and adults safe, to appropriately address reactive stress, and to facilitate personal and academic success for every child. Toward this end, all curriculum and instruction at The Legacy Academy is rooted in the Trauma-Informed School Model. The National Child Traumatic Stress Network (NCTSN) defines a trauma-informed service system as:

*“...one in which all parties involved recognize and respond to the impact of traumatic stress on those who have contact with the system including children, caregivers, and service providers. Programs and agencies within such a system infuse and sustain trauma awareness, knowledge, and skills into their organizational cultures, practices, and policies. They act in collaboration with all those who are involved with the child, using the best available science, to facilitate and support the recovery and resilience of the child and family...”*¹⁶

The Legacy Academy will utilize this definition and related evidenced-based models of training and interventions to establish a trauma-informed collective knowledge, awareness, and behavior throughout the school “milieu” (administrators, teachers, students, families, service providers, etc.). This will be done through effective leadership, instilling competencies throughout the school community, providing continuous trauma informed learning, and utilizing evidenced based interventions and supports that are aligned with the needs of the school population. Our aim is to create a learning environment and school climate where young people and adults feel safe and supported, have an understanding of how adverse life experiences impact living and learning, are empowered to manage their emotions and behaviors, and ultimately are able to successfully engage in learning and teaching.

This trauma-informed approach will be anchored within the Community Schools model detailed in our Educational Philosophy as well as in the Seneca Unconditional Education model described below. Through our partnership with the Seneca Family of Agencies and other trauma experts, every member of the school community, including students and their families will gain an understanding of traumatic stress and will learn skills to successfully respond to it in the classroom, at home, and in their communities. This work will build upon trauma-informed systems work that is currently underway in Santa Clara County, where child-serving system leaders from the Juvenile Court, Probation, Social Services, and Behavioral Health have committed to incorporating trauma-informed policies and practices into their systems.

¹⁶ Creating Trauma-Informed Systems. (n.d.). Retrieved August 22, 2016, from <http://www.nctsn.org/resources/topics/creating-trauma-informed-systems>

Unconditional Education (UE) Model

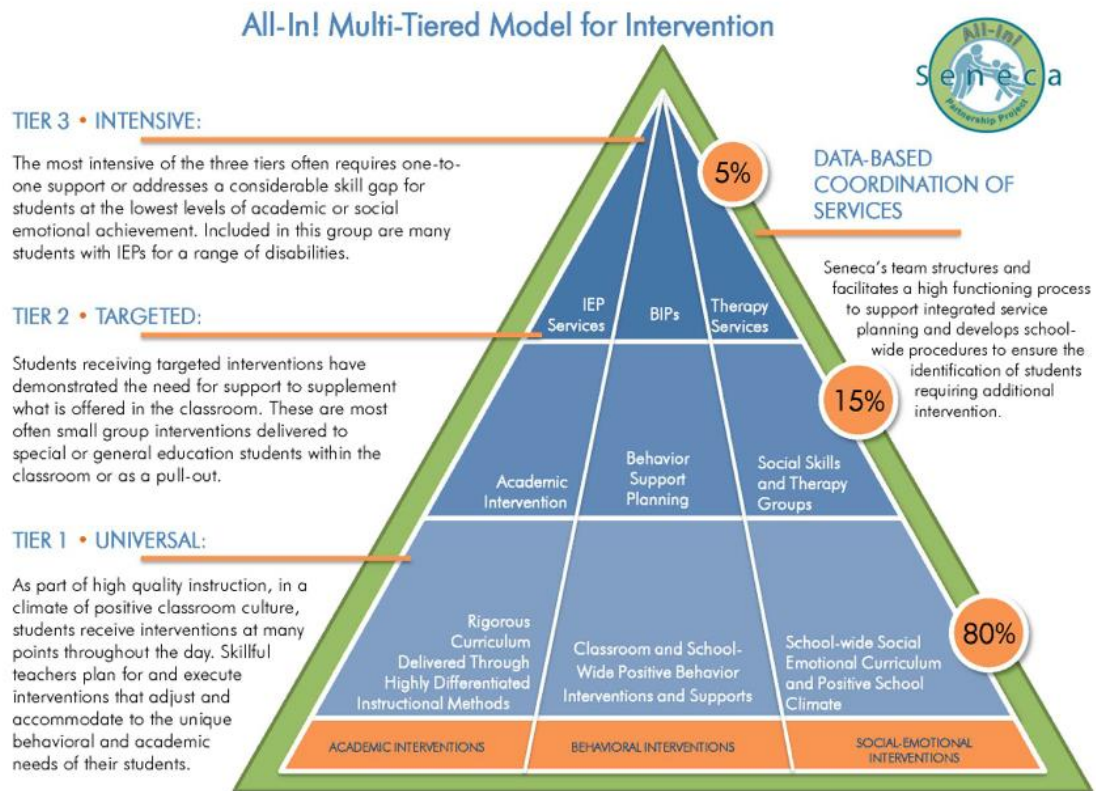
The Legacy Academy will utilize the Unconditional Education Model in partnership with the Seneca Family of Agencies, to provide a program aligned to the specific needs of our targeted community. As introduced above, the Unconditional Education Model is an integrated, trauma-informed, three-tiered support services model that incorporates features of Community Schools and several effective models currently implemented in Santa Clara County. Core facets of the Unconditional Education Model include:

- **A Campus Collaborative** consisting of a formal partnership between the school, parents, service providers, and the community
- **A Continuum of Services** (promotion, prevention, early and intensive intervention), provided by school staff and community partners
- **A Family Engagement Committee** comprised of parent/family/caregiver leaders that champion and facilitate family involvement
- **An Unconditional Education Coach** who facilitates the collaborative, coordinates services, and supports the work of the Parent Engagement Committee.

Under this framework, services for students and families will be orchestrated by the Unconditional Education Coach (UE Coach). The UE Coach will work with school leaders, staff, students and families, and support service providers to develop and implement trauma-informed learning activities, collaborate to complete the assessment and prioritization of school needs and concerns, and identify the assets, resources and services available on campus and in the neighboring community. At the day-to-day school operations level, the UE Coach will engage families and service providers, manage referrals, provide consultations with school referring parties, facilitate parent-involved activities, and provide required documentation services activities. The UE Coach will have oversight of service delivery and related processes and will have experience sufficient to provide consultation and management of mental health or other crisis situations that occur on campus.

The UE Coach oversees the implementation of a multi-tiered model for intervention across the domains of academics, behavior, and social-emotional well-being. **Figure A.10** provides an illustration of this model, which is detailed further in **Element A** under “Strategies to Support Special Subgroups of Students.” The framework aligns academic and social-emotional approaches to insure students and their families are provided integrated, responsive interventions that are attuned to the child and family’s specific needs. While the traditional pyramid shows percentages of 80%, 15%, and 5% across Tier 1, 2, and 3 services respectively, given The Legacy Academy target student population The Legacy Academy has significantly more staffing to provide increased services at all levels. For more information on the Unconditional Education Model, please see **Appendix A-1**.

Figure A.10. Seneca Unconditional Education Model



	ACADEMIC	BEHAVIORAL	SOCIAL-EMOTIONAL
Tier 3	Special Education and Related Services	Behavior Intervention Planning (BIP) and Case Management	Individual and Family Therapy
Tier 2	Academic Intervention	Behavior Support Planning (BSP) and Case Management	Social Skills and Therapy Groups
Tier 1	Rigorous Curriculum delivered through Highly Differentiated Instructional Methods	Classroom and School-wide Positive Behavior Interventions and Supports	School-wide Social Emotional Curriculum and Positive School Climate

Planning and Development

The Legacy Academy anticipates that a large percentage of its students will be in need of behavioral health interventions, in addition to academic interventions. As such, additional

planning will be conducted between submission of this petition and opening day to determine and put in place a delivery model that incorporates the best intervention programs and the best reimbursement vehicle to sustain them. This effort will be led by the Executive Director and two Board members, one with extensive experience in universal behavioral health promotion and prevention models; and one with experience as the director of the County public mental health system. In addition, both the Executive Director and several Board members were actively involved in the development of the Strategic Plan and initial implementation and have extensive relationships with County child-serving agencies. The Executive Director and Board Members will work in partnership with the Seneca Family of Agencies in the development of this plan, including the Seneca Executive Director and the Unconditional Education Coach assigned to The Legacy Academy. This team will design a seamless, comprehensive system of support services that is integrated within the school curriculum, as well as a three-year implementation plan for its roll out to mirror the growth of the school. An evaluation framework will be used to measure the outcomes achieved by students of the school in academic progress, family support, and social emotional well-being, drawing upon nationally recognized community school's evaluation models.

Passion, Purpose, and Agency

Students build belief in their ability to succeed when they feel they have a reason, have something to offer, and have control of their destiny. The Legacy Academy Enrichment courses, Leadership and Service Programs, and Personalized Learning discussed above, support students in developing their identity, discovering passions, finding their own unique gifts, and giving them agency over their own development.

- **Enrichment Programming** - Enrichment programming is squarely focused on the needs of adolescent youth and our specific target population. As such, it is a central element in developing positive belief systems as detailed here, as well as specific tools as detailed later in this element. While identified as “Non-Core” in our program, it is central to our mission.
 - Physical Education and Health- The fitness and health curriculum focuses on the power of choice. Many of The Legacy Academy’s targeted student population have already made or been exposed to unhealthy choices in their lives - from their health, to their physical safety and the safety of others. By offering physical education such as martial arts and high intensity training, teaching students about healthy food choices, supplying mentors to steer teens and pre-teens away from drugs, smoking and alcohol, and crime, and displaying other innovative ways to promote healthy lifestyles, programs are designed to promote healthier lifestyles and decision making.
 - Arts - The arts program is designed to introduce students to a variety of media, to encourage exploration, expression, and appreciation. Many of the targeted student population come from minority cultures and marginalized communities. By focusing on arts that are reflective of the cultures within the student body, pride and cultural identity can be developed.
 - Life Skills - The Legacy Academy believes that character and life skills are vital to student success. Utilizing a combination of teachers, Seneca staff, and paraprofessionals, such as retired police officers, the Character program will cover topics such as self-awareness, self-management, social-awareness, relationship skills, and responsible decision making.
- **Service and Leadership** - Once a month, students will engage in monthly Service and Leadership opportunities, geared at building belonging within their community and empowering students to be on the giving end of service when they have traditionally

been on the receiving end. Projects will encompass of a wide range of experience from community beautification, to feeding the homeless.

- **Cultural Responsiveness** - The Legacy Academy is committed to providing a culturally responsive curriculum and community. As a school that is committed to social justice in curriculum, pedagogy and governance, The Legacy Academy will be inherently responsive to the needs of the community it serves. The focus on arts reflective of the cultures of the student body, as discussed above, is one example. A second example is the selection of *Facing History, Facing Ourselves* as the framework for the Social Studies curriculum, which views history through a variety of perspectives and emphasizes the power of choice, much like the physical education and health program. Finally, The Legacy Academy will specifically hire staff who possess strong cultural competency and humility.

Equipping with Tools - Curriculum & Instruction Design

Alongside a belief that they can succeed, students need the tools necessary to change their legacy. To equip students with these tools, The Legacy Academy Curriculum and Instruction Design is rooted in the following key features:

- A Focus on Math and Literacy
- Real-world Learning Investigations in Science and Social Studies
- Enrichment Tailored to the Needs of At Promise Adolescents

To support with the visualization of how these components interact over the school day, the sample schedule of The Legacy Day is provided again in [Figure A.11](#).

Figure A.11 Regular Day Schedule

Legacy Regular School Day Schedule				
8:30	Legacy Set & Breakfast	Legacy Set & Breakfast	Legacy Set & Breakfast	Legacy Set & Breakfast
8:45				
9:00	Science or Social Studies (alternate every 9 weeks)	Math	Literacy Lab	
9:15			Literacy	
9:30				
9:45				
10:00				
10:15	Math Lab	Math		
10:30	Literacy Lab			
10:45	Literacy			
11:00				
11:15				
11:30				
11:45	Math Lab			
12:00	Lunch and Recess			
12:15	Lunch and Recess			
12:30	Lunch and Recess			
12:45	Math	Literacy Lab		Science or Social Studies (alternate every 9 weeks)
1:00		Literacy		
1:15				
1:30				
1:45	Math Lab			
2:00	Physical Education	Arts	Life Skills	
2:15			Life Skills	
2:30				
2:45				
3:00				
3:15	Legacy Reflect & Snack	Legacy Reflect & Snack	Legacy Reflect & Snack	Legacy Reflect & Snack
3:30	Life Skills	Physical Education	Arts	
3:45			Arts	
4:00				
4:15				
4:30				
4:45	Arts	Life Skills	Physical Education	
5:00			Physical Education	
5:15				
5:30				
5:45	Physical Education			

A Focus on Math and Literacy

The Legacy Academy anticipates that students will have diverse academic needs, specifically in the area of literacy and math, and will enter school anywhere from 2 to 4 years below grade level. The ability to communicate effectively, verbally and in writing, as well as consume information is critical in changing the trajectory of their lives. Likewise, the belief that a person can simply not be a “math person” is both a damaging and self-fulfilling prophecy - especially for students who struggle. By their middle and high school years, students who develop this identity work less hard in math and thus have less success in it. In turn, they are literally hamstringing their career options and perpetuating a myth about inborn genetic ability.¹⁷

¹⁷ More information available at <http://www.theatlantic.com/education/archive/2013/10/the-myth-of-im-bad-at-math/280914/>

The Legacy Academy is dedicated to providing both the opportunities and supports necessary for students to develop their literacy and redefine themselves as mathematicians, opening up new opportunities for these students and their own future legacy within our community. To do so, The Legacy Academy provides a 90-minute block for both literacy and math instruction - a 60-minute class and 30-minute lab - to support students in mastering grade level content, while also remediating gaps that have developed over time and stand in the way of their future. Additional details on these core components are provided below.

English Language Arts

The objective of the Literacy program is to equip students with the ability to read, write, and speak for a variety of purposes to a variety of audiences, and interpret and analyze a variety of texts for different purposes. They will understand the role and power language plays in our society and how to harness it in terms of consumption and production to promote a positive legacy.

As detailed above, The Legacy Academy will utilize a two prong model for Literacy instruction, ensuring students leave the school on grade level and ready for the rigor of high school.

During the Literacy Class, curriculum from EngageNY will be used within a workshop approach. The workshop model allows for mini-lessons on content and strategies across the whole class, with subsequent guided practice and independent application in small groups and individually. As such, it is the ideal model to support the school's push-in support structures. Classes end with an opportunity for sharing and completion of an "exit ticket," which allows student learning to be generalized to their peers and provides the teacher with data on students developing mastery. The EngageNY curriculum was developed by the New York State Education Department to assist schools and districts with the implementation of the Common Core. The curriculum includes year-long scope and sequence documents, overviews and framing for each module, performance tasks, lesson plans, and supporting materials (class work, homework, etc.). All materials are research-based and easy for teachers to customize to meet the specific needs of their students. In addition, professional development modules are available for use at the school site.

During the Literacy Lab, which precedes the class, students will receive additional differentiated and targeted support. This includes intervention and remediation based on the previous day's exit ticket, front loading of content and vocabulary to set students up for success in the current lesson, as well as supplemental reading support at students reading level via blended learning tools such as READ 180 and Achieve3000.

Integrated and designated ELD are built into the Literacy Class and Literacy Lab, ensuring that the following structures are built into the lesson planning for each: a language objective, academic vocabulary, a focus on language structures and functions, opportunities for oral practice, collaborative conversations, visual cues, and graphic organizers. For example, 6th grade students may engage in a study of the novel Seedfolks that explores how a diverse community of children and adults – many of whom are immigrants – come together to form a community garden. Within this unit, the teacher may identify specific objectives around vocabulary differentiated based on student need that will be supported within the Literacy Class via Integrated ELD and the Literacy Lab via Designated ELD. These may include an academic vocabulary focus on Proper Names of People, Places and Languages; Hobbies, Occupations, or Skills; or Specialized Terms. Likewise, forms and function may include a focus on sentence

patterns using who, what, when, where, and how and differentiated in complexity based on the students' language proficiency (Emerging, Expanding, Bridging). While the Literacy Class may have additional content objectives, such as Theme or the use of Literary Devices, the Literacy Lab provides the protected time for teachers to use the CA ELD Standards as the focal standards in ways that build into and from content instruction in order to develop critical English language skills, knowledge, and abilities needed for content learning in English. Students will have Designated ELD daily, in either the Literacy Lab or Math Lab (discussed below) dependent on need.¹⁸

To further illustrate the curricular approach of The Legacy Academy English Language Arts program, examples of the scope and sequence for Units of Study in 6th and 7th Grade are detailed in **Appendix A-2**. These units, as well as the selected curriculum, may be changed based on student need and will not be considered a material revision of the charter.

Mathematics

The objective of the Mathematics program is to equip students with the ability to solve problems using multiple strategies, communicate an understanding of mathematical logic in the problem solving process, and apply mathematical concepts to real world scenarios. They will develop their confidence as mathematicians and see math as a potential part of their college and/or career paths.

The Legacy Academy mathematics program is designed with the goal of success in Algebra I in 8th grade. To prepare students for this challenge, many of whom have struggled, the program provides remediation for students on concepts from previous grade levels while building students' conceptual understanding of on-grade-level math concepts from 6th, 7th and 8th grade mathematics. As with the Literacy program, this is done through a two pronged approach included a 60-minute Math Class and a 30-minute Math Lab.

The Math Class core curriculum will be built upon the EngageNY curriculum. As discussed under ELA, this high-quality curriculum was developed by the New York State Education Department to assist schools and districts with the implementation of the Common Core. The curriculum includes year-long scope and sequence documents, overviews and framing for each module, performance tasks, lesson plans, and supporting materials (class work, homework, etc.). All materials are research-based and are easy to customize by teachers to meet the specific needs of their students. In addition, professional development modules are available for use at the school site.

During the Math Lab, which follows the class, students will receive additional differentiated and targeted support. This includes just-in-time support based on the current day's exit ticket, to remediate or extend learning, reduce frustration, and build empowerment. It also included supplemental math support at students proficiency level via blended learning tools such as the Spatial-Temporal (ST) Math program from the MIND Research Institute.¹⁹ ST Math is a game-based, educational, instructional software program designed to boost math comprehension and proficiency through visual learning. The program incorporates interactive, graphics and animations to visually represent mathematical concepts to improve conceptual understanding and problem-solving skills, in alignment with the eight key recommendations from the Institute of

¹⁸ California Department of Education (2014) Chapter 2 English Language Arts/English Language Development Framework for California Public Schools: Transitional Kindergarten through Grade Twelve.

¹⁹ More information available at <http://www.mindresearch.org/stmath>

Education Science's publication, [Assisting Students Struggling with Mathematics: Response to Intervention \(RtI\) for Elementary and Middle Schools](#).²⁰ As these graphics are language-independent, the program provides equity of access for English Language Learners as well. Finally, the program is customizable allowing students to work in differentiated learning paths to address their individual strengths and areas of need.

As with Literacy, Integrated and Designated ELD are built into the Math Class and Math Lab, ensuring that the following structures are built into the lesson planning for each: a language objective, academic vocabulary, a focus on language structures and functions, opportunities for oral practice, collaborative conversations, visual cues, and graphic organizers. For example, 6th grade students may engage in a study on Unit Rates. Within this unit, the teacher may identify specific objectives around vocabulary and forms and functions of language differentiated based on student need and supported within the Math Class via Integrated ELD and the Math Lab via Designated ELD. These may include an academic vocabulary focus on terminology such as equivalent, rate, data, graph, unit, tables, and graphs. Likewise, objectives on the functions of language may include the ability to verbally explain what they are looking for on a graph and defend their ideas on what a unit rate is. While the Math Class may have additional content objectives, such as being able to calculate and compare unit rates by reading tables and graphs, the Math Lab provides the protected time for teachers to use the CA ELD Standards as the focal standards in ways that build into and from content instruction in order to develop critical English language skills, knowledge, and abilities needed for content learning in English.²¹ Students will have Designated ELD daily, in either the Math Lab or Literacy Lab (discussed above) dependent on need.

Utilizing the EngageNY curriculum and ST Math program, The Legacy Academy will provide a research-based, well-balanced, and rigorous program for its students. To provide further illustration of this program, a Scope and Sequence of major content, concepts, and skills across all grades as well as the scope and sequence for specific Units of Study in 6th and 7th Grade are detailed in **Appendix A-2**. These units, as well as the selected curriculum and the scope and sequence detailed above, may be changed based on student need and will not be considered a material revision of the charter.

Real-world Learning Investigations in Science and Social Studies

Science and Engineering companies dominate the economic landscape of the bay area and, for the most part, The Legacy Academy's targeted student population lives in their shadows. While these students may dream of a job at Google, Facebook, or Linked In, they lack the knowledge and skills to date that can set them on the trajectory of achieving those dreams. The Legacy Academy's Science program is designed to engage students and change that trajectory, in turn changing these students' future legacy within our community.

In addition, The Legacy Academy's target population has incredible obstacles to overcome, often from choices that were made by them or those around them. Simply put, people make choices and these choices determine their future. The Legacy Academy's social studies curriculum is designed to support students in understanding the power of choice - how it has impacted our shared world history and their lives to dates, and the power they hold in creating a different future for themselves and our community.

²⁰ More information available at http://ies.ed.gov/ncee/wwc/pdf/practice_guides/rti_math_pg_042109.pdf

²¹ California Department of Education (2014) Chapter 2 English Language Arts/English Language Development Framework for California Public Schools: Transitional Kindergarten through Grade Twelve.

In-depth Learning Investigations, alternating between Science and Social Studies on approximately nine-week rotations, will engage students and allow them to critically examine the world around them. By making learning relevant, students are better able to make meaning and develop critical thinking skills that are central to these two disciplines. Three highly successful and research-based programs have been selected to provide the core curriculum for these units, *Project Lead The Way* for Science and *TCI History Alive* and *Facing History, Facing Ourselves* for Social Studies. A 90-minute block allows teachers and students the time necessary to dive into this content. Additional details on these core components are provided below.

Science & Engineering

The objective of the Science and Engineering program, in full alignment with the NGSS, is to equip students with the ability to demonstrate an understanding of the core ideas, practices, and cross-cutting concepts of science and engineering and demonstrate the process of scientific inquiry through experimentation, data collection and analysis, and problem solving. They will engage in the process of making and tinkering, identify ways that they are already makers and inventors, and see possibilities for science and engineering to be part of their college and/or career paths.

The Legacy Academy will utilize a hands-on, activity-based, project-based, and problem-based approach for its science instruction. With a focus on authentic application, students will engage in rigorous and relevant experiences in science and engineering. Through topics like coding and robotics, flight and space, and DNA and crime scene analysis, our middle school students will engage their natural curiosity and imagination in creative problem solving. In addition, they will use industry-leading technology to solve these problems while gaining skills in communication, collaboration, critical-thinking, and creativity. Through this approach, students will not only master the NGSS but also have a solid foundation for STEM learning in their high school years and beyond.

Toward this end, The Legacy Academy intends to use the Project Lead the Way (PLTW) Gateway curriculum as its core for the Science and Engineering portions of STEM.²² PLTW Gateway curriculum is organized in nine-week units. All PLTW middle school units are aligned to the Next Generation Science Standards, as well as applicable Common Core State Standards for Mathematics and English Language Arts. In addition, to support and strengthen instructional practices and content knowledge related to each unit, PLTW Gateway provides STEM teachers with a three-phase professional development model. The model provides STEM teachers with learning opportunities that emphasize proper preparation, in-depth training, and continuing education. Finally, through the National Gateway Professional Learning Community (PLC), Gateway teachers can connect with other professionals from across the nation and share experiences and expertise.

As with literacy and math, Science instruction will include the following to support Integrated ELA: a language objective, academic vocabulary, a focus on language structures and functions, opportunities for oral practice, collaborative conversations, visual cues, and graphic organizers. For example, 6th grade students may engage in a study on magnetism in which they use magnets to test the iron content of various cereals. Within this unit, the teacher may identify specific objectives around academic vocabulary such as iron, steel, permanent, and temporary.

²² More information available at: <https://www.pltw.org/pltw-gateway>

Likewise, objectives on the functions of language may include the ability to compare results of an experiment orally and write conclusions. In addition, there may be specific content objectives such as the ability to compare the amount of iron in cereals against each other and against manufacturer's claims. Scaffolds such as a graphic organizer for recording iron content and opportunities for small group oral practice with sentence frames may be provided in alignment with students' language levels to ensure EL students have the support needed to access content and express understanding.

Examples of the scope and sequence for two of the PLTW Units of Study (45 Days each) are detailed in [Appendix A-2](#), which may be changed based on student need and will not be considered a material revision of the charter.

Social Studies

The objective of the Social Studies program is to equip students with the ability to analyze past and present events through multiple perspectives while demonstrating an understanding of how geography, government, economics, and culture shape their own lives and the lives of others. They will understand the systems and structures at play in their community and world, as well as the power of their own agency in navigating these.

The Legacy Academy will utilize Teachers Curriculum Institute's *History Alive!* Middle School Program at the core of its learning investigations. The program utilizes an inquiry-based and student-centered approach, that engages students through content, visual and textual resources, technology, and interactive classroom experience. TCI lessons start with an Essential Question to be explored, then utilize a variety of resources and experiences to facilitate student discovery. As the program places students at the center of instruction, students of all abilities are able to learn and succeed. The Legacy Academy will layer on to this the *Facing History, Facing Ourselves* framework that emphasizes looking at history through the lens of choice and viewing history from multiple perspectives. This explicitly includes the perspectives of minority and marginalized populations, which many of our target student population represent.

As with other subjects, Social Studies instruction will include the following to support Integrated ELD: a language objective, academic vocabulary, a focus on language structures and functions, opportunities for oral practice, collaborative conversations, visual cues, and graphic organizers. For example, 6th grade students may engage in a study on European exploration of America. Within this unit, the teacher may identify specific objectives around academic vocabulary such as the names of early colonies and their locations. Likewise, objectives on the functions of language may include the ability to classify people and places, make predictions, and discuss topics in small groups. In addition, there may be specific content objectives such as the identification of why different groups of Europeans chose to emigrate to America. Scaffolds such as a graphic organizer for recording people and places and opportunities for small group oral practice in classification may be provided in alignment with students' language levels to ensure EL students have the support needed to access content and express understanding.

To further illustrate the curricular approach of The Legacy Academy Social Studies program, examples of the scope and sequence for Units of Study in 6th and 7th Grade are detailed in [Appendix A-2](#). These units, as well as the selected curriculum, may be changed based on student need and will not be considered a material revision of the charter.

Enrichment Tailored to the Needs of At Promise Adolescents

As detailed in the section on “Building the Belief - Supporting Social and Emotional Well-being,” enrichment programming focuses on the core needs of at promise adolescents - physical education and health to build healthy choices, the arts to explore passions and provide means of expression, and life skills to support growing autonomy and decision-making. As such, it not only builds positive belief systems, it also equips students with specific tools to change the course of their legacy.

Students at The Legacy Academy will engage in three enrichment classes per day, Physical Education and Health, Life Skills, and the Arts. One of these classes will take place during the traditional “core day” and two will occur during that is traditionally seen as “extended day.” As all students will attend school for both segments, all students will have access to the full spectrum of this programming. Additional details on these core components are provided below.

Physical Education, Health, Wellness and Life Skills

The objective of the Physical Education, Health, and Wellness program and the Life Skills program is to equip students with the ability to demonstrate an appreciation and understanding of fitness/wellness issues along with a capacity to make conscientious decisions around important matters including nutrition, exercise, body image, healthy relationships, and the law. Because these two courses work together to meet these objectives, they are described together below.

Many of The Legacy Academy’s targeted student population have already made or been exposed to unhealthy choices in their lives - from their health, to their physical safety and the safety of others. As with the social studies curriculum, the fitness and health curriculum focuses on the power of choice. By offering sports programs, teaching students about healthy food choices, supplying mentors to steer teens and pre-teens away from drugs, smoking and alcohol, and crime, and displaying other innovative ways to promote healthy lifestyles, The Legacy Academy programs are leading the way toward healthier lifestyles for Santa Clara County's middle schoolers.

The Legacy Academy will utilize an asset based approach to physical fitness and health, focused on the development of competencies within students through interactions with important others in family, peer, school, and community settings. This approach promotes three critical outcomes:

- Personal and life skills development
- Positive adult, peer, and community relationships
- A psychological climate focused on learning, mastery, and autonomy

To reach these outcomes, specific conditions for learning must be in place:

- Context - Youth are engaged in an intrinsically motivating physical activity, within a physically and emotionally safe place
- External Assets - Youth learn from caring and compassionate adult mentors – their teachers - and are surrounded by a positive peer group and community
- Internal Assets - Youth are actively learning skills that are important for successfully coping with life situations

When conditions for context, external assets, and internal assets are satisfied, healthy youth development is maximized in terms of academic, social, psychological, and physical outcomes (e.g., better school performance, interpersonal skills, emotion management, cardiovascular endurance).²³ Two particular areas of emphasis for Physical Education component will be in the areas of Martial Arts and High Intensity Training. In Life Skills, The Legacy Academy will utilize the 180 Degrees program.²⁴

To further illustrate the curricular approach of The Legacy Academy Fitness and Health program, examples of the scope and sequence for Units of Study in 6th and 7th Grade are detailed in **Appendix A-2**. These units, as well as the selected curriculum, may be changed based on student need and will not be considered a material revision of the charter.

Visual and Performing Arts

The objective of the Visual and Performing Arts program is to equip students with the ability to interpret and use the visual and performing arts to communicate ideas. They will understand the unique arts within their culture and community, and engage as both consumers and producers of the arts.

The Legacy Academy Visual and Performing Arts program is designed to introduce students to a variety of media, to encourage exploration, expression, and appreciation. Many of the targeted student population come from minority cultures and marginalized communities. By focusing on arts that are reflective of the cultures within the student body, pride and cultural identity can be developed. The Arts program, much like the life skills program, will leverage community artists and assets, providing students with a range of artistic experiences and role models across their three years. As such, the scope and sequence for Units of Study will be developed by the artists leveraging their individual expertise and in alignment with the Visual and Performing Arts (VAPA) standards.

Overall Scope and Sequence

The scope and sequence of The Legacy Academy's instructional day is designed to develop the belief in all students that they can succeed and equipping them with the tools to do so, as detailed above. **Figure A.12** provides a visual representation of course offerings.

Figure A.12 Scope and Sequence, 6th through 8th Grade

	6th Grade	7th Grade	8th Grade
Legacy Set	Daily Check in	Daily Check in	Daily Check in
Literacy	English 6 Literacy Lab	English 7 Literacy Lab	English 8 Literacy Lab
Mathematics	General Math Math Lab	Pre-Algebra Math Lab	Algebra I Math Lab
Science and Engineering	Earth Science	Life Science	Physical Science

²³ More information available at <https://www.presidentschallenge.org/informed/digest/docs/september2009digest.pdf>

²⁴ More information available at: <http://180-degrees.com/index.html>

Social Studies	Ancient Civilizations	World History	US History
Legacy Reflect	Daily Reflection	Daily Reflection	Daily Reflection
Physical Education, Health, and Wellness	Physical Education, Health, and Wellness	Physical Education, Health, and Wellness	Physical Education, Health, and Wellness
Arts	Arts	Arts	Arts
Life Skills	Life Skills	Life Skills	Life Skills

Building the Belief and Equipping with Tools - Strategies to Support Special Populations

The Legacy Academy will serve students in Santa Clara County who are facing enormous obstacles, those who have already been involved with the Juvenile Justice or Foster Care System and/or are facing significant academic, social, emotional, or behavioral challenges. The school's vision is not only to intervene in the lives of these young people who, but also to build a new model that helps to prevent further involvement in harmful and dangerous conduct. By building the belief in all students that they can succeed and equipping them with specific academic and non-academic tools, The Legacy Academy will ensure each student is given the opportunity to create a positive legacy within their family and community.

This new model is squarely focused on integrated services. While service to different subgroups are detailed below through individual sections in accordance with education code, services for these subgroups and all students are infused throughout the school program and day. With a robust wrap around services program and staffing, Tier 1, Tier 2, and Tier 3 services happen over the entire school day. Each advisory group (four groups in Year One) is staffed with a teacher, Classroom Intervention Specialist, and Mental Health Counselor - a 13:3 student to staff ratio. When these students move into the core and enrichment programming, those classes (three in Year One) are also staffed with a teacher, Classroom Intervention Specialist, and Mental Health Counselor - a 20:3 student to staff ratio. The additional teacher, Classroom Intervention Specialist, and Mental Health Counselor then become "floaters" available to add additional services where they are needed most.

This team will support all students through differentiated, scaffolded, and individualized instruction in general education settings where children have access to appropriate content and concepts and are provided the support and modifications many of our populations require to access the curriculum. They will also provide the social, emotional, and behavioral supports our students need to address the very real obstacles they face. These tiered interventions will be provided via a Response to Intervention as part of the Unconditional Education Model, with services provided via push-in or pull-out dependent on the needs of the students and best vehicle for delivery of service.

Unconditional Education

The Legacy Academy expects to serve a student population with intense academic, social, emotional, and behavioral needs. This includes students who are performing below grade level, as well as students who qualify for special education services. It is anticipated that The Legacy Academy will have at least twice the district average of students with identified special needs.

Finally, the school expects to serve a high percentage of students who are English Language Learners. As such, serving all these students well is a core design element of the program.

As discussed earlier in **Element A**, The Legacy Academy has partnered with the Seneca Family of Agencies in the implementation of a Multi-Tiered Model for proactive support and intervention across the domains of academics, behavior, social, and emotional well-being. Seneca has significant experience in implementing their UE model in multiple charter schools in the Bay Area and is committed to increasing access of this collaborative model. They also have extensive experience in providing county-supported mental health programs in school settings, making them uniquely qualified to manage this programming at The Legacy Academy.

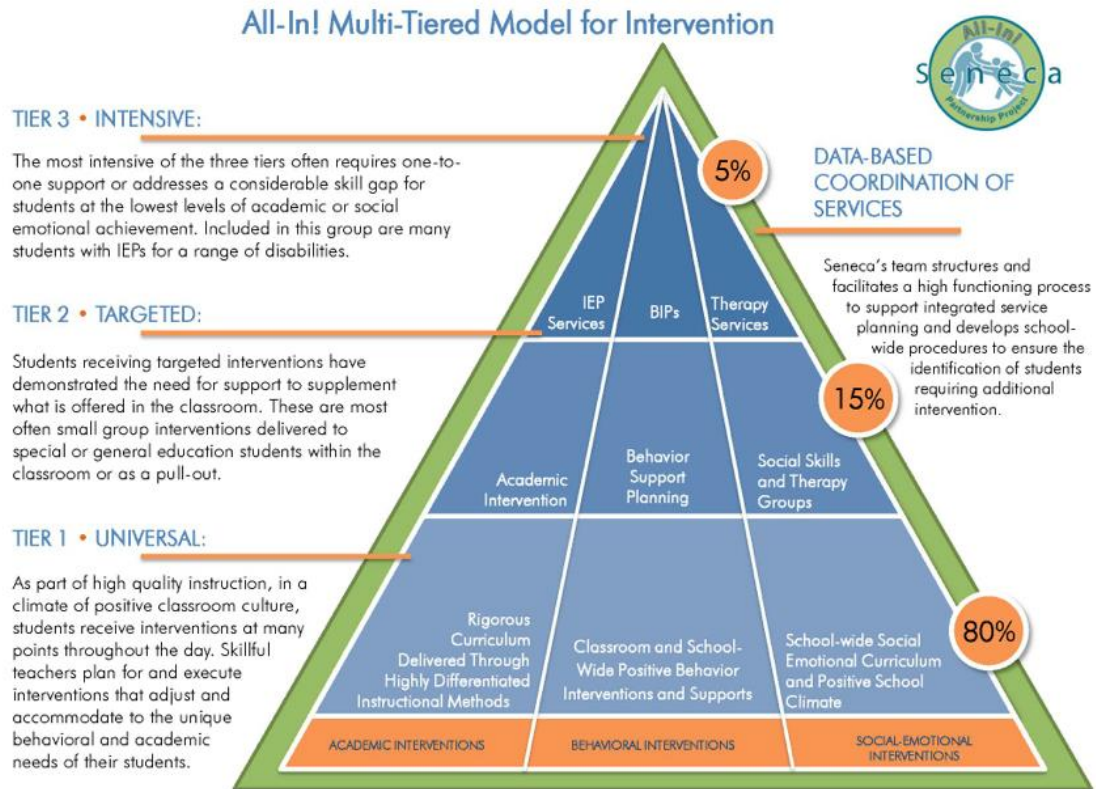
Seneca utilizes a “Coordination Of Services Team” (COST) made up of school leaders, service providers, general education teachers, and support staff that is responsible for the coordination of intervention services. The team regularly reviews school-wide data including academic, behavioral and/or social emotional health reports and progress assessments to inform decisions around intervention service. In addition, the team may identify thematic areas of need around which they will develop a school-wide approach, such as anger management, relationship violence, school transitions, and alcohol and drug issues.

The Unconditional Education model aligns academic, behavioral, and social-emotional approaches to insure students and their families are provided integrated, responsive interventions that are attuned to the child and family’s specific needs. This model establishes criteria for decision-making around three Tiers of services, with Tier 1 services implemented school-wide, and Tiers 2 and 3 targeting students who require additional services to succeed. The Response to Intervention (RtI) tiered services are described in more detail below. Additional information on the UE Model may be found in **Appendix A-1**.

Response to Intervention

Under the UE Model, The Legacy Academy will utilize a robust Response to Intervention (RTI) program with all students. The RTI framework will be used to monitor student development academically, social-emotionally, and behaviorally and provide interventions as needed to ensure all students grow at their optimal pace. **Figure A.13** (included earlier in **Element A** and repeated below) provides an illustration of this model.

Figure A.13 Seneca Unconditional Education Model



	ACADEMIC	BEHAVIORAL	SOCIAL-EMOTIONAL
Tier 3	Special Education and Related Services	Behavior Intervention Planning (BIP) and Case Management	Individual and Family Therapy
Tier 2	Academic Intervention	Behavior Support Planning (BSP) and Case Management	Social Skills and Therapy Groups
Tier 1	Rigorous Curriculum delivered through Highly Differentiated Instructional Methods	Classroom and School-wide Positive Behavior Interventions and Supports	School-wide Social Emotional Curriculum and Positive School Climate

RTI is a prevention-oriented framework for providing comprehensive support to students, using assessment data to inform educators’ decisions about how best to teach and support the

development of their students. This rigorous prevention system provides for the early identification of learning and behavioral challenges and timely intervention for students who are at risk for long-term learning problems. A successful RTI program seeks to minimize the risk for long-term negative learning outcomes by responding quickly and efficiently to documented learning or behavioral problems and ensuring appropriate identification of students with disabilities.

As discussed in **Figure A.13** This system includes three levels of prevention with three levels of intensity, which represent a continuum of supports. Many schools use more than one intervention within a given level of prevention.

- Primary (Tier 1) prevention: high quality core instruction that meets the needs of most students
- Secondary (Tier 2) prevention: evidence-based intervention(s) of moderate intensity that addresses the learning or behavioral challenges of most at-risk students
- Tertiary (Tier 3) prevention: individualized intervention(s) of increased intensity for students who show minimal response to secondary

The practices in the RTI program have also been identified to support specific subgroups of students as follows: Students Achieving Below Grade Level, Students Achieving Above Grade Level/Gifted Students, Students with Special Needs, English Language Learners, and Targeted Subgroups of Students. Each of these are discussed in depth below.

Serving Students Not Meeting Pupil Outcomes

To support students not meeting pupil outcomes, The Legacy Academy will utilize a Response to Intervention (RTI) framework to monitor student development academically, behaviorally, socially, and emotionally and provide scaffolded interventions as needed to ensure all students grow at their optimal pace. An example of how these Tiers play out in action is provided below.

Tier 1 Example

When a student is identified as not making appropriate growth academically, socially, or emotionally as measured by the school's assessment data (see **Element C** for a discussion of tools) or teacher observation, an intervention plan is put in place. The plan identifies the student's current level of performance, documents areas of concern, and outlines a specific plan to differentiate, modify, and individualize instruction for that student utilizing Tier 1 interventions. Modifications or accommodations could include:

- Changing in seat assignments
- Implementing strategic grouping
- Increased checking for understanding by the classroom teacher
- Small group instruction during workshop time
- Giving fewer more targeted assignments or problems
- Developing a customized playlist within the Read180 and/or ST Math programs
- Providing additional resources or tools to complete an assignment (manipulatives, calculator, computer, etc.).

The student is assigned strategically to different groups to support his or her learning. (S)he may be in a heterogeneous group if there is a cooperative learning assignment where students are expected to work collaboratively to solve a problem. (S)he would be assigned to a homogeneous group for mini-lessons or for guided reading to ensure (s)he is getting instruction

in his or her Zone of Proximal Development. The family is informed of these concerns and interventions via the Classroom Teacher and/or Advisor.

Tier 2 Example

If a student makes inadequate progress in the classroom or across classrooms with Tier 1 interventions as measured by the school assessment data (see **Element C** for assessment tools), the teacher would then refer the child to the Services Team, led by the Principal or Principal designee, to access more of the school's resources for addressing the specific child's challenges. The Principal or Principal Designee would convene all necessary stakeholders and allies in the child's learning to ensure the group has greater understanding of the whole child. This team may include but is not limited to the student's parent/guardian. Notifications of meetings are made by the Principal or Principal Designee in a timely manner that supports involvement by all stakeholders, including parents/guardians. This team conducts a Root Cause Analysis and incorporates data from the after-school program, from home, and from other teachers across the school. An interventions plan is developed for that child that outlines the areas of strength, areas of concern, and a strategic plan to support that child utilizing both Tier 1 and Tier 2 interventions as appropriate. Tier 2 interventions would include all potential resources not being delivered by the Core classroom teacher that could supplement the Tier 1 interventions taking place. This may include:

- Small group pre-teaching and re-teaching by Classroom Intervention Specialists within the core classrooms
- Targeted intervention during the after-school program

The family is informed of these interventions through participation in the meeting, or if unable to attend, by the Principal or Principal Designee.

Tier 3 Example

If the student makes inadequate progress at Tier 2, the team reconvenes after eight weeks and the team collects additional data. At this juncture, the team may alter the interventions plan by adding or subtracting interventions or recommending Tier 3 interventions, which are generally individualized intensive interventions that may supplant some of the instruction taking place in the regular education class. If the student has demonstrated that he or she may be eligible for Special Education services, the team may refer the child for assessment by the IEP team to determine eligibility for Special Education services. Parent/guardian notification and participation procedures are the same as detailed above under Tier 2 interventions.

Serving Students Who Are Exceeding Pupil Outcomes

The Legacy Academy's mission is to prepare our community's most "at Promise" youth for success in high school, college and/or career, and life. As described above, the Charter School anticipates it will receive students with a wide variety of educational needs, and has developed a standards-based program with ample opportunities for differentiation to meet the needs of every student. High achieving students will be identified on the basis of SBAC scores as well as their results on internal diagnostic and placement exams. Any of the following criteria alone or in combination may be used to categorize a student as high achieving:

- Scoring more than one grade above current grade on internal diagnostics or placement exams
- Entering the Charter School as meeting or exceeding on the SBAC
- Consistently Meeting or Exceeding standards in the majority of their classes

Students identified as high achieving will be provided with extension opportunities, both within core classes as well as in Literacy and Math Lab.

Serving Students with Special Needs

As detailed above, the Unconditional Education model and Response to Intervention program are specifically designed to meet student needs, both those that have been identified through special education and those that have not. All students with identified and unidentified special needs will have these needs met through the UE model and Rtl program, described above. Specific assurances, processes, procedures, safeguards, and details as they relate to students with special needs are detailed below and should be viewed as an addition to the programmatic features detailed above.

Assurances

State and Federal Law

The Legacy Academy recognizes its responsibility to enroll and support students with disabilities who can benefit from its programs and who otherwise qualify for enrollment and pledges to work in cooperation with the SCCOE and/or its Special Education Local Plan Area (SELPA) to ensure that a free and appropriate education is provided to all students with exceptional needs. The Legacy Academy will comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and any other civil rights enforced by the U.S. Department of Education Office of Civil Rights (OCR). Furthermore, The Legacy Academy will comply with AB 602, SCCOE guidelines, and all California laws pertaining to special education students.

SELPA

The Legacy Academy pledges to work in cooperation with SCCOE and/or its Special Education Local Plan Area (SELPA) to ensure that a free and appropriate education is provided to all students with exceptional needs. California law gives schools various options on how to deliver special education and related services either as (1) an arm of the charter-granting agency or (2) an independent local education agency. In the first year of operation, The Legacy Academy intends to operate as a school of the county for purposes of special education in accordance with Education Code section 47641(a). The Legacy Academy may elect to pursue an alternate option in outgoing years in accordance with in accordance with Education Code section 47641(a). Such a change in LEA status or SELPA membership shall not require a material revision of this charter.

The School shall comply with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures and shall utilize appropriate SELPA forms. The Legacy Academy agrees to promptly respond to all SELPA inquiries and directives and to allow SELPA access to Charter School students, staff, facilities, equipment, and records required to fulfill all SELPA obligations or requirements imposed by law.

The Legacy Academy makes the following additional assurances in relation to the SELPA:

- The Legacy Academy will notify the SELPA Director of its intent prior to February 1st of the preceding school year.

- The Legacy Academy will be located within SELPA geographical boundaries.
- The Legacy Academy will be responsible for any legal fees related to the application and assurances process.
- The Legacy Academy will be fiscally responsible for fair share on any encroachment of general funds.

Facilities

The School shall be solely responsible for its compliance with the IDEIA, Section 504 and the ADA. The facilities to be utilized by the School shall be accessible for all children with disabilities. The facilities to be utilized by the School shall provide children with disabilities equal access to all aspects of the educational program.

Services

The Legacy Academy makes the following assurances:

- **Free Appropriate Public Education** – The School will assure that a free appropriate public education shall be provided to all enrolled students including children with disabilities who have been expelled from school and those from outside the district, and that no assessment or evaluation will be used for admissions purposes. No student will be denied admission to the school because he or she is in need of special education services.
- **Full Educational Opportunity** – The School will assure that all students with disabilities have access to the full range of programs available to non-disabled students.
- **Least Restrictive Environment** – The School will assure that students with disabilities are educated with students who are not disabled to the maximum extent appropriate. This will be addressed through the use of supplementary aids and services in the general education environment in accordance with each student's IEP.
- **Individualized Education Program** – The School will assure that an Individualized Education Program ("IEP") is developed, reviewed and revised for each eligible student under the IDEIA. The school will assure that the mandated requirements of each student's IEP is met.
- **Assessments** – The School will assure that an IEP review shall be conducted on an annual basis at a minimum. In addition, a reassessment shall be conducted at least once every three years, in accordance with the IDEIA, and more often if conditions warrant or if requested by the student's parents or teacher. Parents will receive reports on their individual student's progress toward IEP goals and progress at the IEP meeting and student-led conferences at least four times per year.
- **Confidentiality and Procedural Safeguards** – The School will assure that the confidentiality of identifiable data shall be protected at the collection, storage, disclosure and destruction stages. In addition, students and their parents shall be provided with safeguards through the identification, evaluation and placement process and provisions for a free appropriate public education.
- **Personnel Standards** – The School will attract, recruit and hire appropriately trained and credentialed personnel to provide special education services to children with disabilities
- **State Assessments** – The School will assure that students with disabilities either under the IDEIA or Section 504 are included in state assessment programs with appropriate accommodations and modifications when necessary and appropriate. These assessments include, but are not limited to, the Smarter Balanced Assessment Consortium (SBAC) and California Standards Test (CST).

- **Child Find** – The School will assure that all students with disabilities are identified in accordance with the policies and procedures of SCCOE and/or the SELPA.
- **Contracts** - The School reserves the right to contract with agencies and vendors outside the authorizer when appropriate to secure special education services, including administrative support services.

Search & Serve Process

Upon the commencement of The Legacy Academy's school year, all students will be evaluated as a means of class placement. No assessment or evaluation will be used for admission purposes. Through collaboration between the faculty and Principal, The Legacy Academy will work to identify any students, who do not currently have an IEP but may be in need of a pre-referral intervention plan. Principal and faculty will then convene the Coordination of Services Team for that student.

Students possibly in need of special education can be screened from already available data (i.e. school tests, teacher observations, grades, etc.) regarding the student's progress or lack of progress within the general program.

For students who are identified as needing interventions, the Coordination of Services Team will be responsible for identifying the student's needs and developing a plan to enable that student to be successful, including, but not limited to, the appropriate individual tutoring schedule, classroom modifications, strategies and techniques to enhance that student's ability to be successful. If the Coordination of Services Team finds that the pre-intervention plan is not sufficient to meet the student's needs, they will recommend that student for a formal special education assessment. The Legacy Academy may also choose to refer a student for services through the provisions of a Section 504 Plan, if appropriate.

Parents will be informed that special education and related services are provided at no cost to them.

Referral for Assessment Process

A student shall be referred for special educational instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized. The referral process is a formal, ongoing review of information related to students who are suspected of having special needs and show potential signs of needing special education and related services. The Legacy Academy's internal method for referral for assessment will be the Coordination of Services Team.

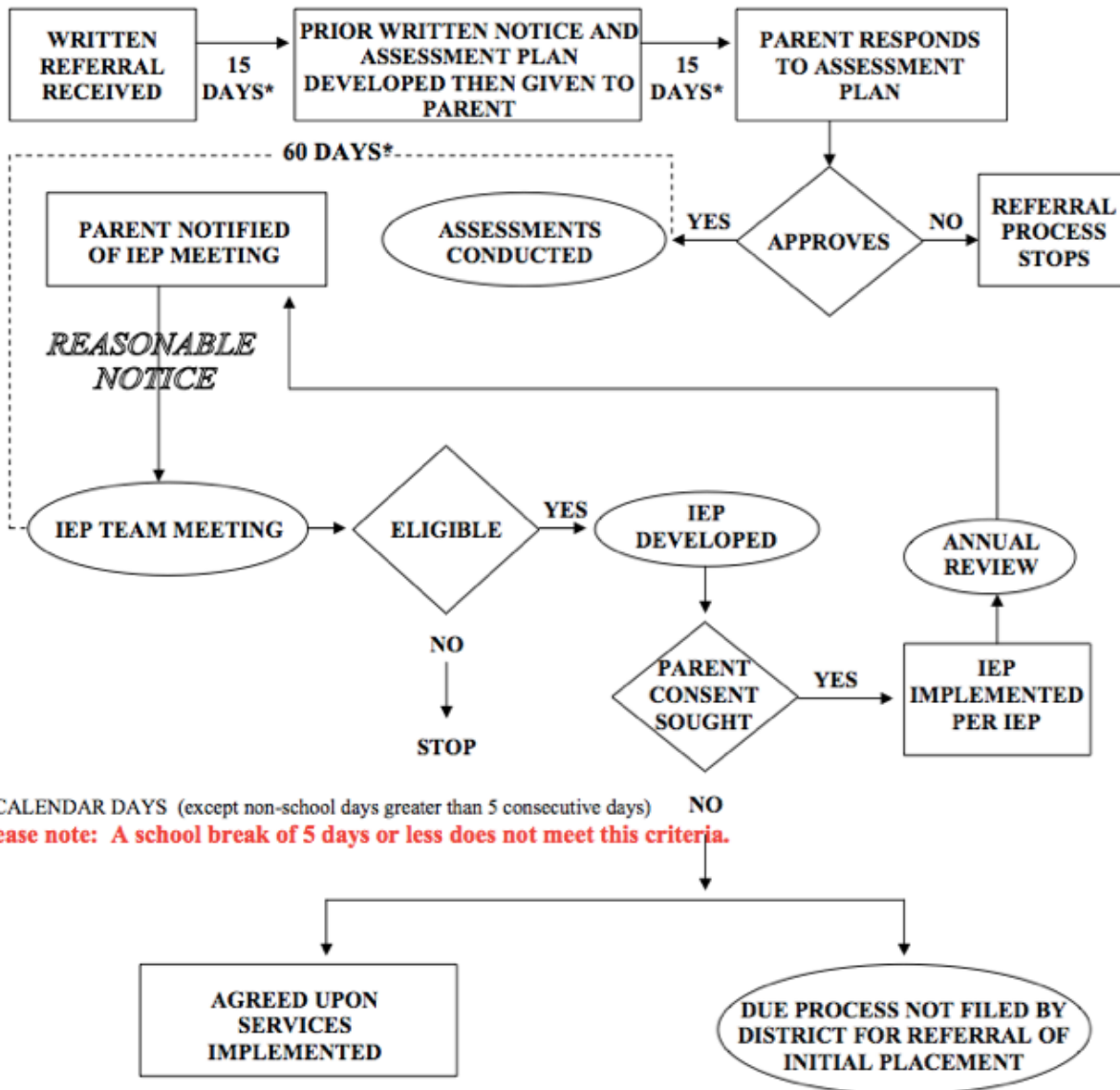
The parent of any student suspected of needing or qualifying for special education services may also make a referral for an evaluation. Any such referrals will be responded to in writing by The Legacy Academy within 15 days. The Legacy Academy will notify SCCOE and/or the SELPA of the assessment request within 5 days of receipt. Parents will be informed via the Unconditional Education Coach that special education and related services are provided at no cost to them.

If The Legacy Academy, in collaboration with SCCOE and/or the SELPA, concludes that an assessment is appropriate, the parent will receive a written Assessment Plan within 15 days. Parents will be informed via the Special Education lead that special education and related services are provided at no cost to them. The parent will be given at least 15 days to provide written consent to the Assessment Plan. Assessments will be done only upon receipt of written

parent permission. The assessment will be completed and an Individualized Education Program (IEP) meeting held within 60 days of receipt of the parent’s written consent for assessment.

The flowchart in **Figure A.14** below outlines the process once a referral has been made:

Figure A.14 Referral Process



Assessment Process

The Unconditional Education Coach, who is a Program Specialist, will be responsible for gathering all pertinent information and sharing such information with The Legacy Academy. Information gathered will be used as tools to determine the student’s disability, eligibility for services, and determining the nature and extent of required services. Assessment procedures will be conducted in the student’s primary language, and an interpreter will be provided if

needed. The types of assessments that may be used for determining eligibility for specialized instruction and services will include, but not be limited to:

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

Unless conflicting with SCCOE and/or SELPA policies and procedures, The Legacy Academy will follow the following assessment guidelines. If a conflict with policies and procedures exists, then SCCOE and/or SELPA policies and procedures will govern.

- Parents or guardians of any student referred for assessment must give their written consent for the school to administer the assessment;
- The assessment will be completed and an Individualized Education Program (IEP) meeting held within 60 days of receipt of the parent's written consent for assessment;
- The student must be evaluated in all areas related to his/her suspected disability;
- Assessments must be conducted by a person with knowledge of the student's suspected disability, and administered by trained and knowledgeable personnel and in accordance with any instructions provided by the producer of the assessments;
- Assessments must be selected and administered so as not to be racially, culturally, or sexually discriminatory;
- Assessments will be delivered in the student's primary language, and a qualified interpreter will be provided if needed;
- Assessment tools must be used for purposes for which the assessments or measures are valid and reliable;
- Assessments will be adapted as necessary for students with impaired sensory, physical or speaking skills;
- A multidisciplinary team will be assembled to assess the student, including a teacher knowledgeable in the disability;

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

Development and Implementation of IEP

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

The Legacy Academy, in collaboration with SCCOE and/or the SELPA, will ensure that all aspects of the IEP and school site implementation are maintained. The Legacy Academy will provide modifications and accommodations (outlined within each individual's IEP) in the general education environment taught by the general education teacher. Students at the school who have IEPs will be served in the Least Restrictive Environment (LRE).

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

- The parent or guardian of the student for whom the IEP was developed;
- The student, if appropriate;
- The Principal;
- At least one special education teacher;
- A General Education teacher who is familiar with the curriculum appropriate to that student, if the student is, or may be, participating in the general education environment;
- A SCCOE and/or SELPA representative;
- If the child was recently assessed, the individual who conducted the assessment or who is qualified to interpret the assessment results;

Others familiar with the student may be invited as needed. The Legacy Academy views the parent as a key stakeholder in these meetings and will make every effort to accommodate parents' schedules and needs so that they will be able to participate effectively on the IEP team. The school will provide an interpreter if necessary to ensure that all parents and/or guardians understand and can participate in the IEP process. If a parent cannot attend the IEP meeting, the school will ensure his/her participation using other methods, such as conferencing by telephone or meeting at the parent's home.

A copy of the IEP will be given to the parent in accordance with state laws and SELPA policies. In cooperation with the parent or guardian, the IEP will be implemented by The Legacy Academy, in cooperation with the SELPA.

Upon the parent or guardian's written consent, the IEP will be implemented by The Legacy Academy. The IEP will include all required components and be written on SELPA forms.

The student's IEP will include the following:

- A statement of the student's present levels of academic achievement and functional performance;
- The rationale for placement decisions;
- The services the student will receive and the means for delivering those services;
- A description of when services will begin, how often the student will receive them, who will provide them, and where and when they will be delivered;
- Measurable annual goals and short-term objectives focusing on the student's current level of performance;
- A description of how the student's progress toward meeting the annual goals will be measured and monitored and when reports will be provided;
- Accommodations necessary to measure the academic achievement and functional performance of the pupil on state and district assessments; and
- For students 16 years of age and older, measurable postsecondary goals related to training, education, employment and independent living skills, along with transition services needed to assist the student in reaching those goals.

IEP meetings will be held according to the following schedule:

- Yearly to review the student's progress and make any necessary changes;
- Every three years to review the results of a mandatory comprehensive reevaluation of the student's progress;
- After the student has received a formal assessment or reassessment;
- When a parent or teacher feels that the student has demonstrated significant educational growth or a lack of anticipated progress (consistent with state and federal law, IEP meetings will be held within 30 days of a parent's request);
- When an Individual Transition Plan (ITP) is required at the appropriate age;
- When The Legacy Academy seeks to suspend or remove the student for a period of 10 days or more for the same behavior, in order to determine if the student's misconduct was a manifestation of his/her disability.

IEP Review Process & Reporting

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

If a parent or faculty member feels the student's educational needs are not being met, they may request a reassessment or a review of the IEP by the IEP team at any time during the year via written notice to the school. Once the request is received, The Legacy Academy will have thirty days to hold the IEP meeting.

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

In addition, the school shall comply with the SELPA Local Plan. It is The Legacy Academy's understanding that it shall represent itself at all SELPA meetings. The school understands that it will be subject to the Allocation Plan of the SELPA. The Principal and the Unconditional Education Coach will work together to manage the budget and contract for appropriate services, take responsibility for meeting the special education compliance and quality requirements, and ensure confidentiality and accurate/timely reporting.

Professional Development for All Staff

Given that The Legacy Academy anticipates a high percentage of students in need of interventions, all teaching and support staff will engage in pre-service and ongoing Professional Development in the Unconditional Education (UE) Model and Response to Intervention (RTI). Staff members will build the necessary background knowledge to understand the approach, as well as specific practices within their functional area to support students in achieving their IEP goals. As detailed above, The Legacy Academy intends to work with The Seneca Family of Agencies to provide a truly comprehensive system of supports for all students, family, and staff.

Central to this will be the development of a robust Professional Development plan, which will bring together core teaching staff, Seneca staff, SELPA staff (as appropriate), and key service providers. Ten days of pre-service Professional Development are incorporated into the School Calendar, with at least two of these set aside for training in the Unconditional Education and Trauma-Informed Models. In addition, at least one planning period per month is dedicated to the ongoing coaching and refinement of this work, through ongoing analysis and progress monitoring of student academic, social, emotional, and behavioral needs and progress monitoring.

In addition, the Unconditional Education Coach and other team members will participate in the professional development opportunities provided by Seneca. This will help to build the capacity of the special education staff in the areas of promising instructional practices, compliance with state and federal statutes, reporting requirements and use of instructional data. In addition, all staff members will be provided a personalized professional learning plan that will identify high leverage areas to build capacity, along with specific activities and strategies for developing in these areas. In addition, Teachers and Classroom Intervention Specialists will receive training to ensure they have research-based instructional strategies specific to supporting Special Education students – strategies like the Slingerland Approach, or Lindamood Bell, Wilson Reading, Orton-Gillingham, or Davis Math. This is to ensure that all students receive the targeted academic interventions as well as the interventions specific to supporting their disabilities.

Staffing

The Legacy Academy is committed to ensuring all IEPs are properly implemented and all students supported. Toward that end, all special education services at The Legacy Academy will be delivered by individuals or nonpublic agencies qualified to provide special education and related services as required by California's Education Code and the IDEIA. The Legacy Academy will enter into an MOU with the SCCOE SELPA to allow it to contract with the Seneca Family of Agencies to provide staffing for purposes of special education service and mental health services. This staffing will include an Unconditional Education Coach (who also serves as the Program Specialist), Classroom Intervention Specialists, and Mental Health Counselors. This increased staffing enables Tier 1 and Tier 2 supports to happen predominantly in the mainstream classroom. Under this MOU, The Legacy Academy Executive Director/Principal in partnership with the Unconditional Education Coach will be responsible for the selection, training and supervision of staff necessary to provide services to students.

Due Process, Procedural Safeguards, & Reporting

The Legacy Academy may initiate a due process hearing or request for mediation with respect to a student with special needs enrolled in The Legacy Academy if it determines such action is legally necessary or advisable. In the event that the parent/guardian files for a due process hearing or requests mediation, The Legacy Academy shall defend the case. In either situation, The Legacy Academy will be responsible for the cost of such representation and the outcome.

The Legacy Academy will work closely with SELPA staff to ensure a student's procedural safeguards are implemented and to resolve problems and concerns at the lowest possible level. The Legacy Academy will acquire parental written consent and ensure parental participation. The Legacy Academy will participate in the SELPA's Alternative Dispute Resolution process when appropriate. Any concerns or disagreements raised by parents will be acknowledged by the school within five days, followed by a resolution meeting.

The Legacy Academy will collaborate with the authorizer to collect and maintain information required by IDEA for students including but not limited to the following:

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

All necessary procedures and practices to ensure confidentiality and accurate/timely reporting will be the responsibility of the Principal.

Procedural Safeguards

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

Any concerns or disagreements raised by parents will be acknowledged by the school within five days, after which a meeting between the parent and school will be scheduled to seek resolution of the disagreement. If a disagreement or concern persists, parents or guardians have the right to initiate a due process hearing to challenge a decision regarding the identification, evaluation, or educational placement of their child.

The school will provide the parent with a written Notice of Procedural Safeguards, which will include information on the procedure to initiate both formal and informal dispute resolutions, at least once per year. The Legacy Academy will utilize the Notice of Procedural Safeguards used by the SCCOE and/or the SELPA.

Dispute Resolution & Complaint Procedures

The Legacy Academy's policy is to comply with applicable federal and state laws and regulations. The Legacy Academy is the local agencies primarily responsible for compliance with federal and state laws and regulations governing educational programs. Pursuant to this policy, there will be a board-adopted complaint policy and procedure to provide a uniform system of complaint processing for the following types of complaints:

1. Complaints of discrimination against any protected group including actual or perceived, including discrimination on the basis of age, sex, sexual orientation, gender, gender expression, gender identity, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or on the basis of a person's association

- with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity; and
2. Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: special education, Title II, Section 504 of the Rehabilitation Act, consolidated categorical aid, Elementary and Secondary Education Act, migrant education, career technical and technical education training programs, childcare and development programs, child nutrition program.

Please see a draft of the Uniform Complaint Policy and Procedures as part of the Comprehensive Complaint Policy included as [Appendix A-3](#). Parents also have the right to file a complaint with the county and/or the California State Department of Education.

Due Process

In the event that a parent/guardian files a request for a due process hearing or request for mediation, the SCCOE and The Legacy Academy shall work together to defend the case, so long as the Charter School operates as a school of the authorizer for special education purposes. In the event that the SCCOE determines that legal representation is needed, The Legacy Academy agrees that it shall be jointly represented by legal counsel of the SCCOE's choosing.

So long as the Charter School operates as a school of the authorizer for special education purposes, SCCOE may initiate a due process hearing or request for mediation with respect to a student enrolled in The Legacy Academy if the authorizer determines such action is legally necessary or advisable. The Legacy Academy agrees to cooperate fully with the Authorizer in such a proceeding.

So long as The Legacy Academy operates as a school of the District for purposes of special education, The Legacy Academy understands that the Authorizer shall have sole discretion to settle any matter in mediation or due process. The Authorizer 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.

Section 504 Services

The Legacy Academy recognize 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 Legacy Academy. Any student, who has an objectively identified disability, which substantially limits a major life activity including but not limited to learning, is eligible for accommodation by the School. The Legacy Academy is solely responsible for its compliance with Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. All facilities of the School shall be accessible for all students with disabilities in accordance with the ADA.

A 504 team will be assembled by the Unconditional Education Coach and shall include the parent/guardian, the student (where appropriate) and other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options, and accommodations. The 504 team will review the student's existing records; including academic, social and behavioral records, and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the

IDEIA but found ineligible for special education instruction or related services under the IDEIA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team, which will evaluate the nature of the student's disability and its 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 IDEA, a referral for assessment under the IDEA will be made by the 504 team.

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

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

Please see [Appendix A-4](#) for The Legacy Academy's draft 504 Board Policy, 504 Administrative Regulation, and 504 Parents' Rights Statement.

Serving English Language Learners

The Legacy Academy is committed to supporting English Language Learners (ELL), who we anticipate comprising between 20% and 50% of the student population or greater, in keeping with the Santa Clara County and local school district averages. The Legacy Academy will hold the same rigorous expectations for all students, regardless of primary language, and will support them in meeting the same expectation we hold for all students.

The Legacy Academy program has been designed specifically with this population in mind. The robust staffing in the core and enrichment classrooms will support the use of Integrated English Language Development. This same staffing will be deployed during the Literacy and Math labs to provide Designated English Language Development, ensuring students receive systematic instruction at their level. Both Integrated and Designated ELD will be designed in alignment with the California English Language Development Standards with the intent to align instructional support for ELLs in both settings with the knowledge, concepts, and skills they will need to master the Common Core State Standards and Next Generation Science Standards. In addition, instruction and supports will be aligned to the students' proficiency level: emerging, expanding, or bridging.

Our ELL program outlined below addresses the process for student identification, curriculum, assessments, reporting, and redesignation as well as professional development and teacher qualifications for working with our ELL students. The Legacy Academy will comply with federal, state, and district mandates regarding ELL education and re-designation of ELL students. In addition, The Legacy Academy will meet all requirements of federal and state law relative to equal access to the curriculum for English Language Learners.

Identification, Designation & Notification

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

Within 30 calendar days of first enrollment or within 60 calendar days prior to first enrollment, but not before July 1, The Legacy Academy will assess the English proficiency of all students whose primary home language may not be English as determined by the Home Language Survey and other indicators. Assessment will be conducted utilizing the California English Language Development Test (CELDT) until it is fully replaced by the English Language Proficiency Assessment for California (ELPAC), which is expected in 2018-19. The 30-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been assessed for English Language proficiency. All other students who have indicated a home language other than English will continue with annual assessment for English Language proficiency based upon the date last tested at the prior school of enrollment. The Legacy Academy will notify families of the school's responsibility to conduct an annual assessment for English Language proficiency.

Upon receipt of initial scores, students will be designated as either Initially Fluent English Proficient (I-FEP) or Limited English Proficient (LEP) using the guidelines in **Figure A.15** based on the CELDT as the tool for assessment for English Language proficiency. When the State of California fully transitions to the ELPAC for operational measuring of English Language Proficiency (expected 2018-19) and provides recommendations for classification of LEP and I-FEP utilizing this assessment tool, the charter school will adopt the state tool and recommendations and this change will not be considered a material change of the charter.

Figure A.15 Designation Criteria

	Limited English Proficient (LEP)	Initial Fluent-English Proficient (IFEP)
6th - 8th	<p>For the duration of the CELDT as the State adopted tool, the following guidelines will be used in designating students as LEP:</p> <p>Overall CELDT Proficiency Level = 1 – 3</p> <p style="text-align: center;">OR</p> <p>Listening/Speaking = 1 or 2 Reading = 1 or 2 Writing = 1 or 2</p>	<p>For the duration of the CELDT as the State adopted tool, the following guidelines will be used in designating students as IFEP:</p> <p>Overall CELDT Proficiency Level = 4 –</p> <p style="text-align: center;">AND</p> <p>Listening/Speaking = 3 or higher Reading = 3 or higher Writing = 3 or higher</p>

Families will receive notification of their child’s CELDT results and initial language designation within 30 days of receipt of these results, as well as information on how their child’s learning needs are being addressed by the school. In addition, they will be invited to the school for an information session to review these results in detail and discuss ways to support their child’s English language development. Parents or guardians will be informed of their rights, and they will be encouraged to participate in the reclassification process. The Legacy Academy will report the number of ELL students attending the school to the county and the state.

Ongoing Assessment, Monitoring, and Redesignation Criteria

The Legacy Academy will comply with all applicable state and federal laws in regard to the testing and service requirements for English Language Learners. Students who are identified as Limited English Proficient will take the assessment for English Language proficiency annually to determine growth in English Language proficiency until they are reclassified. A combination of annual assessment for English Language proficiency scores; teacher and staff input and evaluation; parental opinion and consultation; and a comparison of pupil performance in basic skills as compared to English proficient students are used to determine eligibility for reclassification of students, as detailed in **Figure A.16**. Should the State of California change its tool and recommendations for reclassification as it transitions to the ELPAC, The Legacy Academy will adopt the state recommendations and this change will not be considered a material change of the charter.

Figure A.16 Reclassification Criteria

	CELDT/ELPAC	Other
6th - 8th	<p>Assessment of English language proficiency, using an objective assessment instrument, including, but not limited to, the state test of English language development.</p> <p>For the duration of the CELDT as the State adopted tool, the following</p>	<p>Teacher and Staff Input and Evaluation, including, but not limited to, a review of the student’s curriculum mastery</p> <p>Parental Opinion and Consultation, solicited through notification of reclassification</p>

	<p>guidelines will be used in measuring student English language proficiency:</p> <p>Overall CELDT Proficiency Level = 4–5 AND Listening/Speaking = 3 or higher Reading = 3 or higher Writing = 3 or higher</p>	<p>Comparison of Pupil’s performance in basic skills against an empirically established data set based on the performance of English proficient students of the same age. This may include the SBAC and/or NWEA in ELA, as applicable.</p>
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The Legacy Academy will use a variety of assessment tools, including those discussed above, to diagnose the needs of our English Language Learners (ELL). During Integrated ELD across courses and during Designated ELD within the Literacy Lab and/or Math Lab, teachers will use observation rubrics to monitor student progress toward the language objectives for the lesson or unit. Data from these observations will inform future instruction, including scaffolds, supports, and/or extensions. Based on the annual assessment of English Language proficiency, as well as the range of assessments administered to all Legacy students, students in need of additional support and/or challenge - including English Language Learners - are identified for differentiated instructional, acceleration, and/or support services.

Strategies for English Language Learners

Like all students at The Legacy Academy, all English Language Learners will be held to clearly articulated high expectations, provided access to the school’s rigorous curriculum, and offered personalized support as needed. English Language Learners will be expected to meet school outcomes. At The Legacy Academy, we believe that holding ELL students to such high expectations will ensure that every student at our school is challenged to reach his or her highest potential.

The Legacy Academy recognizes that ELLs at all English proficiency levels and at all ages require both integrated ELD and designated ELD that provides specialized attention to their particular language learning needs. The Legacy Academy will meet the academic and language needs of its English Language Learners through both integrated and designated instruction, in alignment with the California ELD Standards. Integrated ELD will happen in the core and enrichment classrooms primarily through a “Sheltered Immersion” model in which instructional strategies are employed to “shelter” and “scaffold” both the content and skills in each discipline. In this inclusive model, English Language Learners are enrolled in regular classes alongside their English fluent peers. In this way, English Language Learners have the same high-quality instructional programs and services that will allow them to achieve the same challenging academic and graduation standards as English-speaking students. The Legacy Academy will also provide Designated ELD support for students in alignment with their language needs and level, both within the sheltered immersion classroom and through targeted support classes.

Integrated English Language Development

During Integrated English Language Development, all students are instructed in English by teachers who are specially trained in methods and strategies that promote rapid acquisition of English as well as academic knowledge in core subjects. This includes explicit language practice every day, in addition to thoughtful integration of the following into lesson planning across all disciplines: a language objective, identification of academic vocabulary, a focus on language structures and functions, opportunities for oral practice, collaborative conversations, visual cues, and graphic organizers. Utilizing the process set forth by EL Achieve, teachers will

be supported in weaving explicit language instruction into the content area teaching in support of Integrated English Language Development, aligned with the California ELD State Standards. Lesson planning will be driven by the content and academic language demands of discipline-specific learning. Based on backward design and a gradual release of responsibility model, the process will support teachers in:

- Understanding the role language plays in content learning
- Identifying academic vocabulary and language forms and functions key to accessing and demonstrating knowledge of the content
- Setting language objectives, differentiated for students based on proficiency level (Emerging, Expanding, Bridging)
- Incorporating opportunities for oral practice and collaborative conversations, as well as the use of visual cues and graphic organizers to support the language objectives
- Ongoing use of observation rubrics to monitor student language and adjust supports, scaffolds, or extensions accordingly

In addition to the features detailed above, Integrated ELD at The Legacy Academy will demonstrate the following research-based characteristics:

- Promotes learning goals that include both content and language objectives.
- Uses a functional language approach organized around the critical tasks and text structures needed to engage in rigorous, grade-appropriate, content-area coursework.
- Focuses on high-leverage academic language that is applicable across content areas.
- Provides an organized method of content and language instruction that divides a lesson or unit into discrete, measurable skills, tasks, or objectives and prepares students for successful completion of a larger, more complex outcome or expectation.
- Is explicitly taught and emphasizes oral and written language skills to ensure that students develop the analytical language and processes necessary for college-ready work.²⁵

Designated English Language Development

English Language Learners at The Legacy Academy will receive targeted support tailored to their proficiency level as a method of Designated ELD, via the classroom teacher and Classroom Intervention Specialists during the Literacy Lab and/or Math Lab. While students will receive Designated ELD daily, the distribution of where it occurs (Literacy Lab or Math Lab) will be based on student need. Specific language supports aligned to students' language needs and levels (Emerging, Expanding, Bridging) will be provided individually and in small groups as appropriate. Designated ELD in labs will provide the protected time for teachers and Classroom Intervention Specialists to use the CA ELD Standards as the focal standards in ways that build into and from content instruction in order to develop critical English language skills, knowledge, and abilities needed for content learning in English. It will also go beyond the needs of the coursework at hand, to explicitly teach language that English learners:

- are not likely to learn outside of school or efficiently pick up on their own,
- will not explicitly learn in other subject areas, and
- need to use for effective academic learning, classroom participation, and real-life purposes.²⁶

²⁵ More information available at <http://cm.elachieve.org/about-cm-2.html>

²⁶ More information available at <http://www.elachieve.org/teachers/8-teachers/70-aboutsyseld-2.html>

The California ELD framework, as well as curricular units as appropriate, will be used to guide this curriculum in alignment with the California ELD Standards.

ELAC

If there are more than 21 ELLs in attendance, as we expect, The Legacy Academy will form an English Learner Advisory Committee (ELAC).²⁷ All families will have the opportunity to participate on the school's ELAC, to advise the principal and staff on programs and services for English learners, advise the School Leadership on the development of the Single Plan for Student Achievement (SPSA) and Local Control and Accountability Plan (LCAP), develop the school's needs assessment, implement the school's annual language census, and help make parents aware of the importance of regular school attendance.

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

Teacher Qualifications and Professional Development

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

The Legacy Academy will support all teachers in their ongoing growth and professional development in serving EL students. Professional development will be provided to all administrators and teachers, both core and non-core, on effective strategies for serving ELLs in both integrated and designated settings. Professional development will be provided on site for core and non-core teachers in these programs and strategies, as well as through ongoing coaching.

Program Assessment

The evaluation for the program effectiveness for ELLs at The Legacy Academy will include:

- Evaluation of performance on adopted academic benchmarks, disaggregated for ELLs by language proficiency level and years in program to determine adequate yearly progress. These may include, but are not limited to, the following:
 - ELL students are making strong academic progress as measured by school-based assessments
 - ELL students are classified as proficient in English in five to seven years, or less
 - ELL students are proficient in English Language Arts as evidenced by proficiency on state and other standardized exams
 - ELL students are meeting promotion standards to advance from grade level to grade level, evidencing mastery of foundational skills and core subjects on par with native English-speaking students

²⁷ The Legacy Academy understands this to be the threshold, per the California Department of Education as cited at <http://www.cde.ca.gov/ta/cr/elac.asp>. Should the Authorizer cite alternate legal documentation suggesting a different threshold, The Legacy Academy will utilize the guidance provided by the authorizer.

- Monitoring of teacher qualifications and the use of appropriate instructional strategies based on program design.
- Monitoring of student identification and placement.
- Monitoring of parental program choice options.
- Monitoring of availability of adequate resources.

If students are not making sufficient academic progress as indicated through annual Assessment of English Language Proficiency results and the above data, we will modify our ELL program as needed.

Serving Targeted Subgroups of Students

The Legacy Academy will regularly disaggregate its assessment data to look at the achievement of all sub-groups as compared to the school at large. If data indicates that a group is struggling, adjustments in program and instruction will be made. If data indicates that a student within a subgroup is struggling, this triggers the RTI process described in depth above and the necessary support services to ensure the child closes any gap and is able to meet our mission of changing the path of their legacy.

The academic program and interventions detailed throughout **Element A** have been specifically designed with our target population in mind. It is our belief that the core elements of our Mission and Vision will ensure we are best able to meet the needs of students by:

- Building the belief in all students that they can succeed, through
 - Strategies for Social and Emotional Wellbeing
 - Curriculum and Instruction Design
 - Strategies for Serving Special Populations
- Equipping them with the tools to change their legacy, through
 - A Focus on Math and Literacy
 - Real-world Learning Investigations in Science and Social Studies
 - Enrichment Tailored to the Needs of At-Risk Adolescents

Professional Development

The Legacy Academy is committed to providing professional development that enables teachers to refine their craft. This includes professional development across the core aspects of our program. All teachers will receive professional development in the Unconditional Education model, Trauma-informed education, Response to Intervention, and Integrated ELD. In addition, teachers will receive role specific professional development in EngageNY ELA and Math, PLTW, TCI, Facing History, Facing Ourselves, Designated ELD, and Special Education. In addition, they will receive ongoing support in developing their cultural competency and cultural humility, both necessary qualities in serving our student population well. The Legacy Academy's professional development model facilitates this learning through the following core features:

- Dedicated Time
- Individual Professional Growth Plans (PGPs)
- Observation and Coaching
- Data-driven Decision Making
- External Collaboration

Each of these aspects are detailed below.

Dedicated Time

The Legacy Academy believes that excellent teachers and excellent instruction are critical in achieving our mission. As such, The Legacy Academy sets time aside weekly and throughout the year to ensure teachers have the time to thoroughly plan and develop their practice with fellow teachers, administrators, content experts, and classroom intervention specialists (i.e. ELD, SPED).

Professional development at The Legacy Academy happens on an ongoing basis and through a variety of structures. These include but are not limited to:

- **New Teacher Institute** – All teachers who are new to The Legacy Academy engage in five days of targeted Professional Development to “onboard” them to core elements of the program, before joining returning teachers for Professional Development Week (below). In Year One, this will include all teachers.
- **Professional Development Week** - Held before the launch of each school year, teachers and staff come together to build community, explore new learnings, analyze data, and make action plans.
- **Daily Release Time** - Teachers and staff have one hour of release time within the core day to support collaboration, data analysis, lesson planning, coaching, and ongoing professional development.
- **Quarterly Professional Development Days** – After each quarter, teachers have two days of Professional Development time to reflect on the past quarter, analyze data, receive new inputs and refine practice, and make action plans for the coming quarter.
- **Flexible Release Time** - Coverage is provided for teachers to facilitate peer observation on site as well as in the field.

In total, The Legacy Academy has built 13 dedicated Professional Development days into its schedule for all teachers and 18 dedicated Professional Development days in its first year of operation and for all teachers “New to Legacy” on an ongoing basis. The inclusion of daily hour long release time within the core day allows for “just in time” sessions focused on continued learning and informed by practice. Together the dedicated days as well as daily release time will enable The Legacy Academy to focus on developing and deepening our practice whole school and in position-specific areas, as illustrated in our Draft Professional Development Schedule for the Year in **Figure A.17** and for Pre-Service in Year One in **Figure A.18**. These schedules may flex based on the incoming expertise of Year One staff. For example, if ELA and Math teachers are well-versed in EngageNY and the CCSS, but less in Integrated ELD, allotment of time may be shifted to meet the development needs of those teachers.

Figure A.17 Draft Year-Long Professional Development Schedule

Professional Development Timeline	
Trauma-Informed Model (Whole Staff)	
Pre-service	First Year of Service and Ongoing
Whole Staff <ul style="list-style-type: none"> • 1 Day whole staff training on the Trauma-Informed Model • 1 Day whole staff training on Unconditional Education Model 	<ul style="list-style-type: none"> • 1 release period per month focused on analysis and progress monitoring of student academic, social, emotional, and behavioral needs and progress monitoring using the RTI framework • Coaching, observation and feedback on implementation

English Language Development (Teaching Staff)	
Pre-service	First Year and Ongoing
<p>All Teaching Staff</p> <ul style="list-style-type: none"> Day 1 of 3 on Integrated ELD and using the California ELD Standards <p>Classroom Instruction Specialists</p> <ul style="list-style-type: none"> In addition to Integrated ELD, Day 1 of 3 on Designated ELD 	<p>All Teaching Staff</p> <ul style="list-style-type: none"> Days 2 and 3 of on Integrated ELD Coaching, observation and feedback on implementation <p>Classroom Instruction Specialists</p> <ul style="list-style-type: none"> Days 2 and 3 of on Designated ELD Coaching, observation and feedback on implementation
ELA Teachers	
Pre-service	First Year and Ongoing
<ul style="list-style-type: none"> 3 days PD and Curriculum Mapping with EngageNY and CCSS in ELA 	<ul style="list-style-type: none"> 1 PD day per quarter focused on Curriculum Mapping utilizing EngageNY and CCSS in ELA 1 release period per month focused on analysis of assessment data to inform instruction Coaching, observation and feedback on implementation
Math Teachers	
Pre-service	First Year and Ongoing
<ul style="list-style-type: none"> 3 days PD and Curriculum Mapping with EngageNY and CCSS in Math 	<ul style="list-style-type: none"> 1 PD day per quarter focused on Curriculum Mapping utilizing EngageNY and CCSS in Math 1 release period per month focused on analysis of assessment data to inform instruction Coaching, observation and feedback on implementation
Science Teachers	
Pre-service	First Year and Ongoing
<ul style="list-style-type: none"> 1 day PLTW Training 2 days Curriculum Mapping with PLTW and NGSS 	<ul style="list-style-type: none"> 1 PD day per quarter focused on Curriculum Mapping utilizing PLTW and NGSS 1 release period per month focused on analysis of assessment data to inform instruction Coaching, observation and feedback on implementation
Social Studies Teachers	
Pre-service	First Year and Ongoing
<ul style="list-style-type: none"> 1 day TCI/Facing History, Facing Ourselves Training 2 days Curriculum Mapping with TCI and CSS in History/Social Studies 	<ul style="list-style-type: none"> 1 PD day per quarter focused on Curriculum Mapping utilizing TCI and CSS in History/Social Studies 1 release period per month focused on analysis of assessment data to inform instruction Coaching, observation and feedback on implementation

Figure A.18 Draft Pre-Service Professional Development Schedule

Pre-Service Professional Development					
Day	1	2	3	4	5
ELA Teacher	Trauma Informed Model	UE Model	Engage NY and CCSS	Integrated ELD	Operations and Systems Flexible Planning
Math Teacher			Engage NY and CCSS	Integrated ELD	
Science and Social Studies Teacher			PLTW and NGSS	Integrated ELD	
Day	6	7	8	9	10
ELA Teacher	Achieve 3000	Legacy Set and Reflect - Reviewing Advisees Intake Data	Backwards Planning from CCSS and CA ELD		Operations and Systems Flexible Planning
Math Teacher	ST Math		Backwards Planning from CCSS and CA ELD		
Science and Social Studies Teacher	TCI and CSS		Backwards Planning from NGSS, CSS, and CA ELD		

Job specific professional development for the Unconditional Education coach, Classroom Intervention Specialists, and Mental Health Counselors will be provided and orchestrated by Seneca.

This sequence of Professional Development, as well as the selected professional development partners, may be changed based on student and teacher need and will not be considered a material revision of the charter.

Individual Professional Growth Plans

Each staff member will have an individualized Professional Growth Plan (PGP). Utilizing a common template, the plan will be developed by the employee with the input and approval of the Principal and finalized through a collaborative process. Each PGP will:

- Identify a set of professional development goals from seven different areas that have been identified as the strands most pertinent to the success of a Legacy Academy educator: content, curriculum, instruction, assessment, mentoring, leadership, and knowing and understanding learners. Non-instructional staff will develop goals in a subset of these areas.
- Identify the staff member’s present level of performance in each strand using a standard rubric.
- Indicate the staff member’s annual goals for growth in one or more strand, how the goals will be measured, and what will define success. Additionally, a strategy for achieving the

goals will be designed, and subsequently supported by the school and its professional development activities throughout the year.

Observation and Coaching

Aligned to each individual's Professional Growth Plan (PGP), the observation and coaching process is a supportive and collaborative effort to help staff reach their highest potential. It is a yearlong process that provides observations, discussions, feedback sheets, work product review, examination of student work (as appropriate for job type), and a formal observation. Its purpose is to facilitate open communication in an atmosphere of mutual trust and respect. Staff are given feedback at every step in the process, so that there is clarity and continuity.

Data-driven Decision Making

The Legacy Academy believes that the effective use of data should inform decisions and in turn support stakeholders in achieving goals. At The Legacy Academy, staff will closely analyze academic, social, and emotional metrics (see **Element C** for assessment tools and Learning Management System), through both collaborative and individual processes. Data-driven decision making occurs across stakeholder groups - school, teacher, family, and student - and is detailed in **Element C**.

In terms of its role in professional development, teachers are provided with the time, space and training required to:

- Create individualized learning pathways for students
- Group students for maximized learning outcomes
- Adjust pacing and instructional delivery
- Collaborate with colleagues to share best practices

At the classroom level, the cycle of data-driven decision making begins with identifying the targeted common core grade level standards for the unit of instruction. Teachers then develop benchmark assessments which match the standards taught. Once these standards have been identified and assessments have been developed, grade level teachers design instruction backwards from these standards and assessments to provide the learning experiences necessary to support student mastery. The adopted curriculum and resources are the primary resources, supported by peer collaboration to share best practices for achieving mastery of the skill set involved.

Assessments are given every 4 to 6 weeks. After the benchmark tests are given, teachers are allotted time with the support of an administrator or coach to analyze and reflect on their data results. The ultimate goal for using these results is improvement of instructional practice, as well as designing interventions for students who did not demonstrate mastery or proficiency. The Legacy Academy will build a detailed data profile intended to help teachers develop a targeted instructional-improvement program based on first-hand observations, consistent data, and a common understanding of both teacher and student learning needs. Teachers will meet weekly to evaluate and re-evaluate their progress creating a school culture focused on learning and improvement.

A Day in the Life of a Student

In order to illuminate how The Legacy Academy program plays out in the life of our students, we have developed two snapshots of "A Day in the Life" of a Legacy Academy student. The first student, Sebastian, is served through the core program and the example in **Figure A.18** walks the reader through his day. The second student, Miguel, faces significant trauma and receives

additional targeted supports. **Figure A.19** walks the reader through The Legacy Academy's approach of working with Miguel through a crisis.

Figure A.18 A Day in the Life of Sebastian

A Day in the Life of Sebastian

Sebastian arrives at school at 8:15 am. He heads to the multi-purpose room where he is welcomed by the Principal. At 8:25 am the Principal addresses students, reminding them of the Core Value of the month - belief. He shares a short story about what belief means to him, then dismisses the school in silence to start their day. Sebastian heads to his classroom and lines up outside.

At 8:30 am, Sebastian is greeted by his teacher, Mr., Jimenez, and welcomed inside for "Legacy Set." This is an Advisory period with a small group of 12-13 students. He grabs breakfast on his way into class, then joins in as Mr. Jimenez leads the class with the daily *check in* routine activities and discussion on the Core Value of the month. Sebastian feels comfortable to be greeted by a caring teacher to help set the tone for his day.

At 9:00 am the bell rings and Sebastian is off to his Learning Investigations class, which is focused on science during this nine-week cycle (it was focused on social studies for the previous nine weeks). Mr. Garcia greets students at the door while they make their way to their seats. Sebastian takes out his journal and copies the warm up prompt *What is the difference between a tornado and a hurricane?* Sebastian recalls his prior knowledge and records several sentences into his journal. After several minutes Mr. Garcia leads a discussion with the class regarding the differences between a tornado and a hurricane. He utilizes an elmo projector to note the differences students share on the whiteboard. Sebastian is very interested to see what is going to happen next. Mr. Garcia then informs the class that today they will be taking a closer look at a tornado through the true story *The Evil Swirling Darkness* found in this month's *Scholastic Scope*. Students find the story on their tablets and next Mr. Garcia points out the Essential Question, which is posted on the whiteboard, *How do natural disasters affect communities?* Next, Mr. Garcia leads students in an oral read aloud, calling on various students whose names are written down on popsicle sticks and placed in a jar. This way Mr. Garcia can keep track of who he calls on for the entire instructional day. After completing the reading, students are paired up in twos to complete a worksheet that explores text structures. While in pairs, Mr. Garcia explains briefly that a text structure is how the author organizes information. While completing this worksheet, students explore the text structures such as: description, cause and effect, problem and solution, compare and contrast and sequence of events. Once complete, Mr. Garcia calls on students to respond to the EQ of *How do natural disasters affect communities?* Mr. Garcia pulls the popsicle stick with Sebastian's name on it. Sebastian is excited and recalls from the reading the story that the Satterlee family decided to help out in all disasters after surviving a life threatening tornado. Mr. Garcia greets Sebastian's response with a warm smile and positive affirmation.

At 10:30, it is time for Literacy Lab - the thirty-minute block that preceded his Literacy Class. The transition is seamless, as Mr. Garcia simply says that students will continue to explore tornados in their Literacy Lab time. Sebastian is excited because his interest was piqued when he answered the last question in front of the class correctly. Mr. Garcia directs his students to report to their specific learning station in the lab.

Sebastian reports to the content literacy station first, now working under the guidance of his

Literacy teacher, Ms. Pena. With his tablet in hand, the instructions at the learning station lead the students to an instructional video on tornados. Sebastian enjoys the visual simulation and the reading exercises which focus on his specific comprehension, fluency practice, and vocabulary development. After 15 minutes, Sebastian and his classmates are prompted by Ms. Pena to report to their second learning station for the day. For Sebastian, this station is the Small Group Instruct led by Ms. Pena another group is working with a Classroom Instruction Specialist). Here Ms. Pena focuses on reading, writing and comprehension skills. Today the focus is on pre-teaching a lesson on writing a summary paragraph, which will be taught in the Literacy Class. Ms. Pena provides a worksheet which is a thinking map. This particular map has one circle in the middle with three stems connecting the outer circles to the center circle. Ms. Pena explains that the center circle in the main idea and the surrounding circles are supporting details. She demonstrates how to use the thinking map with the center circle being the main idea.

At 11:00 am Ms. Pena brings the class back together for Literacy class. Using the Workshop model, she conducts a mini-lesson on using the thinking map to develop summary paragraphs on the topic of how natural disasters affect communities. During the guided practice, Sebastian is able to share his own thoughts on a supporting idea. He feels successful, due to the pre-teaching he received. Students are then released to independent practice to develop their thinking maps and summary paragraphs. Ms. Pena and the Classroom Instruction Specialist, Mr. Ng, are working with individual and small groups of students to support. The class is brought back together for sharing, where Sebastian's friend Andre shares his summary. Sebastian gets an idea from Andre's summary and quickly jots himself a not on his thinking map. Ms. Pena tells them that for homework they are to finish their summary paragraph using the thinking map. Students write this down in their agendas.

At 12:00 pm, Sebastian transitions to lunch and recess. Today he is having his favorite lunch which is taco salad with sliced apples and caramel dipping sauce. Sebastian eats with his classmates and they all enjoy the low fat chocolate milk and cranberry juice. While some of his classmates head to shoot hoops on the blacktop, Sebastian chooses to stay at a table and talk with his friends.

At 12:45, Sebastian reports to Math Class with Mr. Ramirez. The first 20 minutes are spent on the Essential Question, the daily objective and direct instruction. Today's lesson will focus on using letters to represent numbers. To write, read, and evaluate expressions in which letters stand for numbers. Write expressions that record operations with numbers and with letters standing for numbers. For example, express the calculation "Subtract y from 5" as $5 - y$. The students start with a Do Now where they must plug in values of X to solve a simple equation. Next, students are directed to use their tablets to access ST Math. Mr. Ramirez directs students to the concept address. At this point Sebastian receives the much need visual stimulation to see how the letters can be used for numbers in solving simple equations. Sebastian enjoys the game format of ST Math. Every time he does the problem correctly, JiJi the penguin walks across the screen and validates his right answer. Mr. Garcia circulates around the classroom as students participate in their independent practice. Finally, Mr. Garcia tells the class to put away their tablets and take out their mini white boards. He says that it is time for the exit ticket activity. Mr. Garcia then pulls three new names from the popsicle jar who are to go to the boards and complete simple equations while the remainder of the class does this on their mini white boards. Sebastian loves how his school makes learning fun by using technology and games. Sebastian is proud to hold up his mini white board as he has the right answer for his exit ticket. Mr. Ramirez takes note of the students

who still need more support with the concept, based on the work on their white boards.

At 1:45, students transition into Math Lab where they receive “just in time” intervention or extension based on their exit tickets. Mr. Ng and Mr. Ramirez work with two groups of students, while a third group continue to work on ST Math. Sebastian is in this group, working on extension activities within the concept. Sebastian notices his friend, Miguel, talking with one of the Mental Health Counselors from their class. He knows Miguel had a rough evening and is glad to see his friend has a caring adult to talk it out.

After math class, it’s time for Enrichment. Sebastian’s first enrichment today is Physical Education with Coach Buller. PE starts at 2:15, where Coach Buller has them run the mile and records their time. Sebastian has decreased his time by 12 seconds since he last ran the mile. Next the students split into their squads and do a series of strength training exercises. Sebastian is tired by the end of PE, but knows that he is getting stronger.

At 3:15, Sebastian returns to his Advisory group for Legacy Reflect. As with Legacy Set, students grab a healthy snack as they enter they classroom. Mr. Jiminez leads students in reflecting on their day, noting times when they showed the Core Value of integrity. They have a guest speaker today, an elder artist from their community Mr. Orundide, who shares a difficult experience he faced as a youth taking ownership for his actions - and paying the consequences. He also shared how this experience shaped his life and helped him understand that integrity can have both positive and negative consequences, but gives one agency over their destiny. Mr. Orundide is teaching an Arts Enrichment class on street portraiture.

At 4:00, Sebastian transitions into his next Enrichment - the Arts class taught by Mr. Orundide. Mr. Orundide uses the same workshop model from literacy class to provide a mini0lesson, guided practice, independent practice and sharing to support students in using tone to create definition and depth in their portraits.

At 5:00, Sebastian heads for his last Enrichment class which focuses on character development and life skills. This class is taught by a community volunteer and follows the 180 Degrees curriculum. Sebastian likes this class because it is taught by a retired police officer, Mr. Diaz who really cares about his students and is always willing to listen and answer their questions. In this class Sebastian keeps a journal in his 180 degrees binder. Today there are watching a video on integrity.

At 6:00 pm, class is dismissed and Sebastian picks up his backpack and heads for the front of the school. There is greeted by the Principal who patiently waits for Sebastian to be picked up by his mother. Sebastian waves good-bye as the car drives off.

While Sebastian represents a typical day, many of The Legacy Academy’s students will regularly face non-typical obstacles and challenges. As such, they require a school community that accepts, understands and is prepared to respond to those challenges. The following is an example of a typical student scenario and the planned Legacy response to the student’s needs:

Figure A.19 A Day in the Life of Miguel

A Day in the Life of Miguel

Miguel's Story

Miguel is a 7th grader who enters Legacy in the Fall. Miguel and his family have been assigned a Legacy Success Team over the summer before school starts. The team consists of an academic and personal “coach” who support Miguel to develop and achieve his Personal Growth Plan. The plan includes a thorough review of Miguel's family, cultural, medical, developmental, social, and academic history. It was completed collaboratively with Miguel and his mother with the intent to establish a connection based on mutual respect, honesty, and a strong commitment to Miguel's achievement of his personal and academic goals. Miguel's mother shares that he was a curious baby, always exploring his environment. He loved music and banging on toys like a drum and he adored his older siblings. His mother shares that the neighborhood where the family lives has constant violence that Miguel has been exposed to his whole life. He has witnessed gang altercations in the neighborhood where young people have been seriously injured, and he has been worried since then about the safety of his mother and siblings. He has also witnessed domestic conflict between his parents that has involved physical and verbal assaults. On several occasions the police have been called and the last time his father went to jail. This was very frightening for Miguel and he remains concerned that the police will come and that his family will be deported to Mexico because his parents do not have papers. Miguel continues to be very angry at his father for hurting his mother and for putting the family in this situation and he becomes very emotionally upset when the subject comes up.

Last year in sixth grade, Miguel missed school frequently due to his feeling tired and sick. On two occasions he was picked up by police at a nearby park (his mother was at work) where he was smoking cigarettes and playing basketball with older kids. His grades dropped and he has become irritable and belligerent with his mother, and she fears that he will be recruited into a gang and that he may be experimenting with drugs and alcohol. Miguel shares that he doesn't like school and he feels like kids and teachers don't like him. He likes music and sports, and dreams of being in a Latin Hip Hop band. He is willing to go to The Legacy Academy because it's small, and they plan to have music and sports activities. He doubts he will be able to do well in school because he doesn't like math and he says he's not a good reader. He warns that he “won't put up with any BS” if staff or students mess with him.

Miguel's plan involves signing him up for sports and music, obtaining tutors in math and English, and providing group education that will help him and his peers understand anger and how to gain emotional self-control. He will be supported to attend school every day with incentives and rewards. Furthermore, he will be provided with a counselor who will help him understand how some of his past experiences have caused him to worry and be angry. The counselor will teach him how to manage those memories and change the way he thinks, feels, and acts in response to them. The plan includes what will happen if Miguel experiences a challenge at school and may include in-class and out-of-class debriefing and coaching sessions to help Miguel learn from and move through the challenge. Miguel learns that the school structure is designed with an understanding of kids' experiences and needs and that every adult and child will learn how to support everyone on campus to be safe and achieve their goals.

The assessment process is designed to yield Miguel's strengths and successes, the goals he wants to achieve, and the potential incidents and experiences he, his mother, and his coaches identify that might challenge his success. His Personal Growth Plan outlines how Miguel and his team will work to help him achieve his goals and what they will do when he

encounters his challenges. This plan will guide the team day to day, providing concrete actions and behaviors by team members and others that will support Miguel's success and will respond to challenges when they arise. Teachers and staff will be informed of Miguel's plan, what trauma-related triggers to look for and how to respond to them, and what to do to help Miguel and his peers in the event of a crisis. The entire Legacy Academy community, including all students, will receive training and coaching in how to create and sustain a safe, stable school community, to ensure that Miguel and all of his peers feel welcome, safe, supported, and successful.

In the end, Miguel will acquire skills and experience that will benefit him for the rest of his life. He will learn how to set and achieve his goals. He will experience academic success. He will gain self-awareness and self-mastery skills that will assist him to overcome challenges in life. And he will gain a school family that he knows is there for him and for his family.

Miguel Faces a Crisis

At 10:00 p.m. Sunday night, Mr. Garcia, Miguel's Support Coach receives a text from Miguel's mom saying there had been an incident earlier that evening involving Miguel and his father. (The school has set up all Legacy Academy parents and students with text numbers for their Success Team coaches so that student's support team is always available for coaching and support). Miguel's coach calls back and Mom shares that Miguel had a confrontation with his father when he showed up at the house intoxicated and began yelling at her. Miguel was very angry and words were exchanged between he and his father. Miguel's older sister stepped in and convinced her father to leave. Miguel left the house upset and came back an hour later. He refused to talk about what happened and went to bed, still obviously upset. Mr. Garcia asks Mom if she feels everyone is safe and she says she does and that her husband won't come back as he knows she will call the police. Mr. Garcia acknowledges how difficult the incident must have been and praises her for calling him. They debrief the incident and agree on a plan for how Mom will support Miguel in the morning by acknowledging it was unfortunate and supporting him to get to school where he has support and an important project with his peers that is almost finished. Miguel understands that his team is aware of the incident and will be there to support him in the morning.

At 10:30 p.m. Sunday night, Mr. Garcia sends a text to Ms. Bernal, Miguel's Advisory teacher, alerting her that Miguel had a difficult evening. He plans to meet Miguel for breakfast and work out how Miguel wants his morning to go, in terms of what he wants to share, and what support he'd like to have from his teachers and peers throughout the day. Ms. Bernal knows Miguel's Personal Growth Plan and appreciates being apprised of Miguel's experience. She will be ready to assist any way she can.

School Day

At 8:00 a.m. Monday, Miguel's Mom drops him at school. Mr. Garcia greets him and they find a spot to talk. Mr. Garcia acknowledges the incident the night before and ties the event to Miguel's Personal Growth Plan. He reminds him that Miguel's plan includes how he wants those around him to give him support when "triggering events" happen. He offers some options for Miguel in terms of classroom and peer support, meeting with his counselor, or having some alone time in the library/study center. Miguel decides he wants to go to class, check in with Mr. Garcia at lunch, and see his counselor in the afternoon. He would like Ms. Bernal to know his plan and to be aware that if he needs some space, he will ask for a pass to

the library. He agrees to text Mr. Garcia throughout the day to check in. Mr. Garcia praises Miguel for taking care of himself by making a good plan that gives him the support he needs in the way he wants it. Miguel goes to class and Mr. Garcia texts Ms. Bernal, his Academic Coach, his counselor, and his Mom of the plan.

8:30 a.m., Miguel arrives at his Legacy Set advisory class. Ms. Bernal greets him warmly. Miguel is quiet but focused in Advisory. He feels safe and is glad to know that his coach and teachers are there, but not making a big deal of what happened and not trying to make him talk about it.

Miguel is okay throughout the day. His teachers report he is staying on task and completing his work. Mr. Garcia checks in a few times by text to Miguel and he responds that he's okay.

At 4:00 Miguel meets with his counselor, and they talk about what happened and his counselor noted how he was emotionally triggered into a state of "fight or flight." They joked that he used both, he got angry and aggressive with his Dad, and then he ran to the park to get away from it all. They talked about how his Plan worked for him, and that his Mom, his Coach and his teachers all provided the support he needed and wanted. He was able to acknowledge that it felt good to be in charge of his plan and that it made it easier for him to do school stuff. His counselor reflected maybe that was because he was in charge of his emotions rather than his emotions being in charge of him. They discussed how he wanted to talk to his mom about what happened, and he agreed it would be good if they met with her briefly when she came to pick him up, so she could understand what happened with him and how his Plan had helped, including her part in texting Mr. Garcia and being a part of his team. He asked if the counselor would explain that. She agreed. They talked about Miguel's plan for the night, homework he had to do, and what he wanted to do to relax. He thought he might see if his sister wanted to play a new video game. They agreed to meet again on Friday afternoon.

Evening Follow-up

At 6:00, Miguel's counselor emails the team and thanks everyone for their team work, for supporting Miguel by giving him the opportunity to be in charge of his plan. She notes that Miguel's still emotionally "raw" from the incident, that he may be more subdued for a couple of days, and would probably welcome small gestures of support as he processes the event. She asks that Mr. Garcia check in with Miguel a few times and keep them posted.

At 9:00 p.m., Mr. Garcia calls Miguel's mom to check in on how everyone is doing at home. She says Miguel is watching TV with his sister and things seem calm. He acknowledges it was a tough 24-hours and asks how she's doing. She becomes tearful and says she's sad it happened but grateful for the team. She feels bad that her kids have had to experience this over the years. Mr. Garcia asks if she might want some support for herself. She says maybe. He offers to meet with her to talk about some options she might consider to help her deal with her situation. She says that would be good and they agree to find a time to meet in the next week. Mr. Garcia reminds Mom that she can call him anytime if she or Miguel needs support. He explains this is a crucial part of The Legacy Academy and that staff are there for her and Miguel. They agree to keep in touch over the next couple of weeks.

Charter School Annual Goals and Actions to Achieve State Priorities (Local Control Accountability Plan - LCAP)

Pursuant to Education Code Section 47605(b)(5)(A)(ii), The Legacy Academy has identified annual goals to be achieved in the state priorities schoolwide and for all pupil subgroups, as described in Education Code Section 52060(d), and specific annual actions to achieve those goals. These priorities include:

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

The LCAP table with these annual goals, actions, and measures are detailed in **Element B** of this charter.

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 school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. 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).*

In order to graduate from The Legacy Academy, students must master content in all core areas: Language Arts, Mathematics, Social Studies, and Science and Engineering. In addition, students will master enrichment content in Physical Education, Visual/Performing Arts, and Life Skills. All core content will be aligned with the California Common Core Standards (CCCS), California State Standards (CSS), and Next Generation Science Standards (NGSS). In addition, to graduate from The Legacy Academy, all students must demonstrate mastery of the school’s Non-Academic Qualities for life and school success.

All students at The Legacy Academy, including students who have special needs, students who are English Language Learners, and/or students who are identified as “under-performing” will be expected to meet these outcomes. The Legacy Academy’s Unconditional Education program, in partnership with the Seneca Family of Agencies, will provide the additional support and/or accommodations as needed and/or legally required according to each student’s Individual Education Plan (IEP) and/or Individual Learning Plan (ILP).

The Legacy Academy’s Board of Directors will develop a “Dashboard” of data metrics which will be regularly reviewed, detailing baseline data and establishing annual goals to advance the measurable pupil outcomes set forth below.

Non-Academic Qualities

The Legacy Academy will utilize the motto “Be Ready, Be Responsible, Be Respectful.” Toward this end, The Legacy Academy will build on students existing strengths to develop the following non-academic qualities in its students and holds these same expectations for families and staff:

- **Responsibility** - Students show responsibility by adhering to school policies, practicing strong work habits, and following through on their commitments to themselves, their families, and their community.
- **Respectfulness** - Students show respect for self, others, and the physical community by treating each with consideration at all times.
- **Collaboration** - Students show collaboration by working together, sharing ideas, and negotiating differences.
- **Integrity** - Students are truthful, fair, and trustworthy in both words and actions and try their best regardless of what other people may think.
- **Belief** - Students demonstrate the belief that they can achieve with hard work and effort, which is manifested in their own academic, social, and emotional development.

Academic Content and Performance Standards

At The Legacy Academy, we ensure that all students develop the type of literacy, numeracy, and thinking abilities needed to access, engage, and manage the complex information and opportunities of the 21st Century. Aligned with The Legacy Academy mission and the California Common Core Standards (CCCS), California State Standards (CSS), and Next Generation Science Standards (NGSS) students at The Legacy Academy will develop the following Academic Qualities:

- **Language Arts** - Students will be able to read, write, and speak for a variety of purposes to a variety of audiences, and interpret and analyze a variety of texts for different purposes. They will understand the role and power language plays in our society and how to harness it in terms of consumption and production to promote a positive legacy.
- **Mathematics** - Students will be able to solve problems using multiple strategies, communicate an understanding of mathematical logic in the problem solving process, and apply mathematical concepts to real world scenarios. They will develop their confidence as mathematicians and see math as a potential part of their college and/or career paths.
- **History and Social Science** - Students will be able to analyze past and present events through multiple perspectives while demonstrating an understanding of how geography, government, economics, and culture shape their own lives and the lives of others. They will understand the systems and structures at play in their community and world, as well as the power of their own agency in navigating these.
- **Science and Engineering** - Students will be able to demonstrate an understanding of the core ideas, practices, and cross-cutting concepts of science and engineering and demonstrate the process of scientific inquiry through experimentation, data collection and analysis, and problem solving. They will engage in the process of making and tinkering, identify ways that they are already makers and inventors, and see possibilities for science and engineering to be part of their college and/or career paths.
- **Physical Education, Health, and Wellness** - Students will be able to demonstrate an appreciation and understanding of fitness/wellness issues along with a capacity to make conscientious decisions around important matters including nutrition, exercise, body image, healthy relationships, and the law.
- **Visual and Performing Arts** - Students will demonstrate an understanding of how to interpret and use the visual and performing arts to communicate ideas. They will understand the unique arts within their culture and community, and engage as both consumers and producers of the arts

In order to best serve our students and community, The Legacy Academy will continue to examine and refine the list of student outcomes over time to reflect the school's mission and any changes to state or school standards that support this mission. The Legacy Academy will submit a description of any significant changes to the above student outcomes as an amendment of the charter to the County Board of Education at any time prior to expiration. The County Board of Education agrees to hear and render an amendment decision pursuant to the timelines and processes as specified in the Education Code Section 47605 (b).

Charter School Outcomes that Align with State Priorities (Local Control Accountability Plan - LCAP)

Pursuant to Education Code Section 47605(b)(5)(B), [Figure B.1](#) below describes The Legacy Academy's outcomes that align with the state priorities and The Legacy Academy's goals and

actions to achieve the state priorities, as identified in **Element 1** of the charter. In addition, Figure B.1 details the Measures that The Legacy Academy will utilize in evaluating its progress toward these goals. While The Legacy Academy has detailed its long-term goals for each measure within this Charter, it will develop annual benchmarks toward these goals within its LCAP upon establishment of its 2017-18 baseline data to ensure that it sets both reasonable and ambitious benchmarks for achieving these goals in service of its students. This baseline data, annual benchmarks, and an annual update on achievement toward those benchmarks will be provided annually to the Santa Clara Office of Education to support its oversight of The Legacy Academy’s progress toward achieving Measurable Pupil Outcomes.

The Legacy Academy makes the following assurances:

1. All identified subgroups will meet the performance goals that are stated in the charter.
2. Pupil assessment measures will include the following:
 - a. Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment,
 - b. The Academic Performance Index, as described in Section 52052 (NOTE: The Legacy Academy will develop API and AYP outcomes both for participation percentages and performance thresholds upon reinstatement in their future forms, as these were suspended at the time of this submission).
 - c. The percentage of English learner pupils who make progress toward English proficiency as measured by the California English Language Development Test
 - d. The English Learner reclassification rate

The LCAP and any revisions necessary to implement the LCAP, including outcomes and methods of measurement listed below, shall not be considered a material revision to the charter, and shall be maintained by The Legacy Academy at the school site.

Figure B.1 School Outcomes Aligned to State Priorities

Goal 1: Build the Belief in All Students that They Can Succeed
Goal(s)
<p><u>Personalized Learning</u></p> <ul style="list-style-type: none"> ● Students are engaged in personalized learning experience at their “just right” level, that build belief in their ability to succeed by creating the conditions that allow them to realize success. <p><u>Robust Wrap Around Services</u></p> <ul style="list-style-type: none"> ● Students receive the academic, social, emotional and behavioral supports they need to realize success. <p><u>Passion, Purpose, and Agency</u></p> <ul style="list-style-type: none"> ● Students develop internal passions, a belief that they have something to offer, and a sense of agency and control over their destiny.
In Support of State Priorities
<p>2. Alignment to and Implementation of the Common Core State Standards (CCSS), with support for ELLs and other subgroups</p> <p>3. Parental Involvement</p> <p>4. Student Achievement</p>

- 5. Student Engagement
- 6. School Climate

Action(s)

Personalized Learning (Priority 2 and 4)

- Utilize Personal Learning Plans to reflect on student strengths and areas for growth, engage students and families in goal setting, provide customized supports to advance progression, and build agency over learning by the student and his or her family.
- Implement an Advisory Program called Legacy Set & Reflect, a small group of 12 to 13 students that meet at the beginning and end of each day to check-in, goal set, and reflect.
- Leverage Literacy and Math Labs to provide “just in time” intervention to support student success, reducing frustration and building empowerment.
- Deploy a robust staff to ensure diverse student needs are met, including a teacher, classroom intervention specialist, and mental health counselor in every classroom.

Robust Wrap Around Services (Priority 3, 5, and 6)

- Partner with the Seneca Family of Agencies to implement the Unconditional Education Model, providing tiered academic, social, emotional, and behavioral interventions.
- Employ a trauma-informed practice, to meet students where they are and support them in overcoming significant obstacles

Passion, Purpose, and Agency (Priority 5, 6, and 8)

- Facilitate enrichment programming that focuses on the core needs of at promise adolescents - physical education and health to build healthy choices, the arts to explore passions and provide means of expression, and life skills to support growing autonomy and decision-making.
- Engage students in monthly Service and Leadership opportunities, geared at building belonging within their community and empowering students to be on the giving end of service when they have traditionally been on the receiving end.
- Provide a culturally responsive curriculum and community, that supports positive cultural identity and is committed to social justice.

Measures(s) and Method(s)

Personalized Learning (Priority 2 and 4)

- The percent of students who complete grade level course of study on time will grow from the 2017-18 baseline until goal of 95% is met overall and for all significant subgroups (i.e. ELL, SES, Latino, African-American, Foster/Kinship), as measured by student retention data.
- The percent of families who attend PLP conferences will increase from the 2017-18 baseline until the goal of 90% is met, as measured by audit of attendance rosters.
- The percent of families who Agree or Strongly Agree that The Legacy Academy provides families with opportunities to participate and provide input on their child's education and in the life of the school will increase from the 2017-18 baseline until the goal of 75% is met, as measured by annual community survey.

Robust Wrap Around Services (Priority 3, 5 and 6)

- The suspension rate will decrease from 2017-18 baseline until goal of 10% or less is met overall and for all significant subgroups (i.e. ELL, SES, Latino, African-American, Foster/Kinship), as measured by discipline audit.
- The expulsion rate will decrease from 2017-18 baseline until goal of 1% or less is met

overall and for all significant subgroups (i.e. ELL, SES, Latino, African-American, Foster/Kinship), as measured by discipline audit.

- The percentage of students who agree that The Legacy Academy has a positive school climate will increase from 2017-18 baseline until goal of 80% is met, as measured by annual community survey.
- The percentage of families who agree that The Legacy Academy has a positive school climate will increase from 2017-18 baseline until goal of 80% is met, as measured by annual community survey.

Passion, Purpose, and Agency (Priority 5, 6, and 8)

- The percent of students who demonstrate 85% Average Daily Attendance will grow from the 2017-18 baseline until goal of 90% is met, as measured by audit of Attendance Data.
- The annual Chronic Absentee Rate will decrease from the 2017-18 baseline until goal of 10% or less is met, as measured by audit of Attendance Data.
- The percent of students who drop out each year will decrease from the 2017-18 baseline until goal of 5% or less is met, as measured by audit of exit data.

Goal 2: Equip Students with the Tools to Change Their Legacy

Goal(s)

A Focus on Math and Literacy (Priority 1, 2 and 4)

- Students develop their literacy and redefine themselves as mathematicians, opening up new opportunities for these students and their own future legacy within our community.

Real-World Learning Investigations (Priority 2, 4, and 7)

- Students critically examine the world around them and examine the power of choice on their lives and the lives of others.

Enrichment Tailored to the Needs of At Promise Adolescents (Priority 8)

- Students demonstrate an appreciation and understanding of fitness/wellness issues along with a capacity to make conscientious decisions around important matters including nutrition, exercise, body image, healthy relationships, and the law.

In Support of State Priorities

1. Quality Teachers, Curriculum, and Facilities (Basic Services)
2. Alignment to and Implementation of the Common Core State Standards (CCSS), with support for ELLs and other subgroups
4. Student Achievement
7. Course Access and Enrollment
8. Student Outcomes

Action(s)

A Focus on Math and Literacy (Priority 1, 2, and 4)

- Students will receive 90 minutes of literacy and math instruction daily, including standards-based instruction and intervention to accelerate achievement and remediate gaps
- A Classroom Instruction Specialist will push into all math and literacy classes, to

facilitate individual and small group interventions

- Faculty will engage in data-driven professional development before, during, and after the school year, to promote instructional practice and student achievement, including strategies for supporting ELLs and other subgroups of students.
- Faculty will utilize strategies to support development of academic English and English as a second language.

Real-World Learning Investigations (Priority 4 and 7)

- Students will engage in authentic learning investigations, using Project Lead the Way in Science and TCI History Alive and Facing History, Facing Ourselves in Social Studies.
- A Classroom Instruction Specialist will push into all learning investigation classes, to facilitate individual and small group interventions
- Faculty will engage in data-driven professional development before, during, and after the school year, to promote instructional practice and student achievement, including strategies for supporting ELLs and other subgroups of students.
- Faculty will utilize strategies to support development of academic English and English as a second language.

Enrichment Tailored to the Needs of At Promise Adolescents (Priority 8)

- Students will engage in physical education and health activities, including exploration of the martial arts and high intensity training
- Students will engage in a daily life skills class utilizing 180 degrees curriculum and leveraging community volunteers
- Students will explore multiple forms of art, as a means of expression and cultural appreciation

Measures(s) and Method(s)

A Focus on Math and Literacy (Priority 1, 2, and 4)

- The percent of students who make 1.5 years of growth in ELA will increase at from the 2017-18 baseline until the goal of 70% is met overall and for all significant subgroups, as measured by the ELA portion of the NWEA MAP.
- The percent of students who make 1.5 years of growth in Math will increase from the 2017-18 baseline until the goal of 70% is met overall and for all significant subgroups, as measured by the Math portion of the NWEA MAP.
- The percent of students who Meet or Exceed state standards in ELA will increase at from the 2017-18 baseline until the goal of 70% is met overall and for all significant subgroups, as measured by the ELA portion of the SBAC.
- The percent of students who Meet or Exceed state standards in Math will increase from the 2017-18 baseline until the goal of 70% is met overall and for all significant subgroups, as measured by the Math portion of the SBAC.
- The Legacy Academy will meet the annual State target for percent of ELLs Annual Progress (Annual Measurable Academic Outcome #1) as measured by the CELDT, if applicable dependent on subgroup size.
- The Legacy Academy will meet the annual State target for percent of ELLs reaching English Fluency, for both the under five years cohort and the four years or more cohort (AMAO 2), as measured by the CELDT, if applicable dependent on subgroup size.
- The Legacy Academy will meet the annual State target for percent of ELLs that are Proficient or Advanced in English Language Arts, as measured by the SBAC, if applicable dependent on subgroup size.
- The percent of students, families and staff who Agree or Strongly Agree that The

Legacy Academy's program **academically prepares** students will increase from the 2017-18 baseline until the goal of 80% is met, as measured by the annual survey.

Real-World Learning Investigations (Priority 4 and 7)

- The percent of students who are Proficient or Advanced in state standards for Science will increase from the 2017-18 baseline until the goal of 50% is met overall and for all significant subgroups, as measured by the Science California Standards Test.
- The percent of students, families and staff who Agree or Strongly Agree that The Legacy Academy's program **engages** students will increase from the 2017-18 baseline until the goal of 80% is met, as measured by the annual survey.

Enrichment Tailored to the Needs of At Promise Adolescents (Priority 8)

- The percent of students in 7th grade who pass 4 of 6 fitness components will increase from the 2017-18 baseline until the goal of 70% is met overall and for all significant subgroups, as measured by the CDE designated Physical Fitness Test (currently FITNESSGRAM).
- The percent of students, families and staff who Agree or Strongly Agree that The Legacy Academy's program **promotes student well-being** students will increase from the 2017-18 baseline until the goal of 80% is met, as measured by the annual survey.

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).

Introduction

The Legacy Academy will provide authentic, rigorous, and diverse assessment opportunities for students to recognize accomplishments, identify needs, and document mastery in the pursuit of the outcomes and aligned to the curriculum identified in **Elements A and B**. As such, it will be a tool to help students learn more about their own strengths and weaknesses without intimidation, fear, or feelings of failure. Ultimately, The Legacy Academy assessment practice is designed to build student and family agency - providing a guide to students as they achieve expertise and document growth, in turn becoming a source of motivation. This ties directly back to The Legacy Academy mission, building the belief in all students that they can succeed and equipping them with the tools to change their legacy.

Assessment methods at The Legacy Academy will include opportunities for students to demonstrate progress toward proficiency on clearly identified content standards as well as social-emotional learning. Assessment data will be both formative and summative and will be used throughout the year by students, teachers and families to reflect on current levels of student achievement and to determine next steps for achieving student mastery.

All assessment tools used at The Legacy Academy will be aligned to the pupil outcomes and curriculum as described in **Elements A and B**. Assessment will take place in all grades and across subjects, as well as in the area of non-academic qualities. This explicitly includes use of the Smarter Balanced Assessment Consortium (SBAC) as adopted by the State of California. The Legacy Academy is invested in and committed to using this assessment system, which we believe will provide the best way of measuring our implementation of the CCSS, providing both reinforcement and accountability for our program. Data will be disaggregated by significant subgroups, to ensure The Legacy Academy is attending to the overall needs and the specific needs of student subgroups in their path to proficiency.

Student assessment at The Legacy Academy may include, but is not limited to:

- Baseline and Summative Assessments to measure student growth,
- Coursework and Portfolios to provide an ongoing record of student work that meets mastery,
- Formative Assessments to formally measure achievement on an ongoing basis, including developmental reading assessments, writing assessments, and standards-based interim assessments in literacy and math.
- State assessments and/or other standardized tests, as required by Education Code 47605(c)(2),
- Personal Learning Plan (PLP) meetings to reflect on student progress and set goals, and Expositions of Student Work to showcase student learning for families and the community.

To ensure sharing of best practices, The Legacy Academy agrees to participate in research and evaluation projects in partnership with the Santa Clara County Office of Education, higher education institutions, and research organizations. This may be in the form of surveys, or interviews with teachers and parents to understand factors associated with student performance.

Forms of Assessments

In order to ensure that all students within The Legacy Academy are achieving the student outcomes detailed in **Elements A and B**, assessment at The Legacy Academy will be consistent, continuous, and based on the external and internal measures of evaluation shown below. Data will be kept and analyzed for both internal and external assessment measures and used to inform and/or adapt teaching practices along with school structures, systems, and policies. It will also serve a critical role in reporting to caretakers.

Baseline and Summative Assessment

At the beginning of each school year, The Legacy Academy will conduct diagnostic assessments of each student to establish baseline levels of mastery. These may include, but are not limited to, the following:

- A developmental reading assessment, such as those from the Teachers College Reading Writing Project (TCRWP)²⁸, will be used to assess students' reading levels.
- A developmental writing assessment will be used to assess students' writing levels.
- Math readiness assessments will be used to establish baseline math levels.
- An adaptive benchmark assessment in math and literacy, such as Renaissance Learning's STAR Assessments²⁹ or NWEA's Measures of Academic Progress[®],³⁰ to identify students current levels of mastery and measure growth.
- The California English Language Development Test (CELDT), or English Language Proficiency Assessment of California (ELPAC) when fully operational, will measure students' English Language proficiency across the domains of listening, speaking, reading and writing.
- The California Assessment of Student Performance and Progress (CAASP) Assessment System tools will be used to assess summative levels of performance in literacy and mathematics (detailed further in Interim Assessments and State Assessments, below).

As work on assessments under the California Assessment of Student Performance and Progress (CAASPP) progresses, The Legacy Academy will expand or replace these measures as needed to ensure alignment with the State's objectives and priorities.

Personal Learning Plans

Each student at The Legacy Academy will have a Personal Learning Plan (PLP) that articulates goals and strategies for academic, social, and emotional development that are specific to the needs of each child. The PLP is collaboratively designed with the student, family, advisor, and teachers at the beginning of the school year. During the Legacy Set & Reflect advisory periods at the beginning and end of each school day, interim goals are developed and monitored and strategies are reviewed. Parents, students, and teachers will come together quarterly to reflect on progress toward achieving the goals, in addition to setting new goals and/or developing new strategies if necessary. Personal Learning Plans will serve as an occasion to reflect on the

²⁸ <http://readingandwritingproject.org/resources/assessments/running-records>

²⁹ <https://www.renaissance.com/products/star-assessments>

³⁰ <https://www.nwea.org/assessments/map/>

strengths and needs of the whole learner and to monitor the development of each student's academic and socio-emotional growth. These PLP meetings will be student-led, building agency for the student as a learner.

Coursework and Content Assessments

Teachers of core and non-core classes will measure student progress toward mastery through teacher-created assessments on a regular and on-going basis. This ongoing work may include such artifacts as journals, essays, labs, Problems of the Week, quizzes, tests, reports, presentations, projects and products. Exemplary performance models for given tasks will be used to support student understanding and attainment of proficiency. The level of success with content assessments will be one form of evidence for supporting mastery, with the goal of enabling students to track their own improvement through the year and encouraging them to do their personal best.

Portfolios

Students and teachers will work together to regularly assess work and gather this evidence of mastery into the Student Portfolio. Portfolios may hold a variety of materials such as content and performance assessments, cooperative and individualized class work, and final projects and products. These Portfolios serve three core purposes:

- Provide a record of on-going work.
- Support teachers, students, and parents in reflecting on a student's academic growth over time.
- Make student learning visible to families and the community.

Expositions

Students will have multiple opportunities throughout the school year to showcase their best work. At the beginning of each school year, a Back to School Night will be held to introduce families to the teachers and curriculum that their child will be working with for the year. On a quarterly basis, student work will be showcased thematically and students will present their work to peers, teachers, families, and community members. Finally, in the Spring of each year a culminating exposition of the year's learning will be held. This process of showcasing and presenting work adds a layer of accountability for students as they publicly communicate their understanding of specific content and performance standards as well as agency as they are able to track and showcase their learning.

Internal Assessments

The Legacy Academy will utilize a combination of internal assessments to measure student growth, as well as progress toward mastery in English Language Development, Reading, Writing, and Math.

English Language Development

The California English Language Development Test (CELDT), or the English Language Proficiency Assessment of California (ELPAC), when fully operational, will be used each year or within 30 days of a new ELL's entry in order to establish baseline levels of language development in listening, speaking, reading and writing. In addition, teachers will use an observational rubric to monitor the development of language production in conversational settings within the classroom. This data will be used by teachers to determine the supports necessary within units of study to provide access to and acquisition of the forms, functions, and content vocabulary embedded within each unit of study.

Developmental Reading Assessment

The Legacy Academy will utilize a developmental reading inventory to measure students' independent and instructional reading levels three times per year: as a baseline, interim, and summative assessment. Teachers and administrators will review this data to:

- Determine grouping for small group reading instruction
- Place students in appropriate texts for independent reading
- Identify specific students or groups of students who need increased literacy support

Developmental Writing Assessment

The Legacy Academy will utilize a developmental writing assessment and rubric to measure students' ability to write for a variety of purposes and across genres. Writing will be assessed against a standardized rubric, such as the 6 + 1 Writing Trait Rubric. Teachers and administrators will review this data to:

- Identify content, if any, that needs to be retaught for the whole class, small groups, or individual students
- Identify content, if any, that requires acceleration and extension for the whole class, small groups, or individual students
- Identify specific students and groups of students that require academic intervention to accelerate their learning

Benchmark Assessments

The Legacy Academy intends to utilize an adaptive interim assessment system in literacy and math, with the intent of collecting real time academic achievement data. The products initially being adopted for this purpose are Renaissance Learning's STAR Assessments³¹ and NWEA's Measures of Academic Progress[®].³² In addition, it intends to utilize an "On Demand" writing assessment to measure student progress in writing against a rubric. This data is used to achieve three specific and unique goals:

- Identify content, if any, that needs to be retaught for the whole class, small groups, or individual students
- Identify content, if any, that requires acceleration and extension for the whole class, small groups, or individual students
- Identify specific students and groups of students that require academic intervention to accelerate their learning

Teachers and administrators consistently review interim assessment data to make thoughtful, data driven instructional modifications throughout the school year.

State Assessments

As mandated by Education Code 47605c(2), The Legacy Academy will annually administer each of the following assessment measures under the CAASPP, or legal equivalent, to all students required to take each battery of tests:

- Smarter Balanced Assessment Consortium (SBAC)

³¹ <https://www.renaissance.com/products/star-assessments>

³² <https://www.nwea.org/assessments/map/>

- California Standards Test (CST)
- California English Language Development Test (CELDT), or English Language Proficiency Assessment of California (ELPAC) when fully operational,
- Physical Fitness Test (PFT)

If The Legacy Academy does not administer tests with the County, The Legacy Academy hereby grants authority to the State of California to provide a copy of all test results directly to the County as well as The Legacy Academy. Test results for the prior year, if not provided directly to the County by the State, will be provided by The Legacy Academy to the County no later than 30 days after receipt of said results.

Assessment Continuum

As indicated in the introduction of **Element C**, our broad variety of assessments will be used across grade levels and subject areas. **Figure C.1** is provided below to visually capture the scope and sequence of these assessments. As the CDE makes changes within CAASPP to the instruments used and/or grade levels and subject areas assessed, The Legacy Academy will modify this continuum to ensure continued alignment to the state requirements.

Figure C.1 Assessment Scope and Sequence

Assessment Tool & Purpose	Grade Levels	Subject Areas	Timeline	Minimum Performance Level Goal
Personal Learning Plans (PLPs) <ul style="list-style-type: none"> • Reflect on student strengths and areas for growth • Identify specific goals and strategies to achieve goals • Measure growth on goals 	6-8	<ul style="list-style-type: none"> • ELD • ELA • Math • Science • Social Studies • Physical Education & Health • Arts • Non-Academic Qualities 	Ongoing	<ul style="list-style-type: none"> • Mastery of at least one goal
Student Work and Portfolio <ul style="list-style-type: none"> • Demonstrate student mastery of grade level standards • Provide evidence of student mastery in the form of authentic projects, products, and performance tasks 	6-8	<ul style="list-style-type: none"> • ELD • ELA • Math • Science • Social Studies • Physical Education & Health • Arts • Non-Academic Qualities 	Ongoing	<ul style="list-style-type: none"> • 70% of standards to date have evidence of mastery
Content Assessments	6-8	<ul style="list-style-type: none"> • ELA 	<ul style="list-style-type: none"> • 4-6 weeks 	<ul style="list-style-type: none"> • 70% mastery

<ul style="list-style-type: none"> • Measure standards mastery within units of study 		<ul style="list-style-type: none"> • Math • Writing • Science • Social Studies • Physical Education & Health 		
<p>Showcases & Expositions of Student Work</p> <ul style="list-style-type: none"> • Demonstrate student mastery of grade level standards • Provide evidence of student mastery in the form of authentic projects, products, and performance tasks 	6-8	<ul style="list-style-type: none"> • ELD • ELA • Math • Science • Social Studies • Physical Education & Health • Arts 	<p>Quarterly showcases</p> <p>Annual exposition</p>	<ul style="list-style-type: none"> • Project, product, or performance task at mastery level displayed
<p>CELDT (ELPAC)</p> <ul style="list-style-type: none"> • Measure student’s mastery of grade level ELD standards, including listening, speaking, reading and writing • Provide criterion-referenced data on student mastery 	6-8	<ul style="list-style-type: none"> • ELD • Across Subject Area Settings 	<ul style="list-style-type: none"> • Upon enrollment • Annually until exited 	<ul style="list-style-type: none"> • Early Advanced (4) • Or, growth at a rate that will achieve Early Advanced within 5 to 7 years of introduction to the language
<p>Developmental Reading Inventory</p> <ul style="list-style-type: none"> • Measure student’s ability to decode and comprehend text along a developmental continuum • Provide data on student reading level against grade level standard, as well as growth-based progress • Example: Teachers College Reading Writing Project (TCRWP) 	6-8	<ul style="list-style-type: none"> • ELA • Across Subject Areas (Math, Science, Social Studies) 	<ul style="list-style-type: none"> • Upon enrollment • Quarterly thereafter until exited 	<ul style="list-style-type: none"> • At grade level • Or, making greater than one-year annual progress • Exited at Level Z
<p>Developmental Writing Inventory</p> <ul style="list-style-type: none"> • Measure student’s ability to write along a developmental 	6-8	<ul style="list-style-type: none"> • ELA • Across Subject Areas (Math, Science, 	<ul style="list-style-type: none"> • Upon enrollment • Quarterly thereafter until exited 	<ul style="list-style-type: none"> • At grade level • Or, making greater than one year annual progress

<ul style="list-style-type: none"> continuum Provide data on student writing level against rubric, as well as growth-based progress Example: On Demand Writing Prompt 		Social Studies)		
<p>Baseline Assessments</p> <ul style="list-style-type: none"> Measure student readiness 	6-8	<ul style="list-style-type: none"> Basic Math (6) Pre-algebra (7) Algebra (8) 	<ul style="list-style-type: none"> Beginning of year 	<ul style="list-style-type: none"> Not applicable
<p>Benchmark Assessments</p> <ul style="list-style-type: none"> Measure standards mastery 	6-8	<ul style="list-style-type: none"> ELA Math Writing 	<ul style="list-style-type: none"> Quarterly 	<ul style="list-style-type: none"> 70% mastery
<p>Smarter Balanced Assessment Continuum (SBAC)</p> <ul style="list-style-type: none"> Measure student's mastery of grade level ELA and Mathematics standards Provide criterion-referenced data on student mastery of grade level standard 	6-8	<ul style="list-style-type: none"> ELA Math 	<ul style="list-style-type: none"> Annual 	<ul style="list-style-type: none"> Proficient Making greater than average annual growth toward proficiency
<p>California Standards Test (CST) & California Modified Assessment (CMA)</p> <ul style="list-style-type: none"> Measure student's mastery of grade level science standards Provide criterion-referenced data on student mastery of grade level standard 	6-8	<ul style="list-style-type: none"> Science (8) 	<ul style="list-style-type: none"> Annually 	<ul style="list-style-type: none"> Proficient
<p>Physical Fitness Test (PFT)</p> <ul style="list-style-type: none"> Measure student's physical fitness 	7	<ul style="list-style-type: none"> Physical Education 	<ul style="list-style-type: none"> Annually 	<ul style="list-style-type: none"> Physically fit in at least 4 of 6 areas

Data Management Systems

In order to support a data-driven practice, The Legacy Academy will utilize one or more student information management systems. Pearson's PowerSchool³³ has been selected as the primary Student Information System (SIS), due to its ease of interface with the State reporting mechanisms.

In addition to PowerSchool, The Legacy Academy will utilize a more nuanced Learning Management System to provide an integrated solution for student goal setting, assessments, report cards, grade books, data analysis, and parent and community communication. Goalbook is a leader in this field, specifically when working with students with specialized needs. As such, it has been selected for use at The Legacy Academy. As the SIS and LMS space is rapidly evolving, The Legacy Academy reserves the right to change the SIS and/or LMS and this shall not be considered a material revision of the charter.

Uses of Assessment

Student, Teacher and School Use of Data

The assessment process and data at The Legacy Academy will be used to maximize student learning, inform teacher practice, and improve the educational program at the school. To achieve this goal, The Legacy Academy will collect, analyze, and disseminate data to students, teachers, families, and our community so that we may work together to achieve our mission.

Data will be used to:

- Set and monitor measurable school goals and achievement targets, as well as actions for achieving those goals.
- Identify areas of overall strength for the school, as well as the practices that contributed to these. Then, generalize these practices as appropriate to other areas in order to leverage these strengths.
- Identify areas of overall challenge for the school, as well as their possible causes. Then, develop action steps for remediation and professional development that may be required.
- Identify small groups and individual students who require further enrichment or remediation, to maximize their development.
- Identify students who may need additional accommodations and modifications, as Tier 2 and Tier 3 under the Response to Intervention Model (see **Element 1**).
- Identify areas of individual strengths and areas of challenge in a student's learning, to leverage strengths and support areas of weakness and inform the development of goals for each child.

School and Family Use of Data - Reporting to Caretakers

The Legacy Academy will strive to continuously inform parents about their child's progress, through a combination of formal and informal reporting structures. Informal reporting to parents may occur through such methods as face-to-face conversations, phone calls, text messages, emails, and written notes. Formal reporting to families will include an Online Gradebook, Report Cards, Assessment Results, Student-Teacher-Family Conferences, and Expositions of Student Work as detailed in **Figure C.2**. Reports will be user-friendly and provided in the family's native language. Parents will have access to performance tasks, content assessments, and portfolios upon request and at all conferences and Expositions of student work.

³³ More information available at: <http://www.pearsonschoolsandcolleges.com/products/powerschool/>

Figure C.2 Formal Reporting to Caretakers

Type	Purpose	Frequency
Mailings & Information Sessions	<ul style="list-style-type: none"> Share key assessment data with families as collected to ensure families have access to data on their children (i.e., SRI, CELDT, SBAC). Provide information sessions to support families in understanding assessment results 	Ongoing
Online Goal and Grade Book	<ul style="list-style-type: none"> Provide transparency on student goals and progress toward goals Develop ownership of learning and goal-setting for both the student and family 	Ongoing
Comprehensive Report Card	<ul style="list-style-type: none"> Assessment Data Attendance Data Grades in Subject Areas & Guiding Principles Narratives on Student Performance, including Areas of Strength and Areas for Growth 	Twice per year
Student Led Conferences with Student, Teacher, and Family	<ul style="list-style-type: none"> Develop and review academic and personal goals Review student work and measure progress toward mastery Share student performance and progress on internal and external assessments Develop ownership of learning and goal-setting for both the student and family Develop student presentation skills and agency 	Quarterly
Showcases and Expositions of Student Work	<ul style="list-style-type: none"> Share student mastery of key projects and products from the semester Make public classroom learning within the school, with families, and with the broader community Develop student presentation skills and ownership of learning 	Quarterly Showcases Annual Exposition

School, County, and State Use of Data

Local Control Accountability Plan (“LCAP”)

The Legacy Academy will use the multiple forms of data collected to assess progress toward the goals outlined in **Element A** of this charter. Pursuant to Education Code Section 47606.5, on or before July 1, 2017, and each year thereafter, The Legacy Academy will produce a Local Control Accountability Plan (“LCAP”), which shall update the goals and annual actions to achieve the goals identified in **Element A** of this charter regarding the State Priorities, using the LCAP template adopted by the State Board of Education. The Legacy Academy shall submit the LCAP to SCCOE annually on or before July 1, as required by Education Code Section 47604.33. As detailed in **Element D** the School Site Council and the English Language Advisory Committee will advise the school in the development of the LCAP.

School Accountability Report Card (SARC)

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

Element D: Governance Structure

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

Overview

The governance structure of The Legacy Academy has the following components:

- California Non-Profit Public Benefit Corporation
- Board of Directors
- Executive Director
- Principal
- School Site Council
- Family Leadership Committee
- English Language Advisory Committee (ELAC), if there are more than 21 English Language Learners

Board Members, School Administration, faculty, and families are involved in the decision making process at The Legacy Academy. The governance structure is composed of the Board of Directors, who make decisions and work with the Executive Director to oversee the school's development, operation, and fundraising; the Principal who oversees school operations, academic program, and other related activities; the School Site Council, whose purpose is to increase the achievement and engagement of every student through continuous improvement of curriculum, instruction, assessment, and culture; and the Parent Leadership Committee and ELAC which communicate the positions of the parents directly to the Executive Director and Principal.

Non-Profit Public Benefit Corporation

Pursuant to California law and Education Code Section 47604(a), the Charter School ("The Legacy Academy") will be a directly funded independent charter school and will be operated by The Legacy Academy, Inc., a California non-profit public benefit corporation that has 501(c)(3) status, upon approval of this charter.

The Legacy Academy will operate autonomously from the Santa Clara County Office of Education, with the exception of the supervisory oversight as required by statute and other contracted services as negotiated between the Santa Clara County Office of Education and The Legacy Academy. Pursuant to California Education Code Section 47604(c), the Santa Clara County Office of Education shall not be liable for the debts and obligations of The Legacy Academy, operated by The Legacy Academy, Inc., a California non-profit benefit corporation or for claims arising from the performance of acts, errors, or omissions by The Legacy Academy as long as the Santa Clara County Office of Education has complied with all oversight responsibilities required by law.

The Legacy Academy Board has drafted a Conflict of Interest Code which complies with the Political Reform Act, and Corporations Code Conflicts of Interest rules. It will be updated, as needed, to ensure continued compliance with any charter school-specific conflict of interest laws

or regulations applicable in the future. As required by the Political Reform Act, the Conflict of Interest Code will be submitted to the proper code-reviewing body for approval.

Attached please find The Legacy Academy, Inc. Articles of Incorporation as [Appendix D-1](#), Action as Sole Incorporator as [Appendix D-2](#), Corporate Bylaws as [Appendix D-3](#), Conflict of Interest Policy as [Appendix D-4](#), Code of Ethics as [Appendix D-5](#), and Initial Board Resolutions as [Appendix D-6](#).

Board of Directors

The Legacy Academy will be governed by a nonprofit Board of Directors (“Board,” or “Board of Directors”) in accordance with its adopted corporate bylaws, which shall be consistent with the terms of this charter, the Charter Schools Act, The Brown Act, the Political Reform Act, and all other applicable federal, state, and local laws. The Board shall be ultimately responsible for the operation and activities of the school.

Board Meetings

The Board will meet regularly to review and act on its responsibilities. All meetings shall be held in accordance with the Brown Act and The Legacy Academy, Inc. Corporate Bylaws. This includes, but is not limited to, the following:

- Regular meeting agendas will be publicly posted 72 hours prior to each meeting, to encourage community and family attendance.
- Meetings will be open to the public and held at a place accessible to the public.
- Meeting agendas will include time for community input with regard to The Legacy Academy.

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

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

Composition, Term, Selection, and Election

The Board shall consist of at least five (5) and no more than fifteen (15) directors consisting of parents and community members. In accordance with Education Code Section 47604(b), the Santa Clara County Office of Education may appoint a representative to sit on the Board of Directors. If the Santa Clara County Office of Education chooses to do so, the Board shall appoint an additional member to ensure that the Board is maintained with an odd number of directors. All directors shall be appointed by the Board, except for the authorizer representative, if any.

Board members are desired to have experience in one or more of the following areas: education, positive youth development, child mental health, school administration, school finance, corporate structure, accounting, legal compliance, leadership or fundraising, but shall not be prohibited from serving on the Board if otherwise qualified.

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 appointed.

Terms for the initial Board of Directors will be staggered to ensure that at any given time no more than one half of the members have less than one year of experience on the board. The initial term of office for each initial Director shall be either one (1) or two (2) years as drawn by lot. **Figure D.1** provides the names, positions, and term lengths of the initial Board of Directors. **Figure D.2** provides a matrix of expertise for the Initial Board of Directors.

Figure D.1 Initial Board of Directors Name, Position, and Term

Name	Position	Term
Andre Chapman	Board Member	2 years
Fred Ferrer	Board Member	2 years
Greg Lippman	Board Member	1 year
Mary Patterson	President	1 year
Nancy Pena	Secretary	2 years
Gary Rummelhoff	Treasurer	1 year

Figure D.2 Initial Board of Directors Expertise

	Curriculum	Instruction	Assessment	Finance	Facilities	Business Management	Organization	Governance	Administration
Fred Ferrer				X	X	X		X	X
Andre Chapman					X	X	X		X
Mary Patterson	X		X				X	X	
Greg Lippman	X	X	X						X
Gary Rummelhoff				X		X		X	X
Nancy Pena		X	X				X		X

Copies of the Administration and Board resumes and biographies are included as **Appendix D-7**.

Board Meetings and Duties

Regular meetings of the Board shall be held monthly at a date and time to be specified by the Board. The annual meeting of the Board, shall be held in June of each year at a date and time to be specified by the Board. Meetings will be held in accordance with the Brown Act.

As the Board of Directors is fully responsible for the operation and fiscal affairs of The Legacy Academy, responsibilities include, but are not limited to, the following:

- Oversee the implementation of the charter
- Hire, supervise, evaluate, discipline, and dismissal of the Executive Director
- Hire, promote, discipline and dismiss all employees of The Legacy Academy after consideration of a recommendation by the Executive Director
- Approve all contractual agreements

- Approve and monitor the implementation of general policies of The Legacy Academy. This includes effective human resource policies for career growth and compensation of the staff.
- Approve and monitor The Legacy Academy's annual budget, budget revisions, fiscal reports, and fiscal practices
- Act as a fiscal agent. This includes but is not limited to the receipt of funds for the operation of The Legacy Academy in accordance with applicable laws and the receipt of grants and donations consistent with the mission of The Legacy Academy
- Contract with an external independent auditor to produce an annual financial audit according to generally accepted accounting practices
- Approve and monitor the school's facility arrangements and plans
- Approve Board Policies
- Establish operational committees as needed
- Regularly measure progress of both student and staff performance
- Involve parents and the community in school related programs
- Execute all applicable responsibilities provided for in the California Corporations Code
- Engage in ongoing strategic planning
- Approve the school calendar and schedule of Board meetings
- Review requests for out of state or overnight field trips
- Participate in the dispute resolution procedure and complaint procedures when necessary
- Approve charter amendments as necessary and submit requests for material revisions as necessary to the Santa Clara County Office of Education for consideration
- Approve annual independent fiscal audit, performance report, and LCAP
- Appoint an administrative panel or act as a hearing body and take action on recommended student expulsions
- Uphold the mission of the School

The Board will retain its own legal counsel when necessary, and will purchase and maintain, as necessary, general liability, officers and directors', property, workers' compensation, and unemployment insurance policies.

Board Professional Development

The Board of Directors will conduct an annual in-service for the purposes of training individual board members on their responsibilities with topics to include at minimum Conflicts of Interest and the Brown Act. In addition, the Board of Directors will collaborate with the Executive Director and outside support organizations on an on-going basis to seek out and provide additional opportunities for training of Board Members. Additional topics may include academic achievement measures, school finance, facilities planning, administrative oversight, charter school law, and other trainings as needed or requested by Board Members. In addition, new Board members will be partnered with experienced ones in order to further the new Board members' effectiveness.

Board Powers

The Board may initiate and carry on any program or activity or may otherwise act in a manner which is not in conflict with or inconsistent with or preempted by any law and which are not in conflict with this charter or the purposes for which schools are established.

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 ("Board"). Specific powers include:

- Appoint and remove, at the pleasure of the Board of Directors, 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; fix their compensation; and require from them security for faithful service.
- Change the principal office or the principal business office in California from one location to another; cause the corporation to be qualified to conduct its activities in any other state, territory, dependency, or country; conduct its activities in or outside California.
- 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, hypothecations, and other evidences of debt and securities.
- Adopt and use a corporate seal.

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

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

To the extent allowable by law, the Board may delegate the implementation of its duties to the employees of the organization or other responsible parties. At the current time, consistent with best practice, The Legacy Academy Board of Directors oversees operations but delegates day-to-day authority to the Executive Director, who is responsible for the day-to-day operations but may delegate certain responsibilities to other staff, including the Principal at the School. The Principal may delegate his or her responsibilities further to other school site staff such as the Assistant Principal, office manager, and/or teachers.

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

The Executive Director

The Executive Director articulates and ensures the organization's fidelity to the goal of serving juveniles in the justice system and propelling them to academic proficiency. The Executive Director does not manage the day-to-day operations of the school, but takes a primary role in

creating the philosophy and strategies to achieve the vision of The Legacy Academy. The key elements of the work of the Executive Director are to:

- Develop and articulate the overall mission for The Legacy Academy, including recruiting the target student population
- Develop and communicate the overarching philosophy of the academic program, as well as major school culture and organizational development initiatives
- Design and implement all fundraising initiatives to ensure long-term fiscal health and viability of The Legacy Charter School
- Handle all Board-related tasks, including reports on school progress and achievement and financial reports
- Provide a liaison between the Santa Clara County Office of Education and The Legacy Academy Board of Directors
- Develop and administer the budget of The Legacy Academy in accordance with generally accepted account principles
- Manage (with the school's Business Manager) the efficient and effective planning and implementation of back-office tasks for The Legacy Academy, including but not limited to budget development, financial reporting, audits, and fundraising
- Contract with and evaluate third-party support providers to provide payroll, bookkeeping, budgeting, and other back-office services
- Ensure that the Santa Clara County Office of Education and the State of California receive all necessary and mandated reports and data
- Negotiate Memoranda of Understanding and other contracts with charter authorizer, other community partners
- Ensure all state and federal required reports are completed and filed (i.e. CBEPS, R30, quarterly and annual financial reporting)
- Develop The Legacy Academy annual performance report, SARC, and LCAP
- Supervise the Principal

The Principal

The Principal will be the instructional leader of The Legacy Academy, ensuring that the curriculum is successfully implemented in order to maximize student-learning experiences and facilitating satisfactory academic progress of all students at the school. The Principal is responsible for the orderly operation of the school and the supervision of all employees in the school. The Principal will work full-time within the school and will communicate with and report directly to the Executive Director. The Principal will communicate and report to the Board of Directors as needed.

The Principal shall perform assigned tasks to ensure the school meets its mission, as directed by the Executive Director and Board of Directors. These tasks may include, but are not limited to, the following:

- Academic Program
 - Ensure The Legacy Academy enacts its mission and vision
 - Provide assistance and coordination to the faculty in the development of curriculum
 - Identify the professional development needs of the school and staff, then develop and/or offer professional development workshops in alignment with needs
- Teachers and Staff

- Interview and recommend employee hiring, promotion, discipline, and/or dismissal
- Supervise and provide timely evaluation of teachers and staff, to encourage and support development
- Students, Families, and Community
 - Execute enrollment procedures, as detailed in this charter
 - Plan and coordinate student orientation.
 - Take responsible steps to secure full and regular attendance at school of the students enrolled in accordance with policies established by the Board of Directors
 - Communicate with parents, recruit new families and students, and assure families of academic growth
 - Oversee parent/student/teacher relations
 - Participate in IEP meetings as necessary
 - Manage student discipline and, as necessary, implement the suspension and expulsion process
 - Promote The Legacy Academy in the community and promote positive public relations and interact effectively with media
- Finance
 - Develop and administer the budget in accordance with generally accepted accounting principles.
 - Oversee school finances to ensure financial stability
 - Maintain up-to-date financial records
 - Participate in fundraising for The Legacy Academy
 - Help secure local grants
- Operations
 - Establish and maintain a system to handle organizational tasks such as student records, teacher records, teacher credentialing information, contemporaneous attendance logs, purchasing, budgets, and timetables
 - Provide all necessary financial reports as required for proper attendance reporting
 - Coordinate the administration of Standardized Testing.
 - Hire qualified substitute teachers as needed
 - Ensure the security of the school building
- Governance
 - Communicate and report to the Executive Director
 - Serve or appoint a designee to serve on any committees of The Legacy Academy
 - Ensure compliance with all applicable state and federal laws
 - Complete and submit required documents as requested or required by the charter and/or The Legacy Academy Board of Directors and/or the District and/or the Santa Clara County Office of Education
 - Assist ED in developing Board meeting agendas in conjunction with the Board president in compliance with the Brown Act.
 - Attend Charter Board meetings and attend as necessary any Santa Clara County Board of Education meetings as the charter representative.
 - Provide comments and recommendations regarding policies presented by others to the Board.
 - Establish procedures designed to carry out Charter Board policies.

- Attend District or County administrative meetings upon request by the County and stay in direct contact with the District and County regarding changes, progress, etc.
- Stay abreast of school laws and regulations.
- Communicate with School legal counsel and any outside consultants.
- Participate in the dispute resolution procedure and the complaint procedure when necessary.

Family Involvement in Governance

The Legacy educational philosophy is rooted in the Community School model. As such, family, student, staff, and community involvement is a key element to the success of the school. These stakeholders have varying schedules, may work full-time in one or more jobs, and include those who are serving as guardians for the students in our program via foster or kinship care. To engage these stakeholder, The Legacy Academy will work in a deliberate and concerted effort to provide meaningful opportunities on flexible schedules for families to be involved in the life of the school. This includes three primary vehicles:

- **Transparency, Trust, and Agency** - Providing multiple avenues and opportunities to build transparency about curriculum and student achievement, so that families understand the expectations for their child, are able to co-construct goals for their child based on existing assets, understand the supports The Legacy Academy will put in place for their child, and understand what they can do, if able, to add to that support. These opportunities and experiences include but are not limited to Back-to-School Nights, Expositions of Student Work, Student-led Conferences, Family Workshops, and ongoing and active communication from the school via the website, newsletter, emails, texts, and an online goal setting platform. Through transparency and education, it is The Legacy Academy's goal to build relational trust between the school and family, as well as agency in both the family and student.
- **Support of the Family Unit** - The Legacy Academy will partner with community agencies to provide robust social services, including child care, nutritional support, access to physical and mental health care, sexual health education, housing support, adult education, after school care, and homework support. We believe that providing wrap-around social services will help families to see and use the school as a community center and build a shared understanding that The Legacy Academy is here to support the student and the family unit as a whole.
- **School Accountability** - Ultimately, building transparency, trust and agency within our families will support The Legacy Academy Charter in achieving its mission. Family engagement can help to ensure student academic success, create and sustain a strong school culture, and provide governance and accountability for school. Toward this end, parents will have at least two opportunities at The Legacy Academy to engage in school-wide policy: the School Site Council (SSC) and English Learner Advisory Committee (ELAC). In addition, as the size of student and family population grows it is the hope of The Legacy Academy to have a Family Leadership Committee to provide additional opportunities for family involvement. To support the ability of families across the county to have access to these leadership groups, a call-in number will be established for all SSC and ELAC meetings.

A parent's inability to participate in any of these three avenues of engagement will in no way impact initial or ongoing admission of their child for enrollment.

School Site Council

The Legacy Academy will convene a School Site Council (SSC), to provide a forum for stakeholder voice and input on school development as it relates to building community, accomplishing school goals, and reaching the mission. The SSC will be composed of all major stakeholders and members will be elected by their respective constituents as follows: 2 parents from the Parent Leadership Committee (PLC), 2 students, 2 teachers, 1 non-teaching staff and the Principal. This team functions as an idea-generating, consensus-building team that will be charged with the following:

- Making site budget recommendations to the Board of Directors;
- Making teaching and learning policies to be ratified by the Board of Directors;
- Making recommendations to the Board of Directors for necessary school functions;
- Reviewing, revising, and tracking progress toward school level goals in Single Plan for Student Achievement, Local Control Accountability Plan, and WASC commitments;
- Developing site-based professional development goals on an annual basis;
- Developing and approving annual school calendar.

English Language Advisory Committee

If there are more than 21 ELLs in attendance, as is expected, The Legacy Academy will have an English Learner Advisory Committee (ELAC). All families will have the opportunity to participate on the school's ELAC, with parents of ELLs comprising at least the same percentage of the ELAC membership as ELLs constitute of The Legacy Academy's total student population. The ELAC will advise the Executive Director, Principal, and staff on programs and services for English learners, advise the School Leadership on the development of the Single Plan for Student Achievement (SPSA), develop the school's needs assessment, implement the school's annual language census, and help make parents aware of the importance of regular school attendance.

Family Leadership Committee

Pending family interest and capacity, The Legacy Academy will convene a Family Leadership Committee (FLC) that is composed of parents who represent the broader parent community. The FLC will be charged with:

- Discussing and supporting the Legacy Academy mission and goals
- Providing families the opportunity to weigh in on critical school issues
- Bringing concerns and appreciations of the community to the Executive Director, Principal, and Board of Directors
- Organizing family events
- Fundraising

Family, Staff, and Board Communication

Family and staff members are welcome and encouraged to attend open board meetings at any time, and agendas and minutes will be posted on the organization's website and at the school site. The minutes of each governing body (Board of Directors, School Site Council, and ELAC) will be shared with the other governing bodies at each meeting with the intent of ensuring effective communication between bodies. Representatives of each body are strongly encouraged to attend the meetings of the other bodies.

Element E: Employee Qualifications

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

Overview

The Legacy Academy will recruit and employ professional, effective, and qualified personnel for all administrative, instructional, and non-instructional support positions. All employees will demonstrate a belief in the mission, program design, instructional philosophy, and curriculum documented in this charter. Specifically, all employees must commit themselves to:

- Building the belief in all students that they can succeed
- Equipping them with the tools to change their legacy

Central to this is the requirement of employees to have both cultural competency and cultural humility. In addition, all employees are expected to possess the personal characteristics, skills, knowledge and experience required by their job description as determined by the school, as well as those required by federal and state statutes applicable to The Legacy Academy.

Assurances

The Legacy Academy is a school of choice and no employee shall be required to work at The Legacy Academy. In accordance with Education Code 47605(d)(1), Legacy shall be nonsectarian in its employment practices and all other operations. Legacy shall not discriminate against any individual (employee or pupil) on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender expression, gender identity, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).

Selection and appointment of employees at The Legacy Academy will be the exclusive prerogative of The Legacy Academy. As such, The Legacy Academy Board of Directors shall set the terms and conditions of employment by establishing personnel policies. Decisions relative to the hiring of the Executive Director rest with the Board of Directors. Decisions relative to the hiring of the Principal and non-instructional staff rest with the Executive Director, with oversight from the Board. Decisions relative to the hiring of instructional staff rest with the Principal, with oversight from the Executive Director. The Legacy Academy shall comply with all applicable laws regarding criminal background checks, proof of identity, right to work in the United States, and TB screening, including Education Code Sections 45125.1 and 44237. The Legacy Academy will further comply with all state and federal laws concerning the maintenance and disclosure of employee records. All employees are subject to state and federal employment law.

The Legacy Academy Staffing Plan - Year 1

As further detailed in our budget narrative, in Year One, there will be:

- Executive Director

- Principal
- Teachers
- Office Manager
- Community Outreach Coordinator

In addition, through partnership with the Seneca Family of Agencies there will be:

- Unconditional Education Coach
- (4) Mental Health Counselors
- (4) Classroom Intervention Specialists
- (.25) Unconditional Education Program Assistant

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 Legacy Academy mission, vision, and students
- Cultural competency and humility
- Willingness to commit time, energy, and effort in developing The Legacy Academy's program
- 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 youth, providing flexible groupings and tailored interventions
- Commitment to working with families as partners
- Dedication to modeling The Legacy Academy core values, as well as being a lifelong learner
- Strong written and verbal communication

Administration

Executive Director

The Executive Director creates the philosophy and strategies to achieve The Charter School's mission. Primary job qualifications for the Executive Director include:

- Ability to effectively lead an education non-profit
- Experience in non-profit governance, program development, and implementation
- Experience in teaching and administration in schools that serve low-income students effectively
- Expertise in curriculum and school program development and implementation
- Excellent communication, community outreach and coalition-building skills
- 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
- Management skills to ensure on-going financial stability and sustainability for The Charter School
- Fundraising skills to ensure The Charter School's financial viability
- Minimum 5 years of experience in urban public schools
- Educational background may include a B.A. and/or teaching and/or administrative credential, and preferably a M.A., M.P.P., or Ph.D. in education.

The Board reserves the right to employ an Executive Director who does not hold these specific qualifications should such candidate hold an alternate mix of qualifications that make him or her an exemplary candidate as the Executive Director.

Principal

The Principal will be the instructional leader at the School and will be responsible for helping the School and students achieve the outcomes outlined in this charter petition. As such, the Principal shall possess leadership abilities and a comprehensive educational vision that is consistent with the school's mission and educational program. In addition, the Principal shall possess skills in hiring and supervising excellent teachers, and, where possible, business experience.

Selection of the Principal by the Board of Directors will be based on proven experience in educational leadership, educational vision and relevant experience with our targeted student population, demonstrated ability in program design and/or development, and interest and commitment to educational reform.

The Principal will have the following knowledge, skills, and abilities:

- At least three years of successful teaching or school leadership experience
- Proficiency in the California/Interstate School Leader Licensure Consortium's six Professional Standards for Educational Leaders
- Superb communication and community-building skills
- Deep knowledge of curriculum development and secondary program design
- A record of success in developing teachers
- Knowledge of special education programs, policies, and best practices
- Experience with school operations including finances, fundraising, facilities, health and safety and other operational management
- Entrepreneurial passion
- Language fluency other than English strongly preferred.
- Other qualifications and/or qualities deemed important by the Board.

Legacy will give preference to administrative candidates who hold a valid California Administrative Services Credential or those who have met the California standard for passage of the School Leaders Licensure Assessment.

Unconditional Education Coach

The Unconditional Education Coach will be responsible for coordinating and providing student wrap-around services via a support services delivery model that incorporates the best intervention programs, while maximizing the best reimbursement vehicles to sustain them. The Unconditional Education Coach will also engage in student recruitment, assessment of individual incoming student assessments, and facilitating trauma-informed training for school staff and other partners. Finally, the Unconditional Education Coach serves as the Program Specialist for Special Education.

The Unconditional Education Coach will have a dual reporting structure to both the Principal and to Seneca, will be an integral member of the school leadership team, will oversee a team of Interventionists and Counselors, and will work with students, parents, and outside parties. The Unconditional Education Coach will have the following knowledge, skills, and abilities:

- Demonstrated leadership experience in strategic planning, collaborative partnership building, parent/family engagement, and a range of intervention services from health/behavioral health promotion, early intervention and intensive intervention services.
- Licensed behavioral or medical health professional.
- Two years working with adolescents
- Experience supervising clinical interns and/or school counseling staff
- Bilingual Spanish/English
- Experience with Medi-Cal and other insurance billing preferred

Office Manager

The School's Office Manager will be responsible for overall front office activities, will report to the Principal, and will work with students, parents, and outside parties. The Office Manager will have the following knowledge, skills, and abilities:

- Strong organizational, time management, and multi-tasking skills
- Strong interpersonal and communication skills
- Expedience in office management capacity
- Computer skills, including data management
- Ability to work independently as well as with a team
- Fluency in Spanish is highly desirable

Community Outreach Coordinator

The School's Community Outreach Coordinator will be responsible for reaching students and families throughout Santa Clara, to build awareness of The Legacy Academy and what it can offer for their children. In addition, the Community Outreach Coordinator supports the school's positive image in the community by working with the media and seeking out opportunities to communicate about The Legacy Academy in the community. In addition, the Community Outreach Coordinator will work in collaboration with the Student Services Coordinator on recruitment, initial assessment, and intake of new students and families. The Community Outreach Coordinator will have the following knowledge, skills, and abilities:

- Excellent interpersonal and communication skills
- Strong knowledge of the Santa Clara County landscape, including schools, districts, social services, juvenile justice system, and truancy offices.
- Ability to work independently as well as with a team
- Organizational, time management, and multi-tasking skills
- Fluency in Spanish is highly desirable

Teachers

In addition to mandated minimum qualifications detailed below, teachers at The Legacy Academy must be skilled at:

- Implementing curricula and activities to meet academic standards
- Designing and implementing assessments that measure progress towards academic standards
- Using assessment data to refine curriculum and inform instructional practices
- Participating in collaborative curriculum development, grade-level activities, and school-wide functions

- Providing consistent rewards and/or consequences for student behavior
- Being accountable for students' mastery of academic standards
- Communicating effectively with students, families, and colleagues
- Participating in an annual three-week staff orientation and training

As such, all teachers, both core and non-core, will have the following knowledge, skills, and abilities:

- Be willing to work collaboratively with parents in the classroom and community
- Show enthusiasm for collaboration with other teachers at the school
- Strive toward implementing The Legacy Academy mission and vision
- Be skilled at or be willing to be trained in the curriculum and teaching practices used at The Legacy Academy, as well as procedural compliance

Core (College-Preparatory) Teacher Qualifications

The minimum qualifications for teachers of core, college preparatory subjects are as follows:

- Hold at least a bachelor's degree from an accredited institution of higher education.
- Hold a California teaching certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold, as required by the Commission on Teacher Credentialing (Education Code 47605(1))
- CLAD or BCLAD certification, or an equivalent recognized by the California Commission on Teacher Credentialing if teaching English Language Learners
- Demonstrate subject-matter competence in the core areas in which they teach, in accordance with Title 5, California Code of Regulations Sections 6111, 6112 and other applicable law
- Demonstrable effectiveness in teaching, mentoring, and writing
- Strong instructional leadership
- Deep commitment to student achievement, including a sense of responsibility for students and their academic success
- A mindset that views the family as a vital partner in the learning process
- Ability to work flexible schedules in order to accommodate the varying needs and schedules of enrolled students, parents and community

Non-core, Non-College Preparatory Teacher Qualifications

In accordance with Education Code Section 47605(l), The Legacy Academy may also employ non-certificated instructional staff in any case where a prospective staff member has an appropriate mix of subject matter expertise, professional experience, and the demonstrated capacity to work successfully in an instructional capacity in noncore, non-college preparatory courses and activities.

As such, teachers of non-core subject areas, identified as the arts, life skills, technology, and health and physical wellness, will have the following additional qualifications:

- Experience in the subject they will be teaching
- Bilingual and/or CLAD credential preferred
- Previous teaching and/or work experience preferred

Support Staff

While not anticipated in Year One, The Legacy Academy may employ or retain non-instructional support staff and non-certificated instructional support staff over the course of this charter.

Non-Instructional Support Staff

All non-instructional staff will possess experience and expertise appropriate for their position as determined by the Principal and Executive Director.

Instructional Support Staff

Non-certificated instructional support may be hired in any case where a prospective staff member has an appropriate mix of subject matter expertise, professional experience, and the demonstrated capacity to work successfully in an instructional support capacity. Instructional support staff will not serve as the teacher of record for individual pupils and may not assign grades or approve student work assignments without the approval of the teacher of record, except in non-core, non-college preparatory courses and activities.

Services Provided Via Contractors

Seneca Family of Agencies

The Legacy Academy has forged a partnership with the Seneca Family of Agencies, to implement the Unconditional Education model. The Unconditional Education Coach will have a dual reporting structure, as detailed above, and will oversee the UE staff. This includes the Mental Health Counselors, Classroom Intervention Specialists, and UE Program Assistant. It also includes hourly service providers, such as the School Psychologist and Special Education Nurse. The Legacy Academy will ensure that the qualifications of the employees of contractors are consistent with the expectations for Legacy's employees and are in compliance with all applicable state and federal law. Job Descriptions for Year One positions being provided by Seneca are attached as [Appendix E-1](#).

Additional Contractors

The Legacy Academy will receive service from employees of organizations with which Legacy contracts, primarily in the areas of back office support and law. The Legacy Academy anticipates contracting with Administrative Services Inc.³⁴ for back office support, Gibson, Dunn & Crutcher LLP³⁵ for Corporate legal support, and retaining Young, Minney and Corr LLP for education and charter school law based issues. The Legacy Academy will ensure that the qualifications of the employees of contractors are consistent with the expectations for Legacy's employees.

Employee Recruitment and Policies

The Legacy Academy's recruitment plan involves publicizing job openings at local schools of education, in online job forums, and through social media; attendance at local teacher employment fairs; and one-on-one recruitment of master teachers in surrounding districts.

When a vacancy occurs, the Principal³⁶ shall establish an ad hoc Hiring Committee which may include the Principal, administrative assistant/office manager, teachers, and a Board member, which shall:

³⁴ More information available at <http://www.asiworks.com/index.html>

³⁵ More information available at <http://www.gibsondunn.com/default.aspx>

³⁶ The Board shall establish a Hiring Committee in the case of an Executive Director vacancy, the Executive Director shall establish a hiring committee in the case of a Principal vacancy.

- Announce openings;
- Recruit applications, request resumes, and screen applications; and
- Interview and select candidates.

All personnel policies shall be included in an Employee Handbook, to be developed following approval of the charter petition. The Employee Handbook shall be distributed annually and read and signed by all employees.

Professional Development and Evaluation

The Legacy Academy will support all staff in their development, via role specific observation, coaching, professional development sessions, and evaluation. As a small school, this process will be highly personalized to match the role each individual plays in the school and to leverage personal strengths while supporting development in areas of growth.

Individual Professional Growth Plans

All employees will have a Professional Growth Plans (PGPs), modelled after the student Personal Learning Plan. During the first quarter of each year, each employee will meet with his or her supervisor to identify areas of strength and areas for growth. Initial data, as available, will be used as evidence in these discussions. Individual goals will be set, along with supporting strategies and actions for the employee and supervisor. Observation, coaching, and professional development opportunities will be aligned to these goals. The PGP will be monitored on an ongoing basis, and formally reviewed twice per year.

For Instructional Staff, goals will be rooted in The Legacy Academy core teaching competencies. A draft of these is provided in [Appendix E-2](#).

Professional Development Opportunities

The Legacy Academy seeks to provide excellent instruction for our student population. As such, we have an extensive Professional Development plan outlined in [Element A](#) which may include but is not limited to the following highlights:

- Dedicated professional development days prior to the opening of each school year to support onboarding, as well as after each quarter to provide time for reflection and forward planning
- Daily common release time for collaboration, data analysis, instructional planning, coaching, and professional development

Observation and Evaluation

Aligned to each individual's Professional Growth Plan (PGP), the observation and evaluation process is a supportive and collaborative effort to help staff reach their highest potential. It is a yearlong process that provides observations, discussions, feedback sheets, work product review, examination of student work (as appropriate for job type), and a formal observation. Its purpose is to facilitate open communication in an atmosphere of mutual trust and respect. Staff are given feedback at every step in the process, so that there is clarity and continuity.

For teachers, this process is focused on classroom instruction and includes the following detail:

- **Informal Observations** - At least one informal observation will happen each month. Informal observations are unplanned and are followed by individual meetings. The first two informal observations will be for discussion purposes only, and beginning with the

third observation, a feedback sheet will be filled out and used for discussion. The purpose of the informal observation is to identify ways to strengthen teaching, examine classroom culture, offer useful feedback and suggestions, and provide a focus for discussion. A Professional Growth Plan (PGP) will be developed, based on discussions and identified areas of strength and need.

- **Lesson Plan Review** - At one lesson plan will be reviewed each quarter. This will help identify the forethought and planning that goes into the execution of a lesson. It will identify the steps used from goal setting to assessment and will help examine an individual's process of teaching.
- **Assignments, Student Work, and Records Review** - At least once per quarter, assignments, student work, and records will be reviewed to examine: organization, clarity, relevance, challenge, grading, student understanding, skill development, and quality of finished products.
- **Formal Observation** - At least once during the final quarter, a formal observation will be scheduled and a lesson plan submitted one week prior to the observation. A meeting will take place, before the observation to: review the process; discuss the lesson plan; and give an opportunity for the teacher to address any issues or concerns. The formal observation will include the lesson plan, classroom observation and review of student work.
- **Review** - A draft review will be written following the Formal Observation. The Teacher will have a chance to meet and discuss any questions or concerns. A final draft will be sent to the Teacher for review and signature.
- **Teacher Annual Evaluation** - The annual evaluation will take into account: Informal and Formal Observations, progress during the year, lesson plan reviews, assignments, student work, records, and assigned administrative tasks. A meeting will take place to review and discuss the evaluation and answer any questions or concerns. The evaluation will be signed by the Teacher and Principal, and a copy will be placed in the Teacher's personnel file.

Element F: Health and Safety of Pupils and Staff

Governing Law: The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237. Education Code Section 47605(b)(5)(F).

In order to provide safety for all students and staff, The Legacy Academy 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 expert. These policies will be incorporated into The Legacy Academy's student and employee handbooks and will be reviewed on an ongoing basis by the Principal and Board of Directors. The Legacy Academy shall ensure that staff are trained annually on the health and safety policies. A full draft will be provided to the County for review at least 30 days prior to operation or as otherwise agreed upon by the County and The Legacy Academy.

The following is a summary of the health and safety policies and procedures of The Legacy Academy and a draft of the Health and Safety Policy is included as [Appendix F-1](#):

1. **Procedures for Background Checks**

Employees and contractors of The Legacy Academy 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. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Principal of The Legacy Academy shall monitor compliance with this policy and report to The Legacy Academy Board of Directors on a regular basis. The Board President shall monitor the fingerprinting and background clearance of the Principal. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering.

2. **Role of Staff as Mandated Child Abuse Reporters**

All non-certificated and certificated staff will be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the County.

3. **Tuberculosis Testing**

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

4. **Immunizations**

All enrolled students and employees 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. All rising and enrolled students in grade 7 must be immunized with a pertussis (whooping cough) vaccine booster.

5. **Medication in School**

The Legacy Academy will adhere to Education Code Section 49423 regarding administration of medication in school.

6. 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 volunteer at school.

7. Vision, Hearing, and Scoliosis

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

8. Diabetes

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

- A description of type 2 diabetes.
- A description of the risk factors and warning signs associated with type 2 diabetes.
- A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes should be screened for type 2 diabetes.
- A description of treatments and prevention of methods of type 2 diabetes.
- A description of the different types of diabetes screening tests available.

9. Emergency Preparedness

The Legacy Academy shall maintain and adhere to a School Safety Plan drafted specifically to the needs of the school site in conjunction with law enforcement and the Fire Marshall. This School Safety Plan 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 The Legacy Academy.

The Legacy Academy will adhere to this plan to address the need of the school site. 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 SCCOE no later than 30 days prior to the beginning of school and will be maintained on file and available for inspection Staff shall be provided training on emergency and first aid response.

10. Blood Borne Pathogens

The Legacy Academy 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 (“HIV”) and hepatitis B virus (“HBV”).

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

11. Drug Free, Alcohol Free, Smoke Free Environment

The Legacy Academy shall function as a drug-, alcohol-, and smoke-free environment.

12. Facility Safety

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

The Legacy Academy shall secure a facility and shall provide the County a Certificate of Occupancy and proper clearances, as applicable to charter schools, no later than 30 days prior to the school’s opening date or by a date otherwise agreed to between the parties.

13. Comprehensive Discrimination and Harassment Policies and Procedures

The Legacy Academy is committed to providing a school that is free from discrimination and sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. The Legacy Academy shall develop a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at the The Legacy Academy (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with The Legacy Academy’s discrimination and harassment policies. A draft of The Legacy Academy’s Policy Against Harassment and Sexual Harassment, as part of the Comprehensive Complaint Policy, is included as [Appendix 3](#) and the full policy and procedure will be included in the Staff Handbook.

Element G: Racial and Ethnic Balance

Governing Law: The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the district to which the charter petition is submitted. Education Code Section 47605(b)(5)(G).

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

Furthermore, The Legacy Academy Charter will comply with the entire Court-ordered Integration Program that applies to all schools within or chartered through the Santa Clara County Office of Education.

Outreach Plan

The Legacy Academy shall employ a Community Outreach Coordinator to implement and oversee the efficacy of its Outreach Plan. The Legacy Academy shall adhere to an Outreach Plan that combines effective recruitment strategies with resources to attract a diverse population to ensure that the population of students at The Legacy Academy is reflective of the general population within the territorial jurisdiction of the County, both with regard to racial and ethnic diversity, but also with regard to socio-economic diversity and English Learners. The Legacy Academy shall recruit students in impacted areas and provide assistance to families in completing and returning registration applications. The Outreach Plan will be reviewed and updated annually based upon the success and/or failures of the prior year.

Due to the unique target population of The Legacy Academy - students who are within or at risk of becoming part of the juvenile justice system or are in the foster care system - The Legacy Academy Outreach Plan shall include the following three core strategies:

- District Outreach
- Community Partner Outreach
- General Population Outreach

District Outreach

The Legacy Academy and the Community Outreach Coordinator will work collaboratively with surrounding school districts and Charter Schools, to ensure 5th grade students who match The Legacy Academy target population and their families are aware of the opportunity to attend The Legacy Academy.³⁷ This outreach began in 2014 and continues today, as detailed in [Appendix ES-1](#). District and Charter School partners will set the parameters of this relationship, in order to ensure that laws regarding confidentiality are observed. Once referred, The Legacy Academy will work on an individual basis with interested students and families to discuss the program and potential benefit for their child.

³⁷ Districts include Franklin McKinley School District, San Jose Unified School District, Alum Rock Unified School District, Oak Grove School District, Evergreen Elementary School District, and Mount Pleasant Elementary School District. Charter Schools include ACE, Alpha, Downtown College Prep, and Rocketship. We hope to continue dialog with additional Districts and Charter Schools during the 2016-17 Planning Year and continue these upon opening.

Community Partner Outreach

The Legacy Academy and the Community Outreach Coordinator will also work directly with community partners, including but not limited to the courts, probation system, social services, and foster care system. As with district outreach, the goal is to ensure that 5th grade students who match The Legacy Academy target population and their families are aware of the opportunity to attend The Legacy Academy. These organizations will set the parameters of this relationship as well, in order to ensure that laws regarding confidentiality are observed. This will most likely result in students and families being referred to The Legacy Academy by the community partner. The Community Outreach Coordinator will work on an individual basis with interested students and families to discuss the program and potential benefit for their child.

General Population Outreach

To support outreach within the district and community partners, as well as the community at large, The Legacy Academy and the Community Outreach Coordinator will complete the following:

- Establish an enrollment timeline and process that allows for a broad-based recruiting and application process.
- Create and distribute enrollment brochures and forms in various languages such as English and Spanish.
- Work collaboratively with the District to identify sending schools and to secure inclusion as a District Public School Choice option.
- Conduct outreach efforts via elementary schools, neighborhood groups, community organizations, churches, juvenile justice professionals, and local businesses.
- Announce enrollment and recruiting information in local newspapers, online news sources, and social media. We will continue to add sources to stay current with the latest technologies and trends.
- Host parent information nights and community events throughout the community with locations, dates and times scheduled in a manner that ensures, to the greatest extent possible, the greatest amount of community knowledge and interest in The Legacy Academy.
- Offer school tours, with information and dates for tours advertised on the school website.

Each year the School shall review its racial and ethnic balance and these policies to determine which policies and practices are the most effective in achieving a diverse student population. A complete copy of our Recruitment and Retention Plan for Year 1 is included in [Appendix G-1](#), which details targeted recruitment efforts for specific subgroups as well as systems and structures to support retention of students.

Element H: Admission Requirements

Governing Law: Admission requirements, if applicable. Education Code Section 47605(b)(5)(H).

Assurances

The Legacy Academy makes the following assurances regarding admissions:

- The Legacy Academy will enroll all pupils who wish to attend to the extent that space allows.
- The Legacy Academy will be an open enrollment, tuition-free public school with no specific requirements for admission (e.g., minimum grade point average, test scores, discipline records, etc.) as outlined in Education Code § 47605(d)(2)(A). No test or assessment shall be administered to students prior to acceptance and enrollment into the school.
- The Legacy Academy will comply with all laws establishing minimum and maximum age for public school attendance.
- The Legacy Academy will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition nor discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender expression, gender identity, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).
- By October 1 of each year, The Legacy Academy will notify the Santa Clara County Office of Education in writing of the application deadline and proposed lottery date.
- The Legacy Academy will ensure that all application materials provide complete information regarding application procedures, key dates, and admissions preferences and requirements consistent with approved charter.
- Admission eligibility will not be determined by the place of residence of a pupil, except as otherwise required by law.
- The Legacy Academy will neither solicit nor require parent contributions to help fund Legacy's educational programs nor shall it require any monetary contribution as a condition for application, admission, enrollment, or participation in any of the school's required educational activities.

Overview

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

- An enrollment guide outlining the enrollment process at Legacy

- Registration form which requests basic information about the prospective student
- Legacy Family Handbook

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

Admissions Procedures

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

The Legacy Academy admission process is comprised of the following:

- Completion of a student application form, comprising of basic contact information and grade level

After admission, students will be required to submit an enrollment packet, which shall include the following:

- Proof of immunization
- Proof of withdrawal from previous school (if applicable)
- Home Language Survey
- Completion of emergency medical information form
- Proof of minimum age requirements, e.g. birth certificate
- Release of records

Public Random Drawing

Applications will be accepted during a publicly advertised open application period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, The Legacy Academy will hold a public random drawing within 30 days of closing the open enrollment period to determine enrollment for the impacted grade level, with the exception of existing students, who are guaranteed enrollment in the following school year. Existing students who wish to return must notify The Legacy Academy of their intent to return during the open enrollment period.

Preferences

In accordance with Education Code Section 47605(d)(2), preference in the public random drawing shall be provided in the following order of descending priority:³⁸

³⁸ During any period of Public Charter School's Grant Program ("PCSGP") funding, the public random drawing shall be handled as a single weighted drawing. Siblings may be "exceptions" during this period.

1. Siblings of existing students of The Legacy Academy
2. Students who are residents of the County
3. All other students

Lottery preferences will be applied to provide applicants who meet the group criteria detailed above to participate with a weighted advantage in a lottery process. These groups and their weighted advantages will include the following:

- County residents who provide proof of residence within the County will be drawn in a separate pool prior to non-County residents.

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

Procedures

Public random drawing rules, deadlines, dates and times will be communicated in the application form and on The Legacy Academy's website. All interested parties will know, prior to the holding of the drawing, how many openings are available per grade level at The Legacy Academy.

The drawing will take place on The Legacy Academy campus in a facility large enough to allow all interested parties to observe the drawing, or at another public venue near The Legacy Academy large enough to accommodate all interested parties. The drawing will take place on a weekday evening or other time when most interested parties who wish to attend may do so.

Names of students shall be drawn from pools of ballots differentiated by grade level and in accordance with the preferences detailed above. Beginning with the lowest grade, the ballots shall be drawn by a The Legacy Academy administrator or Board member. The drawing shall continue until all names for that grade level are drawn.

Applicants need not be present at the drawing to enroll their student in The Legacy Academy, and will be notified via phone call and in writing of their status.

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a waiting list according to their draw in the lottery, except if the preferences described above require otherwise. This waiting list will allow students the option of enrollment if an opening occurs during the current school year at their grade level. Potential students on the waiting list shall provide contact information to be used in the event space becomes available, on their application forms. Families promoted off of the waiting list shall be informed by telephone and in writing and shall have a maximum of seven (7) days to respond. In addition, The Legacy Academy shall attempt on at least two separate occasions to contact the parents/guardians of promoted students by telephone. Those families not responding within the maximum response period will forfeit their right to enroll their student in The Legacy Academy for that school year. In no circumstance will a waiting list carry over to the following school year. The order of admission of students at any time during the year

shall be based solely on the order of applicants on the admission wait-list. Applications received after the close of open enrollment will be added to the waiting list after the drawing, in order received, and will be contacted for enrollment when the drawing waiting list is exhausted utilizing the same notification and timeline procedures detailed above.

Secondary Lottery

The Legacy Academy Charter School may hold a second lottery under the following conditions:

1. If by the lottery date the school has received fewer application forms than it has spaces available; or
2. If after this date, the school receives a large number of additional application forms for the upcoming school year.

Planned Application, Public Random Drawing, and Admission Schedule

Figure H-1 provides an estimated application, public random drawing, and admission schedule and process is proposed, and may be amended by The Legacy Academy as necessary.

The final schedule and due dates will be communicated to interested parents and students on The Legacy Academy's website. In year one, if The Legacy Academy charter is approved after the beginning of the timeline specified herein, the schedule proposed below will be pushed forward and abbreviated to ensure all steps are followed within a shorter timeframe.

Figure H-1 Estimated Open Enrollment, Application, and Lottery Timeline

Month	Process
January – March	Application forms available at school administrative office or online at The Legacy Academy's website.
First week of March	All application forms due to The Legacy Academy.
Last week of March	Public random drawing conducted (if necessary).
Last week of April	Admission notification and enrollment packets distributed to parent and children who have been drawn in the public random drawing.
Approximately 2 Weeks Later	Completed enrollment packets due back to The Legacy Academy, which will include proof of immunizations, proof of residency, proof of age requirements and proof of withdrawal from prior school and district of residence.

Proof of Residence

At enrollment, three documents verifying the addresses of the child must be included with each enrollment packet to verify the address of the child. Applicants are advised to make all necessary arrangements prior to the deadline for admissions in order to submit a complete enrollment packet by the enrollment deadline. Submitting a complete enrollment packet is the sole responsibility of the applicant. Applicants must also attend an admissions enrollment meeting, if offered. Multiple enrollment meetings will be held on different days of week and times of day, allowing parents to schedule attendance at their convenience and ensuring that this is not a barrier to enrollment for families.

The following are examples of documentation that can be used as proof of residence (specific financial information can be blacked out). The documents must show the student's, parent's, guardian's or caregiver's name and address.

- Automobile driver's license or official California I.D. Card from the Department of Motor Vehicles (must be used for one verification of address)

OR two of the following:

- A bill dated within 90 days: PG&E, home telephone bill, water bill, garbage bill, or cable bill.
- In combination only, automobile registration and automobile insurance (the documents count for two of the three required documents, but must be provided together).
- Homeowner's/renter's insurance policy.
- Rental agreement copy.
- Property tax statement.
- Official letter from a social services/governmental agency within 90 days.
- A copy of any SCCOE letters or documentation of SCCOE resident status.
- Transitional families only: Transitional families reside at a non-permanent address, such as a motel/hotel, shelter, car, or are doubled up with relatives or friends. Transitional families who are unable to establish a permanent residence can go to the Transitional Students and Families Program in Portable 15 at 1025 2nd Avenue for residency verification and assistance.

Element I: 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).

An annual independent financial audit of the books and records of The Legacy Academy will be conducted as required by Education Code Sections 47605(b)(5)(l) and 47605(m). The books and records of The Legacy Academy 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. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

The Board Finance Committee will select an independent auditor through a request for proposal format. The Board of Directors will annually approve the selection of an independent auditor. The Principal will facilitate the audit. The auditor will have, at a minimum, a CPA and educational institution audit experience and approved by the State Controller on its published list as an educational audit provider.

The annual audit will be completed and forwarded to the County Office of Education, the State Controller, and to the CDE by the 15th of December of each year. The Board of Directors will receive and review the audit each year. The Principal, along with the audit committee, will review any audit exceptions or deficiencies and report to the Board of Directors with recommendations on how to resolve them. The Board will submit a report to the County Office of Education describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the County Office of Education along with an anticipated timeline for the same. Any disputes regarding the resolution of audit exceptions and deficiencies will be addressed using the dispute resolution process contained in this Charter.

Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel ("EAAP") in accordance with applicable law.

The independent financial audit of The Legacy Academy is public record to be provided to the public upon request.

Element J: Pupil Suspension and Expulsion

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

Approach to Discipline

The Legacy Academy is committed to developing a belief in all students that they can succeed and equipping them with the tool necessary to change their legacy. Developing healthy behaviors and positive decision making in all of its students is central to this work. As such, The Legacy Academy utilizes a proactive and restorative approach to discipline, supporting students in examining the impact of their actions on self and others and repairing harm when done. Through this approach, The Legacy Academy supports students in developing ownership of their actions while also leveraging supports for the student from a wide range of constituencies, as detailed under “Strategies to Support Social and Emotional Well-being” in [Element A](#).

The ultimate goal is to reduce the need for suspension and expulsion as a disciplinary action. Given the target population of The Legacy Academy, traditional suspension and expulsion practices simply will not support students in making positive changes. Should an infraction be of the severity that it warrants a separation from the community as part of the restorative process, that separation will take place to the greatest degree possible as an “in house” suspension in order to continue the social, emotional, and academic learning of the students during the restoration.

This said, The Legacy Academy recognizes that there may be times in which an infraction requires suspension or expulsion, and has developed the suspension and expulsions procedures detailed below to govern those instances. These procedures are in alignment with Education Code and in no way should be construed as a “Zero Tolerance” policy on the part of The Legacy Academy.

Suspension and Expulsion Procedures

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 Legacy Academy. In creating this policy, The Legacy Academy has reviewed Education Code Section 48900 *et seq.* which describes the non-charter 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 Legacy Academy 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 Legacy Academy’ 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. The Legacy Academy 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 to prevent damage to school property.

The Legacy Academy administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this policy and procedures are available on request at the Principal'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 Legacy Academy has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") 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 Legacy Academy will follow all applicable federal and 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 Legacy Academy 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.

A. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at 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.

B. 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 of violence upon the person of another, except self-defense.
 - c. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
 - e. Committed or attempted to commit robbery or extortion.
 - f. Caused or attempted to cause damage to school property or private property.
 - g. Stole or attempted to steal school property or private property.
 - 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. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
 - l. Knowingly received stolen school property or private property.
 - m. 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.
 - n. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
 - o. 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.
 - p. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
 - q. 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.
 - r. Made terrorist threats against school officials and/or school property. 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, or the personal property of the person threatened or his or her immediate family.
 - s. 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.

- t. Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
 - u. Intentionally harassed, threatened or intimidated 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 student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
 - v. 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:
- a) Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of 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.
 - b) Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - c) Causing a reasonable student to experience substantial interference with his or her academic performance.
 - d) 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 Legacy Academy.
- 2) “Electronic Act” means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- a) A message, text, sound, or image.
 - b) A post on a social network Internet Web site including, but not limited to:
 - i. Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - ii. Creating a credible impersonation of another actual 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.

- iii. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
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.
 - w. 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).
 - x. 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 Principal 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 students had obtained written permission to possess the item from a certificated school employee, with the Principal or designee’s concurrence.
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 of violence upon the person of another, except self-defense.
 - c. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 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.
 - g. Stole or attempted to steal school property or private property.
 - 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.
- 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. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- n. 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.
- o. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p. 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.
- q. Made terrorist threats against school officials and/or school property. 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, or the personal property of the person threatened or his or her immediate family.
- r. 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.
- s. Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t. Intentionally harassed, threatened or intimidated 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

student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- w. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

3) "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:

- e) 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.
- f) Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
- g) Causing a reasonable student to experience substantial interference with his or her academic performance.
- h) 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 Legacy Academy.

4) "Electronic Act" means the creation and 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:

- c) A message, text, sound, or image.
- d) A post on a social network Internet Web site including, but not limited to:
 - iv. 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.
 - v. 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.
 - vi. 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.

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.

- v. 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).
 - w. 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 Principal 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:
1. 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 students had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.

If it is determined by the Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, 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.

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.

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

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

The conference may be omitted if the Principal or designee determines that an emergency situation exists. An “emergency situation” involves a clear and present danger to the lives, safety or health of students or The Legacy Academy 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. This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil’s parent or guardian to attend a conference with The Legacy Academy 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 The Legacy Academy officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Principal or designee, the pupil and the pupil’s guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. 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 Principal 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.

D. Authority to Expel

A student may be expelled either by The Legacy Academy Board of Directors following a hearing before it, or by The Legacy Academy Board of Directors upon the recommendation of an Administrative Panel to be assigned by the Board as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a member of The Legacy Academy Board of

Directors. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

E. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Principal 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 Legacy Academy 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 three (3) days prior to the 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 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 Legacy Academy'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 Legacy Academy to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

F. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

The Legacy Academy 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 Legacy Academy 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 Legacy Academy must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which 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 person 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 Legacy Academy must present evidence that the witness' presence is both desired by the witness and will be helpful to The Legacy Academy. The person 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 the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are 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 person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.

H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board, or Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled 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 who will make a final determination regarding the expulsion. The final decision by the Board shall be made within ten (10) school days following the conclusion of the hearing. The decision of the Board is final.

If the Administrative Panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

I. Written Notice to Expel

The Principal or designee following a decision of the Board to expel shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: Notice of the specific offense committed by the student; and 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 Legacy Academy.

The Principal 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 b) The specific expellable offense committed by the student

J. Disciplinary Records

The Legacy Academy shall maintain records of all student suspensions and expulsions at The Legacy Academy. Such records shall be made available to the authorizer upon request.

K. No Right to Appeal

The pupil shall have no right of appeal from expulsion from The Legacy Academy as The Legacy Academy Board of Directors' decision to expel shall be final.

L. Expelled Pupils/Alternative Education

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 Legacy Academy 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.

M. Rehabilitation Plans

Students who are expelled from The Legacy Academy shall be given a rehabilitation plan upon expulsion as developed by the Board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one year from the date of expulsion when the pupil may reapply to The Legacy Academy for readmission.

N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or The Legacy Academy shall be in the sole discretion of the Board following a meeting with the Principal or designee and the pupil and 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 Principal or designee shall make a recommendation to the Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon The Legacy Academy's capacity at the time the student seeks readmission.

O. Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities

1. Notification of District

The Legacy Academy 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 who The Legacy Academy or 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, 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 Legacy Academy, 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 Legacy Academy, 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 Legacy Academy, 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 Legacy Academy 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 Legacy Academy agree to a change of placement as part of the modification of the behavioral intervention plan.

If The Legacy Academy, 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 result of the failure to implement the IEP/504 Plan, then The Legacy Academy 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 Legacy Academy 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 Legacy Academy, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and The Legacy Academy agree otherwise.

5. Special Circumstances

The Legacy Academy personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

The Principal or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) 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 USC 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 USC 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim Alternative Educational Setting

The student's interim alternative educational setting shall be determined by the student's IEP/504 team.

7. Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been identified as an individual with disabilities pursuant to IDEIA and who has violated The Legacy Academy' disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if The Legacy Academy had knowledge that the student was disabled before the behavior occurred.

The Legacy Academy 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 The Legacy Academy 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 The Legacy Academy personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other The Legacy Academy supervisory personnel.

If The Legacy Academy knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEIA-eligible children with disabilities, including the right to stay-put.

If The Legacy Academy had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. The Legacy Academy shall conduct an expedited evaluation if requested by the parents; however, the student shall

remain in the education placement determined by The Legacy Academy pending the results of the evaluation.

The Legacy Academy shall not be deemed to have knowledge of 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 Legacy Academy will develop a mix of salaries and benefits, commensurate with school location and staff experience, necessary to attract and retain well-trained teachers and other staff. Staff at The Legacy Academy will be employed on an "at will" contract. All employees are notified of their benefits options via the Employee Handbook. The Executive Director will oversee the arrangements for retirement coverage for all employees at The Legacy Academy.

Retirement

Certificated teachers at The Legacy Academy will participate in STRS. For so long as The Legacy Academy offers STRS, it will work directly with the Santa Clara County Office of Education and STRS to provide the appropriate payroll information. Non-certificated employees shall participate in the federal social security system. In the future, The Legacy Academy may offer employees a 401(k) retirement program or similar retirement program, upon approval of the Board of Directors. The Legacy Academy shall inform all applicants for positions within The Legacy Academy of the retirement system options for employees of The Legacy Academy.

The Legacy Academy will provide mandatory benefits such as workers' compensation, unemployment insurance, Medicare and social security.

Health

The Legacy Academy will provide health, dental, and vision insurance to each qualifying employee at Legacy.

Salary

The financial compensation for school employees will include a base salary that is competitive with like jobs in other local public secondary schools.

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 The Charter School. Education Code Section 47605(b)(5)(L).

No student may be required to attend The Legacy Academy. Students who reside within the District who choose not to attend the Charter School 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 policies. Parents and guardians of each student enrolled in the Charter School will be informed on admissions forms that the students have no right to admission in a particular school of a 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.

Element M: Employee Return Rights

Governing Law: A description of the rights of any employee of the school district upon leaving the employment of the school district to work in The Charter School, and of any rights of return to the school district after employment at The Charter School. Education Code Section 47605(b)(5)(M).

No employee of a local education agency shall be required to work at The Legacy Academy. Employees of a local education agency who choose to leave the employment of that local education agency to work at The Legacy Academy will have no automatic rights of return to that local education agency after employment by The Legacy Academy unless specifically granted by that local education agency through a leave of absence or other agreement. The Legacy Academy employees shall have any right upon leaving a local education agency to work in The Legacy Academy as follows:

- Any rights upon leaving the employment of a local education agency to work in the charter school that the local education agency may specify.
- Any rights of return to employment in a local education agency after employment in the charter school as the local education agency may specify.
- Any other applicable rights upon leaving employment to work in the charter school that the district determines to be reasonable and not in conflict with the law.

Employees of a local education agency who resign from employment to work at The Legacy Academy and who later wish to return to a local education agency shall be treated the same as any other former employee seeking reemployment in accordance with the local education agency policy, applicable law, and applicable bargaining agreements. The Legacy Academy shall not have any authority to confer any rights to return on a local education agency's employees.

All employees of The Legacy Academy will be considered the exclusive employees of The Legacy Academy and not of another local education agency, unless otherwise mutually agreed in writing. Sick or vacation leave or years of service credit at a local education agency will not be transferred to The Legacy Academy, unless voted on by the majority of the Board of Directors for a unique circumstance. Employment by The Legacy Academy provides no rights of employment at any other entity, including any rights in the case of closure of The Legacy Academy.

Employees will be notified of these rights as a part of the hiring process.

Element N: Dispute Resolution Procedures

Governing Law: The procedures to be followed by The Charter School and the entity granting the charter to resolve disputes relating to the provisions of the charter. Education Code Section 47605(b)(5)(N).

Intent

The intent of The Legacy Academy's Dispute Resolution Process is to:

- Resolve disputes within The Legacy Academy pursuant to The Legacy Academy's policies.
- Minimize the oversight burden on the County Office of Education.
- Ensure a fair and timely resolution to disputes.
- Frame a charter oversight and renewal process and timeline, as to avoid disputes regarding oversight and renewal matters.

Should any section of this element pertaining to resolving disputes, be in conflict with County Office of Education policies or desired protocols, then the charter is amenable to altering said areas through the Memorandum of Understanding process to be mutually agreed upon.

Complaint Procedure

The Legacy Academy will establish complaint procedures that address both complaints alleging discrimination or violations of law and complaints regarding other areas. The Legacy Academy will not, at any time, refer complaints to the County Office of Education.

The complaint procedures will include clear information with respect to the response timeline of the school, whether the school's response will be in writing, the party identified to respond to complaints, the party identified and charged with making final decisions regarding complaints, and whether the final decision will be issued in writing. The procedures will also identify an ombudsperson for situations in which the school leader is the subject of the complaint. The complaint procedures will be clearly articulated in the school's student and family handbook or distributed widely. Please see [Appendix A-3](#) for a draft of The Legacy Academy's Uniform Complaint Procedures, which are part of the Comprehensive Complaint Policy included as [Appendix 3](#).

Internal Disputes

Disputes arising from within the school, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and the Board of Directors, shall be resolved pursuant to policies and processes developed by The Legacy Academy. The Legacy Academy shall have an internal dispute resolution process and students, staff, parents, volunteers, advisors, partner organizations, and the Board of Directors at The Legacy Academy will be provided with a copy of The Legacy Academy's policies and internal dispute resolution process. Please see a draft of the Internal Complaint Policy and Procedures, which are part of the Comprehensive Complaint Policy included as [Appendix 3](#).

The County Office of Education shall not intervene in any such internal disputes without the consent of The Legacy Academy's Board of Directors and shall refer any complaints or reports regarding such disputes to the Board of Directors or The Legacy Academy's Executive Director

for resolution pursuant to the school's policies. The County Office of Education agrees not to intervene or become involved in the dispute unless the dispute has given the County Office of Education reasonable cause to believe that a violation of this charter or related laws or agreements has occurred, or unless the Board of Directors has requested the County Office of Education to intervene in the dispute.

Disputes Between The Legacy Academy and the County Office of Education

The staff of the Legacy Academy Charter and the SCC Board of Education agree to resolve any claim, controversy, or dispute arising out of or relating to the Charter agreement between the Santa Clara County Office of Education and The Legacy Academy, except any controversy or claim that is in any way related to revocation of this Charter, (Dispute) pursuant of this charter in **Element N**.

Any Dispute between the Santa Clara County Office of Education and The Legacy Academy shall be resolved in accordance with the procedures set forth below:

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

All Written Notifications shall be addressed as follows:

The Charter School:

The Legacy Academy Charter
Executive Director, Marc T. Buller
943 Marble Court
San Jose, CA 95120

To Santa Clara County Board of Education:

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

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

3. If the Dispute cannot be resolved by mutual agreement at the Issue Conference, either party may then require that the Dispute be resolved by the Local District.

Title IX and Section 504 Protections

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

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

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

Element O: School Closure Procedures

Governing Law: A description of the procedures to be used if The Charter School closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the School, including plans for disposing of any net assets and for the maintenance and transfer of pupil records. Education Code Section 47605(b)(5)(P).

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

Closure of The Legacy Academy will be documented by official action of The Legacy Academy, Inc.'s Board of Directors. The action will identify the reason for closure. The official action will also identify the Executive Director as the person responsible for closure-related activities.

Notification and Timeline

The Board of Directors will promptly notify parents and students of The Legacy Academy, the District, the County Office of Education, The Legacy Academy's SELPA, the retirement systems in which The Legacy Academy employees participate (e.g., State Teachers' Retirement System, and federal social security), and the California Department of Education of the closure as well as the effective date of the closure. This notice will also include the 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 shall ensure notification to the parents and students of The Charter School provides information to assist parents and students in locating suitable alternative programs and the manner in which they can obtain a copy of their child(ren)'s student record. This notice shall be provided promptly, within 10 business days following the Board's decision to close the school.

Management of Student Records

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 Legacy Academy will provide parents, students and the District 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. § 1232(g). The Legacy Academy will ask the County Office of Education to store original records of The Legacy Academy students. All student records of The Legacy Academy shall then be transferred to the County Office of Education upon The Legacy Academy closure. If the District will not or cannot store the records, The Legacy Academy 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. All transfers of student records shall be made in compliance with the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. §1232g.

Financial Records, Final Reports and Distribution of Assets

As soon as reasonably practical, The Legacy Academy will prepare final financial records. The Legacy Academy will also have an independent audit completed within six months after closure. The Legacy Academy will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by The Legacy Academy and will be provided to the District 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 Legacy Academy.

The Legacy Academy will complete and file any annual reports required pursuant to Education Code section 47604.33.

On closure of The Legacy Academy, all assets of The Legacy Academy, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending The Legacy Academy, remain the sole property of The Legacy Academy 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 District or District property will be promptly returned upon The Legacy Academy closure to the District. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports, as well as the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

On closure, The Legacy Academy shall remain solely responsible for all liabilities arising from the operation of The Legacy Academy.

As The Legacy Academy is operated by a non-profit public benefit corporation, should the corporation dissolve with the closure of The Legacy Academy, 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.

The Legacy Academy will utilize the reserve fund, as allocated in the Budget in [Appendix Misc-1](#), to undertake any expenses associated with the closure procedures identified above.

Miscellaneous Charter Elements

i. Administrative Services

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

The Legacy Academy will provide or procure its own administrative services through an appropriately qualified third-party contractor. The Legacy Academy plans to contract with Administrative Services Inc., a business and development company specializing in charter schools, for administrative and “back office” services including, but not limited to, the following:

- Complete Bookkeeping Services
- Budget Creation / Fiscal Planning Services
- Cash Flow Management
- Local, State, and Federal Reporting
- Audit and Compliance Preparation
- Payroll Services
- Employee Benefits
- STRS and PERS Setup and Management
- Planning & Management
- Payroll Tax Payments
- Audit Preparations & Support
- LEA Plans
- Compliance Reporting to County & State Grantors
- Attendance Reporting
- Food Program - Implementation & Claims Reporting
- Training - Charter School Finance, Accounting & Operation Functions, Budgets, Financial Reports
- Quarterly & Annual Filings of Tax Forms (IRS, EDD, etc.)
- Property Tax Exemptions Filings

With the exception of services performed by County Office of Education in providing oversight to The Legacy Academy as defined by Education Code Section 47604.32, all charter-requested services from County Office of Education will be on a pay-for-service basis. If the County is interested in discussing the possibility of providing administrative services to The Legacy Academy on a fee-for-service basis, the specific terms and cost for these services will be the subject of a separate memorandum of understanding between The Legacy Academy and the County and subject to County availability and willingness to provide such services.

ii. Civil Liability

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

The Legacy Academy shall be operated by/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(c), an entity that grants a charter to a charter school operated by/as a non-profit public benefit corporation shall not be liable for the debts or obligations of The Legacy Academy or for claims arising from the performance of acts, errors or omissions by The Legacy Academy if the authority has complied with all oversight responsibilities required by law. The Legacy Academy shall work diligently to assist the County in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other County-requested protocol to ensure the County shall not be liable for the operation of The Legacy Academy.

Further, The Legacy Academy and the County shall enter into a memorandum of understanding, wherein The Legacy Academy shall indemnify the County for the actions of The Legacy Academy under this charter.

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

As stated above, insurance amounts will be determined by recommendation of the County and The Legacy Academy' insurance company for schools of similar size, location, and student population. The County shall be named an additional insured on the general liability insurance of The Legacy Academy.

The Legacy Academy Board of Directors will institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

iii. Financial Plan

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

The Legacy Academy will ensure that it operates using a sound financial model. Attached, as [Appendix Misc-1](#), please find the following documents:

- Budget narrative
- A three-year budget including startup costs and cash-flow
- Budget assumptions
- Financial projections for the first three years of operation

These documents are based upon the best data available to The Legacy Academy petitioners at this time, including the most recent financial projections under the Local Control Funding Formula. The budget demonstrates that when Legacy is fully enrolled with 340 students, there will be no need for private funding. Legacy will operate its basic program on the general purpose entitlement, categorical block grant revenue and Title funding amounts.

iv. Planning Assumptions

The Legacy Academy - Planning Assumptions																																									
<p>Students</p>	<p>As detailed in Element A, the student population at Legacy is proposed as follows:</p> <p>Proposed Enrollment Plan</p> <table border="1" data-bbox="500 499 1287 905"> <thead> <tr> <th data-bbox="500 499 613 583">Grade</th> <th colspan="5" data-bbox="613 499 1287 583">School Year</th> </tr> <tr> <td data-bbox="500 583 613 646"></td> <th data-bbox="613 583 743 646">2017-18</th> <th data-bbox="743 583 873 646">2018-19</th> <th data-bbox="873 583 1003 646">2019-20</th> <th data-bbox="1003 583 1133 646">2020-21</th> <th data-bbox="1133 583 1287 646">2021-22</th> </tr> </thead> <tbody> <tr> <td data-bbox="500 646 613 709">6</td> <td data-bbox="613 646 743 709">60</td> <td data-bbox="743 646 873 709">60</td> <td data-bbox="873 646 1003 709">60</td> <td data-bbox="1003 646 1133 709">60</td> <td data-bbox="1133 646 1287 709">60</td> </tr> <tr> <td data-bbox="500 709 613 772">7</td> <td data-bbox="613 709 743 772"></td> <td data-bbox="743 709 873 772">60</td> <td data-bbox="873 709 1003 772">60</td> <td data-bbox="1003 709 1133 772">60</td> <td data-bbox="1133 709 1287 772">60</td> </tr> <tr> <td data-bbox="500 772 613 835">8</td> <td data-bbox="613 772 743 835"></td> <td data-bbox="743 772 873 835"></td> <td data-bbox="873 772 1003 835">60</td> <td data-bbox="1003 772 1133 835">60</td> <td data-bbox="1133 772 1287 835">60</td> </tr> <tr> <td data-bbox="500 835 613 905">Totals</td> <td data-bbox="613 835 743 905">60</td> <td data-bbox="743 835 873 905">120</td> <td data-bbox="873 835 1003 905">180</td> <td data-bbox="1003 835 1133 905">180</td> <td data-bbox="1133 835 1287 905">180</td> </tr> </tbody> </table>					Grade	School Year						2017-18	2018-19	2019-20	2020-21	2021-22	6	60	60	60	60	60	7		60	60	60	60	8			60	60	60	Totals	60	120	180	180	180
Grade	School Year																																								
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7		60	60	60	60																																				
8			60	60	60																																				
Totals	60	120	180	180	180																																				
<p>Staff</p>	<p>As detailed in Element E, the Year One staffing plan is as follows:</p> <ul style="list-style-type: none"> • (1) Executive Director • (1) Principal • (3) Teachers • (1) Office Manager • (1) Community Outreach Coordinator <p>In addition, through partnership with the Seneca Family of Agencies there will be:</p> <ul style="list-style-type: none"> • (1) Unconditional Education Coach • (4) Mental Health Counselors • (4) Classroom Intervention Specialists • (.25) Unconditional Education Program Assistant <p>Please see Appendix Misc-2 and Appendix Misc-3 for the planned expenses for this partnership, and distribution of cost between The Legacy Academy and EPSTD.</p>																																								
<p>Student to Teacher Ratios</p>	<p>There will be a 20:3 ratio of students to teachers in all Advisory, Core, and Enrichment classrooms. This is designed to meet the particular needs of our target population and includes a Teacher, Classroom Intervention Specialist, and Mental Health Counselor.</p>																																								
<p>Facilities Needs</p>	<p>The Legacy Academy has identified facilities needs for Year One and at full capacity. These are detailed in “xii. Facilities and Transportation” below.</p>																																								

Lunch Program	The Legacy Academy will participate in the National School Lunch Program
Costs of Major Items	As demonstrated in the budget narrative and budget, costs of major items are identified and in reasonable market ranges.
Revenue Assumptions	As demonstrated in the budget narrative and budget, assumptions are in line with state and federal funding guidelines.
Soft Source Revenue	As demonstrated in the budget narrative and budget, “soft sources” (e.g., donations, grants and fundraisers) less than 10% of ongoing operational costs. Please see Appendix Misc-4 for Grant Award Letters from two pending grants.
Timeline	The charter petition is being submitted to the SCCOE on September 21, 2016 making it eligible for PCSGP. The 2016-17 planning year also allows it to identify and secure additional grants.

v. **Start-up Costs**

Please see the budget narrative and budget for evidence of the following:

- Identification of major start-up costs, including staffing, facilities, equipment and supplies, and professional services.
- Assumptions in line with overall school design plan
- Potential funding sources

Submission of this petition on September 21, 2016 allows The Legacy Academy a planning year for additional grant writing and fundraising.

vi. **Annual Operating Budget**

Please see the budget narrative and budget for evidence of the following:

- Annual revenues and expenditures clearly identified by source and expenditures are clearly identified by destination (i.e. object codes).
- Revenue assumptions closely related to applicable state and federal funding formulas
- Expenditure assumptions reflect school design plan
- Expenditure assumptions reflect prevailing or market costs
- “Soft” revenues (e.g. fund-raises and grants) are not critical to solvency
- Strong reserve or projected ending balance (the larger of 2–5% of expenditure or \$25,000)
- 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.
- Budget clearly indicates restricted versus general operating/flexible funds.
- Expenditure for sufficient insurance to name district as also insured/hold harmless agreement
- Expenditure sufficient for reasonably expected legal services

- Expenditure for Special Education excess costs consistent with current experience in county
- Description of all insurance the charter school will purchase, complete with annual cost

vii. Cash Flow Analysis

Please see the budget narrative and budget for evidence of the following:

- Monthly projection of revenue receipts in line with state/federal funding disbursements
- Expenditures projected by month and correspond with typical/reasonable schedules
- Show positive fund balance each month and/or identify sources of working capital

viii. Long Term Plan

Please see the budget narrative and budget for evidence of the following:

- Projects revenues and expenditures for at least three additional years (in addition to first year budget).
- Revenue assumptions based on reasonable potential growth in state and federal revenues
- Revenue assumptions based on reasonable student growth projections
- Expenditure projections are inflated by reasonable cost-of-living and inflation assumptions and school growth assumptions.
- Projected annual fund balances are positive or likely sources of working capital are identified to cover projected deficits.

ix. District Impact Statement

Enrollment

The Legacy Academy expects to enroll 180 students from across the districts located within Santa Clara County. The targeted student population focuses on those students who are involved or at-risk of involvement in the juvenile justice system, are in the foster care system, and/or face significant academic, social, emotional, or behavioral challenges.

Facility

The Legacy Academy is in negotiations to secure a Year One facility within San Jose Unified School District (SJUSD). The Legacy Academy intends to operate its long-term facility within Franklin-McKinley School District.

Notice to San Jose Unified and Franklin-McKinley School Districts

Pursuant to Education Code Section 47605.6(a) (1)(A)-(B), The Legacy Academy has notified San Jose Unified School District (SJUSD) and Franklin-McKinley School District (FMSD) that it is petitioning the Santa Clara County Office of Education to operate a Charter Middle School within its boundaries. The Year One facility is scheduled to operate within SJUSD, while the long-term facility will ideally be operating within FMSD. These notices are included as Appendix Misc-2.

Oversight

Pursuant to Education Code Section 47604.32, the County will be required to provide oversight and performance monitoring services, including monitoring school and student performance data, reviewing the school's audit reports, performing annual site visits,

engaging in any necessary dispute resolution processes, and considering charter amendment and renewal requests. In exchange, The Legacy Academy shall pay the County an oversight fee in accordance with Education Code Section 47613.

County Oversight Fee

The County may charge for the actual costs of supervisorial oversight of Legacy not to exceed 1% of The Legacy Academy's revenue, or the County may charge for the actual costs of supervisorial oversight of The Legacy Academy not to exceed 3% if The Legacy Academy is able to obtain substantially rent free facilities from the County.

Notwithstanding the foregoing, the County may charge the maximum supervisorial oversight fee allowed under the law as it may change from time to time. For purposes of this charter, "revenue of The Legacy Academy" means the general-purpose entitlement and categorical block grant, as defined in subdivisions (a) and (b) of Section 47632.

Audit and Inspection of Records

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

- The Legacy Academy is subject to County oversight.
- The County's statutory oversight responsibility continues throughout the life of the charter and requires that it, among other things, monitor the fiscal condition of The Legacy Academy.
- The County is authorized to revoke this charter for, among other reasons, the failure of The Legacy Academy to meet generally accepted accounting principles or if it engages in fiscal mismanagement.

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

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

The Legacy Academic Charter will cooperate fully with such audits and will make available any and all records necessary for the performance of the audit upon 30 days notice to The Legacy Academy. When 30 days notice may defeat the purpose of the audit, the County may conduct the audit upon 24 hours notice.

In addition, if an allegation of waste or the county receives fraud or abuse related to The Legacy Academy operation, The Legacy Academy will be expected to cooperate with any investigation undertaken by the Office of the Inspector General, Investigation Unit.

Additional Assurances

The Legacy Academy will provide reporting to the County as required by law and as requested by the County 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 Legacy Academy agrees to and submits to the right of the County to make random visits and inspections in order to carry out its statutorily required oversight in accordance with Education Code Sections 47604.32 and 47607.

Pursuant to Education Code Section 47604.3, The Legacy Academy shall promptly respond to all reasonable inquiries including, but not limited to, inquiries regarding its financial records from the County.

x. Grade Level, Geographic, and Site Limitations

Schools to Be Operated

The petitioner intends to open one school, The Legacy Academy, serving students in Grade 6 through 8 only. It will not serve grade levels not served by the county. It will operate within the geographic jurisdiction of Santa Clara County. Ideally, this school will be operated out of a single facility.

Opening of Operation

The Legacy Academy will open in August 14, 2017 to staff and on August 21, 2017 to students.

xi. Annual Financial Report

The Legacy Academy will draft a complete set of fiscal control policies and procedures for The Legacy Academy's operation. The Legacy Academy shall comply with all financial reporting requirements of Education Code Section 47604.33 and shall comply fully with Education Code Section 47604.3.

The Legacy Academy shall provide reports to the County as follows in accordance with Education Code Section 47604.33 and utilizing the format prescribed by the State Superintendent of Public Instruction, and shall provide additional fiscal reports as requested by the County:

1. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement.
2. By July 1, an annual update (LCAP) 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 Legacy Academy' annual, independent financial audit report for the preceding fiscal year shall be delivered to the County, State Controller, State Department of Education and the Marin County Superintendent of Schools.

4. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
5. September 15, a final unaudited report for the full prior year. The report submitted to the County shall include an annual statement of all receipts and expenditures for the preceding fiscal year.

As detailed in subsection ix above, The Legacy Academy will provide reporting to the County as required by law and as requested by the County 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.

xii. Facilities/Transportation

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

Facilities

Facility Needs

The Legacy Academy will hold approximately 180 students at full enrollment. In Year One, The Legacy Academy will serve 60 students in 6th grade. The Legacy Academy anticipates facilities requirements for the first year of operation as follows:

- 3 Classrooms (20 students per classroom for core instruction, 12-13 students per classroom for Advisory)
- 2 Academic and Emotional Support Rooms
- Restroom Facilities
- Multi-purpose Room
- Administrative Space and Offices
- Outdoor Recreation Area
- Parking for Employees and Visitors

To provide a safe and supportive learning environment for students, The Legacy Academy anticipates requiring between 40 and 60 square feet of built space per student (ACE Charter Schools average 45 square feet of built space per pupil, the California Building Code and California Department of Education Guidelines recommend an ideal of 59 square feet of built space per pupil in 6th grade and 80 square feet of built space per pupil in 7th and 8th grade). For the first year facility, this equates to between about 2000 and 3000 square feet of built space.

The Legacy Academy will also require grounds, including outdoor space for the students, recreation space, some landscaping, parking, and fire access. Utilizing the ACE Charter Schools average of 1.9 acres for 480 students, The Legacy Academy anticipates the need for .75 acres for 180 students. This implies the need to lease or partner for additional recreation space for sports teams, which is common in the charter school community.

The Legacy Academy shall secure a facility and shall provide the County a Certificate of Occupancy and proper clearances, as applicable to charter schools, no later than 30 days prior to the school's opening date or by a date otherwise agreed to between the parties.

Potential Facility Locations

The Legacy Academy intends to operate its Year One facilities within the boundaries of San Jose Unified School District (SJUSD). Toward this end, we have identified available property at the Gardener Community Center located at 520 W. Virginia Street, San Jose CA 95125 and are in negotiation with the City of San Jose to enter into a short term lease.

The Legacy Academy intends to operate its long-term facilities within the boundaries of Franklin-McKinley School District (FMSSD). Toward this end, we have identified a property at 1970 McLaughlin Ave, San Jose, CA 95122 and are in negotiation with the property owner to enter into a long term land lease. The Legacy Academy intends to build on that property over the next three years.

If these facilities prove not available, The Legacy Academy is in the process of locating backup facilities suitable for its proposed educational program. This includes conversations with the City of San Jose regarding use of one of their available facilities and discussions with local churches with available facilities.

The Legacy Academy will provide to the Santa Clara County Board of Education, the superintendent of the district where the school will be located, and the surrounding community with notice of the specific address of the school as soon as petitioners identify the address or six months prior to commencement of instruction at the school, whichever is earlier pursuant to Cf. 5 CCR § 11967.6(a)(13). Please see [Appendix Misc-5](#) for Notification to both San Jose Unified and Franklin-McKinley School Districts.

Facility Financing

The Legacy Academy is in conversation with two different finance companies who have indicated the ability and willingness to provide lending support upon charter approval. These companies are the Capital Impact Partners and Low Income Investment Fund, both of which have strong histories and reputations. In addition, a local contractor has priced construction costs for models including new construction and tenant improvement of an existing space.

Transportation

The Legacy Academy will make arrangements for transportation of students, as required by law for students with disabilities in accordance with a student's IEP which shall be handled in accordance with the MOU between the County Office of Education and The Legacy Academy if the school operates as a public school of the County for special education purposes, but solely by The Legacy Academy in accordance with SELPA policy and the IDEIA should The Legacy Academy become an LEA and a member of a SELPA as intended by this charter.

Additionally, The Legacy Academy is committed to ensure students from across the county are able to access its program. For this reason, The Legacy Academy will

explore a variety of transportation options to ensure students are supported in their attendance at our school.

xiii. Insurance Coverage

The Legacy Academy shall acquire and finance general liability, workers compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance. Coverage amounts will be based on recommendations provided by the County and The Legacy Academy' insurer.

Toward this end and during the initial term of this charter, The Legacy Academy shall pay for and maintain in full force and effect with an insurance company or companies admitted by the California Insurance Commissioner to do business in the State of California and rated not less than "A-/VII", very low, in Best Insurance Rating Guide, the following policies of insurance:

1. COMMERCIAL GENERAL LIABILITY insurance, which shall include contractual, products and completed operations, corporal punishment and sexual misconduct and harassment coverage, and bodily injury and property damage liability insurance with combined single limits of not less than \$1,000,000.00 per occurrence.
2. COMMERCIAL GENERAL LIABILITY insurance that shall include coverage for owned and non-owned autos, with bodily injury liability limits not less than \$1,000,000.00 per person, per occurrence and property damage liability limits of not less than \$500,000.00, per occurrence.
3. WORKERS' COMPENSATION INSURANCE, as required by the California Labor Code, with not less than statutory limits.

The County Board of Education shall be named as an additional insured on all policies of The Legacy Academy. Prior to opening, The Legacy Academy will provide evidence of the above insurance coverage to the County.

xiv. Meaningfully Interested Parties

In keeping with California Education Code 4605(a)(1)(B), The Legacy Academy has gathered the requisite signatures of teachers who are meaningfully interested in teaching at the school and has included these as [Appendix Misc-6](#).

xv. Staff Review Matrix

To facilitate the review of this petition, The Legacy Academy has included the Staff Review Matrix with page numbers as [Appendix Misc-7](#).

Conclusion

By approving this charter for the establishment of The Legacy Academy, the County 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 Legacy Academy petitioners are eager to work independently, yet cooperatively with the County to establish the highest bar for what a charter school can and should be. To this end, The Legacy Academy petitioners pledge to work cooperatively with the County to answer any concerns concerning this Charter and to present the County with the strongest possible proposal requesting a five-year term to begin operation in August 2017. Upon the granting of this charter, The Legacy Academy will provide written notice of the approval and a copy of the petition to the California Department of Education and the State Board of Education.

Appendix ES-1 - District Outreach

The Legacy Academy has actively engaged district officials throughout Santa Clara County in support of its program. In particular, The Legacy Academy has worked to garner support of these districts to refer their most “At Promise” youth to the school. This includes students who are involved in the juvenile justice or foster care systems, or are facing significant academic, social, emotional, and/or behavioral challenges. The list contains only face-to-face meetings, though there have been multiple phone calls and email exchanges in addition to these meetings. The list is provided to indicate outreach efforts only. While it is The Legacy Academy’s hope that this referral relationship will develop, inclusion on this list should in no way be construed as a commitment by the district to work with The Legacy Academy in this manner.

Date	Name	Title	District
April 2, 2014	Jose Manzo	Superintendent	Oak Grove School District
December, 2014	Dane Caldwell-Holden	Director of Student Services December	San Jose Unified School District
September 15, 2015	Juan Cruz	Superintendent	Franklin-McKinley School District
February 1, 2016	Mariann Engle	Superintendent	Mount Pleasant Elementary School District
April 1, 2015	Jason Willis	Assistant Superintendent	San Jose Unified School District
January 21, 2016	Kathy Gomez	Superintendent	Evergreen Elementary School District
February 17, 2016	Hilaria Bauer and staff	Superintendent	Alum Rock Unified School District
February 4, 2016	Juan Cruz	Superintendent	Franklin-McKinley School District
March 3, 2016	Oscar Ortiz	Director Educational Services	Oak Grove School District
March 22, 2016	Kathy Gomez	Superintendent	Evergreen Elementary School District
February 17, 2016*	Hilaria Bauer and staff	Superintendent	Alum Rock Unified School District
July 18th, 2016	Dane Caldwell-Holden	Director of Student Services December	San Jose Unified School District

* Conference call

SENECA'S UNCONDITIONAL EDUCATION PARTNERSHIP: MODEL OVERVIEW

WHAT IS UNCONDITIONAL EDUCATION?

Unconditional Education begins with **LOVE AND COMPASSION**. It is the belief that every student deserves to experience success within their neighborhood school community and the faith that every student will experience this success when provided with an inclusive learning environment and the necessary supports. Love and compassion is taking the time to get to know how students' prior school and life experiences affect them as learners and making every possible adjustment to match the style of our teaching to their individual needs. Unconditional Education extends loving care and support to the families of students who are struggling and knows that only through developing genuine partnerships with students' larger networks will our efforts produce transformative results.

Unconditional Education holds an absolute **RESPECT** for each and every member of the community. Unconditional Education is the belief that students, families and school professionals are doing the best they know how. Unconditional Education means supporting growth while assuming best intent and believing that our genuine collaboration and partnership are at the heart of our capacity to affect change for students.

Unconditional Education is the acknowledgment that some students will struggle with the demands of school. It brings with it a team of experts, the power to access networks of community resources, and the know-how to identify just the right services for each individual. Since every student, family, teacher and school is unique, sometimes even the tried and true tricks of the trade will fall short. In these instances, Unconditional Education is the process of engaging in relentless **CURIOSITY**, the willingness to revise previous notions of what a student needs and ingenuity to develop out-of-the-box solutions when initial efforts have not produced the desired results.

When student struggles are at their greatest, Unconditional Education holds an endless capacity for **HOPE** and the belief that existing barriers can be overcome, even when they seem insurmountable. It is also the knowledge that significant change takes time and that **COURAGE** is required to meaningfully engage with both adults and students in the difficult process of learning something new. On the days when sustaining this learning seems more than can be endured, Unconditional Education delivers **JOY**. By intentionally building on strengths, commending successes, recognizing effort and engaging in celebrations of each other Unconditional Education can revive the persistence needed to sustain the work of educating all students.

"We have never had such a fruitful partnership as the one we have with Seneca and Unconditional Education. Not only does it help to achieve our mission, but it allows us to innovate a **truly novel approach** that can be replicated throughout the country."

- HAE-SIN THOMAS, CEO EDUCATION FOR CHANGE
FOUNDING PARTNER

THE ORGANIZATION BEHIND UNCONDITIONAL EDUCATION



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www.senecacenter.org

Since 1985, Seneca has partnered with families, communities, schools, and districts to provide innovative care at the most critical point of need. As a statewide provider of education, behavioral and mental health services in more than 12 counties, Seneca understands the power and considerable impact of providing a continuum of care from early interventions and community based services to high level Special Education and mental health care.

Seneca was founded in 1985 because several caring, visionary people saw a tragedy unfolding: Far too many children were failing in group homes and foster family care. In response, Seneca set out

to develop mental health treatment and support services on the principle that troubled youth do not themselves fail, but are instead failed by systems unable to address their complex and specialized needs. Seneca has dedicated itself to becoming a “system of care” agency providing a comprehensive continuum of community-based and family-focused treatment services for children and families. Seneca’s continuum of care now includes: in-home wraparound services; foster family-based treatment; mobile crisis response services; integrated day treatment and special education services; after-school therapeutic recreation services; public school-based mental health services and special education, and residential treatment.

Through its Unconditional Education partnerships, Seneca seeks to transfer the lessons learned from its nearly 30 years of experience serving the state’s most troubled youth to ensure that all students receive the supports they need to achieve ongoing and sustained educational success.

PRINCIPLES AND VALUES

BELIEF IN PARTNERSHIP

1

Seneca understands the tremendous value of creating unbreakable partnerships that thrive on shared values, common goals, and effective collaboration. These partnerships are the vehicle that enables Seneca to successfully implement a continuum of care service delivery model that appropriately identifies and intervenes for our most vulnerable children. Seneca develops deep relationships with *all* of its partners and believes that these partnerships are the foundation for program success.



CONTINUUM OF SERVICES AND EXPERTISE

2

Seneca was built on the principle that coordinated and integrated services lead to a more meaningful experience and more fruitful outcomes for students and families. All-In! leverages this experience to build programs that engage in shared problem solving across disciplines and integrate academic, behavioral, and social emotional services into a single plan for success. In addition, Seneca brings to the table the backing and collective expertise of 1,000+ staff, as well as access to agency services when confronted by barriers to students’ success. Supporting this expertise is the nationally recognized, accredited Seneca Institute for Advanced Practice, which provides evidence-based and best practice trainings for Seneca employees, local service providers, and public agency staff to bolster system-wide capacity to effectively serve youth and families involved with the child welfare, juvenile justice, behavioral health, and special education systems.

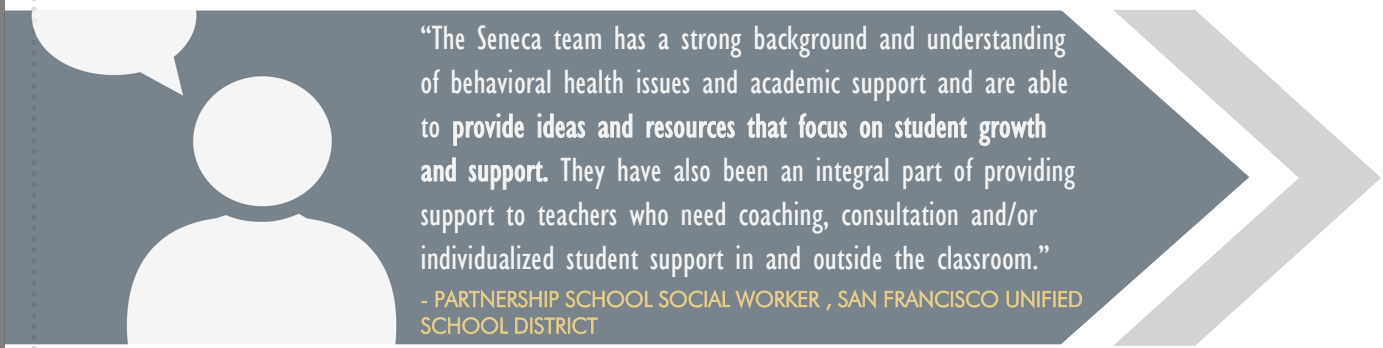


UNCONDITIONAL CARE

3

Seneca is founded on the belief that kids don’t fail, but that systems fail kids: successful outcomes can occur when systems are adjusted to fit young people’s existing needs. The most essential mission is to apply this lens of unconditional care to the most struggling students in our schools, prompting out-of-the-box thinking to remove barriers to school success. The willingness to “do whatever it takes,” even when doing so proves to be a tremendous challenge, is a cornerstone of the Seneca service philosophy.





“The Seneca team has a strong background and understanding of behavioral health issues and academic support and are able to provide ideas and resources that focus on student growth and support. They have also been an integral part of providing support to teachers who need coaching, consultation and/or individualized student support in and outside the classroom.”

- PARTNERSHIP SCHOOL SOCIAL WORKER , SAN FRANCISCO UNIFIED SCHOOL DISTRICT

THE NEED FOR UNCONDITIONAL EDUCATION

Throughout California and across the nation there is a significant educational crisis for our most troubled youth. Forty-two percent of youth across the nation do not graduate from high school, and many of those that do are unprepared for the educational or vocational endeavors to follow. The picture for our nation's youth is bleak, and it is particularly troubling for young people who face additional barriers to accessing a quality education, including:

STUDENTS IN SPECIAL EDUCATION

Across the country, 40% of children with learning disabilities drop out of high school. This is twice the rate of students without learning disabilities. Of those who do graduate, less than two percent attend a four year college, despite the fact that many are above average intelligence (Bost, 2008).

STUDENTS WHO EXPERIENCE CHRONIC STRESS AND TRAUMA

Children who experience complex trauma are three times more likely to drop out of school than their peers and have a greater tendency to be misclassified with developmental delays or referred for special education services (The National Child Traumatic Stress Network).

STUDENTS WHO ARE ENGLISH LANGUAGE LEARNERS

The percentage of students in our schools who are English Language Learners is growing. In the 2009-2010 school year, this student population represented 10% of all students, an increase of 2% from the previous year (The Condition of Education, 2012). Statistics in California show that during the same 2009-2010 school year, 56.6% of ELL students dropped out of high school (California Department of Education, 2012).

STUDENTS IN FOSTER CARE

Youth in foster care graduate at relatively low rates and are less likely to complete high school than their non foster care peers (National Working Group on Foster Care in Education, 2011).

STUDENTS WHO ARE ALREADY BEHIND

Students who do not read proficiently by third grade are four times more likely to leave school without a diploma when compared to proficient readers. The number rises when those kids also come from poverty (Hernandez, 2012).

Attempts to improve outcomes for our nation's most struggling youth have often been piecemeal and uncoordinated, leading to a system full of inefficiencies and producing limited results. As a broad based mental health provider and education agency, Seneca Family of Agencies aims to fill this gap by establishing meaningful partnerships that together weave a continuum of service offerings throughout a school that will ultimately target the individual needs of students and families while overall benefitting all members of the school community.

Aud, S., Hussar, W., Johnson, F. et al., 2012. *The condition of education* (NCES 2012045). U.S. Department of Education, National Center for Education Statistics.

Bost, L. W. (2008, June). Helping students with disabilities graduate. Prepared for the National High School Center Summer Institute. http://www.ndpcsd.org/documents/National_High_School_Center_Institute/Helping_Students_Graduate.pdf

California Department of Education, (2011). *2009-2010 First annual report on dropouts in california using the california longitudinal pupil achievement data system (CALPADS) and other available data*. Retrieved from www.cde.ca.gov

Hernandez, Donald J. (2012). *Double Jeopardy: How third grade reading skills and poverty influence high school graduation*. The Annie E. Casey Foundation.

The National Child Traumatic Stress Network, (2014). *Complex Trauma: Facts for Educators*. Retrieved from <http://www.nctsn.org/products/complex-trauma-facts-for-educators>

National Working Group on Foster Care in Education, (2011). *Research highlights on education and foster care*. Retrieved from www.casey.org.

PROGRAM GOALS

1

TO INCREASE THE ACADEMIC PERFORMANCE AND SOCIAL-EMOTIONAL WELL-BEING OF THE *MOST STRUGGLING* STUDENTS AT OUR PARTNER SCHOOLS

Effective school turnaround requires that schools make systematic changes that emphasize campus-wide achievement while targeting student subgroups that have been underserved as a result of gaps in school services. Unconditional Education focuses on improving learning outcomes for all students, while specifically targeting students who face additional barriers to success.

2

TO INCREASE THE EFFICIENCY OF PARTNER SCHOOLS IN DELIVERING EFFECTIVE INTERVENTIONS TO ALL STUDENTS THROUGH THE IMPLEMENTATION OF A MULTI-TIERED FRAMEWORK

The Unconditional Education model is designed to improve the overall instructional capacity and school culture and climate that serve as the foundation for targeted, early investments in students' educational progress so that more students remain on track and referrals to higher levels of service (such as special education) are minimized.

Key differences between traditional special education/mental health and the Unconditional Education model are summarized in the table below.

TRADITIONAL VS. UNCONDITIONAL EDUCATION

Services are separated	Services are integrated and coordinated
Specialized staff are responsible for providing interventions to students	All staff are responsible for providing interventions
Students must be referred to Special Education or a Mental Health Clinician in order to receive services	Any student can receive intervention services
Students must fail in order to receive extra support	Data-driven progress monitoring is employed to catch students before they fail
"Cookie cutter" approaches to intervention are often implemented	Interventions can be creatively designed to meet the needs of each student

"I appreciate Seneca staffs' communication with teachers and parents about individual students and their efforts to support me in modifying expectations and content for students with IEPs."

- PARTNERSHIP SCHOOL TEACHER

Unconditional Education Logic Model

Goals

1. Increase capacity of schools serving high poverty, urban communities to deliver effective interventions through the implementation of a multi-tiered framework
2. Increase achievement of students at-risk of or diagnosed with disabilities

Inputs

Multi-Service Lead Agency

- Strong belief in collaboration and partnership
- A continuum of services and expertise including established partnerships with systems of care (social services, child welfare, mental health, behavioral health, probation, etc.)
- Training capacity and expertise

Educational Organization

- Strong belief in collaboration and partnership
- System-wide commitment to providing Unconditional Education for all students
- Organizational sustainability and commitment to the process of school transformation
- Leadership capacity including the ability to develop a shared vision, and to promote relational trust and stakeholder investment

Short-Term Outcomes

KEY COMPONENT: System Efficiency

- Resource allocation at each tier is aligned with demonstrated need

KEY COMPONENT: Coordination of Services

- Coordinate support services through the creation of a multi-disciplinary coordination of services team (COST) and the use of data management and analysis
- Facilitate collaboration with county mental health, child welfare and probation
- Establish a protocol for parental engagement during the referral process
- Staff report that services are more coordinated, responsive, integrated, and data driven

KEY COMPONENT: Universal Supports/Tier One

- Provide staff with a set of tools including differentiated instruction, School Wide Positive Behavioral Interventions and Supports, and trauma-informed practices, to address the general variance of needs of all students.
- Provide responsive professional development for staff that will enable them to better support students within the classroom setting
- Promote active involvement amongst family and provide training and workshops for parents and caregivers
- Schools are more responsive to students who have experienced trauma
- School has a consistent system of PBIS
- School has a differentiated approach to classroom instruction
- Staff and parents report increased knowledge and skills in their ability to support the diverse needs of their students

KEY COMPONENT: Targeted and Intensive Supports/Tier Two and Three

- Provide high quality intervention services by credentialed and licensed professionals
- Provide responsive and specialized training for academic, behavioral and/or mental health support staff
- Provide responsive training for targeted parent groups experiencing similar challenges/needs
- Students in special education meet IEP goals
- Students in T2 and T3 interventions experience growth on social emotional and behavioral benchmark measures
- Students in T2 and T3 interventions experience growth on academic benchmark measures
- Students in T2 and T3 interventions experience a reduction in discipline incidents
- Staff and parents report increased knowledge and skills in their ability to support the diverse needs of their students

Long-Term Outcomes

- Improved school climate as demonstrated by an increase in School Climate Assessment Instrument (SCAI) scores
- Increase in academic achievement as measured by progress assessments and standardized tests
- Improved behavior outcomes as demonstrated by a decrease in disciplinary referrals and suspensions
- Increased time in school as demonstrated by increased attendance rates
- Services are more efficient and cost effective, as demonstrated by cost per pupil rates and an analysis of encroachment levels

CORE SERVICE ELEMENTS

➤ SCHOOL INTERVENTION ASSESSMENT

In collaboration with school leadership, Seneca's team administers a variety of measures to assess the school's overall culture and their tiered intervention practice. The assessment process includes structured observations, stakeholder interviews, and the administration of the PBIS Tiered Fidelity Index, the Trauma-Informed Matrix, and the School Climate Assessment Instrument (SCAI).

➤ TIERED INTERVENTION MASTER PLANNING & LEADERSHIP SUPPORT

Seneca's program administrators collaborate with school leadership to develop a strategic plan to address gaps identified in the school assessment process. The plan details how the team and school will create, schedule, deliver, and monitor interventions at each of the three tiers. Seneca's experienced administrators then provide regular support for school leaders to engage their school teams in the effective delivery and monitoring of these tiered interventions.

➤ TARGETED AND INTENSIVE INTERVENTIONS

Seneca's credentialed education specialists, licensed service providers (such as speech therapists, occupational therapists, and low incidence disability specialists), licensed therapists, and certified behavioral analysts oversee and/or provide key interventions to those students in need of additional support. The Seneca team oversees referral, assessment, and service delivery, and ensures compliance with related professional, state, and federal educational requirements.

➤ UNIVERSAL DESIGNS FOR LEARNING

Seneca's multi-disciplinary team provides collaborative planning and conferencing with teachers to support the learning needs of all students. Experienced trainers and instructional coaches lead teacher, team, or school-wide cycles of inquiry to analyze student data, differentiate needs, and intervene as needed.

➤ COORDINATION OF SERVICES

Seneca's team structures and facilitates a data-driven process to support integrated service planning. Seneca also develops school-wide procedures to ensure the identification of students requiring additional intervention.

➤ INTERVENTION DATA MANAGEMENT & ANALYSIS

The Seneca team builds upon the school's current data-based practices and integrates the use of data systems to track service delivery and monitor student progress. In addition, the team helps foster information sharing networks between school staff, partner service providers, families, and the greater school community.

➤ RESPONSIVE PROFESSIONAL DEVELOPMENT

In collaboration with school leadership, the Seneca team selects, designs, and presents professional development on a wide range of topics aimed at supporting the effective implementation of tiered interventions. Training may occur during planned professional development sessions or through ongoing consultation, coaching, mentoring, and reciprocal teaching opportunities.

Appendix A-2 Curriculum Scope and Sequence Examples

English Language Arts

Units of Study, 6th & 7th Grade Examples

6th Grade Example - English Language Arts

Overview of Lesson

Set: Students will take a quiz in which they will choose if the phrase is a simile, metaphor or alliteration in order to activate prior knowledge and determine what students already know about the topic.

Mini-Lesson: Powerpoint presentation with a mini-lecture for each type of figurative language defined. Students will take notes to retain the subject matter.

Guided Practice: Student will read The Silken Tent, Stars, the Road Not Take, and Nothing Gold Can Stay by Robert Frost, all poems which demonstrate figurative language.

Independent Practice: Students will write a poem using at least three types of figurative language.

Guiding Questions:

- How can you use language to empower yourself?
- Can your words create a picture in other's minds?

Disciplinary Core Ideas:

Common Core Grade 6 Language Standards:

- 6.L.5 - Show an understanding of figurative language. word relationships, and subtle word meanings.
- 6.L.5a - Interprets figures of speech such as personification, simile, metaphor, and alliteration using context.
- RL.6.4 - Determine the meaning of words and phrases as they are used in text, including figurative and connotative meanings
- RL.6.10 - Read and comprehend literature, including stories, dramas and poems in the grades 6-8 text complexity band proficiently

Performance Expectation:

- Students will be able to define and differentiate between simile, metaphor, alliteration, personification, and figures of speech by using a chart.
- Students will write a poem using using at least 3 types of figure of speech.
- Students will read their poems in front of the class and discuss the use of figurative speech in their poem.
- Understanding figurative language will improve reading comprehension.
- The ability to use figurative language in writing will improve writing style.

7th Grade Example - English Language Arts

Overview of the Lesson

In literature, movies, and conversation, students encounter idioms that on the surface may not make sense. This lesson is designed to help students become more fluent by interacting with idioms in a skit or short story. Guided Practice: Teacher will distribute tablets and student will connect to BrainRush and select one or more games from Idioms and Proverbs Playlist. The students will match idioms with their definitions. Students think of a sentence that uses an idiom from a BrainRush. Direct students to find a partner and share the sentence. In pairs students will write a story or skit that incorporates 2-3 idioms and be prepared to share with the class at the end of the period.

For the writing process model the following:

1. Brainstorm for ideas for a plot.
2. Outline the plot, including the idioms to be used in the story.
3. Write a paragraph for your story or skit that incorporates 2-3 idioms.

Guiding Questions:

- How do people use idioms in everyday conversation?
- In what ways can idioms be confusing?

Disciplinary Core Ideas:

Common Core Grade Language Standards:

- L.7.5 - Demonstrate understanding of figurative language, word relationships, and nuances in word meanings.
- L.7.5a - Interpret figures of speech (e.g., literary, biblical, and mythological allusions) in context.

Performance Expectation:

- Students will explore the nuances of common American English idioms by learning their meanings and writing a skit or story that incorporates idioms.
- Match idioms with their definitions.
- Incorporate idioms into sentences in conversation.
- Examine how idioms are incorporated into stories.
- Write a short story or skit that incorporates idioms into dialogue.

Mathematics

Mathematics Scope and Sequence

Mathematics Scope and Sequence	
General Math	<p>The major purpose of this course is to serve as a vehicle by which students will:</p> <ul style="list-style-type: none">• Master the four arithmetic operations with whole numbers, positive fractions, positive decimals, and positive and negative integers• Accurately compute and solve problems.• Apply this knowledge to statistics and probability, and geometry.• Understand the concept of mean, median, and mode of data sets and how to calculate the range.• Analyze data and sampling processes for possible bias and misleading conclusions• Use addition and multiplication of fractions routinely to calculate probabilities• Work with ratios and proportions• Continue their study of geometry, including complementary and supplementary angles, the sum of the angles in a triangle, the concept of the constant pi, and its applications to the formulas for area and circumference of the circle
Pre-Algebra	<p>The major purpose of this course is to serve as a vehicle by which students will:</p> <ul style="list-style-type: none">• Be adept at manipulating numbers and equations and understand the general principles at work• Gain a deeper understanding of rational numbers and their various forms of representation• Increase their understanding of ratio and proportion and apply this knowledge to topics such as slopes of lines and the change in volume and surface area of basic three-dimensional figures when the scale is changed.• Make conversions between different units of measurement• Compute percents of change and simple and compound interest• Understand the Pythagorean Theorem and solve problems involving computing a missing side
Algebra 1	<p>The major purpose of this course is to serve as a vehicle by which students will:</p> <ul style="list-style-type: none">• Learn the power of math in its abstract and its application to real world scenarios• Problem solve using different methods such as factoring, graphing, linear and quadratic equations• Be able to solve problems rooted in real life scenarios and

present their solutions with written proofs

- Teach lessons, to demonstrate their understanding of content
- Demonstrate their ability to reason symbolically
- Learn and apply different methods to solve quadratic equations including factoring, completing the square, graphically, or through application of the quadratic formula.
- Understand monomial and polynomial expressions, inequalities, exponents, functions, rational expressions, ratio, and proportion.

Mathematics (cont.)

Units of Study, 6th & 7th Grade Examples

6th Grade Example - Mathematics

Overview of the Lesson:

Engagement:

- Walk in Bell Ringer. Students may not enter class without giving a $4X=24$ fact
- Use dice to represent variables
- Have students create flashcards with simple equations. They must use them in pairs to quiz their peers.

Guiding Questions:

- What strategies can be used to solve for unknowns in algebraic equations?
- How are equations used in everyday life?

Disciplinary Core Ideas:

- Math.Content.6EE.A.2a - Write, read, and evaluate expressions in which letters stand for numbers. Write expressions that record operations with numbers and with letters standing for numbers. For example, express the calculation "Subtract y from 5" as $5 - y$.

Performance Expectation:

- Students will solve one-variable, one step equations that represent problems, including geometric concepts.
- Write, read, and evaluate expressions in which letters stand for numbers.
- Write expressions that record operations with numbers and with letters standing for numbers.

7th Grade Example - Mathematics

Guiding Questions:

- Where in the real world can I find shapes?
- What kind of shapes and angles are used in designing a miniature golf course?

Disciplinary Core Ideas:

- Determine the area of composite figures containing combinations of rectangles, squares, parallelograms, trapezoids, triangles, semicircles and quarter circles.
- Solve real-life and mathematical problems involving angle measure, area, surface area, and volume.

Performance Expectation:

- Student will learn to determine the area of composite figures.
- Students will gain a deeper understanding of how shapes impact our daily lives.

Science and Engineering

Units of Study, 7th & 8th Grade Examples

Science & Engineering - 7th Grade Flight and Space Example

Overview:

The exciting world of aerospace comes alive through the Flight and Space (FS) unit. Students explore the science behind aeronautics and use their knowledge to design, prototype, and test model rocket fuel and a glider. Custom-built simulation software allows students to experience space travel.

- Lesson 1: History of Flight and Space
The study of aerospace engineering would not be complete without a basic understanding of the history of aerospace. Many students think that the space shuttle can go to the moon. Some even think people have been to Mars. These misconceptions are often the result of watching science fiction movies or television programs that look real to students. In this lesson students will be introduced to the history of flight through hands-on activities, research, and a presentation in the form of an infomercial.
- Lesson 2: Aeronautics
Aeronautics is the science and art of flying through the air. It refers to all aspects of flight in the atmosphere, from design and manufacturing to operation and maintenance of aircraft and spacecraft. To design an aircraft or spacecraft, engineers must understand the elements of aerodynamics, propulsion, materials and structures, and stability and control. In this lesson students will be exposed to all of these elements as they discover the science of flying, design and test propulsion systems, use simulations to create airfoils to test in a wind tunnel, and then use their knowledge to design, build, and test an airfoil.
- Lesson 3: Traveling and Living in Space
The layer of gases from surface up to about 100 miles above the Earth is known as the atmosphere. Space is the region above the Earth's atmosphere or beyond the solar system. Space travel and living in space is made possible by engineers, from mechanical engineers who design the components for spacecraft to biomedical engineers who design ways to care for astronauts' health while traveling in space. From designing the spacecraft, to getting us to the moon safely, to building tools to help humans someday live on the Moon, engineers play a vital role in space travel, space discovery, and living in space. In this unit students will experience space travel and spacecraft innovation through an interactive simulation.

Disciplinary Core Ideas:

- Understanding of the history of aerospace
- Understanding of the elements of aerodynamics, propulsion, materials and structures, and stability and control.
- Application of this knowledge to design, build, and test an airfoil.

Performance Expectations:

Engineering Design

- MS-ETS1-1. Define the criteria and constraints of a design problem with sufficient precision to ensure a successful solution, taking into account relevant scientific principles and potential impacts on people and the natural environment that may limit

possible solutions.

- MS-ETS1-2. Evaluate competing design solutions using a systematic process to determine how well they meet the criteria and constraints of the problem.
- MS-ETS1-3. Analyze data from tests to determine similarities and differences among several design solutions to identify the best characteristics of each that can be combined into a new solution to better meet the criteria for success.
- MS-ETS1-4. Develop a model to generate data for iterative testing and modification of a proposed object, tool, or process such that an optimal design can be achieved.

Motion and Stability: Forces and Interactions

- MS-PS2-1. Apply Newton's Third Law to design a solution to a problem involving the motion of two colliding objects.*
- MS-PS2-2. Plan an investigation to provide evidence that the change in an object's motion depends on the sum of the forces on the object and the mass of the object.
- MS-PS2-4. Construct and present arguments using evidence to support the claim that gravitational interactions are attractive and depend on the masses of interacting objects.

Energy

- MS-PS3-4. Plan an investigation to determine the relationships among the energy transferred, the type of matter, the mass, and the change in the average kinetic energy of the particles as measured by the temperature of the sample.
- MS-PS3-5. Construct, use, and present arguments to support the claim that when the kinetic energy of an object changes, energy is transferred to or from the object.

Earth's Place in the Universe

- MS-ESS1-2. Develop and use a model to describe the role of gravity in the motions within galaxies and the solar system.

Science & Engineering - 8th Grade Medical Detective Example

Overview:

In the Medical Detectives (MD) unit, students play the role of real-life medical detectives as they analyze genetic testing results to diagnose disease and study DNA evidence found at a "crime scene." They solve medical mysteries through hands-on projects and labs, investigate how to measure and interpret vital signs, and learn how the systems of the human body work together to maintain health.

- **Lesson 1: What Is a Medical Detective?**

Students will discover how healthcare professionals act as medical detectives in identifying, treating, and preventing injury and illness in their patients. Students examine patient medical histories and investigate how these histories guide medical detectives to the correct diagnosis and treatment of a particular illness. Students also investigate and collect vital signs such as heart rate, blood pressure, and temperature. Finally, students research pathogens involved in foodborne illness and act as medical detectives in diagnosing and proposing a treatment plan for a patient with a mystery illness.

- **Lesson 2: Mysteries of the Human Body System**

This lesson introduces the human body as a compilation of body systems. Students investigate the nervous system, including brain anatomy and physiology. A mysterious illness prompts the students to explore the role of genetics in disease. Students investigate how mutations in DNA can cause disease and learn how genetic diseases

are passed through families.

- **Lesson 3: Murder Mystery**

This lesson begins with a murder victim found in an elevator and immerses the students in the world of crime scene investigators, medical examiners, and pathologists. Students have the opportunity to work through a virtual autopsy and explore how a suspect may be identified through DNA analysis in the process of solving the crime.

Performance Expectations:

Energy

- MS-PS3-4. Plan an investigation to determine the relationships among the energy transferred, the type of matter, the mass, and the change in the average kinetic energy of the particles as measured by the temperature of the sample.

From Molecules to Organisms: Structures and Processes

- MS-LS1-3. Use argument supported by evidence for how the body is a system of interacting subsystems composed of groups of cells.
- MS-LS1-5. Construct a scientific explanation based on evidence for how environmental and genetic factors influence the growth of organisms.
- MS-LS1-8. Gather and synthesize information that sensory receptors respond to stimuli by sending messages to the brain for immediate behavior or storage as memories.

Heredity: Inheritance and Variation of Traits

- MS-LS3-1. Develop and use a model to describe why structural changes to genes (mutations) located on chromosomes may affect proteins and may result in harmful, beneficial, or neutral effects to the structure and function of the organism.

Biological Evolution: Unity and Diversity

- MS-LS4-5. Gather and synthesize information about the technologies that have changed the way humans influence the inheritance of desired traits in organisms.

Social Studies

Units of Study, 6th & 7th Grade Examples

6th Grade Example - Social Studies

Guiding Questions:

- How is technology used in Presidential Elections?
- In a Presidential Election what is more important electoral votes or popular votes?

Disciplinary Core Ideas:

- Discover how technology influences voter turnout.
- Examine the ways that the internet affects campaigning strategies.
- The impact of candidate blogs.

Performance Expectation:

- Students will understand the candidates of technology and how it influenced voter turnout in the recent election.
- Students will critique the candidates web sites and their effectiveness in providing relevant information.

7th Grade Example - Social Studies

Guiding Questions:

- How do countries from around the world compete for a limited number of natural resources?
- What will happen as the world gradually runs out of natural resources? How will these problems be solved?

Disciplinary Core Ideas:

- By using abstract thought, and understanding cause and effect.
- Using basic economic principles such as supply and demand and trade.
- Group discussions and critical thinking and brainstorming.

Performance Expectation:

- Students will learn the principle of scarcity.
- Students will examine how trade around the world creates interdependence among different nations and peoples.

Fitness and Health

6th & 7th Grade Examples

6th Grade Example - Fitness & Health

Guiding Questions:

- How important is personal hygiene to you when choosing your friends?
- How does the media portray people on TV commercials?

Disciplinary Core Ideas:

- Educate students on the basic facts about skin health and the care of skin, hair and nails.
- Empower students to recognize the the media often unrealistically portray perfection as the norm for personal appearance.

Performance Expectation:

- The students will have an understanding of how acne can be remedied.
- By taking a quiz students will discover how much they know about skin care.
- National Health Education Standards

7th Grade Example - Fitness & Health

Guiding Questions:

- What are the legal consequences of using alcohol, tobacco, prescription or illegal drugs?
- Is drug use or crime America's biggest problem?

Disciplinary Core Ideas:

- Enhance the students' knowledge of legal and illegal substances.
- Inform student as to the state laws about drugs.
- Clarify the risks involved with various types of drugs.

Performance Expectation:

- Students are expected to have developed a greater awareness of the types of drugs, their dangers and the moral issues surrounding them.
- Students will have the opportunity to express their opinions on the effects of drug use in our country.

The Legacy Academy

UNIFORM COMPLAINT POLICY AND PROCEDURES

Board Policy: # _____
Date Adopted: _____

Scope

The Legacy Academy’s policy is to comply with applicable federal and state laws and regulations. The Legacy Academy (hereinafter, the “Charter School” or “The Legacy Academy”) is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. Pursuant to this policy, persons responsible for conducting investigations shall be knowledgeable about the laws and programs, which they are assigned to investigate. This complaint procedure is adopted to provide a uniform system of complaint processing for the following types of complaints:

- (1) Complaints of discrimination against any protected group, including actual or perceived discrimination, on the basis of age, sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity; and
- (2) Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: special education, Title II, Section 504 of the Rehabilitation Act, consolidated categorical aid, Elementary and Secondary Education Act, migrant education, career technical and technical education training programs, child care and development programs, child nutrition program.
- (3) A complaint may also be filed alleging that a pupil enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below.
 - a. “Educational activity” means an activity offered by a school, school district, charter school or county office of education that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.
 - b. “Pupil fee” means a fee, deposit or other charge imposed on pupils, or a pupil’s parents or guardians, in violation of Section 49011 and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all pupils without regard to their families’ ability or willingness to pay fees or request special waivers, as provided for in *Hartzell v. Connell*

(1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:

- i. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
 - ii. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.
 - iii. A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.
- c. Nothing in this section shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or school districts, school, and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.
- (4) Complaints of noncompliance with the requirements governing the Local Control Funding Formula or Sections 47606.5 and 47607.3 of the Education Code, as applicable.

The Charter School acknowledges and respects every individual's rights to privacy. Discrimination complaints shall be investigated in a manner that protects [to the greatest extent reasonably possible] the confidentiality of the parties and the integrity of the process. The Charter School cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, the Charter School will attempt to do so as appropriate. The Charter School may find it necessary to disclose information regarding the complaint/complainant to the extent necessary to carry out the investigation or proceedings, as determined by the Executive Director or designee on a case-by-case basis.

The Charter School prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

Compliance Officers

The Legacy Academy, Inc. (hereinafter, the "Governing Board") designates the following compliance officer(s) to receive and investigate complaints and to ensure the Charter School's compliance with law. This individual is also designated as the Charter School's Title IX coordinator, and is responsible for investigation of any complaint alleging noncompliance with Title IX.

[Executive Director]

[Address]

[Phone]

The Executive Director or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Executive Director or designee.

Notifications

The Executive Director or designee shall annually provide written notification of the Charter School's uniform complaint procedures to students, employees, parents/guardians, the Governing Board, appropriate private officials or representatives, and other interested parties.

The Executive Director or designee shall make available copies of the Charter School's uniform complaint procedures free of charge.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints.
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable.
3. Advise the complainant of the appeal process pursuant to Education Code Section 262.3, including the complainant's right to take the complaint directly to the California Department of Education ("CDE") or to pursue remedies before civil courts or other public agencies.
4. Include statements that:
 - a. The Charter School is primarily responsible for compliance with state and federal laws and regulations;
 - b. The complaint review shall be completed within sixty (60) calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline;
 - c. An unlawful discrimination complaint must be filed not later than six (6) months from the date the alleged discrimination occurs, or six (6) months from the date the complainant first obtains knowledge of the facts of the alleged discrimination;
 - d. The complainant has a right to appeal the Charter School's decision to the CDE by filing a written appeal within fifteen (15) days of receiving the Charter School's decision; and

- e. The appeal to the CDE must include a copy of the complaint filed with the Charter School and a copy of the Charter School's decision.

Procedures

The following procedures shall be used to address all complaints, which allege that the Charter School has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

- **Step 1: Filing of Complaint**

Any individual, public agency, or organization may file a written complaint of alleged noncompliance by the Charter School.

A complaint alleging unlawful discrimination shall be initiated no later than six (6) months from the date when the alleged discrimination occurred, or six (6) months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination.

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, Charter School staff shall assist him/her in the filing of the complaint.

- **Step 2: Mediation**

Within three (3) days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process.

Before initiating the mediation of a discrimination complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the Charter School's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

- **Step 3: Investigation of Complaint**

The compliance officer is encouraged to hold an investigative meeting within five (5) days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint.

A complainant's refusal to provide the Charter School's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

The Charter School's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

- **Step 4: Response**

OPTION 1:

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the Charter School's investigation and decision, as described in Step #5 below, within sixty (60) days of the Charter School's receipt of the complaint.

OPTION 2:

Within thirty (30) days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the Charter School's investigation and decision, as described in Step #5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the sixty (60) day time limit within which the

complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within sixty (60) days of the Charter School's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant.

- Step 5: Final Written Decision

The Charter School's decision shall be in writing and sent to the complainant. The Charter School's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The decision shall include:

1. The findings of fact based on evidence gathered.
2. The conclusion(s) of law.
3. Disposition of the complaint.
4. Rationale for such disposition.
5. Corrective actions, if any are warranted.
6. Notice of the complainant's right to appeal the Charter School's decision within fifteen (15) days to the CDE and procedures to be followed for initiating such an appeal.
7. For discrimination complaints arising under state law, notice that the complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.
8. For discrimination complaints arising under federal law such complaint may be made at any time to the U.S. Department of Education, Office for Civil Rights.

If an employee is disciplined as a result of the complaint, the decision shall simply state that effective action was taken and that the employee was informed of the Charter School's expectations. The report shall not give any further information as to the nature of the disciplinary action.

Appeals to the California Department of Education

If dissatisfied with the Charter School's decision, the complainant may appeal in writing to the CDE within fifteen (15) days of receiving the Charter School's decision. When appealing to the

CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the Charter School's decision.

Upon notification by the CDE that the complainant has appealed the Charter School's decision, the Executive Director or designee shall forward the following documents to the CDE:

1. A copy of the original complaint.
2. A copy of the decision.
3. A summary of the nature and extent of the investigation conducted by the Charter School, if not covered by the decision.
4. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by all parties and gathered by the investigator.
5. A report of any action taken to resolve the complaint.
6. A copy of the Charter School's complaint procedures.
7. Other relevant information requested by the CDE.

The CDE may directly intervene in the complaint without waiting for action by the Charter School when one of the conditions listed in Title 5, California Code of Regulations, Section 4650 exists, including cases in which the Charter School has not taken action within sixty (60) days of the date the complaint was filed with the Charter School.

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the Charter School's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For discrimination complaints arising under state law, however, a complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the Charter School has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

The Legacy Academy

POLICY AGAINST UNLAWFUL HARASSMENT

The Charter School is committed to providing a work and educational atmosphere that is free of unlawful harassment. The Charter School's policy prohibits sexual harassment and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, creed, color, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. The Charter School will not condone or tolerate harassment of any type by any employee, independent contractor or other person with which the Charter School does business. This policy applies to all employee actions and relationships, regardless of position or gender. The Charter School will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted.

Prohibited Unlawful Harassment

- Verbal conduct such as epithets, derogatory jokes or comments or slurs;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- Retaliation for reporting or threatening to report harassment;
- Deferential or preferential treatment based on any of the protected classes above.

Prohibited Unlawful Sexual Harassment

In accordance with existing policy, discrimination on the basis of gender in education institutions is prohibited. All persons, regardless of gender, are afforded equal rights and opportunities and freedom from unlawful discrimination in education programs or activities conducted by the Charter School.

The Charter School is committed to provide a workplace free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action, up to, and including dismissal, of the offending employee.

Sexual harassment consists of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when: (1) submission of the conduct is either made explicitly or implicitly a term or condition of an individual's employment; (2) an employment decision is based upon an individual's acceptance or rejection of that conduct; (3) that conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

It is also unlawful to retaliate in any way against an employee who has articulated a good faith concern about sexual harassment against him/her or against another individual.

All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years

thereafter. All staff will receive sexual harassment training and/or instruction concerning sexual harassment in the workplace as required by law.

Each employee has the responsibility to maintain a workplace free from any form of sexual harassment. Consequently, should any individual, in particular those with supervisory responsibilities, become aware of any conduct that may constitute sexual harassment or other prohibited behavior, immediate action should be taken to address such conduct. Employees and students are expected to act in a positive and professional manner and to contribute to a productive school environment that is free from harassing or disruptive activity. Any employee who believes they have been harassed or has witnessed harassment is encouraged to immediately report such harassment to their supervisor or the Executive Director. See Attachment B for the “Harassment Complaint Form.”

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
 - Rape, sexual battery, molestation or attempts to commit these assaults and
 - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another’s body, or poking another’s body.
- Unwanted sexual advances, propositions or other sexual comments, such as:
 - Sexually oriented gestures, notices, remarks, jokes, or comments about a person’s sexuality or sexual experience.
 - Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
 - Subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee’s job more difficult because of the employee’s sex.
- Sexual or discriminatory displays or publications anywhere at the workplace by employees, such as:
 - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing to work or possessing any such material to read, display or view at work.
 - Reading publicly or otherwise publicizing in the work environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic; and
 - Displaying signs or other materials purporting to segregate an employee by sex in an area of the workplace (other than restrooms or similar rooms).

The illustrations of harassment and sexual harassment above are not to be construed as an all-inclusive list of prohibited acts under this policy.

Complainants and witnesses under these policies will be protected from further harassment and will not be retaliated against in any aspect of their employment due to their participation in or filing of a complaint or reporting sexual harassment.

The Charter School will investigate complaints promptly and provide a written report of the investigation and decision as soon as practicable. The investigation will be handled in as confidential a manner as possible consistent with a full, fair, and proper investigation.

Employees may also direct their complaints to the California Department of Fair Employment and Housing (“DFEH”), which has authority to conduct investigation of the facts. The deadline for filing complaints with the DFEH is one year from the date of the alleged unlawful conduct. If the DFEH believes a complaint is valid and settlement efforts fail, the DFEH may seek an administrative hearing before the California Fair Employment and Housing Commission (“FEHC”) or file a lawsuit in court. Both the FEHC and the courts have authority to award monetary and non-monetary relief in meritorious cases. Employees can contact the nearest DFEH office or the FEHC by checking the State Government listings in the local telephone directory.

While in most situations a personal relationship is a private matter, these relationships are not appropriate in a professional setting, particularly where one of the parties has management or supervisory responsibilities.

The Legacy Academy

COMPLAINTS AGAINST PERSONNEL

INTERNAL COMMUNICATION MODEL

DISPUTES ARISING FROM WITHIN THE SCHOOL/COMMUNICATION/MODEL CONFLICT RESOLUTION PROCEDURE

The ultimate purpose of a communication model is to encourage the growth and development of the Charter School as a healthy community. Conflict is a part of any development or growth process and may arise in any community. An effective complaint and conflict resolution process is therefore an essential component of the communication model.

The Conflict Resolution Procedure is a model for all members of the Charter School community and is designed to address issues among the following: between parents and teachers; parents and administration; and teachers and teachers. The overall purpose of this procedure is to perpetuate a climate of collegiality, mutual trust and respect by resolving differences in a timely, objective and equitable manner.

Please note that specific complaints of unlawful harassment are addressed under the Charter School's "Policy Against Unlawful Harassment." The Charter School Uniform Complaint Policy/Procedure ("UCP") shall be used to address all complaints which allege that the Charter School has violated federal or state laws or regulations governing educational programs.

A. FOUR MAJOR AREAS OF COMMUNICATION:

Conflicts may include a wide area of issues, and regard family and staff concerns. Conflicts may fall into one of four major areas or may be a combination of these areas as listed below. It is emphasized that the first step in the resolution of any conflicts in our community is direct communication with the involved parties. Where reasonably possible, the concerned parties are strongly encouraged to address their questions or concerns with the appropriate Charter School personnel listed under each communication area as follows:

1. Policies and Legal Issues

Current policies are available in the Charter School office. Reviewing policies and procedures lends information that may at times solve a conflict. The Board of Directors at the Charter School has final approval for all school policies and procedures. Issues of policy and procedures should be addressed to the Executive Director.

2. Procedures/Daily Operations

The Executive Director (acting or otherwise) shall establish procedures designed to carry out the policies adopted by the Board of Directors. Procedures pertain to anything regarding the daily operations of the Charter School. Procedures can be clarified by an office staff member or the Executive Director. The Executive Director serves as the primary administrator of the school. Any daily operations/procedural issues should be addressed directly by the Executive Director.

3. Pedagogy

Pedagogical issues, which pertain to anything that occurs in the classroom, i.e. teaching, curriculum, classroom management, or teacher-student relationships should be addressed directly to the class teacher.

4. Interpersonal Communication and Relationships

Concerns between people or communication breakdown should be directly communicated with the person(s) involved.

B. CONFLICT RESOLUTION PROCEDURE:

1. Internal Complaints (Complaints by Employees Against Employees)

This section of the policy is for use when a Charter School employee raises a complaint or concern about a co-worker.

If reasonably possible, internal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the immediate supervisor. However, in the event an informal resolution may not be achieved or is not appropriate, the following steps will be followed by the Executive Director or designee:

- a. The complainant will bring the matter to the attention of the Executive Director as soon as possible after attempts to resolve the complaint with the immediate supervisor (or purportedly offending employee) have failed or if not appropriate; and
- b. The complainant will reduce his or her complaint to writing, indicating all known and relevant facts. The Executive Director or designee will then investigate the facts and provide a solution or explanation;
- c. If the complaint is about the Executive Director, the complainant may file his or her complaint in a signed writing to the Chair of the Board of Directors of the School, who will then confer with the Board and may conduct a fact-finding or authorize a third party investigator on behalf of

the Board. The Chair or investigator will report his or her findings to the Board for review and action, if necessary.

This policy cannot guarantee that every problem will be resolved to the employee's satisfaction. However, the School values each employee's ability to express concerns and the need for resolution without fear of adverse consequence to employment.

2. Policy for Complaints Against Employees (Complaints by Third Parties Against Employees)

This section of the policy is for use when a non-employee raises a complaint or concern about a Charter School employee.

If complaints cannot be resolved informally, complainants may file a written complaint with the Executive Director or Board President (if the complaint concerns the Executive Director or Founding Director) as soon as possible after the events that give rise to the employee's work-related concerns. The written complaint should set forth in detail the factual basis for the employee's complaint.

In processing the complaint, Executive Director (or designee) shall abide by the following process:

- a. The Executive Director or designee shall use his or her best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.
- b. In the event that the Executive Director (or designee) finds that a complaint against an employee is valid, the Executive Director (or designee) may take appropriate disciplinary action against the employee. As appropriate, the Executive Director (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
- c. The Executive Director's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors of the Charter School. The decision of the Board of Directors shall be final.

C. GENERAL REQUIREMENTS

1. Confidentiality: All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.

2. Non-Retaliation: All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.
3. Resolution: The Board (if a complaint is about the Executive Director or Founding Director) or the Executive Director or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

The County shall not intervene in any such internal disputes without the consent of the governing board of the school and shall refer any complaints or reports regarding such disputes to the Board of Directors or Executive Director of the Charter School for resolution pursuant to the Charter School's policies.

UNIFORM COMPLAINT PROCEDURE FORM

Last Name: _____ First Name/MI: _____
 Student Name (if applicable): _____ Grade: _____ Date of Birth: _____
 Street Address/Apt. #: _____
 City: _____ State: _____ Zip Code: _____
 Home Phone: _____ Cell Phone: _____ Work Phone: _____
 School/Office of Alleged Violation: _____

For allegation(s) of noncompliance, please check the program or activity referred to in your complaint, if applicable:

- | | | | |
|---|---|--------------------------------------|--|
| <input type="checkbox"/> Adult Education | <input type="checkbox"/> Consolidated Programs | <input type="checkbox"/> Categorical | <input type="checkbox"/> Nutrition Services |
| <input type="checkbox"/> Career/Technical Education | <input type="checkbox"/> Migrant and Indian Education | | <input type="checkbox"/> Special Education |
| <input type="checkbox"/> Child Development Programs | <input type="checkbox"/> Pupil Fees | | <input type="checkbox"/> Local Control Funding Formula |

For allegation(s) of unlawful discrimination/harassment, please check the basis of the unlawful discrimination/harassment described in your complaint, if applicable:

- | | | |
|--|---|--|
| <input type="checkbox"/> Age | <input type="checkbox"/> Gender / Gender Expression / Gender Identity | <input type="checkbox"/> Sex (Actual or Perceived) |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> National Origin | <input type="checkbox"/> Sexual Orientation (Actual or Perceived) |
| <input type="checkbox"/> Color | <input type="checkbox"/> Race | <input type="checkbox"/> Based on association with a person or group with one or more of these actual or perceived characteristics |
| <input type="checkbox"/> Disability (Mental or Physical) | <input type="checkbox"/> Religion | |
| <input type="checkbox"/> Ethnic Group Identification | | |

1. Please give facts about the complaint. Provide details such as the names of those involved, dates, whether witnesses were present, etc., that may be helpful to the complaint investigator.

2. Have you discussed your complaint or brought your complaint to any Charter School personnel? If you have, to whom did you take the complaint, and what was the result?

3. Please provide copies of any written documents that may be relevant or supportive of your complaint.

I have attached supporting documents. Yes No

Signature: _____ Date: _____

Mail complaint and any relevant documents to:

[Executive Director]

[Address]

[Phone]

HARASSMENT COMPLAINT FORM

It is the policy of the Charter School that all of its employees be free from harassment including sexual harassment. This form is provided for you to report what you believe to be harassment, so that the Charter School may investigate and take appropriate disciplinary or other action when the facts show that there has been harassment.

If you are an employee of the Charter School, you may file this form with the Executive Director or Board President.

Please review the Charter School's policies concerning harassment for a definition of sexual harassment and a description of the types of conduct that are considered to be harassment.

The Charter School will undertake every effort to handle the investigation of your complaint in a confidential manner. In that regard, the Charter School will disclose the contents of your complaint only to those persons having a need to know. For example, to conduct its investigation, the Charter School will need to disclose portions of your factual allegations to potential witnesses, including anyone you have identified as having knowledge of the facts on which you are basing your complaint, as well as the alleged harasser.

In signing this form below, you authorize the Charter School to disclose to others the information you have provided herein, and information you may provide in the future. Please note that the more detailed information you provide, the more likely it is that the Charter School will be able to address your complaint to your satisfaction.

Charges of harassment are taken very seriously by the Charter School both because of the harm caused to the person harassed, and because of the potential sanctions that may be taken against the harasser. It is therefore very important that you report the facts as accurately and completely as possible and that you cooperate fully with the person or persons designated to investigate your complaint.

Your Name: _____ Date: _____

Date of Alleged Incident(s):

Name of Person(s) you believe harassed you or someone else:

List any witnesses that were present:

Where did the incident(s) occur?

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

I acknowledge that I have read and that I understand the above statements. I hereby authorize the Charter School to disclose the information I have provided as it finds necessary in pursuing its investigation.

I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief.

Signature of Complainant

Date: _____

Print Name

Received by: _____

Date: _____

COMPLAINT FORM

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

Name of Person(s) you have a complaint against: _____

List any witnesses that were present: _____

Where did the incident(s) occur?

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

I hereby authorize the Charter School to disclose the information I have provided as it finds necessary in pursuing its investigation. I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief. I further understand providing false information in this regard could result in disciplinary action up to and including termination.

Signature of Complainant

Date: _____

Print Name

To be completed by Charter School:

Received by: _____ Date: _____

The Legacy Academy

IDENTIFICATION, EVALUATION AND EDUCATION UNDER SECTION 504 SECTION 504 POLICY

Board Policy: # _____

Date Adopted: _____

The Legacy Academy recognizes the need to identify and evaluate students with disabilities in order to provide them with a free, appropriate public education and its legal responsibility to ensure that “no qualified person with a disability shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” This policy and the related administrative regulation has been developed to ensure the implementation of Section 504 of the Rehabilitation Act of 1973 (“Section 504”), and its implementing regulations as amended, which pertains to public schools. The intent is to ensure that all students with disabilities, who are eligible under Section 504, are identified and evaluated and have access to a free, appropriate public education (“FAPE”).

Under Section 504, individuals with physical or mental impairments that substantially limit one or more major life activities, including learning, are entitled to receive regular or special education and/or related aids and services designed to meet their individual needs as adequately as the needs of nondisabled students are met. Students may be disabled and entitled to services under Section 504 even though they are not eligible for services pursuant to the Individuals with Disabilities in Education Act Improvement Act of 2004 (“IDEA”).

The Legacy Academy (hereinafter, the “Charter School” or “The Legacy Academy”) Executive Director or designee shall ensure that this policy and set of procedures is implemented and followed. Whenever there is reason to believe that, because of a disability, a student needs regular or special education and/or related aids and services (and the student has not been found eligible under IDEA) that student will be evaluated under this policy’s administrative regulation.

A Section 504 Team will be convened to determine the student’s need for regular or special education and/or related aids and services. The 504 Team will include persons knowledgeable about the Section 504 standards, the student’s individual needs and school history, the meaning of evaluation data, and placement options. The student’s parent/guardian shall be invited to participate in this 504 Team and shall receive notice of procedural safeguards guaranteed by law. If the Charter School does not assess a student after a parent has requested an assessment, the Charter School shall provide notice of the parent’s/guardian’s procedural safeguards.

If the student, due to disability, is found to require regular or special education and/or related aids and services under Section 504, the Section 504 Team shall develop a 504 plan for the provision of such services to the student. The student shall be educated with nondisabled

students to the maximum extent appropriate to the student's individual needs. The student's parent/guardian shall be provided a copy of the 504 plan and shall receive notice of procedural safeguards guaranteed by law. The Charter School shall periodically review the student's progress and placement.

The Charter School will implement this policy through its corresponding Procedure.

The Legacy Academy

IDENTIFICATION, EVALUATION AND EDUCATION UNDER SECTION 504 SECTION 504 ADMINISTRATIVE REGULATIONS

Board Policy: # _____

Date Adopted: _____

A. Definitions

1. **Academic Setting** – the regular, educational environment operated by The Legacy Academy (hereinafter, the “Charter School” or “The Legacy Academy”).
2. **Individual with a Disability under Section 504** – An individual who:
 - a. has a physical or mental impairment that substantially limits one or more major life activities;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
3. **Evaluation** – procedures used to determine whether a student has a disability as defined within, and the nature and extent of the services that the student needs. The term means procedures used selectively with an individual student and does not include basic tests administered to, or procedures used with, all students in a school, grade or class.
4. **504 Plan** – is a plan developed to identify and document the student’s needs for regular or special education and related aids and services for participation in educational programs, activities, and school –sponsored events.
5. **Free Appropriate Public Education (“FAPE”)** – the provision of regular or special education and related aids and services that are designed to meet the individual needs of persons with disabilities as adequately as the needs of persons without disabilities are met.
6. **Major Life Activities** - Functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
7. **Physical or Mental Impairment** –
 - a. Any physiological disorder or condition, cosmetic disfigurement, or

anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory; including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin; and endocrine; or

b. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

8. **504 Coordinator** – The **Principal or Principal's designee** shall serve as the Charter School's Section 504 coordinator. The parents or guardians may request a Section 504 due process hearing from, or direct any questions or concerns to the 504 Coordinator at 510.531-0110.

9. **Has a record of such an impairment** - means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

10. **Is regarded as having an impairment** – means:

a. has a physical or mental impairment that does not substantially limit major life activities but that is treated by a recipient as constituting such a limitation;

b. has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or

c. has none of the impairments defined in paragraph (j)(2)(i) of this section but is treated by a recipient as having such an impairment.

B. Referral, Assessment and Evaluation Procedures

1. The Charter School will evaluate any student who, because of disability, needs or is believed to need regular or special education and/or related aids and services.

2. A student may be referred by anyone, including a parent/guardian, teacher, other school employee or community agency, for consideration as to whether the student qualifies as a student with disabilities under Section 504. Requests for evaluation shall be made in writing, and a copy of said request will remain in the student's file regardless of the final determination. This referral should be made to the Section 504 Coordinator who will convene a 504 Team. Any requests made to another Charter School employee will be forwarded to the Section 504 Coordinator.

3. The Charter School has the responsibility to ensure that students with disabilities

are evaluated. Therefore, it is important that students who are or may be disabled are referred to the Section 504 Coordinator so that the assessment process is initiated.

4. The 504 Team convened by the Section 504 Coordinator will be composed of the student's parents/guardians and other persons knowledgeable about the student (such as the student's regular education teachers), the student's school history, the student's individual needs (such as a person knowledgeable about the student's disabling condition), the meaning of evaluation data, the options for placement and services, and the legal requirements for least restrictive environment and comparable facilities.
5. The 504 Team shall promptly consider the referral and determine what assessments are needed in all suspected areas of disability to evaluate whether the student is a student with a disability under Section 504 and what special needs the student may have. The decision regarding what assessments shall be undertaken shall be based on a review of the student's school records (including academic, social and behavioral records), any relevant medical records, and the student's needs. Students requiring assessment shall be provided appropriate assessments administered by qualified assessment specialists.
6. The 504 Team will consider the following information in its evaluation of the student:
 - a. Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel;
 - b. Tests and other evaluation materials including those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
 - c. Tests are selected and administered so as to best 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 (except where those skills are the factors that the test purports to measure.)
7. The evaluation of the student must be sufficient for the 504 Team to accurately and completely describe: (a) the nature and extent of the disabilities; (b) the student's special needs; (c) the impact upon the student's education; and (d) what regular or special education and/or related aids and services are appropriate to ensure that the student receives a free appropriate public education. All significant factors relating to the learning process for that student, including adaptive behavior and cultural and language background, must be considered. The

evaluation may include, but is not limited to, classroom and playground observation, performance-based testing, academic assessment information, and data offered by the student's teachers and parent/guardian.

8. The parents/guardians shall be given an opportunity in advance of 504 Team meetings to examine assessment results and all other relevant records.
9. If a request for evaluation is denied, the 504 Team shall inform the parents/guardians in writing of this decision and of their procedural rights as described below.

C. Section 504 Plan

1. When a student is identified as disabled within the meaning of Section 504, the 504 Team shall determine what, if any, services are needed to ensure that the student receives a free, appropriate public education ("FAPE").
2. The 504 Team responsible for making the placement decision shall include the parents/guardians and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.
3. For each identified disabled student, the 504 Team will develop a 504 Plan describing the student's disability and the regular or special education and/or related aids and services needed. The Plan will specify how the special education and/or related aids and services will be provided to the disabled student and by whom. The 504 Plan will also identify the person responsible for ensuring that all the components of the Plan are implemented.
4. The student's teacher and any other staff who are to provide services to the student or who are to make modifications in the classroom for the student shall be informed of the services or modifications necessary for the student and, if appropriate, provided a copy of the 504 Plan. A copy of this plan shall be kept in the student's cumulative file in a manner that limits access to those persons involved in the 504 process and/or the provision of services and modifications.
5. The disabled student shall be placed in the regular education environment unless it is demonstrated that the student's needs cannot be met in the regular education environment with supplementary aids and services. The disabled student shall be educated with students who are not disabled to the maximum extent appropriate to his/her individual needs.
6. The referral, assessment, evaluation and placement process will be completed within a reasonable time. It is generally not reasonable to exceed 50 school days in completing this process.
7. The parents/guardians shall be notified in writing of the final decision concerning

the student's identification as a person with disabilities, the educational program and services to be provided, if any, and of the Section 504 procedural safeguards, as described below, including the right to an impartial hearing to challenge the decision.

8. If the 504 Team determines that the student is disabled but that no special services are necessary for the student, the 504 Plan shall reflect the identification of the student as a disabled person under Section 504 and shall state the basis for the decision that no special services are presently needed.
9. The 504 Plan shall include a schedule for annual review of the student's needs, and indicate that this review may occur more frequently at the request of the parent/guardian or school staff.

D. Review of the Student's Progress

1. The 504 Team shall monitor the progress of the disabled student and the effectiveness of the student's 504 Plan. According to the review schedule set out in the student's 504 Plan, the 504 Team shall annually determine whether the services and modifications are appropriate.
2. A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement.

E. Procedural Safeguards

1. Parents/guardians shall be notified in writing of all decisions regarding the identification, evaluation or educational placement of students with disabilities or suspected disabilities. Notifications shall include a statement of their rights to:
 - a. Examine relevant records
 - b. Have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel
 - c. Have the right to file a Uniform Complaint pursuant to school policy
 - d. Seek review in federal court if the parents/guardians disagree with the hearing decision.
2. Notifications shall also set forth the procedures for requesting an impartial hearing. Requests shall be made to [Principal], 504 Coordinator c/o The Legacy Academy [Insert address once determine]. Notifications shall advise that reimbursement for attorney's fees is available only as authorized by law.
3. The Principal shall maintain a list of impartial hearing officers who are qualified

and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with any district within the SELPA or the County Office of Education in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.

4. If a parent/guardian disagrees with the identification, evaluation or educational placement of a student with disabilities under Section 504, he/she may request a hearing to initiate due process procedures. The parent/guardian shall set forth in writing his/her request for a hearing. A request for hearing should include:
 - a. The specific decision or action with which the parent/guardian disagrees.
 - b. The changes to the 504 Plan the parent/guardian seeks.
 - c. Any other information the parent/guardian believes is pertinent.
5. Within 5 calendar days of receiving the parent/guardian's request for a hearing, the Charter School may offer the parent/guardian an optional alternative dispute resolution process. However, the timeline for the hearing shall remain in effect unless it is extended by mutual written agreement of the parent/guardian and the Charter School. Alternative dispute resolution options include:
 - a. Mediation by a neutral third party.
 - b. Review of the 504 Plan by the Principal or designee.
6. Within 10 calendar days of receiving the parent/guardian's request, the Principal or designee shall select an impartial hearing officer. This 10 days may be extended for good cause or by mutual agreement of the parent/guardian and Principal.
7. Within 35 calendar days of the selection of the hearing officer, the due process hearing shall be conducted. This 35 days may be extended for good cause or by mutual agreement of the parent/guardian and Principal.
8. The parent/guardian and the Charter School shall be afforded the rights to:
 - a. Be accompanied and advised by counsel and by individuals with special knowledge or training related to the individual needs of students who are qualified as disabled under Section 504.
 - b. Present written and oral evidence.
 - c. Question and cross-examine witnesses.

- d. Receive written findings by the hearing officer.
- 9. The hearing officer shall issue a written decision within 10 calendar days of the hearing.
- 10. If desired, either party may seek a review of the hearing officer's decision by a federal court. The decision shall be implemented unless the decision is stayed, modified or overturned by a court.

The Legacy Academy

PARENT/STUDENT RIGHTS IDENTIFICATION, EVALUATION, ACCOMMODATION AND PLACEMENT

(Section 504 of the Rehabilitation Act of 1973)

Board Policy: # _____

Date Adopted: _____

The following is a description of the rights granted by federal law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions. Please keep this explanation for future reference.

You have the right to:

1. Have your child take part in and receive benefits from public education programs without discrimination because of his/her disabling condition.
2. Have the Charter School advise you of your rights under federal law.
3. Receive notice with respect to Section 504 identification, evaluation and/or placement of your child.
4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the Charter School make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided to non-disabled students.
6. Have your child receive exceptional education and related services if he/she is found to be eligible under the Individuals with Disabilities Education Act (IDEA) [20 U.S.C. Chapter 33, P.L. 101-4761.
7. Have an evaluation, educational recommendation, and placement decision developed by a team of persons who are knowledgeable of the student, the assessment data, and any placement options.
8. Have your child be given an equal opportunity to participate in non-academic and extracurricular activities offered by the Charter School.
9. Examine all relevant records relating to decisions regarding your child's Section 504 identification, evaluation, educational program, and placement.

10. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
11. Obtain a response from the Charter School to reasonable requests for explanations and interpretations of your child's records.
12. Request amendment of your child's educational records if there is reasonable cause to believe they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the Charter School refuses this request for amendment, the Charter School shall notify you within a reasonable time and advise you of your right to an impartial hearing.
13. Request mediation or file a grievance in accordance with the Charter School's Section 504 mediation grievance and hearing procedures.
14. Request an impartial hearing regarding the Section 504 identification, evaluation, or placement of your child. You and the student may take part in the hearing and have an attorney represent you.
15. File a formal complaint pursuant to the Charter School's Uniform Complaint Policy and Procedures.
16. File a formal complaint with the U.S. Department of Education.

Office for Civil Rights, Region IX
50 Beale Street, Suite 7200
San Francisco, CA 94105
(415) 486-5555

Please contact [Principal], 504 Coordinator c/o The Legacy Academy or The Legacy Academy, [Insert address once determine] with any questions regarding the information contained herein.

ARTICLES OF INCORPORATION
OF
LEGACY ACADEMY, INC.

ARTICLE I

The name of this corporation is Legacy Academy, Inc. (the “Corporation”).

ARTICLE II

A. 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 charitable purposes.

B. The specific and primary purpose of the Corporation is to engage exclusively in charitable activities within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”), or the corresponding provisions of any future United States internal revenue law.

ARTICLE III

The name and address in the state of California of the Corporation’s initial agent for service of process is:

[TO BE PROVIDED]

The corporation’s address is [TO BE PROVIDED], and its mailing address is [TO BE PROVIDED].

ARTICLE IV

A. The Corporation is organized exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Code or the corresponding provisions of any future United States internal revenue law.

B. No substantial part of the activities of the Corporation shall consist of carrying on propaganda, lobbying, or otherwise attempting to influence legislation; the Corporation shall not participate or intervene in (including publishing or distributing statements) any political campaign on behalf of (or in opposition to) any candidate for public office.

C. Despite any other provision in these articles, the Corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that do not further the purposes of the Corporation, and the Corporation shall not carry on any other activities not permitted to be carried on by (i) a corporation exempt from federal income tax under Section 501(c)(3) of the Code or the corresponding provisions of any future United States internal

revenue law, or (ii) a corporation, contributions to which are deductible under Section 170(c)(2) of the Code or the corresponding provisions of any future United States internal revenue law.

ARTICLE V

A. All property of the Corporation is irrevocably dedicated to the purposes set forth in Article II of these articles. No part of the net earnings or assets of the Corporation shall inure to the benefit of any director, trustee, officer, private shareholder or member of the Corporation, or to the benefit of any private person or individual.

B. On the winding up and dissolution of the Corporation, after paying or adequately providing for the debts, obligations, and liabilities of the Corporation, the remaining assets of the Corporation shall be distributed to an organization (or organizations) organized and operated exclusively for charitable purposes, which has established its tax-exempt status under Section 501(c)(3) of the Code or the corresponding provisions of any future United States internal revenue law.

The property of the Corporation is irrevocably dedicated to charitable purposes and no part of the net income or assets of the Corporation shall ever inure to the benefit of any director, officer or member thereof or to the benefit of any private person. Upon the dissolution or winding up of the Corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation shall be distributed to a nonprofit fund, foundation or corporation which is organized and operated exclusively for charitable purposes and which has established its tax exempt status under Section 501(c)(3) of the Code.

Dated: [_____], 2015

[_____], Incorporator

**ACTION BY SOLE INCORPORATOR
OF
LEGACY ACADEMY, INC.**

a California Nonprofit Public Benefit Corporation

The undersigned, being the sole incorporator of Legacy Academy, Inc., a California nonprofit public benefit corporation (the "Corporation"), acting in accordance with Section 5134 of the Nonprofit Corporation Law of California, desiring to take the following action, hereby adopts the following resolutions:

ELECTION OF DIRECTORS

WHEREAS, no initial directors were named in the Articles of Incorporation of the Corporation; and

WHEREAS, it is deemed to be in the best interest of the Corporation to provide for a board of directors of the Corporation (the "Board") consisting of no less than five (5) and no more than fifteen (15) directors; and

WHEREAS, it is deemed to be in the best interest of the Corporation that the Board initially be comprised of six (6) individuals; and.

WHEREAS, it is deemed to be in the best interest of the Corporation to elect each of the following persons to the position of directors of the Corporation.

NOW, THEREFORE, BE IT RESOLVED, that each of the following persons is elected director of the Corporation to serve until the annual meeting of the Board to be held in 2015 or until his or her successor shall be duly elected and shall qualify:

[List to be added.]

RESIGNATION OF INCORPORATOR

WHEREAS, the undersigned has appointed the Board of the Corporation.

NOW, THEREFORE, BE IT RESOLVED, that the undersigned hereby resigns as the incorporator of the Corporation, effective as of the date hereof.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, the undersigned has executed this Action by Sole Incorporator as of the [__] day of [_____], 2015.

[_____], Sole Incorporator

BYLAWS
OF
LEGACY ACADEMY, INC.,
a California Nonprofit Public Benefit Corporation

ARTICLE I
INTRODUCTORY PROVISIONS

Section 1.1 **Name.** The name of this corporation is Legacy Academy, Inc.

Section 1.2 **Definitions.** In these Bylaws:

“Board” shall mean the Board of Directors of the Corporation.

“California Nonprofit Law” shall mean the Nonprofit Corporation Law of California;

“Code” shall mean the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any future United States internal revenue law;

“Corporation” shall mean Legacy Academy, Inc.;

“Director” shall mean a member of the Board; and

“Officer” shall mean an officer of the Corporation.

Section 1.3 **Specific and Primary Purposes.** The Corporation is organized under the Nonprofit Public Benefit Corporation Law of California exclusively for charitable and educational purposes, within the meaning of Section 501(c)(3) of the Code, or the corresponding provisions of any future United States internal revenue law. The specific purposes of the Corporation are as set forth in the Corporation’s Articles of Incorporation, including without limitation the following:

1.3.1 To engage in charitable activities within the meaning of Section 501(c)(3) of the Code, or the corresponding provisions of any future United States internal revenue law; and

1.3.2 To engage in any activities that are reasonably related to or in furtherance of its stated charitable purposes, or in any other charitable activities.

Section 1.4 **Principal Office.** The principal office of the Corporation shall as set forth below or such other place as may be established by resolution of the Board:

943 Marble Court
San Jose, CA 94120

Section 1.5 Other Offices. The Corporation may also have offices at such other places within or without the State of California, where it is qualified to do business, as its business may require and as the Board may from time to time designate.

Section 1.6 No Members. This corporation shall have no voting members within the meaning of the California Nonprofit Law. The Board 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 finds appropriate.

ARTICLE II BOARD OF DIRECTORS

Section 2.1 Powers. Subject to the provisions of the California Nonprofit Law and any limitations in the Articles of Incorporation and these Bylaws, the activities and affairs of the Corporation shall be conducted and all corporate powers shall be exercised by or, if delegated, under the direction of the Board. The Board may delegate the management of the corporation's activities to any person(s), management company or committees, however composed, 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 2.2 Number of Directors. The authorized number of Directors shall be not fewer than 5 or more than 15, the exact number of which shall be fixed from time to time by resolution adopted by the Board.

Section 2.3 Election and Term of Office of Directors. The initial term of office for each initial Director shall be either one (1) or two (2) years as drawn by lot. Following the expiration of each initial Director's term, each elected Director shall serve for a term of two (2) years. Each Director shall hold office until the expiration of the term for which such Director is elected and until a successor has been elected and qualified or until such Director's earlier resignation. No amendment of the Articles of Incorporation of this Corporation or these Bylaws to extend the term of a Director or class of Directors generally may extend the term of any individual Director beyond that for which the director was elected, and any reduction of the authorized number of Directors or any amendment reducing the number of classes of Directors does not remove any Director prior to the expiration of such Director's term of office unless the reduction or any amendment also provides for the removal of one or more specified Directors. With the exception of the initial Directors of the Corporation, subsequent Directors shall be elected by the Board at the annual meeting to fill the vacancies then occurring.

Section 2.4 Vacancies on the Board. A vacancy or vacancies on the Board shall occur in the event of (i) the death, removal, or resignation of any Director; (ii) 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 Law, Part 2, Chapter 2, Article 3; or (iii) an increase in the authorized number of Directors.

2.4.1 Any Director may resign, which resignation shall be effective when given in writing to the Board, the Chairperson of the Board, the President, or the Secretary, unless the notice specifies a later time for the resignation to become effective.

2.4.2 Any director may be removed, with or without cause, by the vote of the majority of the members of the entire Board at a special meeting called for that purpose, or at a regular meeting, provided that notice of that meeting and of the removal questions are given in compliance with the provisions of the Ralph M. Brown Act, as said chapter may be modified by subsequent legislation ("Brown Act").

2.4.3 Vacancies on the Board may be filled by approval of the Board or, if the number of Directors then in office is less than a quorum, by (i) the unanimous written consent of the Directors then in office, (ii) the affirmative vote of a majority of the Directors then in office at a meeting held pursuant to notice or waivers of notice complying with this Article II of these Bylaws, or (iii) a sole remaining Director. Vacancies may be filled by the Board for the unexpired portion of the term of the class of Director in which the vacancy occurs.

Section 2.5 Meetings.

2.5.1 Regular Meetings: Annual Board Meeting. Regular meetings of the Board shall be held monthly at a date and time to be specified by the Board. The annual meeting of the Board, shall be held in June of each year at a date and time to be specified by the Board. All meetings of the Board and its committees shall be called, noticed, and held in compliance with the provisions of the Brown Act. At the annual meeting, Directors shall be elected by the Board in accordance with this Article II. Cumulative voting for the election of Directors shall not be permitted. The candidates receiving the highest number of votes up to the number of Directors to be elected shall be elected. Each Director shall be entitled to cast one vote for each Board vacancy.

2.5.2 Place of Meeting. Meetings shall be held at such place within or without Santa Clara County, California as shall be designated from time to time by the Board. All meetings of the Board shall be called, held and conducted in accordance with the terms and provisions of the Brown Act.

2.5.3 Special Meetings. Special meetings of the Board may be called by any Officer of the Corporation or by any two (2) Directors. Such meetings shall be held at any place allowed under the Brown Act, designated by the person or persons calling the meeting.

2.5.4 Notice of Meetings / Contents of Notice. In accordance with the Brown Act, special meetings of the Board may be held only after twenty-four (24) hours' notice is given to each director and to the public through the posting of an agenda. Pursuant to the Brown Act, the Board shall adhere to the following notice requirements for special meetings:

(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 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 electronic means, 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.

(c) 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.

2.5.5 Teleconference Meetings. Members of the Board 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 shall participate in the teleconference meeting from locations within the boundaries of the school district in which the Charter School operates;

(b) All votes taken during a teleconference meeting shall be by roll call;

(c) If the Board 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 participates in a meeting via teleconference must be fully accessible to members of the public and shall be listed on the agenda;

(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 directly at each teleconference location; and

(f) The agenda shall indicate that members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.

2.5.6 Quorum. A majority of the Board then in office shall constitute a quorum for the transaction of business.

(a) Except as otherwise provided in these Bylaws or in the Articles of Incorporation of this Corporation or by law, no business shall be considered by the Board at any meeting at which a quorum is not present, and the only motion which the chair shall entertain at such meeting is a motion to adjourn. A majority of the Directors present, whether or not constituting a quorum, may adjourn any meeting to another time and place. Notice of the time

and place of holding an adjourned meeting need not be given, unless the meeting is adjourned for more than twenty-four (24) hours, in which case personal notice of the time and place shall be given before the time of the adjourned meeting to the Directors who were not present at the time of the adjournment.

(b) The Directors present at a duly called and held meeting at which a quorum is initially present may continue to conduct business notwithstanding the loss of a quorum due to a withdrawal of one or more Directors from the meeting, provided that any action thereafter taken must be approved by at least a majority of the required quorum for such meeting or such greater percentage as may be required by law, or the Articles of Incorporation or Bylaws of this Corporation.

Section 2.6 Board Action by Vote.

(a) Every act or decision approved by the Directors present at a meeting duly held at which a quorum is present shall be regarded as the act of the Board, subject to the provisions of the California Nonprofit Law, including without limitation those provisions relating to (i) approval of contracts or transactions, in which a Director has a direct or indirect material financial interest, (ii) appointment of committees, and (iii) indemnification of Directors.

(b) Each director shall have one vote on each matter presented to the Board for action. No director may vote by proxy.

Section 2.7 Action by Unanimous Consent in Writing without a Meeting. Any action required or permitted to be taken by the Board under any provision of law may be taken without a meeting, if all Directors consent in writing to such action and if, subject to Section 2.4.3 of these Bylaws, the number of Directors then in office constitutes a quorum. Such written consent or consents shall be filed with the minutes of the proceedings of the Board. Such action by written consent may be delivered by facsimile or electronic mail. For purposes of this Section 2.7, “all Directors” does not include an “interested director” or a “common director” if the conditions set forth in Section 5211(b) of the California Nonprofit Law are satisfied. Actions without a meeting may only be taken in compliance with the Brown Act.

Section 2.8 Conduct of Meetings. Meetings of the Board shall be presided over by the Director designated in the notice of meeting provided for each meeting or, if no such person has been designated or, in his or her absence, the Chairperson of the Board, or, if no such person has been so designated or, in his or her absence, the President of the Corporation or, in his or her absence, or, in the absence of each of these persons, by a chairperson chosen by a majority of the Directors present at the meeting. The Secretary of the Corporation shall act as Secretary of all meetings of the Board, provided that, in his or her absence, the presiding Officer shall appoint another person to act as Secretary of the meeting.

Section 2.9 Compensation. Directors may receive such compensation, if any, for their services as Directors or Officers, and such reimbursement of expenses, as the Board may establish by resolution from time to time.

Section 2.10 Minutes. Minutes of each meeting of the Board shall be kept by the Secretary of the Corporation. The Board shall approve minutes of the Board meetings, and the approved minutes shall be filed with the corporate records.

Section 2.11 Standard of Care.

2.11.1 General. As specified in Section 5231 of the California Nonprofit Law, a Director shall perform the duties of a director, including duties as a member of any committee of the Board upon which the Director may serve, in good faith, in a manner that such Director believes to be in the best interests of the Corporation, and with such care, including reasonable inquiry, as an ordinary prudent person in a like situation would use under similar circumstances.

In performing his or her duties, a Director shall be entitled to rely on information, opinions, reports or statements including financial statements and other financial data, in each case prepared or presented by:

(a) One or more Officers, advisors or employees of the Corporation whom the Director believes to be reliable and competent in the matters presented;

(b) Legal counsel, independent accountants or other persons as to matters which the Director believes to be within such person's professional or expert competence; or

(c) A committee of the Board upon which the Director does not serve that is composed exclusively of any combination of Directors, persons described in Section 2.11.1(a), or persons described in Section 2.11.1(b), as to matters within its designated authority, which committee the Director believes to merit confidence, so long as in any such case, the Director acts in good faith, after reasonable inquiry when the need therefore is indicated by the circumstances, and without knowledge that would cause such reliance to be unwarranted.

A person who performs the duties of a director in accordance with the foregoing shall have no liability based upon any failure or alleged failure to discharge that person's obligations as a director, including, without limiting the generality of the foregoing, any actions or omissions which exceed or defeat the charitable purposes to which the Corporation, and assets held by it, are dedicated. Furthermore, pursuant to Sections 5239 and 5047.5 of the California Nonprofit Law, and subject to any conditions set forth therein, there shall be no personal liability to a third party for monetary damages on the part of a volunteer Director or Officer of the Corporation, caused by the Director's or Officer's negligent act or omission in the performance of that person's duties as a Director or Officer.

2.11.2 Non-Liability of Directors and Officers. Unless required by the California Nonprofit Law or any other applicable law, the Directors, Officers and employees of the Corporation shall not be personally liable for the debts, liabilities, or other obligations of the Corporation.

2.11.3 Indemnification by Corporation of Directors, Officers, Employees and Other Agents. The Corporation shall indemnify Directors, Officers, employees and other agents of the Corporation to the maximum extent permitted by law, including without limitation Section 5238 of the California Nonprofit Law.

2.11.4 Insurance for Corporate Agents. The Board may authorize the purchase and maintenance of insurance on behalf of any agent of the Corporation (including without limitation a Director, Officer, employee or other agent of the Corporation) against any liability other than for violating provisions of law relating to self-dealing (Section 5233 of the California Nonprofit Law) asserted against or incurred by the agent in such capacity or arising out of the agent's status as such, whether or not the Corporation would have the power to indemnify the agent against such liability under Section 5238 of the California Nonprofit Law.

2.11.5 Compliance with Laws Governing Student Records. The Charter School and the Board 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.

2.11.6 Compliance with Conflict of Interest Laws. The Charter School and the Board shall comply with applicable conflict of interest laws, including the Political Reform Act and California Government Code Section 1090, et seq. ("Government Code Section 1090"), as said chapter may be modified by subsequent legislation.

Section 2.12 Prohibited Transactions.

2.12.1 Loans. The Corporation shall not make any loan of money or property to or guarantee the obligation of any Director or Officer; provided, however, that the Corporation may advance money to a Director or Officer of the Corporation for expenses reasonably anticipated to be incurred in performance of the duties of such Officer or Director so long as such individual would be entitled to be reimbursed for such expenses absent that advance.

2.12.2 Self-Dealing Transactions. No Director or Officer of this Corporation, nor any other corporation, firm, association, or other entity in which one or more of this Corporation's Directors or Officers are directors or have a material financial interest, shall be interested, directly or indirectly, in any contract or other transaction with this Corporation, unless (i) the material facts regarding such Director's or Officer's financial interest in such contract or transaction and/or regarding such common directorship, officership, or financial interest are fully disclosed in good faith and are noted in the minutes, or are known to all members of the Board prior to consideration by the Board of such contract or transaction; (ii) such contract or transaction is authorized in good faith by a majority of the Board by a vote sufficient for that purpose without counting the vote or votes of such interested Director(s); (iii) prior to authorizing or approving the transaction, the Board considers and in good faith determines after reasonable investigation under the circumstances that the Corporation could not obtain a more advantageous arrangement with reasonable effort under the circumstances; and (iv) this Corporation enters into the transaction for its own benefit, and the transaction is fair and reasonable to this Corporation at the time the transaction is entered into.

2.12.3 Acceptable Transactions. The provisions of this Section do not apply to a transaction which is part of an educational or charitable program of the Corporation if it: (i) is approved or authorized by the Corporation in good faith and without unjustified favoritism; and (ii) results in a benefit to one or more Directors or Officers or their families because they are in

the class of persons intended to be benefited by the educational or charitable program of this Corporation.

ARTICLE III COMMITTEES OF BOARD OF DIRECTORS

Section 3.1 Committees of Board of Directors. The Board may, by resolution adopted by a majority of the Directors then in office, create one or more committees, each consisting of two (2) or more Directors and no one who is not a Director, to serve at the pleasure of the Board. The Board 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 the authority of the Board, to the extent provided in the Board resolution, except that no committee may do the following:

- (a) Approve any action for which Part 2 of the California Nonprofit Law would also require approval of the members or approval of a majority of all members (regardless of whether the Corporation has members);
- (b) Fill vacancies on the Board or on any committee which has the authority of the Board;
- (c) Fix compensation of the Directors for serving on the Board or on any committee;
- (d) Expend corporate funds to support a nominee for Director;
- (e) Amend or repeal the Bylaws or Articles of Incorporation or adopt new Bylaws or Articles of Incorporation;
- (f) Amend or repeal any resolution of the Board which by its express terms is not so amendable or repealable;
- (g) Appoint any other committees of the Board or the members of these committees; or
- (h) Approve any transaction to which this Corporation is a party and in which one or more of the Directors has a material financial interest, except as expressly provided in Section 5233(d)(3) of the California Nonprofit Law.

Section 3.2 Audit Committee. If the Corporation receives or accrues in any fiscal year gross revenue exceeding One Million, Nine Hundred Ninety-Nine Thousand, Nine Hundred Ninety-Nine Dollars (\$1,999,999), exclusive of revenue received from governmental entities as provided in Section 12586(e) of the California Government Code, the Board shall appoint an Audit Committee in accordance with the California Government Code and for the purposes set forth therein.

Section 3.3 Meetings and Actions of Committees. Meetings and actions of committees of the Board shall be governed by, held, and taken under the provisions of these

Bylaws concerning meetings, other Board actions, and the Brown Act, if applicable, 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 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 may adopt rules for the governance of any committee as long as the rules are consistent with these Bylaws. If the Board does not adopt any such rules, the committee may do so.

ARTICLE IV OFFICERS

Section 4.1 Number of Officers. The Officers of the Corporation shall include a President, a Secretary, and a Treasurer. The Corporation may also have, as determined by the Board from time to time, a Chairperson of the Board, one or more Vice Presidents, Assistant Secretaries, Assistant Treasurers, or other Officers. Any number of offices may be held by the same person except that no person serving as the Secretary or the Treasurer may serve concurrently as the President or Chairperson of the Board.

Section 4.2 Relation to Board. The Chairperson of the Board shall be selected from the Directors. Other Officers of the Corporation need not be Directors, but the Treasurer and Secretary shall attend all meetings of the Board.

Section 4.3 Appointment. Officers shall be appointed by, and serve at the discretion of, the Board.

Section 4.4 Terms. All Officers shall serve at the pleasure of the Board. Subject to the rights, if any, of an Officer under any contract of employment, any Officer may be removed, with or without cause, by the Board.

Section 4.5 Removal and Resignation. Any Officer may be removed, either with or without cause, by the Board, at any time. Any Officer may resign at any time by giving written notice to the Board or to the President or Secretary of the Corporation. Any such resignation shall take effect at the date of receipt of such notice or at any later date specified therein.

Section 4.6 Vacancies. A vacancy in any office for any reason may be filled by the Board in the manner set forth in these Bylaws.

Section 4.7 Duties.

4.7.1 **President.** The President shall be the general manager and Chief Executive Officer of the Corporation, and shall, subject to the direction of the Board, generally supervise, direct and control the affairs of the Corporation and the activities of the Officers of the Corporation. Unless another person is specifically appointed as Chairperson of the Board, the President shall preside at all meetings of the Board.

4.7.2 **Vice President.** In the absence of the President, or in the event of his or her inability or refusal to act, a Vice President, if any is serving, shall perform all the duties of the President, and when so acting shall have all the powers of, and be subject to all the restrictions on, the President. The Vice President shall have other powers and perform such other duties as

may be prescribed by the President, the Board, and as may be set forth in these Bylaws. If there is more than one Vice President, the Board shall determine which of them shall succeed to the duties of the President in the event of the President's absence or inability or refusal to act.

4.7.3 Chairperson of the Board. The Chairperson of the Board shall preside at all meetings of the Board and shall perform such other duties as prescribed by the Board, and as may be set forth in these Bylaws.

4.7.4 Secretary. The Secretary shall keep or cause to be kept, at the Corporation's principal office or such other place as the Board may direct, a book of minutes of all meetings, proceedings, and actions of the Board, and of committees of the Board. The minutes of 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; and the names of persons present at the Board and committee meetings.

4.7.5 Assistant Secretaries. The Assistant Secretaries, if any, shall perform the duties of the Secretary in the absence of the Secretary.

4.7.6 Treasurer. The Treasurer shall have charge and custody of all funds of the Corporation, shall deposit such-funds in the manner required by the Board, shall keep and maintain adequate and correct accounts of the Corporation's properties and business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital, retained earnings and other matters customarily included in financial statements, shall render to the President and the Board whenever they request it, reports and accountings of the Corporation's transactions and of the financial condition of the Corporation. In addition, the Treasurer shall discharge such other duties as pertain to the office or as prescribed by the President or the Board, and as may be set forth in these Bylaws.

4.7.7 Salaries. The Board shall fix the salary of the President and the Treasurer (determined in accordance with Section 12586(g) of the California Government Code) and may fix the salaries of other employees of the Corporation, including the other Officers.

ARTICLE V EXECUTION OF INSTRUMENTS, DEPOSITS, AND FUNDS

Section 5.1 Execution of Instruments. The Board, except as otherwise provided in these Bylaws, may authorize any Officer or agent of the Corporation to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances. Unless so authorized, no Officer, agent, or employee shall have any power or authority to bind the Corporation by any contract or engagement or to pledge its credit or to render it liable for any amount over \$5,000.

Section 5.2 Checks and Notes. Except as otherwise specifically determined by resolution of the Board, or as otherwise required by law, checks, drafts, promissory notes, orders for the payment of money, and other evidence of indebtedness of the Corporation shall be signed by the Treasurer and countersigned by the President or any Vice President of the Corporation.

Section 5.3 **Deposits.** All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, or other depositories as the Board may select.

ARTICLE VI FINANCIAL AFFAIRS

Section 6.1 **Fiscal Year.** The fiscal year of the Corporation shall end on June 30 of each year.

ARTICLE VII CORPORATE RECORDS, SEAL, AND REPORTS

Section 7.1 **Maintenance of Corporate Records.** The Corporation shall keep at its principal office in the State of California:

7.1.1 Minutes of all meetings of Directors and committees of the Board, indicating the time and place of holding such meetings, whether regular or special, how called, the notice given, and the names of those present and the proceedings thereof;

7.1.2 Adequate and correct books and records of account, including accounts of its properties and business transactions and accounts of its assets, liabilities, receipts, disbursements, gains, and losses;

7.1.3 A copy of the Corporation's Articles of Incorporation and Bylaws as amended to date, which shall be open to inspection by the Directors of the Corporation at all reasonable times during office hours.

Section 7.2 **Corporate Seal.** The Board may adopt, use, and at will alter, a corporate seal. Such seal shall be kept at the principal office of the Corporation. Failure to affix the seal to corporate instruments, however, shall not affect the validity of any such instrument.

Section 7.3 **Directors' Inspection Rights.** Every Director shall have the right at any reasonable time to inspect and copy all books, records, and documents of every kind and to inspect the physical properties, if any, of the Corporation.

Section 7.4 **Right to Copy and Make Extracts.** Any inspection under the provisions of this Article may be made in person or by agent or attorney and the right to inspection shall include the right to copy and make extracts.

Section 7.5 **Annual Report.** The Board shall cause an annual report to be furnished annually not later than one hundred and twenty (120) days after the close of the Corporation's fiscal year to all Directors of the Corporation which shall contain the following information in appropriate detail:

7.5.1 The assets and liabilities, including trust funds, of the Corporation as of the end of the fiscal year;

7.5.2 The principal changes in assets and liabilities, including trust funds, during the fiscal year;

7.5.3 The revenue or receipts of the Corporation, both unrestricted and restricted to particular purposes, for the fiscal year;

7.5.4 The expenses or disbursements of the Corporation, for both general and restricted purposes, during the fiscal year;

7.5.5 Any transaction during the previous fiscal year involving more than Ten Thousand Dollars (\$10,000.00), individually or in the aggregate, between this Corporation (or any parent or subsidiary) and any Director, Officer or holder of more than ten percent (10%) of the voting power of the Corporation (or any parent or subsidiary) in which such Director, Officer or holder had a direct or indirect material financial interest, as required by Section 6322 of the California Nonprofit Law. The report must disclose the names of the interested persons involved in such transaction, stating such person's relationship to the Corporation, the nature of such person's interest in the transaction, and, where practicable, the amount of such interest; and

7.5.6 The amount and circumstances of any indemnification or advances aggregating more than Ten Thousand Dollars (\$10,000.00) paid during the previous fiscal year to any Officer or Director of the Corporation, as required by Section 6322 of the California Nonprofit Law.

ARTICLE VIII RACIALLY NONDISCRIMINATORY POLICY

Section 8.1 Racially Nondiscriminatory Policy.

The Corporation admits students of any race, color, national origin, and ethnic origin to all the rights, privileges, programs and activities generally accorded or made available to students at the school. It does not discriminate on the basis of race, color, national origin, and ethnic origin in administration of its educational policies, admission policies, scholarship and loan programs and athletic and other school-administered programs. The directors and officers of the Corporation shall use their powers to ensure this provision is strictly enforced by the Corporation and all its directors, officers, employees, agents, consultants or other similarly situated personnel.

ARTICLE IX AMENDMENTS

Section 9.1 Amendment of Articles of Incorporation. The Articles of Incorporation may be amended by majority vote of the Directors then in office.

Section 9.2 Amendments to Bylaws. The Bylaws may be amended by majority vote of the Directors then in office.

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CERTIFICATE OF SECRETARY

I certify that I am the duly elected and acting Secretary of Legacy Academy, Inc., a California nonprofit public benefit corporation (the "Corporation"), that the foregoing is a true and correct copy of Bylaws of the Corporation and that such Bylaws were duly adopted by the Board of Directors of the Corporation on the date set forth below.

Dated: [____], 2015

By: _____

Secretary

CONFLICT OF INTEREST POLICY
OF
LEGACY ACADEMY, INC.,
a California Nonprofit Public Benefit Corporation

ARTICLE I
PURPOSE

The purpose of this conflict of interest policy (the “Conflict of Interest Policy”) is to protect the interests of Legacy Academy, Inc. (the “Corporation”) when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Corporation or might result in a possible excess benefit transaction. The Conflict of Interest Policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

ARTICLE II
DEFINITIONS

Section 2.1 Interested Person: Any director, principal officer or member of a committee with governing board (“Board”) delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

Section 2.2 Financial Interest: A person has a financial interest if the person has, directly or indirectly, through business, investment or family:

- (a) An ownership or investment interest in any entity with which the Corporation has a transaction or arrangement;
- (b) A compensation arrangement with the Corporation or with any entity or individual with which the Corporation has a transaction or arrangement; or
- (c) A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Corporation is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. Under Section 3.2, a person who has a financial interest may have a conflict of interest only if the appropriate Board or committee decides that a conflict of interest exists.

ARTICLE III PROCEDURES

Section 3.1 Duty to Disclose: In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with Board delegated powers considering the proposed transaction or arrangement.

Section 3.2 Determining Whether a Conflict of Interest Exists: After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the Board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining Board or committee members shall decide if a conflict of interest exists.

Section 3.3 Procedures for Addressing the Conflict of Interest:

(a) An interested person may make a presentation at the Board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest;

(b) The chairperson of the Board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement;

(c) After exercising due diligence, the Board or committee shall determine whether the Corporation can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest; and

(d) If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Corporation's best interest, for its own benefit and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.

Section 3.4 Violations of the Conflict of Interest Policy:

(a) If the Board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

(b) If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

**ARTICLE IV
RECORDS OF PROCEEDINGS**

The minutes of the Board and all committees with Board delegated powers shall contain:

- (a) The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present and the Board's or committee's decision as to whether a conflict of interest in fact existed; and
- (b) The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

**ARTICLE V
COMPENSATION**

- (a) A voting member of the Board who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.
- (b) A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.
- (c) No voting member of the Board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Corporation, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

**ARTICLE VI
ANNUAL STATEMENTS**

Each director, principal officer and member of a committee with Board delegated powers shall annually sign a statement which affirms such person:

- (a) Has received a copy of the Conflict of Interest Policy;
- (b) Has read and understands the Conflict of Interest Policy;
- (c) Has agreed to comply with the Conflict of Interest Policy; and
- (d) Understands the Corporation is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

**ARTICLE VII
PERIODIC REVIEWS**

To ensure the Corporation operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

(a) Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining; and

(b) Whether partnerships, joint ventures and arrangements with management Corporations conform to the Corporation's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

**ARTICLE VIII
USE OF OUTSIDE EXPERTS**

When conducting the periodic reviews as provided for in Article VII, the Corporation may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the Board of its responsibility for ensuring periodic reviews are conducted.

[Remainder of page intentionally left blank.]

CERTIFICATE OF SECRETARY

I certify that I am the duly elected and acting Secretary of Legacy Academy, Inc., a California nonprofit public benefit corporation (the "Corporation"), that the foregoing is a true and correct copy of the Conflict of Interest Policy of the Corporation and that such Conflict of Interest Policy was duly adopted by the Board of Directors of the Corporation on the date set forth below.

Dated:

By: _____
Name:
Title:

STATEMENT OF VALUES AND CODE OF ETHICS

OF

LEGACY ACADEMY, INC.

a California Nonprofit Public Benefit Corporation

ARTICLE I

PERSONAL AND PROFESSIONAL INTEGRITY

All staff, board members and volunteers of Legacy Academy, Inc. (the “Corporation”) act with honesty, integrity and openness in all their dealings as representatives of the Corporation. The Corporation promotes a working environment that values respect, fairness, openness and integrity.

ARTICLE II

MISSION

The Corporation’s mission and purpose is to engage exclusively in charitable activities within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”), or the corresponding provisions of any future United States internal revenue law. All of its programs support that mission, and all who work for or on behalf of the Corporation understand and are loyal to that mission and purpose. The mission is responsive to the constituency and communities served by the Corporation and of value to society at large.

ARTICLE III

GOVERNANCE

The Corporation has an active governing body, the board of directors (the “Board”) that is responsible for setting the mission and strategic direction of the Corporation and oversight of the finances, operations and policies of the Corporation. The Board:

(a) Ensures that its directors have the requisite skills and experience to carry out their duties and that all directors understand and fulfill their governance duties acting for the benefit of the Corporation and its public purpose;

(b) Ensures that its directors comply with the relevant provisions of the California Nonprofit Public Benefit Corporation Law, under which the Corporation is incorporated, including the duty of care and the duty of loyalty, and the Internal Revenue Code of 1986, as amended;

(c) Has adopted a Conflict of Interest Policy that ensures that any conflicts of interest or the appearance thereof are avoided or appropriately managed through disclosure, recusal or other means;

- (d) Ensures that appropriate staff provide the Board with timely and comprehensive information so that the Board can effectively carry out its duties;
- (e) Ensures that the Corporation conducts all transactions and dealings with integrity and honesty;
- (f) Ensures that the Corporation promotes working relationships with directors, staff, volunteer and program beneficiaries that are based on mutual respect, fairness and openness;
- (g) Ensures that the Corporation is fair and inclusive in its hiring and promotion policies and practices for all directors, staff and volunteer positions;
- (h) Ensures that policies of the Corporation are in writing, clearly articulated and officially adopted;
- (i) Ensures that the resources of the Corporation are responsibly and prudently managed; and
- (j) Ensures that the Corporation has the capacity to carry out its programs effectively.

ARTICLE IV LEGAL COMPLIANCE

The Corporation is knowledgeable of and complies with all laws and regulations applicable to it.

ARTICLE V RESPONSIBLE STEWARDSHIP

The Corporation manages its funds responsibly and prudently. This includes:

- (a) Spending a reasonable percentage of its annual budget on programs in pursuance of its mission;
- (b) Spending an adequate amount on administrative expenses to ensure effective accounting systems, internal controls, competent staff and other expenditures critical to professional management;
- (c) Compensating staff, and any others who may receive compensation, reasonably and appropriately;
- (d) Having reasonable fundraising costs, recognizing the variety of factors that affect fundraising costs;
- (e) Not accumulating operating funds excessively;

(f) Ensuring that all spending practices and policies are fair, reasonable and appropriate to fulfill the mission of the Corporation; and

(g) Ensuring that all financial reports are factually accurate and complete in all material respects.

ARTICLE VI OPENNESS AND DISCLOSURE

The Corporation provides comprehensive and timely information to the public, the media and all stakeholders and is responsive in a timely manner to reasonable requests for information. All information about the Corporation will fully and honestly reflect the policies and practices of the Corporation. Basic informational data about the Corporation, such as the Form 990, reviews and compilations and audited financial statements will be posted on the Corporation's website or otherwise available to the public. All solicitation materials accurately represent the Corporation's policies and practices and will reflect the dignity of program beneficiaries. All financial, organizational and program reports will be complete and accurate in all material respects.

ARTICLE VII PROGRAM EVALUATION

The Corporation regularly reviews program effectiveness and has mechanisms to incorporate lessons learned into future programs. The Corporation is committed to improving program and organizational effectiveness and develops mechanisms to promote learning from its activities and the field. The Corporation is responsive to changes in its field of activity and is responsive to the needs of its constituencies.

ARTICLE VIII INCLUSIVENESS AND DIVERSITY

The Corporation has a policy of promoting inclusiveness and its staff, Board and volunteers reflect diversity in order to enrich its programmatic effectiveness. The Corporation takes meaningful steps to promote inclusiveness in its hiring, retention, promotion, Board recruitment and constituencies served.

ARTICLE IX FUNDRAISING

The Corporation is truthful in its solicitation materials. It respects the privacy concerns of individual donors and expends funds consistent with donor expectations. The Corporation discloses important and relevant information to potential donors.

In raising funds from the public, the Corporation will respect the rights of donors, as follows:

- (a) To be informed of the mission of the Corporation, the way the resources will be used and the Corporation's capacity to use donations effectively for their intended purposes;
- (b) To be informed of the identity of those serving on the Board and to expect the Board to exercise prudent judgment in its stewardship responsibilities;
- (c) To have access to the Corporation's most recent financial reports;
- (d) To be assured their gifts will be used to further the mission of the Corporation;
- (e) To receive appropriate acknowledgement and recognition;
- (f) To be assured that information about their donations is handled with respect and with confidentiality to the extent provided by the law;
- (g) To expect that all relationships with individuals representing the Corporation will be professional in nature;
- (h) To be informed whether those seeking donations are volunteers, employees of the Corporation or hired solicitors;
- (i) To have the opportunity for their names to be deleted from mailing lists that the Corporation may intend to share; and
- (j) To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.

[Remainder of page intentionally left blank.]

CERTIFICATE OF SECRETARY

I certify that I am the duly elected and acting Secretary of Legacy Academy, Inc., a California nonprofit public benefit corporation (the "Corporation"), that the foregoing is a true and correct copy of the Statement of Values and Code of Ethics of the Corporation and that such Statement of Values and Code of Ethics was duly adopted by the Board of Directors of the Corporation on the date set forth below.

Dated: [_____], 2015

By: _____
Name:
Title:

**UNANIMOUS WRITTEN CONSENT
IN LIEU OF A MEETING
OF THE
BOARD OF DIRECTORS
OF
LEGACY ACADEMY, INC.,**

a California Nonprofit Public Benefit Corporation

Pursuant to Section 5211 of the Nonprofit Corporation Law of California, the Board of Directors (the "Board") of Legacy Academy, Inc., a California nonprofit public benefit corporation (the "Corporation"), by unanimous written consent to action in lieu of a meeting of the Board, does hereby adopt the following resolutions as of [____], 2015.

INCORPORATION

WHEREAS, the original Articles of Incorporation of the Corporation (the "Articles") were filed in the office of the California Secretary of State on [____], 2015; and

WHEREAS, the undersigned have been elected by the incorporator of the Corporation (the "Incorporator") to be directors of the Corporation.

NOW, THEREFORE, BE IT RESOLVED, that all actions heretofore taken on behalf of the Corporation by the Incorporator be, and they hereby are, ratified and affirmed in all respects;

RESOLVED FURTHER, that a certified copy of the Articles be inserted by the Secretary of the Corporation in the minute book of the Corporation; and

RESOLVED FURTHER, that, pursuant to Section 5160 of the California Nonprofit Corporation Law, the Secretary of the Corporation be, and hereby is, authorized and directed to cause a true and complete copy of the Articles, as amended from time to time, as now or hereafter in effect, similarly certified, to be kept at the principal office of the Corporation in California, which Articles shall be open to inspection by the members of the Corporation, if any, at all reasonable times during office hours. If the Corporation has no office in California, the Secretary of the Corporation shall, upon the written request of any member, furnish to such member a copy of such Articles.

ADOPTION OF BYLAWS

WHEREAS, it is deemed to be in the best interest of the Corporation that Bylaws be adopted.

NOW, THEREFORE, BE IT RESOLVED, that the Bylaws in the form attached hereto as Exhibit A be, and they hereby are, adopted as the Bylaws of the Corporation.

RESOLVED FURTHER, that the Secretary of the Corporation be, and hereby is, authorized and directed to execute a certificate as to the adoption of the Bylaws by these resolutions, to affix such certificate immediately following the last page of the Bylaws and to

cause said Bylaws, together with such certificate, to be placed in the minute book of the Corporation; and

RESOLVED FURTHER, that, pursuant to Section 5160 of the California Nonprofit Corporation Law, the Secretary of the Corporation be, and hereby is, authorized and directed to cause a true and complete copy of the Bylaws, as amended from time to time, as now or hereafter in effect, similarly certified, to be kept at the principal office of the Corporation in California, which Bylaws shall be open to inspection by the members of the Corporation, if any, at all reasonable times during office hours. If the Corporation has no office in California, the Secretary of the Corporation shall, upon the written request of any member, furnish to such member a copy of such Bylaws.

ELECTION OF OFFICERS

RESOLVED, that the following persons be, and they hereby are, nominated and elected to the indicated offices of the Corporation set forth before their names below, to serve until such persons resign or are terminated or replaced by a duly authorized action of the Board:

<u>Title</u>	<u>Name</u>
President	
Treasurer	
Secretary	

ESTABLISHMENT OF TAX EXEMPTION

WHEREAS, the Corporation plans to apply for tax-exempt status under federal and state law; and

WHEREAS, such applications will require preparation and presentation of appropriate documents and representation of the Corporation before federal and state authorities.

NOW, THEREFORE, BE IT RESOLVED, that the officers of the Corporation be, and each hereby is, authorized to prepare and present such tax exemption applications as may be necessary for the establishment of tax-exempt status; and

RESOLVED FURTHER, that the officers of the Corporation be, and each hereby is, authorized and directed to execute all documents required for the Corporation to gain exemption from federal and state taxes and to pay all expenses and fees incident and necessary to the preparation and filing of said documents.

AUTHORIZATION OF FUNDRAISING ACTIVITIES

WHEREAS, the purposes of the Corporation as stated in the Articles of Incorporation include engaging in charitable activities within the meaning of Section 501(c)(3) of the Internal

Revenue Code of 1986, as amended, or the corresponding provisions of any future United States internal revenue law; and

WHEREAS, the Corporation intends to raise funds in furtherance of such purposes.

NOW, THEREFORE, BE IT RESOLVED, that the officers of the Corporation be, and each hereby is, authorized, empowered and directed, in the name and on behalf of the Corporation, to take any and all actions deemed necessary, proper or desirable in order to raise funds in furtherance of its stated purposes.

ADOPTION OF CONFLICT OF INTEREST POLICY

WHEREAS, it is deemed to be in the best interest of the Corporation that a Conflict of Interest Policy be adopted.

NOW, THEREFORE, BE IT RESOLVED, that the Conflict of Interest Policy in the form attached hereto as Exhibit B be, and hereby is, adopted as the Conflict of Interest Policy of the Corporation.

RESOLVED FURTHER, that the Secretary of the Corporation be, and hereby is, authorized and directed to execute a certificate as to the adoption of the Conflict of Interest Policy by these resolutions, to affix such certificate immediately following the last page of the Conflict of Interest Policy and to cause said Conflict of Interest Policy, together with such certificate, to be placed in the minute book of the Corporation.

ADOPTION OF STATEMENT OF VALUES AND CODE OF ETHICS

WHEREAS, it is deemed to be in the best interest of the Corporation that a Statement of Values and Code of Ethics be adopted.

NOW, THEREFORE, BE IT RESOLVED, that the Statement of Values and Code of Ethics in the form attached hereto as Exhibit C be, and hereby is, adopted as the Statement of Values and Code of Ethics of the Corporation.

RESOLVED FURTHER, that the Secretary of the Corporation be, and hereby is, authorized and directed to execute a certificate as to the adoption of the Statement of Values and Code of Ethics by these resolutions, to affix such certificate immediately following the last page of the Statement of Values and Code of Ethics and to cause said Statement of Values and Code of Ethics, together with such certificate, to be placed in the minute book of the Corporation.

ADOPTION OF ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY

WHEREAS, it is deemed to be in the best interest of the Corporation that an Anti-Discrimination and Anti-Harassment Policy be adopted.

NOW, THEREFORE, BE IT RESOLVED, that the Anti-Discrimination and Anti-Harassment Policy in the form attached hereto as Exhibit D be, and hereby is, adopted as the Anti-Discrimination and Anti-Harassment Policy of the Corporation.

RESOLVED FURTHER, that the Secretary of the Corporation be, and hereby is, authorized and directed to execute a certificate as to the adoption of the Anti-Discrimination and Anti-Harassment Policy by these resolutions, to affix such certificate immediately following the last page of the Anti-Discrimination and Anti-Harassment Policy and to cause said Anti-Discrimination and Anti-Harassment Policy, together with such certificate, to be placed in the minute book of the Corporation.

ADOPTION OF ACCOUNTING YEAR

WHEREAS, it is deemed to be in the best interest of the Corporation that an accounting year ending on June 30 be adopted.

NOW, THEREFORE, BE IT RESOLVED, that the first accounting year of the Corporation is hereby fixed from the date hereof to June 30, 2015, and thereafter the accounting year of the Corporation is to end on June of every year.

CORPORATE RECORD BOOKS

WHEREAS, it is necessary to purchase and establish corporate record books of the Corporation.

NOW, THEREFORE, BE IT RESOLVED, that the Secretary of the Corporation be, and hereby is, authorized, empowered and directed to purchase and establish the corporate record books of the Corporation and to pay all expenses related thereto.

BANKING AUTHORIZATION

WHEREAS, it is deemed to be in the best interests of the Corporation that certain of the officers of the Corporation be authorized and empowered to take certain actions on behalf of the Corporation with respect to banking arrangements.

NOW, THEREFORE, BE IT RESOLVED, that the President, Treasurer and Secretary of the Corporation be, and each of them hereby is, authorized, empowered and directed, in the name of and on behalf of the Corporation, to establish such banking arrangements as from time to time become necessary, desirable or appropriate, including arrangements with respect to establishing and maintaining checking and depository accounts, and that the signatures of any such officer of the Corporation on the form of certificate of resolution(s) customarily required by any such banking institution authorizing such arrangements shall constitute and be construed as a written consent to the adoption of such resolution(s) by the Board under Section 5211 of the California Nonprofit Corporation Law, and that the Secretary of the Corporation is hereby authorized to certify to such resolution(s) so signed by such officer of the Corporation in such form as said banking institution may customarily require, and such resolution(s) so certified shall be deemed to be copied in the minute book of the Corporation as if set forth therein in full.

AUTHORIZATION TO ENTER INTO CONTRACTS

WHEREAS, it is deemed in the best interests of the Corporation that its officers be enabled, in the name of and on behalf of the Corporation, to enter into contracts and make purchases related to the business and affairs of the Corporation.

NOW, THEREFORE, BE IT RESOLVED, that the officers of the Corporation be, and each of them hereby is, authorized and empowered, in the name of and on behalf of the Corporation, to enter into contracts and make purchases related to the business and affairs of the Corporation in amounts not to exceed \$5,000 in the aggregate for any single transaction or series of related transactions unless otherwise approved by the Board.

APPOINTMENT OF ATTORNEYS

WHEREAS, it is deemed to be in the best interests of the Corporation to appoint certain attorneys to assist the Corporation with its legal matters; and

WHEREAS, commencing prior to the incorporation of the Corporation, the law firm of Gibson, Dunn & Crutcher LLP (“Gibson Dunn”), pursuant to an engagement letter executed by the Corporation, assisted with certain legal matters related to the Corporation, including certain matters related to the organization of the Corporation and its prospective applications for federal and state tax exemptions.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby appoints Gibson Dunn to assist the Corporation with its legal matters as may be determined to be necessary and advisable by the officers of the Corporation;

RESOLVED FURTHER, that the officers of the Corporation be, and each of them hereby is, authorized, empowered and directed, in the name of and on behalf of the Corporation, to execute an engagement letter with Gibson Dunn of the form attached hereto as Exhibit E, with such modifications thereto as they may determine to be necessary and advisable; and

RESOLVED FURTHER, that all actions heretofore taken by Gibson Dunn on behalf of or that related to the Corporation be, and they hereby are, ratified and affirmed in all respects.

INSURANCE

WHEREAS, it may be necessary, advisable and in the best interests of the Corporation from time to time to purchase insurance policies in the name of the Corporation.

NOW, THEREFORE, BE IT RESOLVED, that the officers of the Corporation be, and each of them hereby is, authorized, empowered and directed, in the name of and on behalf of the Corporation, to perform any and all such acts as he or she deems necessary or advisable in order to obtain such insurance policies, and to execute and submit all requisite documents and pay all premiums and fees necessary to obtain such insurance policies.

STATEMENT OF INFORMATION

WHEREAS, the Corporation is required to file a Statement of Information by Domestic Nonprofit Corporation with the California Secretary of State within 90 days after filing its Articles of Incorporation and bi-annually thereafter.

NOW, THEREFORE, BE IT RESOLVED, that the officers of the Corporation be, and each of them hereby is, authorized, empowered and directed, in the name of and on behalf of the Corporation, to prepare and file, or cause to be prepared and filed, a Statement of Information by Domestic Nonprofit Corporation with the California Secretary of State within 90 days of the date hereof and bi-annually thereafter, and to pay all filing fees related thereto.

EMPLOYER IDENTIFICATION APPLICATION

WHEREAS, it is deemed to be in the best interests of the Corporation that the Corporation apply for and obtain an employer identification number from the Internal Revenue Service (“IRS”) and any other identification numbers required by law or deemed to be necessary or advisable.

NOW, THEREFORE, BE IT RESOLVED, that the officers of the Corporation be, and each of them hereby is, authorized, empowered and directed, in the name of and on behalf of the Corporation, to prepare and file, or cause to be prepared and filed, appropriate applications to obtain an employer identification number with the IRS and any other identification numbers required by law or deemed to be necessary or advisable for the conduct of the business of the Corporation;

RESOLVED FURTHER, that such specific resolutions as may be required to have been adopted by the Board in connection with any of the actions authorized or permitted by the foregoing resolutions by any of the jurisdictions in which such actions are taken or applications filed be and the same hereby are adopted, and the Secretary of the Corporation is hereby authorized to certify as to the adoption of any and all such resolutions; and

TAX EXEMPTION APPLICATIONS

WHEREAS, it is deemed to be in the best interests of the Corporation that the Corporation apply to the IRS for federal tax exemption under Section 501(c)(3) of the Internal Revenue Code and to the California Franchise Tax Board (the “FTB”) for state tax exemption under Section 23701(d) of the California Revenue and Taxation Code.

NOW, THEREFORE, BE IT RESOLVED, that the officers of the Corporation be, and each of them hereby is, authorized, empowered and directed, in the name of and on behalf of the Corporation, to prepare and file, or cause to be prepared and filed, appropriate applications, forms and supporting documentation with the IRS and the FTB to obtain federal and state tax exempt status.

PERMITS, LICENSES, CHARTERS AND REGISTRATION

WHEREAS, it may be necessary, advisable and in the best interests of the Corporation from time to time to obtain permits, licenses, charters and registrations that local, state, federal and international agencies may require for the conduct of the Corporation's business.

NOW, THEREFORE, BE IT RESOLVED, that the officers of the Corporation be, and each of them hereby is, authorized, empowered and directed, in the name of and on behalf of the Corporation, to perform any and all such acts as he or she deems necessary or advisable in order to obtain the permits, licenses, charters and registrations that local, state, federal and international agencies may require for the conduct of the Corporation's business to comply with the applicable laws of any such agencies, and to execute and file all requisite documents and pay all fees in an effort to obtain such permits, licenses, charters and registrations.

REIMBURSEMENT OF EXPENSES

WHEREAS, the Bylaws of the Corporation provide that directors and officers of the Corporation may receive reasonable reimbursement of expenses incurred in the performance of their duties as may be fixed or determined by resolution of the Board.

NOW, THEREFORE, BE IT RESOLVED, that each director or officer of the Corporation may receive reasonable reimbursement of expenses incurred in the performance of his/her duties in amounts not to exceed \$5,000 for any single expense or series of related expenses unless otherwise approved by the Board. Any requested reimbursements of expenses incurred in the performance of such director's or officer's duties in excess of such amounts may be reimbursed only with the advance written approval of the Board.

GENERAL RESOLUTIONS

FURTHER RESOLVED, that any specific resolutions that may be required to have been adopted by the Board in connection with the actions contemplated by the foregoing resolutions be, and the same hereby are, adopted, and the Secretary of the Corporation is hereby authorized to certify as to the adoption of any and all such resolutions; and

FURTHER RESOLVED, that the officers of the Corporation be, and each of them acting alone hereby is, authorized, empowered and directed on behalf of the Corporation and in its name to take or cause to be taken all actions, and to execute and deliver all such instruments and documents that any one or more officers of the Corporation approve as necessary or desirable in connection with the foregoing resolutions, such approval to be conclusively evidenced by the taking of any such action or the execution and delivery of any such instrument or document by the officer or officers of the Corporation.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, the undersigned, constituting all of the directors of Legacy Academy, Inc., has hereunto executed this written consent, such consent to be effective as of the date first set forth above.

EXHIBIT A

BYLAWS

EXHIBIT B

CONFLICT OF INTEREST POLICY

EXHIBIT C

STATEMENT OF VALUES AND CODE OF ETHICS

EXHIBIT D

ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY

EXHIBIT E

ENGAGEMENT LETTER

Appendix D-7 - Administration and Board Biographies, Resumes, and Board Contact Information

Executive Director

Marc T. Buller

Former Chief Assistant District Attorney

For over 30 years, former Chief Assistant District Attorney, Mr. Buller has been responsible for various functions of the District Attorney's Office. He has been a leader within the office on matters related to Juvenile Justice. Mr. Buller has been a member of the San Jose Mayor's Gang Prevention Task Force since 1993. He has developed multiple community and school outreach programs that includes an inter-agency committee on law enforcement and schools and Youth Court at local high schools, as well as establishing the Law Related Education Program (LRE) for 5th grade students. Mr. Buller has co-chaired the Juvenile Hall Advisory Board, as well as the liaison for the District Attorney's Office for the implementation of Juvenile Detention Reform initiative including the Disproportional Minority Representation committee. He has successfully procured over a million dollars for Juvenile Justice Programs as well as various programs he is involved with, and has shaped countless other programs/policies that aim to improve Santa Clara County's juvenile justice system with an emphasis on prevention. To this end Mr. Buller has built deep relationships with educational and community partners to address the needs of the youth of Santa Clara County. Mr. Buller received his J.D. degree from Pepperdine University, School of Law and has been a member of the California State Bar since 1983. Mr. Buller retired from the District Attorney's Office December 2014 to devote himself full time to opening The Legacy Academy.

Board of Directors

Frederick J Ferrer

Chief Executive Officer, The Health Trust

Mr. Ferrer leads the Health Trust, a non-profit charitable foundation that provides direct health services, offers grants, builds community partnerships, advocates for policy changes, raises money and leads new initiatives to support its vision: making Silicon Valley healthier for everyone. Before joining The Health Trust, Mr. Ferrer founded and led Manzanita Solutions, where he provided consultation on child development, non-profit management and community inter-relations. Mr. Ferrer is the former Executive Director of Estrella Family Services, and was chair of the FIRST 5 Santa Clara County Commission. He is on the Board of Santa Clara University's Ignatian Center for Jesuit Education and is a former member of its Department of Education's Autism Advisory Board. Mr. Ferrer serves as president of the Rocketship Education Board. He is a former board member of the American Leadership Forum Silicon Valley (ALF-SV) and a current ALF Senior Fellow (Class XI). He is also a community advisor to the Johns S. and James L. Knight foundation.

Andre V. Chapman

Chief Executive Officer, Unity Care

In 1992, as a National Director of Sales and disheartened by the lack of other minorities in the technology field, Mr. Chapman redirected his focus and founded Unity Care Group, Inc. with the goal of developing educational and social programs designed to enrich the lives of disadvantaged youth. As Founder and CEO, he is dedicated to making a positive impact on the youth in our community by providing opportunities (physically, emotionally, and spiritually) that will enhance their lives and teach them how to become productive citizens in our society. Mr. Chapman has received numerous awards of distinction and commendation honoring his tireless dedication and community involvement. His recognitions have included: "Outstanding/Invaluable Community Service" by United States Congress, "Human Relations, Board of Supervisors Award" by California State Senate/Assembly, "Partner of the Decade" by the City of San Jose, "Circle of Friends" Award by San Jose/Silicon Valley NAACP. Mr. Chapman is also the Chair of the Social Services Advisory Commission, Santa Clara County and current Network Development committee member of the American Leadership Forum Silicon Valley (ALF-SV) and a current ALF Senior Fellow (Class XXIII). Unity Care is a multi-service culturally proficient youth and family development.

Greg Lippman

Executive Director, ACE Charter Schools

Mr. Lippman joined ACE in 2007 as Executive Director, after a long history of working with public schools in San Jose. He was the co-founder and original Principal of Downtown College Prep (DCP), a charter high school in San Jose Unified whose mission is to help low-achieving students become the first in their family to graduate from a four-year college. Mr. Lippman has experience and expertise in many aspects of creating and sustaining new schools, especially standards-based academic program and school culture design, teacher and administrator development, and community outreach. Before joining DCP, he spent 8 years in the classroom

as an English and ESL teacher in San Jose and East Palo Alto. Mr. Lippman received his BA in English Literature from Princeton University and his Masters in the Arts of Teaching from Stanford University.

Nancy Pena

Behavioral Health Consultant

Ms. Peña is a Clinical Psychologist, who has been working in the field of Mental Health Service Delivery for the past 35 years. She began her career as the Mental Health Director of a community-based agency specializing in providing health and mental health services to the Spanish-speaking community of downtown San Jose. In 1984, she joined the Santa Clara County Mental Health Department, Acute Psychiatric Services, where she was Director of Psychiatric Inpatient Social Services and Child and Adolescent Services, which included services to youth in Juvenile Hall, the Children's Shelter, the State Hospital and local intensive residential treatment programs. In 1992, she became director of Mental Health Children and Family Services Division, and in 1998, she was appointed Deputy Director of the Mental Health Department. In December 2000, she was appointed Director of Mental Health. At the time of her retirement in December 2014, the Santa Clara County Public Mental Health System served over 28,000 children and adults annually through a large countywide network of county operated and contract providers with a budget of over \$350 million of county, state, and federal funds.

Mary Patterson

Chief Executive Officer/Founder, High Thrive

Ms. Patterson is a specialist in the field of child and youth health and development. She is an experienced teacher, trainer, policy advocate, and executive manager. For more than 25 years, Ms. Patterson has worked in schools, government agencies, and nonprofit organizations to improve the lives of children and youth. Ms. Patterson's professional training is in the field of maternal and child health, and she holds a Master's of Public Health degree from the University of North Carolina at Chapel Hill and a Bachelor's degree in Human Biology from Stanford University. She has traveled extensively, including a year in Brussels, Belgium as a Fulbright Scholar conducting research in the field of child health. Ms. Patterson's work experience has included the U.S. Congress, the California Family Health Council, the Santa Clara County Executive's Office, and Project Cornerstone. Mary currently serves as a Community Instructor at the Lucile Packard Children's Hospital and the Director of Strategic Partnerships for The Health Trust.

Gary Rummelhoff

Chief Financial Officer, Unity Care

Gary Rummelhoff brings 36 years of executive multi-industry experience, including a variety of leadership positions for multi-million dollar non-profit, government and corporate organizations. He holds an MBA from Southern Methodist University, Cox School of Business and a BS/BA from University of Missouri, Columbia, and College of Business. Mr. Rummelhoff was a CFO of the Year 2010 Finalist, San Jose Silicon Valley Business Journal. Mr. Rummelhoff has served

on School Boards for San Jose Unified School District and the Santa Clara County Office of Education.

Board Contact Information

Fred Ferrer	fredf@healthtrust.org	408 513-8700
Andre Chapman	andre@unitycare.org	408 592-5191
Mary Patterson	pitterpatt@comcast.net	408 705-8810
Greg Lippman	glippman@acecharter.org	408 677-1546
Gary Rummerhoff	rummelhoff@yahoo.com	408 396-5970
Nancy Pena	penanan@aol.com	408 605-0631

MARC T. BULLER
943 Marble Ct. San Jose, CA 95120
mpbuller@sbcglobal.net

EXPERIENCE

Santa Clara County District Attorney's Office
Chief Assistant District Attorney, June 2006 to December 2010
Responsible for the day-to-day operation of the District Attorney's Office which included managing over 500 employees including 200 attorneys 90 Law Enforcement officers and the County Crime Laboratory while overseeing a \$85 million budget.

Santa Clara County District Attorney's Office
Assistant District Attorney, January 2011 to December 2014
Responsible for Homicide Division, Cold Case Unit, Lifer Hearing Unit, Officer Involved Shooting and Juvenile Division
Assistant District Attorney, August 1994 to June 2006
Responsible for Misdemeanor Unit, which includes Pretrial Unit and Trial Team, Juvenile Wards Team, Schools/Truancy, Alternative Dispute Resolution Program, Community Prosecution Division, and Outlying Courts in North and South County. Sexual Assault Division, Burglary, Assault, Theft Unit, Preliminary Hearing Team, Probation Violation Calendar, Complaint Unit, Gang and Career Criminal Unit and Training Officer

Santa Clara County District Attorney's Office
Supervising Deputy District Attorney/Juvenile Unit, August 1992 to August 1994
Supervising Deputy District Attorney/Misdemeanor Unit, October 1991 to August 1992
Team Leader, Deputy District Attorney/Felony Outlying Courts, January to October 1991

Santa Clara County District Attorney's Office
Deputy District Attorney, Attorney/Special Operations, Homicide, Sexual Assault, Child Homicide, June 1988 to January 1991.
Career Criminal Unit, June 1986 to June 1988.
Felony Burglary Unit, September 1985 to June 1986.
Juvenile Unit, January 1985 to September 1985.
Misdemeanor Unit, May 1984 to December 1984.

ACCOMPLISHMENTS

- Established and directed the office's Alternative Dispute Resolution program. The program allows neighborhood and family (non Domestic Violence) disputes to be resolved outside of the criminal justice system.
- Instituted and managed the Truancy Abatement program. Since 1994 our office has coordinated and leads the way in effective truancy prevention and intervention returning students to regular attendance and saving the local schools millions of dollars in school attendance funds.

- Juvenile Justice:
 - a) Restored Relationship with Probation Department;
 - b) Established relationships with School Districts and Community Based Organizations;
 - c) Member of San Jose Mayor’s Gang Prevention Task Force Policy and Team member 1993-2014
 - d) Produced video for middle and high school students on the Juvenile Justice System;
 - e) Established Law Related Education Program (LRE) for 5th grade students. Currently taught in San Jose Unified School District as their Social Science curriculum;
 - f) Juvenile Detention Reform—liaison for the District Attorney’s Office for the implementation of Detention Reform initiative including the Disproportional Minority Representation committee;
 - g) Successfully procured over a million dollars for Juvenile Justice Programs;
 - h) Co-chair Juvenile Hall Advisory Board;
 - i) Developed community and school outreach programs, which includes inter-agency committee on law enforcement and schools and Youth Court at local high schools.
- Trained Law Enforcement throughout the Country in Child Exploitation and Internet Crimes against Children for the Department of Justice and National Center for Missing and Exploited Children
- Established protocols and evaluation tools for entry-level attorneys;
- Founded and procured funding for Community Prosecution unit;
- John B. Pickett Fellowship in Criminal Justice Policy and Management from the National Institute of Justice, U.S. Department of Justice, 1996;
- Community Leadership, San Jose program, 1995-96;
- Contributing author, California Law and Procedures and Practices, 1994/96;
- Lecturer, Northern California Juvenile Officers Association, California District Attorney’s Association, Santa Clara County local law enforcement agencies and U.S. Department of Justice, Office of Juvenile Justice Delinquency Prevention.
- President, Almaden Valley Youth Counseling Services, 1996; Board of Directors 1993-1995.
- President, Youth for Christ, 2004-2005; Board of Directors, 2000-2004.
- American Leadership Forum Class XXVII 2014-2015

EDUCATION

San Jose State University
Bachelor of Science Degree, Political Science, 1980

Pepperdine University School of Law
Juris Doctorate Degree, 1983
Admitted to California Bar Association, December 1983

Harvard University, John F. Kennedy School of Government

Graduate Program for Senior Executives in State & Local Government 1996

Curriculum Vitae

André V. Chapman, M.A.

Curriculum Vitae

Office: (408) 510-3480
Email: andre@unitycare.org
Website: <http://www.unitycare.org>



André V. Chapman, M.A

1400 Parkmoor Avenue
Suite 115
San Jose, CA 95126

Personal Statement

My personal mission is to make a positive impact on the youth in our community by providing opportunities (physically, emotionally, and spiritually) that will enhance their lives and teach them how to become productive citizens in our society.

Education

Business Administration, Minor: Psychology San José State University
Bachelor of Science Degree

Organizational Management University of Phoenix
Masters in Organizational Management (MAOM)

Certificate Harvard Business School
Strategic Perspectives on Non-Profit Management

History

1993-Current: **The Unity Care Group, Inc., San Jose, CA**
President & CEO

Founded to develop educational and social programs designed to enrich the lives of disadvantaged at-risk youth, Unity Care is a multi-service culturally proficient youth and family development agency serving families through its Mental Health, Residential and Community Base programs with special emphasis on Foster Care Youth. Unity Care Group employs a dedicated staff of approximately 140 employees and serves more than 2,500 youth and families per year. Today its programs stretch throughout California with sites in Monterey, Placer and Santa Clara Counties. Programs include:

- **Mental Health Services:** Outpatient Mental Health Clinic, Therapeutic Behavioral Services (TBS), Project Odyssey (Wraparound), Parent Advocate Services, Resource and Advocacy Support Services, The Nia Project (Differential Response), Umoja (Family Team Facilitation);
- **Community Based Services:** Hip Hop 360 (School-Based Creative Arts Program) Reaching Independence Through Sustainable Employment/Education (RISE), Transition to Independence Process (TIP), Independent Living Program (ILP);
- **Residential Services:** Residential Treatment Homes (five Level 12 Homes), Transitional Housing Placement Program (THPP) (two Homes), Transitional Housing Placement-Plus (THP-Plus), Transitional and Permanent Apartments, Unity Place I and Unity Place II.

1997-2000 **Resource One Computer Systems, San Jose, CA**
Western Regional General Manager
Premier network solutions VAR focussed on selling to Fortune 100/500 companies.

1995-1997 **Aironet Wireless Communication, San Jose, CA**
Director of Sales (Western Region)
Wireless networking company providing wireless LAN technology.

1989-2005 **Kellner Systems, Inc., Santa Clara, CA**
National Director of Sales
Software Company providing UNIX based turnkey solutions to vertical market.

Boards, Commissions and Committee Positions

Mr. Chapman is a member of the Phi Beta Sigma National Fraternity, Inc., Fellow of the American Leadership Forum Silicon Valley (Class of XXIII) and serves on a variety of local, County and State Boards.

2014-Present	Legacy Charter School Board: Member
2014- Present	Juvenile Justice Systems Committee: Member
2014-Present	California Alliance of Child and Family Services, Marketing Committee: Chair
2013-Present	California Alliance of Child and Family Services Board: Member
2013-Present	American Leadership Forum – Silicon Valley, Network Development Committee: Member
2011-Present	State of California AB 12 Workgroup: Board Member
2009-Present	Bellarmine College Preparatory Dads Board: Board Member
2007-Present	Assoc. of Mental Health Contract Agencies of Santa Clara: Board Member (AMHCA)
2005-Present	Black Leadership Kitchen Cabinet: Co-Chair
2004 -Present	Social Services Advisory Commission: Chair, Board Member
2004-Present	Children of Color Task Force: Co-Chair
2009-2013	Santa Clara Dept. of Mental Health, Family & Children’s Redesign Project: Board Member
2008-2010	49’ers Advisory Community Partners Board: Board Member
2005-2010	Santa Clara County Juvenile Hall Advisory Board: Co-Chair
2005-2009	California Alliance of Child and Family Services: Board Secretary/Board Member
2004-2011	Monterey County Workforce Investment Board (WIB): Chair, Board Member
2004-2006	Santa Clara County Juvenile Detention Reform Committee: Co-chair
2003-2005	West Valley College EOPS/CARE Advisory Board: Chairman
2003-2004	Literacy Classic: Chairman, 2003-2004
1994-2003	Sacred Heart Board of Directors: Board Member, 1994 – 2003

Awards & Recognitions

Mr. Chapman has received numerous awards and commendations for his tireless dedication and community involvement.

2011	American Leadership Forum – Silicon Valley: Fellow, Class of XXIII
2010	Outstanding / Invaluable Service to the Community presented by Congresspersons Zoe Lofgren and Mike Honda
2010	Human Relations Award presented by Senator Abel Maldonado
2010	Human Relations Award presented by Assemblyman Joe Coto
2008	In recognition of Outstanding Work in Enriching the Lives of At-Risk and Disadvantaged Youth in the Community presented by Assemblyman Alberto Torrico
2005	Recognition in Appreciation for Serving as the West Valley College EOPS/CARE Advisory Board Chairman presented by West Valley College EOPS/CARE, Director Nancy Romer
2003	In Recognition for Contribution in Education and Community Involvement Presented by Literacy Classic: Promoting Literacy and Academics through Athletics
2003	Award for Excellence presented by Wells Fargo
2002	San Jose State University presents the Evelyn T. Robinson Outstanding African American Alumnus Award for outstanding commitment and service to at-risk Bay Area youth presented by SJSU President Robert L. Caret
2002	Recognition as the Recipient of the San Jose State University Outstanding African-American Alumnus Award presented by City of San Jose Mayor Ron Gonzales
2002	Freedom Fighters Award for True Commitment to the Community presented by San Jose/Silicon Valley NAACP
2002	“From Whence They Came” Award by the Allstate Insurance Company presented by Mayor Jerry Brown
2002	55th Annual Freedom and Friendship Gala “Circle of Friends” Award presented by San Jose/Silicon Valley NAACP
2002	Grand Hero presented by Senator Bob Dole and the Avanti Foundation Magic Ceremony
2001	10 Most Influential African Americans in the Bay Area Community Service by City Flight News Magazine
1998	Partner of the Decade presented by the City of San Jose Department of Housing

VITAE

FREDERICK J. FERRER

Education

Master of Science, Psychology, Counseling: San Jose State University

Bachelor of Science, Psychology, (Developmental), University of Santa Clara

Strategic Perspectives in Nonprofit Management: Harvard Business School, Cambridge, Massachusetts

Performance Measurement for Effective Management of Nonprofit Organizations: Harvard Kennedy School, Cambridge, Massachusetts

Employment

The Health Trust: Chief Executive Officer of \$115 million health trust, annual budget \$23 million, staff of 130, focused on prevention and wellness initiatives 2007- present

DeAnza College: Child Development and Education Department Adjunct INSTRUCTOR: Includes instruction, course development, overseas teaching: 1990 – present

Santa Clara County Office of Education: Professional expert, teaching in the special education credential program 2014-present

Santa Clara University, Graduate School of Counseling Psychology and Education: LECTURER adjunct 2000 – 2011

Manzanita Solutions: President: Consultant, Keynote Speaker & trainer: 1998 – 2007, Non-profit consulting, Training and presentations in leadership, family support, early childhood education, non-profit management and advocacy.

Parent Services Project. Inc. San Rafael, CA NATIONAL TRAINER, Develop and implemented Parent Leadership Institute for the Marguerite Casey Foundation in Atlanta and Kansas City. The PLI develops parents' leadership capacity and is infused by family support principles. 2005-2007

Estrella Family Services, San Jose, CA EXECUTIVE DIRECTOR, 1986 – 2005

Directed non-profit agency providing comprehensive child development and family services to 300 children and sent 700 Kids to Camp. \$1.5 million budget, staff of 30, successfully completed \$1.6 million dollar new building and capital campaign.

Membership

Economic and Social Opportunities, Inc.
CHILD DEVELOPMENT SPECIALIST, 1984-86

Santa Clara County of Education: TEACHER, 1979-1984: Head Start, Migrant, State Preschool and General Child Care.
Chair of the Board, Rocketship Education, 2007-present

Santa Clara University: The Ignatian Center for Jesuit Education Advisory Board member: present

John S. and James L. Knight Foundation San Jose Advisory Committee member: 2004 – 2008, 2011- present

Board member: American Leadership Forum: Silicon Valley,
Co-chair of Selection committee 2001-2003, Chair of Board Development Committee 2003– present, Senior fellow: 1999- present

Commissioner, FIRST 5 Santa Clara County Commission:
oversight and direction of the \$23 million annual Prop 10 allocation, Past Chair and Chair of Personnel and Finance; 2001 - 2007

Santa Clara County Child Care Local Planning Council:
Oversees priority setting for child care funds and strategic planning. Co-chair 1991 – 2007. Member 1991- 2007

State President, California Child Development Administrators Association, (CCDAA): 1992- 1993, Member 1984 – 2005

Founding President, Child Development Policy Institute (CDPI) 1993- 1995

Awards

Doctorate of Public Service, Honoris causa, Santa Clara University, 2014

Gardner Health: Silent Heroes in Health Care Award, 2009

People Acting in Community Together (PACT) Community Builder Award, 2009

Santa Clara County Human Relations Award, 2009

John W. Gardner Leadership Award from the American Leadership Forum Silicon Valley, 2004

IGNATIAN AWARD: Santa Clara University Alumni Association in Recognition for Distinguished Service to Humanity, 1992

GREGORY LIPPMAN

991 E. Taylor Street □ San Jose, CA 95112 □ 408-292-2585 □ greglippman@hotmail.com

WORK EXPERIENCE

Executive Director

ACE Charter Schools, San Jose, CA

2007-present

Founded organization to open charter schools in East San Jose in underserved neighborhoods. Led organization in design and launch of first school, ACE Charter Middle School, which opened in 2008. Fundraised over \$350,000/year and led successful financing project for permanent site. Currently working to open new ACE high school, and prepare organization to open 3-5 schools in next 5 years.

Executive Director

ACE Public School Network, San Jose, CA

2005-2007

Ran support organization for small, autonomous schools in East San Jose, specifically in the Alum Rock and Franklin-McKinley School Districts. Provided strategic direction, district and city-wide outreach, as well as funding and technical support for schools.

Principal, Co-Founder

Downtown College Prep, San Jose, CA

2000-2005

Conceived, built and led 400-student college prep high school, with 98% of graduates enrolled at four-year colleges. Personally responsible for all aspects of academic program, including curriculum design, teacher training, design and implementation of schoolwide plan to drive achievement on state and AP tests. Provided intensive college counseling for students and families.

English, Math Teacher

Eastside Prep, East Palo Alto, CA

1998-2000

Taught AP English, Writing for College, SAT Prep, Geometry classes. Developed AP English, SAT Prep curriculum for college-bound students.

English Teacher, School Reform Coordinator

Gunderson High School, San Jose, CA

1994-1998

Taught AP English and ESL; ran staff development and major academic initiatives for 60-teacher staff. Organized college trips, coached tennis, basketball.

EDUCATION

Stanford University, Masters in the Arts of Teaching, Teaching Credential, English

1992

Princeton University, B.A., English Literature

1991

RELATED SKILLS, INTERESTS

- Fluent in Hungarian, competent in Spanish
- Strong background in college counseling, including working with college admissions staff, preparing student applications, scholarships and financial aid

Mary D. Patterson, MPH

Knowledge & Skills

Leadership: ability to articulate and pursue vision, identify and achieve goals, overcome challenges, engage diverse partners, and motivate and inspire collaborators to succeed.

Public Health: expertise and passion in interdisciplinary fields that use research, innovation and common sense to elevate strategies essential for children and families to be healthy and thrive.

Presentation and Teaching: concise and compelling communication techniques, expertly applied with subject matter expertise that engages diverse audiences.

Public Sector Management: strong knowledge and experience in strategic planning, program evaluation, fundraising and budget management, cultural competence and marketing.

Career Path

The Health Trust, San José, CA, *Director of Strategic Partnerships*. Work with CEO, agency directors, staff and organization partners to pursue sustainable and mutually beneficial fundraising strategies that enable the organization to fulfill its mission of making Silicon Valley healthier for everyone. August 2014 to present.

Stanford Children's Health, Palo Alto, CA, *Community Teacher*. Teach classes and facilitate group discussions on topics related to health and growing up for children, teens and their families. April 2007 to present.

High Thrive, San José, CA, *Founder & CEO*. Provided teaching and consulting on healthy youth development and family and community wellbeing to youth, parent groups, human service professionals, community leaders, and educators. Taught health subjects in local public schools and advised United Way, Kids in Common, and other non-profit and public sector institutions. January 2008 to August 2014.

Project Cornerstone, San José, California, *Executive Director*. Led a successful non-profit organization that prepares and mobilizes individuals, organizations and policy makers across Santa Clara County to improve the health, education and welfare of children. Provided training and advocacy to diverse audiences to effect social change. Secured grant funding, recruited and supervised teams of staff and community advisors and oversaw all day-to-day operations. October 2005 to November 2007.

Santa Clara County government, California, *Special Assistant for Children's Services*. Executive Management position. Researched and evaluated initiatives targeted to disadvantaged families, those affected by drug abuse and mental illness, youth in foster care and youth in the juvenile justice system. Worked with courts, non-profit organizations, philanthropists, community residents, politicians and multiple government agencies to design and lead system improvements. May 2000 to October 2005.

Education Programs Associates, Campbell, California. (Now a division of the California Family Health Council), *Director*. Provided leadership in strategic planning, program direction, fundraising, technology needs and day-to-day operations for a non-profit education and training agency focused on health care needs of women & children. Developed and conducted trainings of professionals and paraprofessionals serving low-income women and children. November 1991 – April 2000.

National Commission to Prevent Infant Mortality, Washington, D.C., *Professional Staff Member*. Researched programs and policies designed to improve the health of mothers and children for a commission of the U.S. Congress. Collected data, wrote reports and convened meetings of Members of Congress, advocacy groups, media, and health officials. February -August 1990.

Special Achievements

Silicon Valley Community Foundation – Hewlett Packard Non-Profit Executive Leadership Institute Participant, 2007.

University of North Carolina School of Public Health, Sidney S. Chipman Award Winner for Outstanding Professional Contributions, 2004.

Martial Arts Instructor, West Coast Fong Tae Kwon Do, San José, California 1998 to 2004.

Fulbright Fellowship award, 1990.

Education

University of Brussels, Belgium, Fulbright Fellowship researching children's health in Western Europe, 1991.

University of North Carolina, Chapel Hill. Master of Public Health in Maternal and Child Health, 1989, with honors.

Stanford University, Stanford, California. Bachelor of Arts in Human Biology, 1985.

Nancy Dane Peña, Ph.D.

1380 Luning Drive • San Jose, CA 95118 • (408) 605-0631
Licensed Clinical Psychologist #PSY7616

OBJECTIVES

- Executive-level consultation in state-of-the-art human service systems providing behavioral health services to address the needs of a culturally diverse community.
- The opportunity to contribute vision, leadership, program expertise, and enthusiasm in support of effective health and human service systems children, adults, families, and elders
- The opportunity to impact the overall well-being and health of the broader community.

SUMMARY

Dr. Peña is a licensed Clinical Psychologist working in the field of Mental Health Service Delivery for the past 35 years. She began her career as the Mental Health Director of a community based agency specializing in providing health and mental health services to the Spanish-speaking community of downtown San Jose. In 1984, she joined the Santa Clara County Mental Health Department, Acute Psychiatric Services, where she was Director of Psychiatric Inpatient Social Services and Child and Adolescent Services, which included services to youth in Juvenile Hall, the Children's Shelter, the State Hospital and local intensive residential treatment programs. In 1992, she became director of Mental Health Children and Family Services Division, and in 1998, she was appointed Deputy Director of the Mental Health Department, Santa Clara Valley Health and Hospital System (SCVHHS). In December 2000, she was appointed as the Director of Mental Health. She is past president of the California Mental Health Directors Association (CMHDA) and past Co-Chair of the CMHDA Children's System of Care Committee and Social Justice Advisory Committee. She is a past member of the Board of Directors of the California Institute of Mental Health (CIMH) and the California Mental Health Advocates for Children and Youth (CMHACY). She currently serves on the Board of the Legacy Academy, a new charter middle school being formed to serve students at-risk of involvement, or currently involved, in the Juvenile Justice System in Santa Clara County.

EXPERIENCE

January 2015 – Present – Behavioral Health Consulting Services

Provides consultation services in behavioral health prevention, early intervention and intensive intervention to state, county and non-profit organizations in areas of policy and program development; organizational development; evidenced based practices for all ages; and executive management, coaching and professional development.

July 2000 – December 2014

Director, Mental Health Department, SCVHHS (retired)

Served as Director of the Mental Health Department until her retirement in 2014. In this position she was responsible for overall direction of the department, under the direction of the Executive Director of the Santa Clara Valley Health and Hospital System. She was responsible for providing direct management leadership to a system with a budget that grew under her leadership from \$131 million to \$350 million, and was responsible for insuring that policies, programs, and direct services and practices were in compliance with state and federal regulatory requirements. She was responsible for interfacing effectively with key departments of the Health and Hospital System, including Acute Psychiatric Services, Custody Mental Health Services, Valley Medical Center, and SCVHH Finance and Information Services. She provided support to the Board of Supervisors appointed Mental Health Board; and was responsible to the Board of Supervisors for insuring that the public mental health service system complied with Board policies and directives.

July 2000 – December 2000

Interim Director, Mental Health Department, SCVHHS

Assumed responsibility for overall direction of the Mental Health Department, under the direction of the Executive Director of the Santa Clara Valley Health and Hospital System. This position was responsible for providing direct management leadership to a system with a budget of approximately \$131 million.

November 1998 – July 2000

Deputy Director, Mental Health Department, SCVHHS

Assumed permanent responsibility for overall department operations (see description below).

1997-1998 - Acting Deputy Director, Mental Health Department, SCVHHS

Executive-level responsibility for program operations for California's fourth largest county's public mental health service delivery system. The system provided a full array of mental health services, at 87 sites, through contracts and county-operated programs, to over 19,000 children and families, adults and older adults, each year. Responsibilities included administration, management, and supervision of senior managers responsible for services in organized service divisions (Access and Authorization, Adult/Older Adult Systems of Care, and Family and Children's System of Care). Responsible for critical involvement in strategic planning, budget planning, policy development and direction, oversight of personnel support functions, and coordination with other department divisions/sections of Quality Improvement, Ethnic Services Coordination, Research and Evaluation, Information Systems, and Finance. Also, was responsible for the department in the absence of the Mental Health Director.

1996-1997 - Interim Deputy Director, Mental Health Department, SCVHHS

Work-Out-Class assignment into Deputy Director, Acute Service position. Assignments included planning and writing the department Medi-Cal implementation plan for consolidation of the fee-for-service Medi-Cal Outpatient Services; FY97/98 department budget planning and

implementation; Oversight of department programs; and general administration.

1992-1996 - Director of Family and Children's Services, Mental Health Department, SCVHHS

Responsible for overall administration service delivery system for children, adolescents, and families. Includes 35 contract programs and management of five county outpatient clinic programs (65 FTE staff), budget development, contract negotiations, and program monitoring and reviews; Served as department liaison to other county and state child-serving agencies; Participant in County Interagency policy and program development; Lead representative in the development of managed care programming for youth and families; Chair of Long Range Planning Task Force on Children and Youth Mental Health Services.

1991-1992 - Director of Intensive Children's Services, Acute Services Division, Santa Clara County Mental Health Bureau

Responsible for overall administration and coordination of institutional mental health services to children and adolescents, including manager of Children's Shelter services, program director of 14-bed Child and Adolescent Inpatient Program, contract management of 114-bed residential system of care for children. Liaison to Social Services, Juvenile Probation and Community Mental Health AB3632 Services regarding out-of-home services to youth.

1985 - 1991 - Director of Children's Services and Social Services, Acute Services Division, Santa Clara County Mental Health Bureau.

Member of Inpatient Services Management Team: responsible for supervision of inpatient Social Service Department staff and clinical psychologists; including oversight of Quality Assurance activities, member of Utilization Review Committee, and active participant in hospital program planning. Responsible for planning and coordination of services with other divisions of the Mental Health Bureau, particularly with respect to Special populations, i.e., children, chronically ill ethnic populations and geriatric patients. Coordinated inpatient and emergency services to children and adolescents including approval of all child/adolescent dispositions completed by Emergency Psychiatric Services. Monitored all youth hospitalizations and was lead manager in developing and implementing child and adolescent inpatient program.

1980 - 1985 - Director, Mental Health Programs, Gardner Community Health Center, Inc.

Responsible for overall administration of mental health clinic serving primarily Spanish speaking clients. Included two Short-Doyle contracts, an outpatient and an in-home psycho geriatric service. Duties included contract compliance, program planning, budgeting, proposal and grant writing, and clinical supervision of 15 full-time staff.

1982-2000 - Private Practice, Los Gatos, CA; Individual and couple psychotherapy with adolescents and adults.

Individual and couple psychotherapy with adolescents and adults, psychological evaluation reports, consultation services in the area of Hispanic mental health, organizational development, and mental health research.

1984-1985 - Geriatric Coordinator, Santa Clara County Mental Health Bureau

Responsible for coordination of mental health services to the elderly in Santa Clara County. Duties included coordination of provider network and monthly meetings, consultation to Mental Health Bureau, participation in assessing needs and planning services for geriatric mentally ill.

1981-1982 - Consultation. Clinica de la Raza, Oakland, California

October-1981 - Consultation. Pacific Management Systems, San Francisco, California, Affirmative Action Seminars

June 1981 - Consultation. UCLA Public Health Department on research studying birth in Hispanic women.

1978 – 1981 - Community Worker. Marin County Community Mental Health, East San Rafael Human Services Center,

1977 -1978 - Intern. Solano County Mental Health, Vallejo Outpatient Clinic. Clinical Internship

1976 - Assistant. Psychology of Women Quarterly, APA Journal. Georgia Babladelis, Ph.D., editor, California State University, Hayward. Student assistant to the editor.

1975 – Intern, Rubicon, Inc., Day Treatment, Richmond, CA, Undergraduate internship, day program for seriously mentally ill adult clients.

EDUCATION

1978-1980 - California School of Professional Psychology, Berkeley, Ph.D. Degree, Clinical Psychology

1976-1978 - California School of Professional Psychology, Berkeley, M.A. Degree, Clinical Psychology

1975-76 - California State University, Hayward B.A. Degree, Psychology Major

1973-74 - Merrit, College, Oakland, California

Gary Rummelhoff

991 Shadow Brook Dr., San Jose, California, 95120

Telephone: 408-396-5970

Email: rummelhoff@yahoo.com

Profile:

Accomplished leader with broad experience in nonprofit, public and private sectors.
Senior executive supporting finance, strategic planning and operations.

Education:

Southern Methodist University, Dallas, Texas 1988
Masters Business Administration - Finance

University of Missouri, Columbia, Missouri 1977
BS Business Administration - Accounting

Career Experience:

Unity Care Group, San Jose, California 2013-present

Chief Financial Officer

Nonprofit agency serving foster youth with residential, mental health and educational services

United Way Silicon Valley, San Jose, California 2002-2013

Chief Financial Officer, VP Operations

Charitable nonprofit serving Santa Clara and San Benito Counties

@POS.Com, Inc. (OTCBB: EPOS), San Jose, California 2000-2002

Chief Financial Officer, VP Operations and Corporate Secretary

Leader in secure, interactive electronic transaction technology for point-of-sale (POS)

Advantest America, Inc., Santa Clara, California 1998-2000

Chief Financial Officer (acting) and Corporate Secretary

US affiliate of Japanese based semiconductor equipment manufacturer

Logistix, Fremont, California 1993-1998

Director Finance, Director Business Strategy/Alliances and Corporate Controller

Global manufacturer and distributor serving high technology OEM's and software publishers

Analog Devices, Santa Clara, California 1988-1993

Manager General Accounting, Manager Financial Planning & Analysis

Silicon Valley division of a global semiconductor manufacturer

Frito-Lay, Inc., Dallas, Texas and San Jose, California 1982-1987

Zone Controller, Manager Strategic & Performance Analysis, Manager Tax & Fixed Assets

U.S. consumer product company; division of PepsiCo, Inc.

Gary Rummelhoff

991 Shadow Brook Dr., San Jose, California, 95120

Telephone: 408-396-5970

Email: rummelhoff@yahoo.com

KPMG, LLP, St. Louis, Missouri 1977-1982

Tax Manager, Staff Auditor

Full service regional office of global public accounting firm

Public and Community Service:

ACE Charter School, San Jose, California 2009-present

Governing Board Member and Treasurer

Charter school serving children and families in high-need neighborhoods

Santa Clara County Office of Education (SCCOE), San Jose, California 2004-2008

Governing Board Member, President (2007)

SCCOE oversees, supports and supplements public education throughout the county

San Jose Unified School District, San Jose, California 1996-2004

Governing Board Member, President (2001 and 2004)

Local education authority provides K-12 instruction to 33,000 students

Associations, Affiliations, Personal Interests:

- Fit-for-Learning Advisory Board; SCCOE program to end childhood obesity
- Catholic Professional and Business Club
- Santa Clara County Joint Child Care Commission; chair
- Santa Clara County School Boards Association; executive member and President
- California School Board Association; delegate, committee chair and legislative advocate
- Leland High School Foundation for Educational Excellence; founding member and president
- Almaden Valley Counseling Service; Board member
- Shadow Brook Homeowner Association; board member and president
- Married since 1978 with 2 children
- St. Anthony Parish choir and Liturgy Board

Appendix E-2 - Draft Core Teaching Competencies

The Legacy Academy holds the following core competencies for each of its teaching staff, then supports teachers in measuring progress toward and meeting these goals through observation, coaching, professional development, and evaluation.

Goal 1. The teacher designs instruction that develops students' abilities to meet California Frameworks, the State Department of Education Standards, and the Santa Clara County Office of Education improvement plan goals. The instruction will:

- Identify specific frameworks to be mastered.
- Identify essential questions.
- Address individual learning style, strengths, and needs.
- Indicate curriculum goals and objectives.
- Include a variety of methods, materials, and resources.
- Include learning experiences that are developmentally appropriate for learners.
- Provide clear directions and, when appropriate, specific rubrics.
- Incorporate appropriate assessment of student progress.
- When possible, include interdisciplinary learning experiences that integrate knowledge, skills, and methods of inquiry from various subject areas.

Goal 2. The teacher creates and maintains a positive classroom environment that supports academic achievement, individual self-esteem, and community development. The teacher will:

- Establish and maintains a safe environment for learning.
- Establish and maintains standards of mutual respect and dignity.
- Demonstrate effective classroom management.
- Encourage students to demonstrate self-discipline and responsibility to self and others.
- Respect the individual differences among learners.
- Facilitate students working productively and cooperatively with each other.
- Provide a motivating learning environment.
- Promote appropriate classroom participation.
- Listen thoughtfully and responsively to student concerns.
- Provide encouraging and supportive feedback.
- Promote ways to build students self-esteem.
- Create a healthy, stimulating, and fun learning environment.
- Create activity based, real world learning experiences.

Goal 3. The teacher develops and implements instruction to support California Frameworks, Charter Standards, and Santa Clara County Office of Education goals. The teacher will:

- Appropriately implement a lesson plan.
- Communicate specific standards and high expectations for learning.
- Link learning with students' prior knowledge, experiences, and backgrounds.
- Model the skills, concepts, attributes, or thinking processes to be learned.
- Communicate with learners clearly and accurately.
- Use strategies that are appropriate to students' development levels.
- Incorporate strategies which address the needs of students with, identified disabilities.
- Encourage critical and creative thinking and problem solving.
- Connect lesson content to real life situations when appropriate.
- Use technology and variety of instructional resources.
- Use assistive devices that support student learning, as needed.

- Use a variety of effective teaching strategies to engage students actively in learning.
- Provides opportunities for students to use and practice what is learned.
- Provide opportunities for students to take on leadership roles.

Goal 4. The teacher assesses learning and communicates results to students, parents and other professionals. The teacher will:

- Demonstrate skills in choosing assessment methods and tools aligned with instructional goals.
- Demonstrate skills in designing and promoting student self-assessment.
- Maintain records of students work and performance and uses them to guide instructional decisions.
- Develop and uses a variety of assessment tools to determine student progress.
- Utilize individual student success plan to facilitate improvement of skills.
- Offer students and parents appropriate feedback on progress toward learning expectations.
- Participate in meetings to support student success.
- Maintain privacy of student records and performance.
- Demonstrate skill in administering, scoring and interpreting the results of both externally produced and teacher-produced assessment methods.

Goal 5. The teacher collaborates with colleagues, parents, the community and other agencies to design, implement, and support learning programs that develop students' abilities. The teacher will:

- Work with parents to enhance student learning at home and school.
- Work effectively with instructional assistants, as applicable.
- Collaborate with other professionals, agencies, and community resources or service to improve the overall learning environment for students.
- Demonstrate productive leadership or team membership skills that facilitate the development of mutually beneficial goals.
- Collaborate with colleagues to achieve school and Santa Clara County Office of Education goals.

Goal 6. The teacher collaborates on the reviews and evaluations, identifies personal goals and objectives, and works cooperatively with other teachers and staff to improve quality of school instruction and student learning, and helps to maintain a positive community environment. The teacher will:

- Take part in observation and evaluation and be open to feedback.
- Ask questions and voice concerns whenever necessary.
- Be reflective on personal styles and preferences.
- Understand who styles and preferences may impact student learning.
- Work with other teachers and staff to support school-wide quality education and learning.
- Attend required workshops and educational programs.
- Identify personal development goals and objectives.
- Design a Professional Development Plan for improving personal skills and abilities.
- Engage in relevant activities consistent with the Professional Development Plan.
- Be a supportive member in maintaining a positive community environment.

Goal 7. The teacher, in a professional manner, fulfills all job requirements. The teacher will:

- Be on time to/with classes, assignments, meetings, and record keeping responsibilities.
- Notify appropriate individuals, ahead of time, if unable to meet responsibilities.

- Keep accurate and professional records.
- Follow field trip protocols.
- Notify appropriate individuals when taking student(s) off grounds.
- Follow written emergency protocols
- Notify appropriate individuals of any concerns

THE LEGACY ACADEMY

DRAFT

Board Policy # [REDACTED]

Health and Safety Policies

This document contains a set of health and safety policies approved by the The Legacy Academy Board of Directors. The policies attached are as follows:

- Policy [REDACTED]: Fingerprinting and Background Checks
- Policy [REDACTED]: Tuberculin Examinations
- Policy [REDACTED]: Safe Facilities
- Policy [REDACTED]: Immunizations/Physical Exams
- Policy [REDACTED]: Communicable, Contagious, or Infectious Disease Prevention Policy
- Policy [REDACTED]: Administration of Medications
- Policy [REDACTED]: Drug- and Alcohol-Free Workplace
- Policy [REDACTED]: Smoke-Free Environment
- Policy [REDACTED]: First Aid, CPR, and Health Screening
- Policy [REDACTED]: Exposure Control Plan for Blood Borne Pathogens
- Policy [REDACTED]: Conditions for Classroom and Charter School Visitation

Fingerprinting and Background Checks

Fingerprinting

The Legacy Academy (the “Charter School”) shall comply with the applicable provisions of the Education Code regarding fingerprinting and background checks, including Sections 44237, 44830.1 and 45125.1.

It is the policy of the Charter School to require fingerprinting and background checks for its employees as required by law prior to employment. All prospective employees must abide by all applicable laws and agree to abide by the policies of the Charter School, including the submission of fingerprints and an approval for the Charter School or its designee to perform background checks. The fingerprinting and Criminal Records Summaries will be required annually, at the beginning of each school year. This requirement is a condition of employment.

The Charter School shall also fingerprint and background check school volunteers who volunteer with students outside of the direct supervision of a Charter School employee, prior to volunteering at the Charter School. For these volunteers, fingerprinting and Criminal Records Summaries will be required annually, at the beginning of each school year.

Additionally, the Charter School may, on a case-by-case basis, require that the employees of an entity providing contract services comply with the requirements for fingerprinting, unless the Charter School determines that the employees of the entity will have limited contact with pupils. In determining whether a contract employee will have limited contact with pupils, the Charter School must consider the totality of the circumstances, including factors such as the length of time the contractors will be on school grounds, whether pupils will be in proximity with the site where the contractors will be working, and whether the contractors will be working by themselves or under the supervision of Charter School personnel.

Procedures for Background Checks

The Principal or designee shall review Department of Justice reports on prospective employees, contractors, and volunteers to determine whether an employee may be employed in accordance with Education Code Section 44237, 44830.1 or 45125.1, except with respect to her or himself, in which case the Chairperson of the The Legacy Academy Board will review. The Principal or designee shall monitor compliance with this policy and report to the The Legacy Academy Board of Directors on a quarterly basis.

Adopted:

Amended:

Tuberculin Examinations

1. No person shall be employed by The Legacy Academy unless he or she has submitted proof of an examination within the last sixty (60) days that they are free of active tuberculosis by a physician licensed under Chapter 5 of Division 2 of the Business and Professions Code.
2. This examination shall consist of an X-ray of the lungs or an approved intradermal tuberculin test, which, if positive, shall be followed by an X-ray of the lungs.
3. All employees shall be required to undergo this examination at least once every four (4) years, with the exception of “food handlers” who shall be examined annually. The cost of the follow-up exam for employees/volunteers is borne by the Charter School.
4. Once an employee/volunteer has a documented positive test for tuberculosis infection conducted pursuant to this policy, which has been followed by an X-ray of the lungs, the foregoing examination is no longer required, and a referral shall be made within 30 days of completion of the examination to the local health officer to determine the need for follow-up care.
5. The Principal or designee may exempt from tuberculosis testing requirements those employees/volunteers who serve less than a school year and whose functions do not require frequent or prolonged contact with students.
6. After such examination each employee shall file a certificate with the Charter School from the examining physician showing the employee was examined and found free from active tuberculosis.
7. In the event it becomes necessary for the employee to have an X-ray examination as a follow-up to a skin test, the Charter School will make arrangements with the designated physician for the examination and bear the expense. If the employee chooses to have his or her own physician for this purpose, the Charter School will pay toward the cost of the examination an amount equal to the rate charged by the physician designated by the Charter School.
8. This policy shall also include student teachers serving under the supervision of a designated master teacher and all substitute employees.
9. Any child leaving the United States for a short vacation to a country considered by the Center for Disease Control and Prevention (CDC) to have an increased risk of tuberculosis exposure must call the County Tuberculosis Clinic for a tuberculosis screening upon return.

10. If the Board determines by resolution, after a public hearing, that the health of the pupils in the Charter School would not be jeopardized thereby, this policy shall not apply to any Charter School employee who files an affidavit stating that he or she adheres to the faith or teachings of any well-recognized religious sect, denomination, or organization and in accordance with its creed, tenets, or principles depends for healing upon prayer in the practice of religion and that to the best of his or her knowledge and belief he or she is free from active tuberculosis. If at any time there should be probable cause to believe that the affiant is afflicted with active tuberculosis, he or she may be excluded from service until the governing board is satisfied that he or she is not so afflicted.

Adopted:

Amended:

Safe Facilities

The Charter School will be housed in facilities that meet California Building Standards Code requirements (Part 2 (commencing with Section 101) of Title 24 of the California Code of Regulations), or the Field Act (Article 3 (commencing with Section 17280) and Article 6 (commencing with Section 17365) of Chapter 3 of Part 10.5 of the Education Code) as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the Charter School is located.

Surveys and management plans will be maintained and updated for all hazardous building materials (lead, asbestos, etc.) and all hazardous materials used and stored in and around the school will be handled and dispensed properly. Additionally, appropriate training for staff working with hazardous materials (i.e., pesticides, cleaning chemicals, etc.) will be provided. A comprehensive indoor air quality program modeled on the Environmental Protection Agency's "Tools for Schools" program will be implemented and maintained.

Inspections will be performed to ensure that daily operations do not compromise facility safety and health in any manner. This will include maintaining safe access/egress paths (both routine and emergency), access to emergency equipment, eliminating obstructions to airflow, etc.

Adopted:

Amended:

DRAFT

School Safety

Board Policy #

Immunizations

Applicability

This policy applies to all applicants to the Charter School and Charter School administrators in charge of admissions.

Immunizations

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

California law requires that an immunization record be presented to the school staff before a child can be enrolled in school. The Charter School requires written verification from a doctor or immunization clinic of the following immunizations:

- a) Diphtheria.
- b) Measles.
- c) Mumps, except for children who have reached the age of seven years.
- d) Pertussis (whooping cough), except for children who have reached the age of seven years. All rising students grade 7 must be immunized with a pertussis vaccine booster called Tetanus Toxoid, Reduced Diphtheria Toxoid and Acellular Pertussis (Tdap).
- e) Poliomyelitis.
- f) Rubella.
- g) Tetanus.
- h) Hepatitis B.
- i) Varicella (chickenpox), (persons already admitted into California public or private schools at the Kindergarten level or above before July 1, 2001, shall be exempt from the Varicella immunization requirement for school entry).

The Charter School's verification of immunizations will be completed with written medical records from the child's doctor or immunization clinic.

Exceptions are allowed under the following conditions:

- a) The parent provides a signed doctor's statement verifying that the child is to be exempted from immunizations for medical reasons. This statement must contain a statement identifying the specific nature and probable duration of the medical condition.
- b) A parent may request exemption of their child from immunization for personal beliefs.
- c) Pupils who fail to complete the series of required immunizations within the specified time allowed under the law will be denied enrollment until the series has been completed.

Any child leaving the United States for a short vacation to or long stay in any country considered by the Center of Disease Control and Prevention ("CDC") to have increased risk of TB exposure (such as Mexico, the Philippines, India or Southeast Asia) MUST contact the County Tuberculosis Clinic for a TB Screening upon return.

Adopted:

Amended:

DRAFT

School Safety

Board Policy #

Communicable, Contagious, or Infectious Disease Prevention Policy

The Charter School recognizes its shared responsibility with the home and the community to promote appropriate disease prevention procedures in the handling and the cleaning up of blood and body fluids.

The Legacy Academy Board desires to protect the entire school community without segregation, discrimination or stigma. Accordingly, infectious disease prevention shall be taught regardless of whether a student or adult is known to have an identified infectious disease.

All students and employees shall be provided appropriate periodic instruction in basic procedures recommended by the State Department of Education and other public health agencies and associations.

Incidence and transmission of communicable diseases will be further limited through a rigorous program of immunization and health screening required of all students, faculty, and staff. (See Immunizations Policy.) Students found to have communicable diseases will be included in all activities deemed by a physician to present no hazard of infection to other students.

Science Laboratory Instruction

Students involved in science laboratory experiences shall be protected from contamination from body fluids of other persons and from contaminated instruments. Whenever possible, laboratory experiences involving body fluids will be conducted by way of teacher demonstration rather than by student participation.

Injuries and Accidents

Whenever exposed to blood or other body fluids through injury or accident, students and staff should follow the latest medical protocol for disinfecting procedures. (See “Exposure Control Plan for Blood Borne Pathogens” Policy.)

Adopted:

Amended:

Administration of Medications

The Charter School staff is responsible for overseeing the administration of medication to students attending the Charter School during regular school hours. It is imperative that practices followed in the administration of medication be carefully delineated to ensure the safety of our students and the legal protection of our employees. Any pupil who is required to take, during the regular schoolday, medication prescribed for him or her by a physician or surgeon may be assisted by designated school personnel or may carry and self-administer prescription auto-injectable epinephrine if the Charter School receives the appropriate written statements

In order for a pupil to carry and self-administer prescription auto-injectable epinephrine, the Charter School shall obtain both a written statement from the physician or surgeon detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the pupil is able to self-administer auto-injectable epinephrine, and a written statement from the parent, foster parent, or guardian of the pupil consenting to the self-administration, providing a release for the designated school personnel to consult with the health care provider of the pupil regarding any questions that may arise with regard to the medication, and releasing the Charter School and school personnel from civil liability if the self-administering pupil suffers an adverse reaction as a result of self-administering medication.

In order for a pupil to be assisted by designated school personnel, the Charter School shall obtain both a written statement from the physician detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken and a written statement from the parent, foster parent, or guardian of the pupil indicating the desire that the Charter School assist the pupil in the matters set forth in the statement of the physician.

Guidelines:

- The primary responsibility for the administration of medication rests with the parent/guardian, student and medical professional.
- Medication shall be administered only during school hours if determined by a physician to be necessary.
- Designated staff shall keep records of medication administered at the Charter School.
- All medication will be kept in a secure and appropriate storage location and administered per physician's instructions by appropriately designated staff.
- Designated staff shall return all surplus medication to the parent/guardian upon completion of the regimen or prior to extended holidays.
- Designated staff shall establish emergency procedures for specific medical conditions that require an immediate response (i.e. allergies, asthma, diabetes).
- The written statements specified in this policy shall be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes.

- A pupil may be subject to disciplinary action if that pupil uses auto-injectable epinephrine in a manner other than as prescribed.

Adopted:

Amended:

DRAFT

Personnel

Board Policy #

Drug and Alcohol-Free Workplace

The Charter School is committed to providing a drug- and alcohol-free workplace; and to promoting safety in the workplace, employee health and well-being, and a work environment that is conducive to attaining high work standards. The use of drugs and alcohol by employees off the job jeopardizes these goals, since it adversely affects health and safety, security, productivity, and public confidence and trust. Drug and alcohol use in the workplace is extremely harmful to workers.

Accordingly, and consistent with this commitment, the Charter School has developed a drug and alcohol policy that applies to all employees.

Bringing to the workplace, possessing or using, or being under the influence of intoxicating beverages or drugs on any Charter School premises or at any school-sanctioned activity or function is prohibited and will result in disciplinary action up to and including termination.

The Charter School reserves the right to use appropriate means to provide a safe work environment for its employees. These means may consist of but are not limited to:

- Post-offer, pre-employment drug/alcohol testing;
- Referral to local authorities;
- Referral to employee assistance program;
- Full investigation of accident causes, which includes drug and alcohol testing;
- “For cause” drug testing (reasonable suspicion testing);
- Search of Charter School property;
- Search of employee property, including employee handbags and vehicles, brought onto School property, only in accordance with search policies approved by the The Legacy Academy Board.

Refusal to submit to a “for cause” drug test or a drug test in connection with an on-the-job injury or accident is cause for immediate termination.

Adopted:

Amended:

DRAFT
Personnel

Board Policy #

Smoke-Free Environment

The Charter School maintains a smoke-free environment.

Smoking is not allowed anywhere on Charter School property. It is the responsibility of each staff member to adhere to this rule, and to inform his or her guests of our non-smoking policy.

Adopted:

Amended:

First Aid, CPR, And Health Screening

The Charter School recognizes the importance of taking appropriate preventive or remedial measures to minimize accidents or illness at the Charter School or during school-sponsored activities. To this end, the Charter School expects parents/guardians to provide emergency information and to keep such information current in order to facilitate immediate contact with parents/guardians if an accident or illness occurs.

Within the Charter School’s facilities, a First Aid Kit containing appropriate supplies will be present. First aid will be administered whenever necessary by trained staff members. When necessary, the appropriate emergency personnel will be called to assist.

All teachers are to be certified in adult and pediatric CPR and First Aid and are to be recertified prior to expiration of certificates. Opportunities for adult and pediatric CPR and First Aid training will be offered to all support staff and volunteers.

Resuscitation Orders

Charter School employees are trained and expected to respond to emergency situations without discrimination. If any student needs resuscitation, staff shall make every effort to resuscitate him/her. Staff members are prohibited from accepting or following any parental or medical “do not resuscitate” orders. School staff should not be placed in the position of determining whether such orders should be followed, and such Advance Directives shall not be communicated to staff. The Principal, or designee, shall ensure that all parents/guardians are informed of this policy.

Vision, Hearing and Scoliosis Screening

The Charter School shall screen for vision, hearing and scoliosis as required by Education Code Section 49450, *et seq.*, per appropriate grade levels.

Diabetes

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

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

4. A description of treatments and prevention of methods of type 2 diabetes.
5. A description of the different types of diabetes screening tests available.

Head Lice

To prevent the spread of head lice infestations, Charter School employees shall report all suspected cases of head lice to the school nurse or designee as soon as possible. The nurse, or designee, shall examine the student and any siblings of affected students or members of the same household. If nits or lice are found, the student shall be excluded from attendance and parents/guardians informed about recommended treatment procedures and sources of further information.

The Principal, or designee, shall send home the notification required by law for excluded students. If there are two or more students affected in any learning center, an exposure notice with information about head lice shall be sent home to all parents/guardians of those students.

Staff shall maintain the privacy of students identified as having head lice and excluded from attendance.

Excluded students may return to school when reexamination by the nurse, or designee, shows that all nits and lice have been removed.

Adopted:

Amended:

Exposure Control Plan For Blood Borne Pathogens

The Principal, or designee, shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. The Principal, or designee, shall establish a written “Exposure Control Plan” designed to protect employees from possible infection due to contact with blood borne viruses, including human immunodeficiency virus (“HIV”) and hepatitis B virus (“HBV”).

The Legacy Academy Board shall determine which employees have occupational exposure to blood borne pathogens and other potentially infectious materials. In accordance with the Charter School’s “Exposure Control Plan,” employees having occupational exposure shall be trained in accordance with applicable state regulations (8 CCR 5193) and offered the hepatitis B vaccination.

The Principal, or designee, may exempt designated first-aid providers from pre-exposure hepatitis B vaccination under the conditions specified by state regulations.

Any employee not identified as having occupational exposure in the Charter School’s exposure determination may petition to be included in the Charter School’s employee in-service training and hepatitis B vaccination program. Any such petition should be submitted to the Principal, or designee, who shall evaluate the request and notify the petitioners of his/her decision. The Principal, or designee, may deny a request when there is no reasonable anticipation of contact with infectious material.

Adopted:

Amended:

Conditions for Classroom and School Visitation and Removal Policy

While the Charter School encourages parents/guardians and interested members of the community to visit the Charter School and view the educational program, the Charter School also endeavors to create a safe environment for students and staff.

To ensure the safety of students and staff as well as to minimize interruption of the instructional program, the Charter School has established the following procedures, pursuant to California Penal Code Section 627, *et seq.*, to facilitate visits during regular school days:

1. Visits during school hours should first be arranged with the teacher and Principal or designee, at least three days in advance. If a conference is desired, an appointment should be set with the teacher during non-instructional time, at least three days in advance. Parents seeking to visit a classroom during school hours must first obtain the written approval of the classroom teacher and the Principal or designee.
2. All visitors shall register with the front office immediately upon entering any school building or grounds when during regular school hours. When registering, the visitor is required to provide his/her name, address, occupation, age (if under 21), his/her purpose for entering school grounds, and proof of identity. For purposes of school safety and security, the Principal or designee may design a visible means of identification for visitors while on school premises.
3. The Principal, or designee, may refuse to register an outsider if he or she has a reasonable basis for concluding that the visitor's presence or acts would disrupt the Charter School, its students, its teachers, or its other employees; would result in damage to property; or would result in the distribution or use of unlawful or controlled substances.
4. The Principal or designee may withdraw consent to be on campus even if the visitor has a right to be on campus whenever there is reasonable basis for concluding that the visitor presence on school grounds would interfere or is interfering with the peaceful conduct of the activities of the school, or would disrupt or is disrupting the school, its students, its teachers, or its other employees.
5. The Principal or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When a visitor is directed to leave, the Principal or designee shall inform the visitor that if he/she reenters the school without following the posted requirements he/she will be guilty of a misdemeanor.
6. Any visitor who is denied registration or has his/her registration revoked may request a hearing before the Principal or designee or the The Legacy Academy Board on the propriety of the denial or revocation. The request shall be in writing, shall state why the denial or revocation was improper, shall give the address to which notice of hearing is to

be sent, and shall be delivered to either the Principal or designee or the Board President within five days after the denial or revocation. The Principal or designee or Board President shall promptly mail a written notice of the date, time, and place of the hearing to the person who requested the hearing. A hearing before the Principal or designee shall be held within seven days after the Principal or designee receives the request. A hearing before the The Legacy Academy Board shall be held at the next regularly scheduled Board meeting after the President receives the request.

7. The Principal or designee shall seek the assistance of the police in dealing with or reporting any visitor in violation of this policy.
8. At each entrance to the Charter School grounds, signs shall be posted specifying the hours during which registration is required, stating where the office of the Principal or designee is located and what route to take to that office, and setting forth the penalties for violation of this policy.
9. No electronic listening or recording device may be used by students or visitors in a classroom without prior written approval by the teacher and the Principal or designee.

Penalties

1. Pursuant to the California Penal Code, if a visitor does not leave after being asked or if the visitor returns without following the posted requirements after being directed to leave, he/she will be guilty of a crime as specified which is punishable by a fine of up to \$500.00 or imprisonment in the County jail for a period of up to six (6) months or both.
2. Further conduct of this nature by the visitor may lead to the Charter School's pursuit of a restraining order against such visitor which would prohibit him/her from coming onto school grounds or attending Charter School activities for any purpose for a period of three (3) years.

Adopted:

Amended:

Appendix G-1 - Recruitment and Retention Plan

The Legacy Academy has developed the following Recruitment and Retention Plan, which shall be submitted to the Santa Clara County Office of Education for approval. The student and retention plan shall be updated annually and shall include annual goals for: (i) recruitment activities; (ii) student retention activities; and (iii) student retention. The plan lists deliberate, specific strategies The Legacy Academy will use to attract, enroll, and retain a student population that, when compared to students in similar grades in schools from which The Legacy Academy enrolls students, contains a comparable demographic profile, including limited English proficient, special education, free lunch, and reduced-price lunch students, as well as those who are sub-proficient, at risk of dropping out of school, have dropped out of school, or other at-risk students who should be targeted to eliminate gaps. As The Legacy Academy is located in a district with 10 percent or more students who are limited English proficient, the recruitment and retention efforts are in English and Spanish, the most prevalent languages of the district.

Recruitment Plan - Target Population

Due to the unique target population of The Legacy Academy - students who are within or at risk of becoming part of the juvenile justice system or are in the foster care system - The Legacy Academy Outreach Plan shall include the following three core strategies:

- District Outreach
- Community Partner Outreach
- General Population Outreach

District Outreach

The Legacy Academy and the Community Outreach Coordinator will work collaboratively with the seven surrounding school districts, to ensure 5th grade students who match The Legacy Academy target population and their families are aware of the opportunity to attend The Legacy Academy.¹ District partners will set the parameters of this relationship, in order to ensure that laws regarding confidentiality are observed. Once referred, The Legacy Academy will work on an individual basis with interested students and families to discuss the program and potential benefit for their child.

Community Partner Outreach

The Legacy Academy and the Community Outreach Coordinator will also work directly with community partners, including but not limited to the courts, probation system, social services, foster system, and truancy office. As with district outreach, the goal is to ensure that 5th grade students who match The Legacy Academy target population and their families are aware of the opportunity to attend The Legacy Academy. These organizations will set the parameters of this relationship as well, in order to ensure that laws regarding confidentiality are observed. This will most likely result in students and families being referred to The Legacy Academy by the community partner. The Community Outreach Coordinator will work on an individual basis with interested students and families to discuss the program and potential benefit for their child.

¹ The Franklin McKinley School District has agreed to work with The Legacy Academy in this manner. Discussions are in progress with other sending districts.

General Population Outreach

To support outreach within the district and community partners, as well as the community at large, The Legacy Academy and the Community Outreach Coordinator will complete the following:

- Establish an enrollment timeline and process that allows for a broad-based recruiting and application process.
- Create and distribute enrollment brochures and forms in various languages such as English and Spanish.
- Work collaboratively with the District to identify sending schools and to secure inclusion as a District Public School Choice option.
- Conduct outreach efforts via elementary schools, neighborhood groups, community organizations, churches, juvenile justice professionals, and local businesses.
- Announce enrollment and recruiting information in local newspapers, online news sources, and social media. We will continue to add sources to stay current with the latest technologies and trends.
- Host parent information nights and community events throughout the community with locations, dates and times scheduled in a manner that ensures, to the greatest extent possible, the greatest amount of community knowledge and interest in The Legacy Academy.
- Offer school tours, with information and dates for tours advertised on the school website.

Recruitment Plan - Significant Subgroups

The Legacy Academy seeks to serve a traditionally underserved and at-risk student population. As such, our Retention and Recruitment Plan is focused on the following three subgroups:

- Students who have limited English proficiency
- Students from low-income families
- Students who are academically sub-proficient

Additional recruitment strategies for each of these specific subgroups are detailed below.

Students with Limited English Language

1. Written information including: notices, brochures, flyers, and applications will be distributed to all schools, libraries, post offices, and community centers in the district served. All written information will be translated into Spanish.
2. Information sessions will be held in central locations in the region. Bilingual sessions will be held in Spanish speaking communities.
3. Notices will be distributed to all local newspapers, radio and television stations. Direct contact will be made to Spanish language newspapers, radio stations and television studios to assure that we can effectively reach their audience.
4. Radio interviews, with school leaders, will provide school and enrollment information. Interviews will clearly identify our school as serving Spanish-speaking students.
5. School Website will list information, provide information and enrollment forms in both English and Spanish, offer a bilingual blog and sign-up options to be on a mailing list.
6. Bi-lingual information will be distributed to community support networks, service agencies, cultural groups, and religious organizations.
7. Information booths will be set up at local fairs and community events in Spanish speaking communities and organizations to meet potential families, distribute information, and to develop a mailing list.

Students Eligible for Free Lunch, Students Eligible for Reduced Price Lunch

In addition to all the above recruitment strategies:

1. Bilingual information about free and reduced lunches, including sample menus will be distributed at all meetings and informational tables.
2. Our website will post information and sample menus
3. School information packets will be available at food distribution centers, local groceries stores, health clinics and food distribution centers.
4. Our school will sponsor community programs on health and nutrition.

Students who are Academically Sub-proficient

In addition to all the above recruitment strategies:

1. Bilingual information about our school will detail academic supports for students, including: summer academy, after school support. Focus groups, tutoring, differentiated instruction, homework support, and individualized education.
2. On-site workshops will be held for the community, on: multiple-learning styles, standards-based assessments, home and school partnerships, nutrition and learning.
3. On-site literacy programs will be available to parents and community members to strengthen reading and writing skills and build awareness of the importance of education.

Retention Plan

The following Goals and Actions will be used by The Legacy Academy to maximize the number of students who successfully complete all school requirements and to prevent students from dropping out.

Goal 1: Identify Individual Student Needs

1. Interview students and parent/guardian, prior to the start of school, to provide information concerning previous experiences, and identify areas of strength and need.
2. Full review of student's school records to provide an understanding of academic, behavioral, and health needs.
3. Examine student testing results to identify specific skill areas of proficiency and need.
4. Provide initial testing in Math and English, prior to start of school, to identify skills and deficiencies.
5. Provide semester post-tests to measure skill growth and development.
6. Provide a multiple-learning style lab in which students can identify their individual learning needs, and share information with parents and teachers.

Goal 2: Create Individualized Personal Learning Plans

1. Compile information from Goal 1 to create an understanding of student's specific skills and needs.
2. Meet with student's teachers to review information and identify skills areas that will be addressed in each class
3. Create an PLP that identifies areas of strength, need, and specific ways to support student success.
4. Have student and parent review PLP for additional feedback.

Goal 3: Provide Student Support Programs

1. Establish a summer academy: to provide orientation, remediation, and skill development.
2. Schedule daily focus/study period for in-school support.
3. Provide after-school academic review, remediation, skill development, and homework help through small group programs and one-to one tutoring as appropriate.
4. Provide evening programs for use of computers and library resources.
5. Use standards based assessments that allow a student to retest and revise work until he/she reaches competency.
6. Use multiple learning styles approaches and differentiated instruction to individualize the learning process.
7. Provide mentors to offer support and encouragement.

Goal 4: Develop Competency in Organizational Skills

1. Provide students with an orientation program on organizational skills and study habits.
2. Provide students with organizers and planners to manage assignments, class work and notes.
3. Teach students how to have effective note-taking and study skills.
4. Create a daily/weekly study plan that is reviewed with parent/guardian.
5. Provide whole brain exercises and activities to support organizational readiness.

Goal 5: Provide Timely and Accurate Communication

1. Provide written documentation of PLP to all teachers, aides and mentors working with student.
2. Identify and communicate specific skills student is working on each subject area, through weekly online reports that are accessed by student, parent/guardian, and study and after school staff, and mentor.
3. Chart individual skill development in relation to scope and sequence and related standard and benchmarks.
4. Provide reporting periods for each semester to update student progress.
5. Have weekly teacher team meetings to review student progress and identify any concerns.
6. Distribute retest information to teachers to confirm progress.
7. Teachers meet each semester with student and parent/guardian to review progress.

Appendix Misc-1 - The Legacy Academy Budget Narrative

Governing Law: *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. [Criteria for review: California Education Code § 47605(g)]*

The Legacy Academy relies on State and Federal funding sources to support its basic program, instruction, and curriculum. Grant and foundation monies as well as in-house fundraising may be used to support and enhance learning opportunities.

The following section is a narrative description of The Legacy Academy's start-up year and three-year budget projection. All estimates are projections based on the currently reported funding amounts by the California Department of Finance and California Department of Education. Numbers are accurate as of September 20th, 2016. Should any statewide issues in funding occur, resulting in significant changes in ADA funding estimates between petition submission and Board decision, it is hopeful that the District would allow an immediate budget revision and resubmission to address the unforeseen changes.

The following descriptions are broken up by section for clear articulation of our budget projection.

Revenue

Student Enrollment

The Legacy Academy will open with a sixth grade class of 60 students in FY 2017-18, adding an additional grade level of students in each of the next two fiscal years. At full capacity in 2019-10, Legacy will serve 180 students in grades six through eight.

The Legacy Academy intends to operate within the boundaries of San Jose Unified School District in Year One and Franklin-McKinley School District in outgoing years. Based on the average demographics for these districts, with a slight increase based on the target population for the school, the following estimates for the demographics of our student population have been applied to the budget:

- Free and reduced lunch: 90%
- English learners: 60%

To maintain a conservative approach to budgeting, and in recognition of the high mobility and truancy typical of our student population, we have utilized an 85% attendance rate for budgeting purposes. This said, we feel that to truly meet our mission we will need to increase this rate to 90% or higher. This will be goal during the charter term, which we hope to realize in Year Four during our first year of "steady state" as we will have reached full grade range in the previous year. This will in turn decrease our dependency on grants at a time when most initial funding sources may taper off.

State and Federal Revenue

LCFF Revenue

Based on the student demographics detailed above, The Legacy Academy expects to have an unduplicated pupil count of 88%. This equates to a per pupil funding rate of \$8,331 in 2017-18, \$8,947 in 2018-19, and \$9,551 in 2019-20.

Title I and II

Title I and Title II funded are based on projections of \$380 and \$19 per FRL student in 2017-18, \$390 and \$20 per FRL student in 2018-19, and \$400 and \$20 per FRL student in 2019-20 respectively.

SB740

The Legacy Academy expects to utilize SB740 funds for 75% of lease cost.

Child Nutrition

The revenue from this program will be netted against cost, with the net expense projected at 10% higher than revenue.

Special Education

Legacy seeks to operate as a school of the district for purposes of Special Education. Beginning in Year One, the school will be generating \$508.09 per ADA for state entitlement. Beginning in Year Two and ongoing, the school will be generating an additional \$125 per ADA for federal entitlement.

It is the intent of The Legacy Academy to develop a unique model for distribution of services, given the school's unique student population. In this model, the school will partner and contract with the Seneca Family of Agencies to implement their Unconditional Education Model at The Legacy Academy.

The majority of services would be funded through Medi-Cal reimbursement administered by Santa Clara County Health and Hospital system. Legacy and Seneca will work with the County in establishing a Memorandum of Understanding that will allow for the above reimbursements, as detailed in our Letter of Intent to the Santa Clara County Health and Hospital System found in [Appendix Misc-2](#). Seneca currently holds an existing contract with the Santa Clara County Health and Hospital System, which would be expanded under this proposal. [Appendix Misc-3](#) provided a budget for these services, including distribution of funding the program between EPSTD (Early and Periodic Screening, Diagnostic, and Treatment) and Legacy. The high level overview is as follows:

	Legacy	EPSTD	Total
Year One	\$171,424	\$992,451	\$1,163,875
Year Two	\$189,348	\$1,984,903	\$2,174,251
Year Three and	\$189,348	\$2,923,580	\$3,112,929

Ongoing			
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In this model, The Legacy Academy pays for the Unconditional Education Coach and SPED Teacher, as well additional SPED services as needed (i.e. Specialist, School Psychologist, Nurse) and Professional Development. The school also pays a portion of the salary for the Program and Clinical Supervisor and Program/case Assistant and of Operation Expenses. Remaining services are funded through EPSTD. Services are provided by employees of Seneca, with the exception of those providing specialized academic instruction, which will be Credentialed teachers through a contract with Seneca's Non-Public Schools Department .

Public Charter School Grant Program (PCSGP)

The Legacy Academy will apply and expects to receive the full award of \$575,000 from the PCSGP grant. The school was awarded the grant on the 2015-16 cycle, but did not accept the award as it elected to withdraw its petition to further incorporate feedback from SCCOE to ensure authorization. The Legacy Academy will re-submit in the 2016-17 cycle.

While the school expects to be awarded the full \$575,000, it has allocated a revenue of only \$475,000 from PCSGP in the budget. It has taken this conservative approach, in the event that the school is not able to spend its full allocation during the abbreviated planning and implementation phases (Planning ends August 21, 2017 with the first day of school, Implementation must end July 31, 2018).

ASES

Legacy will be applying for After School Education and Safety (ASES) grant to begin in Year Two. Based on projected enrollment and demographics the school will qualify for the full grant of \$150,000.

Fundraising

Legacy is projecting Fundraising Revenue at \$50,000 in Year One and a \$500,000 in each of the outgoing years. To support these assumptions, the school has received or has pending the following funds to date:

- Davidson Family Foundation (\$10,000) - Received
- Hugh Stuart Center Charitable Trust (\$5,000) - Received
- New Horizon Foundation, Inc. (\$10,000) - Received
- Leo M. Shortino Family Foundation (\$50,000) - Pending
- Sisters of the Holy Family (\$205,000) - Pending

Please see [Appendix Misc-4](#) for Grant Award Letters from the Leo M. Shortino Family Foundation and the Sister of the Holy Family.

In addition to these secured donations, The Legacy Academy has identified the following foundations as potential supporters, in alignment with the school's mission and the foundation's strategic focus:

- Blue Shield of California Foundation
- Charles and Helen Schwab Foundation
- Castellano Family Foundation

- Costineno Family Foundation
- Cisco Systems Foundation
- eBay Foundation
- Facebook Local Community Fund
- Google Foundation
- Heffernan Foundation
- Michael and Susan Dell Foundation
- Morgride Family Foundation
- San Francisco Forty Niners Foundation
- Sand Hill Foundation
- Symantec Corporation Contributions Program
- The Applied Materials Foundation
- The Annie E. Casey Foundation
- The David and Lucile Packard Foundation
- The Walton Family Foundation
- The William and Flora Hewlett Foundation
- The Westly Foundation
- Reed Hasting and Patty Quillin
- All Stars Helping Kids
- Sobrato Family Foundation
- Warmenhoven Family Foundation

Expenses

Staffing

Salaries

The Legacy Academy intends to recruit a more seasoned teaching force and has set the average salary at \$65,000 accordingly. Core teachers will work a 8:00 am to 4:30 pm schedule, with planning and preparation time from 8:00 to 8:30 am, 2:15 to 3:15, and 4:00 to 4:30 daily and a duty free lunch from 12:00 to 12:45. The one exception is the monthly minimum day schedule, in which they have planning and preparation time from 8:00 to 8:30 am and 4:00 to 4:30 daily and a duty free lunch from 12:00 to 12:30. Programming from 2:15 to 6:00 pm is provided by classified teachers and contracted community partners.

In Year One, The Legacy Academy intends to employ three full-time teachers as follows: one single-subject math teacher, one single-subject literacy teacher, and one multiple subject teacher to teach science and social studies. In Year Two, The Legacy Academy intends to employ six full-time teachers as follows: two single-subject math teachers (one each for 6th and 7th grades), two single-subject literacy teachers (one each for 6th and 7th grades), one single subject science teacher (who teaches 6th and 7th grade), and one single-subject social studies teacher (who teaches 6th and 7th grade). In Year Three, The Legacy Academy intends to employ nine full-time teachers as follows: three single-subject math teachers (one each for 6th, 7th, and 8th grades), three single-subject literacy teachers (one each for 6th, 7th, and 8th grades), one multiple subject teacher to teach science and social studies (for 6th grade), one single subject science teacher (who teaches 7th and 8th grade), and one single-subject social studies teacher (who teaches 7th and 8th grade). This long-term design is intended to minimize the number of teachers a student works with during the entrance year, 6th grade, then increase that in 7th and

8th grade to support increasing complexities in subject area content.¹ All teachers will be authorized to serve English Language Learners.

The Legacy Academy expects salaries to increase between 2.6% and 2.8% per year, in alignment with projected COLA.

Benefits

The Legacy Academy intends to participate in STRS initially, projecting rates increases from 13% to 19.9%. Non-certificated employees will participate in a 401(k) plan at 3%. The Legacy Academy may elect to offer a 401k or 403b program in the future, in lieu of STRS. The Legacy Academy will offer health benefits for all full-time employees.

Facility

The Legacy Academy intends to lease underutilized space from the City of San Jose as a reuse property in Year One. Under this agreement, the city does not charge rent. The City of San Jose is developing a Letter of Intent toward this effect, in support of The Legacy Academy which may be provided upon request as additional documentation. In year Two and outgoing, The Legacy Academy intends to move into a long-term space within Franklin-McKinley School District. The lease rate for the facility in Year Two and outgoing is \$175 per square foot.

Curriculum, Instruction, & Technology

Classroom Furniture

Classroom furniture is calculated at \$200 per student, including student desks and chairs, as well as classroom shelving and storage.

Instructional Materials

Instructional materials are calculated at \$300 per student. This includes traditional texts, as will be used in our 180 character program, and online texts and resources that will be leveraged in our core classrooms.

Fieldtrips

Fieldtrip are calculated at \$200 per ADA to support our monthly fieldwork and service program.

Technology

Technology is calculated at \$300 per student, to support one-to-one Chromebook deployment in the school setting.

¹ Teachers with a multiple subject credential may teach in the middle school setting provided they teach in a core or team teaching setting per the California Teaching Commission (CTC). Core is defined by the CTC as a setting where a teacher is assigned on the basis of a credential that authorizes self-contained classroom instruction to teach two or more subjects to the same group of students in grades 5-8. Both definitions are available at <http://www.ctc.ca.gov/glossary/glossary.html>.

5000 Series Expenditure Breakdown

Professional Development

While The Legacy Academy has a small staff, the professional development expense reflects the cost of robust training in each of the three growth years. We have allocated \$10,000 in 2017-18, \$16,000 in 2018-19, and \$22,000 in 2019-20.

Insurance

Insurance is budgeted at \$11,600 in 2017-18, \$15,200 in 2018-19, and \$18,800 in 2019-20.

Business Services

Business Services expense includes both Accounting/Payroll and Audit. Accounting/Payroll is budgeted at \$11,700 in 2017-18, \$23,400 in 2018-19, and \$34,200 in 2019-20. Audit is budgeted at \$10,000 annually.

Legal Services

Legal Services expense of \$4,000 per year is for our outside counsel. Gibson, Dunn & Crutcher LLP will provide Corporate legal support and Young, Minney, and Corr LLP will be retained for education and charter school law based issues.

Reserves

The Legacy Academy budget includes a steady 5% reserve in each of the three years, with a growing net fund balance in keeping with best practice for conservative budgeting.

Three-Year Operating Budget and Cash Flow

Our three-year budget exceeds the State minimum requirement of a 3-year budget projection, and demonstrates The Legacy Academy's plan to remain a strong and fiscally solvent operation. We have created a school that is focused on the student's needs and allows us to bring forward the very best elements of a high quality charter school, which we believe will help our target population develop the belief they they can succeed and be equipped with the tools to do so.

We have used conservative revenue estimates and, will aggressively seek out additional funding sources, fundraising opportunities, and expense saving opportunities that will likely place the school on even better fiscal footing than we project here.

The Legacy Academy Charter School
Operating Budget

Inflation
Revenues 1.0250
Expenditures 1.0250
Salaries 1.0250

	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	Assumptions/Notes
NUMBER OF STUDENTS					
ADA	0	60	120	180	
SOURCES OF FUNDS					
STATE REVENUE LIMIT SOURCES					
LCFF Funding	0	215,534	493,900	833,262	See Estimated Funding worksheet for details and assumptions. See LCFF Calculator
Charter in-Lieu Taxes / EPA	0	209,347	418,694	628,041	See LCFF Calculator
SB740 (75% of lease)	0	19,500	76,500	114,750	See SB740 worksheet
Subtotal	0	444,381	989,094	1,576,053	
OTHER STATE REVENUES					
Special Education	0	25,913	51,825	77,738	Year 2 startup
ASES	0	0	150,000	150,000	
Lottery	0	0	18,462	27,693	
Subtotal	-	25,913	220,287	255,431	
FEDERAL REVENUES					
Title I	0	22,800	46,808	72,073	
Title II	0	1,140	2,340	3,604	
Special Education	0	0	6,375	12,750	
Free and Reduced Meal Eligibility	0	81,000	162,000	243,000	breakfast, lunch and snack
PCSGP (Federal Title Vb start-up/impleme)	200,000	250,000	25,000	0	Grant application submitted for full funding at \$575K
Subtotal	200,000	354,940	242,524	331,427	
OTHER SOURCES OF FUNDS					
Grants	75,000	500,000	560,000	540,000	
Subtotal	75,000	500,000	560,000	540,000	
TOTAL SOURCES					
	275,000	1,325,234	2,011,905	2,702,911	
		22,087	16,766	15,016	
USES OF FUNDS					
Personnel					
Number of Full-time Teachers	0	3.0	6.0	9.0	20:1 based on ADA 85%
Number of Other Professional Staff	0	3.0	3.0	3.0	All certificated without instructional aids
1 Full-time, certified school employees					
Position:					
Principal	50,000	120,000	123,000	126,075	1 FTE
Teachers	5,000	195,000	399,750	614,616	Average pay assumed at \$65K; PD stipend in startup year
Total certified base salaries	55,000	315,000	522,750	740,691	
2 Non-certified school employees and part time employees					
Position:					
Executive Director	20,833	50,000	51,250	52,531	
Community Outreach	18,750	45,000	46,125	47,278	
Office/Business Manager	5,000	50,000	51,250	52,531	
Administrative Support	5,000	10,000	5,000	5,000	
Total non-certified base salaries	49,583	155,000	153,625	157,341	
Subtotal salaries before benefits	104,583	470,000	676,375	898,031	
Payroll taxes	5,685	21,742	26,820	32,568	SS/Medicare 7.45% non-certified, FUJ/SUI \$420/ee, SDI 0.3%, WC 1%
Benefits	18,825	84,600	121,748	161,646	Medical at 18% of total wages
6 Benefits & Payroll Tax	24,510	106,342	148,568	194,214	
7 Retirement	8,407	50,105	89,712	139,007	STRS FY17-FY20: 12.58%, 14.43%, 16.28%, 18.13%-- 401K is 3%
Rate	31%	33%	35%	37%	
Total Personnel	137,500	626,446	914,655	1,231,253	
Instruction and Supplies					
1 Student Instructional	0	18,450	36,900	55,350	\$300 per student
					\$ 65,000
					65%
					0.25
					\$ 300 per student

	Start-up Total	First Year Total	Second Year Total	Third Year Total	
2 Substitutes		2,825	5,250	7,875	\$ 875 per teacher
3 Professional Development	8,000	10,000	16,000	22,000	\$ 2,000 per teacher
4 Instructional Equipment	4,000	2,000	0	1,000	
5 Computers/Classroom Software	30,000	18,000	18,450	18,450	\$ 300 per new teach
6 Field Trips		10,455	20,910	31,365	\$ 200 per student
7 Special Ed and Behavioral Health		257,480	343,777	414,461	Seneca proposal + medical match
8 After school related costs		48,600	97,200	145,800	1:10 aid ratio, 3 hours per day
9 Athletic Coaching & Equipment		13,500	15,000	16,500	coaching + \$25 / student enrollment growth
10 Assessment Materials		3,075	6,150	9,225	\$50 per student
11 Free and Reduced Meal Program		89,100	178,200	267,300	breakfast, lunch and snack (cost 10% higher than revenue)
12 Classroom Furniture	15,000	25,000	0	12,300	\$200 per new student enrolled
13 Health Supplies	0	500	500	500	
Total Instruction and Supplies	57,000	498,785	738,337	1,002,126	
Service/Operating Expenses	Start-up Total	First Year Total	Second Year Total	Third Year Total	
1 Equipment rental/maintenance		4,200	4,305	4,413	Copier Rentals, Maint. Other office supplies lease
2 Telephone service		2,160	3,240	4,320	Rate per staff member cell
3 Internet Service	3,225	2,500	2,500	2,500	Network setup in year 0, \$5k per year thereafter
4 Office Computers/Software	5,000	2,500	1,000	1,000	Network Infrastructure and Computers for Staff
5 Office Supplies	400	1,500	2,250	3,000	Per staff member
6 Office Furniture & Equipment	10,000	5,000	2,000	2,000	Program material
7 Printing and copying	1,000	2,000	2,000	2,000	
8 Postage and shipping	0	1,000	1,000	1,000	
9 Accounting/Payroll	2,600	11,700	23,400	34,200	Per ARI Rate Sheet (\$195 FY18 & FY19, \$190 FY20)
10 Audit		10,000	10,000	10,000	Annual audit
11 Legal Services	5,000	4,000	4,000	4,000	Retainer employment; other pro bono services provided
12 Insurance	2,500	11,600	15,200	18,800	D&O, Liability, Property, Umbrella
13 Marketing/Development	7,540	1,000	1,000	1,000	Startup and lower ongoing
14 District / County fee	0	4,444	9,891	15,761	1% of GF revenue
Total Service/Operating Expenses	37,265	63,604	81,786	103,993	
Facilities	Start-up Total	First Year Total	Second Year Total	Third Year Total	
Square Footage	0	4,000	7,000	10,000	50 sq ft, per student + 1000 ft non-classroom
1 Rent	8,400	0	147,000	210,000	Space lease NNN
2 Utilities	0	14,400	25,200	36,000	Total occupancy at \$0.60 / sqft / month
3 Maintenance and Repairs	0	4,800	8,400	12,000	
4 Janitorial services & supplies	0	9,600	16,800	24,000	
Total Facility/Capital Outlay	8,400	28,800	197,400	282,000	
Subtotal Uses	240,165	1,217,635	1,932,178	2,619,372	
Replacement Reserve	12,008	48,873	35,727	34,360	5%/year
TOTAL USES	252,173	1,266,508	1,967,905	2,653,732	
Total Sources	275,000	1,325,234	2,011,905	2,702,911	
Net Income	22,827	58,725	44,000	49,179	

Cash Flow Adjustments:		4.4%	2.2%	1.8%
Revolving Loan Proceeds	250,000			
Revolving Loan Repayments			(50,000)	(50,000)
Net Cash Flow	22,827	308,725	(6,000)	(821)
Beginning Cash Balance	-	22,827	331,552	325,552
Ending Cash Balance	22,827	331,552	325,552	324,731
Ending Cash balance of replacement reserve	12,008	60,882	96,609	130,969
Total ending cash balance	34,835	392,434	422,161	455,700
Reserve balance as % of current yr expens	5.0%	5.0%	5.0%	5.0%

The Legacy Academy Charter School
ESTIMATED FUNDING

COLA 1.0265
COLA

ENROLLMENT	Yr.1	Yr.2	Yr.3	Yr.4	Yr.5
5th grade	60	60	60	60	60
6th grade	0	60	60	60	60
7th Grade	0	0	60	60	60
8th Grade	60	120	180	180	180

6th to 8th
In Lieu Taxes
State Aid

Per 16/17	Per 17/18	Per 18/19
COLA	COLA	COLA
1,0280	1,0280	1,0280
0	0	0
0	0	0

ASSUMPTIONS	2016-2017			2017-2018			2018-2019			2019-2020			2020-2021			2021-2022		
	Startup	5-6	7-8	Total	5-6	7-8	Total	5-6	7-8	Total	5-6	7-8	Total	5-6	7-8	Total		
Enrollment	0	60	-	60	60	60	120	60	120	180	60	120	180	60	120	180		
Percent students who attend on average day	0%	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%		
Percent students who qualify for free/reduced lunch		90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%		
Percent students who are English Language Learners		60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%		
Estimated ADA	0	51	0	51	51	102	153	51	102	153	51	102	153	51	102	153		
Students who qualify for free lunch	0	54	0	54	54	108	162	54	108	162	54	108	162	54	108	162		
Students who are English Language Learners	0	36	0	36	36	72	108	36	72	108	36	72	108	36	72	108		
LCFF Funding	\$0	\$8,331		\$8,947	\$8,947	\$9,551	\$9,551	\$9,551	\$9,551	\$9,551	\$9,551	\$9,551	\$9,551	\$9,551	\$9,551	\$9,551		
Categorical block grant	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
SB740 (75% of lease)	\$19,500	\$19,500		\$76,500	\$76,500	\$114,750	\$114,750	\$114,750	\$114,750	\$114,750	\$114,750	\$114,750	\$114,750	\$114,750	\$114,750	\$114,750		
In lieu of EIA revenues rate	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
Lottery revenues per ADA	\$0	\$380		\$181	\$181	\$181	\$181	\$181	\$181	\$181	\$181	\$181	\$181	\$181	\$181	\$181		
Title I funding rate	\$0	\$390		\$390	\$390	\$400	\$400	\$400	\$400	\$400	\$411	\$411	\$422	\$422	\$422	\$422		
Title II	\$19	\$19		\$20	\$20	\$20	\$20	\$20	\$20	\$20	\$21	\$21	\$21	\$21	\$21	\$21		
Cost of a Free and Reduced Meal Per Day	0	0		0	0	0	0	0	0	0	0	0	0	0	0	0		
Number of School Days	180	180		180	180	180	180	180	180	180	180	180	180	180	180	180		
STATE REVENUE LIMIT SOURCES																		
LCFF Funding	-	424,881		424,881	456,297	456,297	912,594	487,101	974,202	1,461,303	-	-	-	-	-	-		
SB740	-	19,500		19,500	76,500	-	76,500	114,750	114,750	114,750	114,750	114,750	114,750	114,750	114,750	114,750		
Subtotal	-	444,381		444,381	532,797	456,297	989,094	601,851	974,202	1,576,053	114,750	114,750	114,750	114,750	114,750	114,750		
OTHER STATE REVENUES																		
Special Education		25,913		25,913	25,913	25,913	51,825	25,913	51,825	77,738	25,913	51,825	77,738	25,913	51,825	77,738		
ASES		150,000		150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000		
Lottery		9,231		9,231	9,231	18,462	18,462	9,231	18,462	27,693	9,231	18,462	27,693	9,231	18,462	27,693		
Subtotal		25,913		25,913	185,144	35,144	220,287	185,144	70,287	255,431	185,144	70,287	255,431	185,144	70,287	255,431		
FEDERAL REVENUES																		
Title I		22,800		22,800	23,404	23,404	46,808	24,024	48,049	72,073	24,661	49,322	73,983	25,315	50,629	75,944		
Title II		1,140		1,140	1,170	1,170	2,340	1,201	2,402	3,604	1,233	2,466	3,699	1,266	2,531	3,797		
Special Education							6,375			12,750			19,125			19,125		
Free and Reduced Meal Eligibility		81,000		81,000	81,000	81,000	162,000	81,000	162,000	243,000	81,000	162,000	243,000	81,000	162,000	243,000		
PCSGP (Federal Title Vb start-up/implementation)	200,000	250,000		250,000	25,000	25,000	25,000	106,226	212,451	331,427	106,894	213,788	339,807	107,580	215,161	341,866		
Subtotal	200,000	354,940		354,940	130,574	105,574	242,524	106,226	212,451	331,427	106,894	213,788	339,807	107,580	215,161	341,866		
OTHER REVENUES																		
Grants	75,000	500,000		500,000	560,000	560,000	560,000	540,000	540,000	540,000	500,000	500,000	500,000	500,000	500,000	500,000		
Subtotal	75,000	500,000		500,000	560,000	560,000	560,000	540,000	540,000	540,000	500,000	500,000	500,000	500,000	500,000	500,000		
TOTAL REVENUES	275,000	825,234		1,325,524	848,515	597,015	2,011,905	893,220	1,256,940	2,702,911	406,788	284,075	759,988	407,474	285,448	762,047		

0.06
0.17
\$3.00

**Legacy Academy
SB740 Facility Grant Program worksheet**

01/28/16

	# months	Estimated 2017/18	Estimated 2018/19	Estimated 2019/20
Monthly lease		0 Lease 12	12,250 Lease 12	17,500 Lease 12
Annual lease		0	147,000	210,000
Site Improvement/Remodeling costs		0	0	0
Landscaping - Materials & services		0	0	0
Janitorial - Materials & services		0	0	0
Utilities - elec/water/communication/waste		14,400	25,200	36,000
Insurance - property		11,600	15,200	18,800
Property taxes		0	0	0
Total Expenditures		26,000 0.75	187,400 0.75	264,800 0.75
SB740 Allowance				
Annual maximum reimbursement		19,500	140,550	198,600
Unit allowance		750	750	750
Actual / Estimated AD/		51.00	102.00	153.00
Annual ADA allowance		38,250	76,500	114,750
Allowable reimbursement		19,500	76,500	114,750

The Legacy Academy Charter School
START-UP BUDGET

	July	August	September	October	November	December	January	February	March	April	May	June	Total	Assumptions
REVENUES														
(A) Beginning Cash	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$35,000	\$9,275	\$48,106	\$21,988	\$127,244		
PCSGP (Federal Title Vb start-up/implementation)														
Donations/Grants							25,000		66,000		134,000	50,000	200,000	200,000
Loans													75,000	
(B) Total Receipts	-	-	-	-	-	-	25,000	-	66,000	-	134,000	50,000	275,000	-
EXPENDITURES														
Personnel														
Principal								10,000	10,000	10,000	10,000	10,000	50,000	
Community Outreach								3,750	3,750	3,750	3,750	3,750	18,750	
Executive Director								4,167	4,167	4,167	4,167	4,167	20,833	
Business Manager											2,500	2,500	5,000	
Administrative Support												5,000	5,000	
Subtotal Pay	-	-	-	-	-	-	17,917	17,917	17,917	17,917	20,417	30,417	104,583	
Payroll taxes								1,137	1,137	1,137	1,137	1,137	5,685	
Benefits and FICA								3,765	3,765	3,765	3,765	3,765	18,225	
Retirement								1,681	1,681	1,681	1,681	1,681	8,407	
Staff Recruitment														
Subtotal Pay & Benefits	-	-	-	-	-	-	24,500	24,500	24,500	24,500	27,000	37,000	137,500	
Instructional Material														
Student Supplies												8,000	8,000	
Professional Development												4,000	4,000	
Instructional Equipment												30,000	30,000	
Computers/Classroom Software												15,000	15,000	
Classroom furniture												57,000	57,000	
Subtotal	-	-	-	-	-	-	-	-	-	-	-	114,000	114,000	
Service and Other Operating Expenses														
Banking														
Marketing and Development												7,540	7,540	
Board Development												4,000	4,000	
Office computers/software									1,000			100	1,100	
Office supplies									100	100	100	100	400	
Office furniture and equipment												10,000	10,000	
Telecom equipment														
Internet/phone service									75	75	75	3,000	3,225	
Legal Services												5,000	5,000	
Accounting / payroll services									200	200	200	2,000	2,600	
Insurance												2,500	2,500	
Printing and copying												1,000	1,000	
Postage and shipping														
Subtotal	-	-	-	-	-	-	-	-	1,375	375	375	35,140	37,265	
Facilities/Capital Outlay														
Rent												8,400	8,400	
Utilities														
Maintenance and Repairs														
Subtotal	-	-	-	-	-	-	-	-	-	-	-	8,400	8,400	
Total Expenditures	-	-	-	-	-	-	-	24,500	25,875	24,875	27,375	137,540	240,165	
Replacement Reserve								1,225	1,294	1,244	1,369	6,877	12,008	
(C) Total Uses	-	-	-	-	-	-	-	25,725	27,169	26,119	28,744	144,417	252,173	
(D) Net Income (B - C)	-	-	-	-	-	-	25,000	(25,725)	38,831	(26,119)	105,256	(94,417)	22,827	
ENDING CASH (A - D)	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$35,000	\$9,275	\$48,106	\$21,988	\$127,244	\$32,827	\$22,827	

45000
50000

Accounting/Payroll	23,400	1,950	1,950	1,950	1,950	1,950	1,950	1,950	1,950	1,950	1,950	1,950	1,950	1,950	1,950	1,950	23,400
Audit	10,000	833	833	833	833	833	833	833	833	833	833	833	833	833	833	833	10,000
Legal Services	4,000	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	4,000
Insurance	15,200	1,267	1,267	1,267	1,267	1,267	1,267	1,267	1,267	1,267	1,267	1,267	1,267	1,267	1,267	1,267	15,200
Marketing/Development	1,000	83	83	83	83	83	83	83	83	83	83	83	83	83	83	83	1,000
District/ County fee	9,891	824	824	824	824	824	824	824	824	824	824	824	824	824	824	824	9,891
Total Service/Operating Expenses Facilities	81,786	6,565	9,065	7,065	6,565	6,565	6,565	6,565	6,565	6,565	6,565	6,565	6,565	6,565	6,565	6,565	81,786
Rent	147,000	12,250	12,250	12,250	12,250	12,250	12,250	12,250	12,250	12,250	12,250	12,250	12,250	12,250	12,250	12,250	147,000
Utilities	25,200	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	25,200
Maintenance and Repairs	8,400	700	700	700	700	700	700	700	700	700	700	700	700	700	700	700	8,400
Janitorial services & supplies	16,800	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	16,800
Total Facility/Capital Outlay	197,400	16,450	16,450	16,450	16,450	16,450	16,450	16,450	16,450	16,450	16,450	16,450	16,450	16,450	16,450	16,450	197,400
Subtotal Uses	1,932,178	107,761	181,496	179,246	169,521	169,521	169,521	169,521	169,521	169,521	169,521	169,521	169,521	169,521	169,521	169,521	1,932,178
Replacement Reserve	35,727	2,977	2,977	2,977	2,977	2,977	2,977	2,977	2,977	2,977	2,977	2,977	2,977	2,977	2,977	2,977	35,727
TOTAL USES	1,967,905	110,738	184,473	182,223	172,498	172,498	172,498	172,498	172,498	172,498	172,498	172,498	172,498	172,498	172,498	172,498	1,967,906
Total Sources	2,011,905	52,408	118,730	238,811	98,811	98,811	340,926	272,554	181,849	94,624	291,639	2,011,905					2,011,905
Net income/cash flow	44,000	(58,330)	(65,743)	56,588	(73,687)	(73,687)	168,428	(73,687)	(48,566)	9,351	(77,874)	43,999					43,999
Revolving Loan	-	50,000		(5,000)		(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)					(50,000)
	273,222		207,478	259,066	180,379	101,692	265,120	186,433	132,867	227,923	149,400	325,551					325,551

Mr. Rene Santiago
Deputy County Executive/Director
Behavioral Health Services Department
Santa Clara County Health and Hospital System

Letter of Intent to Partner with Seneca Family of Agencies to Deliver EPSDT Specialty Mental Health Services and Supports to Students and Families at The Legacy Academy

Dear Mr. Santiago,

As the Executive Director of The Legacy Academy, I would like to personally thank you for considering the opportunity for Seneca, a contract provider of the Behavioral Health Services Department (DBHS), to partner with Santa Clara County Health and Hospital System to serve vulnerable students at The Legacy Academy with integrated school-based mental health services and supports.

The Legacy Academy, a proposed public charter school set to open in the Fall of 2017, is designed to serve up to 180 middle school youth (at full implementation in 2019) who are currently involved, or have been involved, in the Juvenile Justice and/or Child Welfare systems; and more broadly, youth who face profound academic, behavioral, and social emotional challenges. The mission of The Legacy Academy is to engage and inspire middle school youth to achieve academic and social success by embracing students who are facing overwhelming obstacles, and by supporting them to achieve success in high school, college and/or career, and life. The Legacy Academy will offer a cohesive and comprehensive program specifically designed to: (1) build the belief in all students that they can succeed, and (2) equip them with the tools to change their legacy. In doing so, The Legacy Academy will support students in transforming their experience, in turn changing the course of their legacy within our community.

To ensure students at The Legacy Academy have access to the highest quality mental health services and supports, The Legacy Academy proposes to partner with Seneca Family of Agencies (Seneca) to implement its nationally recognized Unconditional Education Model. Seneca has over 30 years of experience providing mental health services in educational settings, and today its highly-individualized continuum of school-based services includes counseling-enriched classrooms, non-public schools, and whole-school intervention partnerships. With a commitment to supporting students in the least restrictive educational setting possible, Seneca's whole school partnership model, Unconditional Education (UE), is grounded in a Multi-Tiered System of Supports (MTSS) framework that fully integrates trauma-informed prevention and early intervention within the provision of academic, behavioral, and social-emotional interventions for all students. In partnership with school communities, Seneca works to build the capacity of teachers and caregivers to identify and respond to behavioral health needs, while providing highly-coordinated and universally accessible behavioral health supports for *all* students. The result is improved academic performance and social-emotional well-being for the *most* struggling students at each school, including students with disabilities, as well as a safer and more engaging culture and climate for the entire school community.

Cores services delivered by Seneca staff at The Legacy Academy will include:

Universal Supports

Often referred to as Tier 1, universal supports are designed to reach all students and address the culture and climate of the whole school in promoting inclusion. These types of supports can include high-quality differentiated instructional methods and classroom management, differentiated instruction practices and curricula, classroom and School-Wide Positive Behavioral Interventions and Supports (SWPBS), trauma-informed social-emotional curricula, conflict resolution practices and strategies, bullying prevention procedures, and more.

Tier 2 and Tier 3 Targeted Services

Students identified for Tier 2 services participate in short cycles of intervention focused on remediating specific gaps, usually delivered within the classroom or through pullout. Tier 2 services can include small group academic intervention (e.g. reading comprehension groups), behavior support planning, and social skills and therapy groups. With prompt and targeted intervention, many students quickly improve and can step down to tier one interventions. Students who do not respond to Tier 2 interventions may receive Tier 3 intensive individual services, usually provided in a one-to-one support relationship. Tier 3 interventions can include IEP supports, functional behavioral analysis, and individual and family therapy.

Individualized and Accessible Services

When Tier 3 services are needed, multi-disciplinary team-based approaches to decision-making should identify the most effective service mix for each individual student, ensuring that services are right-sized to fit their unique need. While traditional approaches limit service access to defined places (e.g., a special day class or a nonpublic school), a whole-school approach brings the services to the student, with the intensity and frequency determined based individual need.

Data-Based Coordination of Services

A multi-tiered system of supports must use a high functioning process to support integrated service planning and develop school-wide procedures to ensure the identification of students requiring additional intervention. The following strategies are central to this model:

- **Universal screeners:** A universal screening tool that helps to identify internalizing and externalizing behaviors, coupled with further assessments to identify particular strengths and areas for growth, help determine appropriate and individualized interventions for each student.
- **Progress monitoring:** Student progress is monitored frequently to ensure sufficient growth towards goals. Progressive growth on screeners and benchmarks is analyzed to ensure students are making necessary progress.

- **Assessing school-wide need:** Like the students and their families, each school is unique, with its own history, culture, and aspirations. An assessment and planning process that looks at the current system of student support and creates an intervention plan to address the school's strengths and challenges is essential to success of a whole-school approach.

Efficient Systems

The effective delivery of services is based on three key components:

- **Coordination:** The coordination of services team (COST), is a multi-disciplinary team composed of school leaders, service providers, general education teachers, and support staff responsible for the coordination of intervention services. The group regularly reviews school-wide data from academic, behavioral and/or emotional screeners to inform decisions around intervention services and school-wide need.
- **Prevention/Early Intervention:** By proactively using data to identify student needs and provide responsive, early intervention strategies, the need for higher levels of service can often be mitigated. As a result, timely and accurate identification and treatment offers the potential to free up valuable resources, so that they can be used to efficiently provide high-quality interventions for more students with critical needs, including students with disabilities.
- **Integration:** Through highly coordinated services and data-driven intervention planning, each student is treated in a holistic manner that promotes equity-based educational opportunity in the least restrictive setting possible at all times. This crucial component requires robust general education and special education collaboration.

Core Seneca staffing at The Legacy Academy includes:

Unconditional Education Coach

The Unconditional Education Coach (UE Coach), who serves a key role within the model, partners with school principals who are interested in transforming school practice to ensure that student needs are met early and often. By focusing on prevention and early-intervention efforts, schools create the positive environment that lays a strong foundation on top of which high-quality special education services can be built.

The UE Coach works with schools, with a focus on building a sustainable system of collaborative and inclusive student supports. The UE Coach focuses on building the capacity of all staff in the building, particularly general education teachers, to be better prepared to work with students who struggle. Breaking down siloes between special education and general education, the UE model recognizes that in order for all students to thrive, they must be seen as the responsibility of all adults.

Specifically, the UE Coach works to:

- Develop the school's capacity to assess and improve the overall school culture and climate, to ensure that school is a place where students and families feel safe and engaged

- Facilitate the Coordination of Services process, where multi-disciplinary teams regularly reflect on data to identify student's academic, behavioral, and social emotional needs, match needs with responsive intervention, and monitor progress
- Provide professional development and ongoing, onsite coaching that prepares staff to meet the diverse needs of students within their classroom

Clinical Intervention Specialists

The Clinical Intervention Specialist provides therapeutic, case management and consultation services for a caseload of students and families. Additionally, the Clinical Intervention Specialist coordinates services at the school site and supports colleagues in including students successfully in diverse settings by providing teacher coaching, modeling and development opportunities. The Intervention Specialist works collaboratively with classroom teachers, school leadership to maintain the academic, social and emotional needs of each student. Specific duties include:

- Work effectively as a member of a multi-disciplinary team to implement academic, behavioral, and therapeutic services for students in need of intervention
- Provide coaching and professional development to support school staff in experiencing success with all students
- Implement research-based interventions aligned with MTSS including individual, group, and family therapy and case management for identified students
- Document interventions provided and provide necessary reports on student progress
- Engage caregivers in the educational process, providing frequent opportunities to discuss student growth and needs
- Provide consultation to school staff on safety assessments, mental health crises, and accessing social service

Mental Health Counselors

The Mental Health Counselor provides instructional, therapeutic, and behavioral support to students. The Mental Health Counselor works to provide a positive learning environment for students through behavior management, behavior modification, coaching, training, and skill building of students and school staff. Specific duties include:

- Providing direct behavioral intervention/modification for students that decreases engagement in disruptive, harmful or negative behaviors and increases engagement in positive replacement behaviors.
- Providing crisis management and intervention for students, including but not limited to: risk assessment, crisis counseling, creation of behavioral plans and/or physical management using Seneca's certified AHIMSA Model
- Lead small groups of students in activities to enhance their academic, behavioral, and interpersonal and social skills as appropriate

- Assist in monitoring students’ progress toward their goals through formal documentation methods (i.e., data tracking, mental health notes, carrying out assessments, etc.)
- Collaborating with a multi-disciplinary team to ensure all students get the support they need to achieve academic and personal success at school
- Coordinating and collaborate with parents, classroom teachers and other providers in order to transfer skills and build capacity
- Implementing broader classroom or school-wide interventions, including trauma-informed practices

Budget:

The Legacy Academy kindly requests DBHS contract with Seneca to allocate an additional \$2,923,580 dollars of EPSDT funding to Seneca’s existing contract with DBHS on an annual basis to fund integrated mental health services and supports for to support up to 180 youth at The Legacy Academy. The Legacy Academy is not seeking EPSDT matching funds from DBHS; rather, The Legacy Academy is willing to put up the entirety of the local match dollars necessary to access EPSDT funding.

For your convenience, a summary of the projected program costs to be charged to the contract are summarized below. A detailed line budget is attached and further details specific Seneca program costs that would be billed to the requested EPSDT contract. Please note, while The Legacy Academy plans to serve up to 180 students at full implementation, it will ramp up over the first two years of operation. In year one, the school will serve up to 60 youth (fiscal year 2017/2018) and up to 120 youth in year two (fiscal year 2018/2019).

DBHS- EPSDT BUDGET SUMMARY				
	Fiscal Year 2017/2018	Fiscal Year 2018/2019	Fiscal Year 2019/2020	Ongoing Annual Expense
Student Enrollment	60	120	180	180
Personnel	823,151	1,646,301	2,426,589	2,426,589
Operations	55,125	110,250	160,650	160,650
Indirect	114,176	228,352	336,341	336,341
Total	992,451	1,984,903	2,923,580	2,923,580

To reiterate, I, along with members of the Board of The Legacy Academy, are deeply appreciative of this opportunity. Please let me know if you have any questions or need further clarifications on this Letter of Intent.

Warmly,

Marc Buller
 Executive Director
 The Legacy Academy

LEGACY ACADEMY Unconditional Education Partnership Seneca Family of Agencies		Student Enrollment					
		Year One		Year One Total			
PROGRAM COSTS		Year One		Year One Total			
PERSONNEL		FTE	Expense	DBHS/EPST FTE	Expense	Total FTE	Total Expense
Direct Program Staff							
Unconditional Education Coach	85,000	0.50	42,500		0	0.50	42,500
SPED Teacher	85,000	0.50	42,500		0	0.50	42,500
Classroom Intervention Specialist	78,000		0	4.00	312,000	4.00	312,000
Mental Health Counselor	50,000		0	4.00	200,000	4.00	200,000
Program and Clinical Supervision			17,000		102,400		119,400
Program/Case Assistant	45,000	0.25	11,250	0.75	33,750	1.00	45,000
Direct Program Staff Subtotal			113,250		648,150		761,400
Benefits	0.27		30,578		175,001		205,578
Total Personnel		1.25	143,828	8.75	823,151	10.00	966,978
OPERATIONS							
Office Supplies	cost/staff		1,250		8,750		10,000
Telephone	1,000		1,250		8,750		10,000
Mileage	300		375		2,625		3,000
Staff Recruitment			0		0		0
Staff Development	250		313		2,188		2,500
Building Maintenance	100		125		875		1,000
Computers and Printers	650		813		5,688		6,500
Classroom Supply	1,000		1,250		8,750		10,000
Conference and Training	1,000		1,250		8,750		10,000
Curriculum/Treatment Supply	1,000		1,250		8,750		10,000
Total Operations			7,875		55,125		63,000
TOTAL DIRECT			151,703		878,276		1,029,978
INDIRECT	0.13		19,721		114,176		133,897
TOTAL EXPENSE			171,424		992,451		1,163,875
Services As Needed	Hourly Rate						
Specialist (DHOH, AT, etc)	167	50	8,333				8,333
School Psychologist	125	200	25,000				25,000
Special Education Nursing	125	10	1,250				1,250
SANS Projected Total			34,583				34,583
Professional Development							
Expert Trainers	185	10	1,850				1,850
Professional Development Total			1,850		992,451		1,850
TOTAL EXPENSE			207,857		992,451		1,200,308

LEGACY ACADEMY Unconditional Education Partnership Seneca Family of Agencies		Year Two		Year Two Total	
		FTE	Expense	FTE	Total Expense
PROGRAM COSTS				Student Enrollment 120	
PERSONNEL		School/District Expense		DBHS/EPSDT	
Direct Program Staff					
Unconditional Education Coach	85,000	0.50	42,500	0	42,500
SPED Teacher	85,000	0.50	42,500	0	42,500
Classroom Intervention Specialist	78,000		0	8.00	624,000
Mental Health Counselor	50,000		0	8.00	400,000
Program and Clinical Supervision	45,000	0.50	17,000	1.50	204,800
Direct Program Staff Subtotal			124,500		1,296,300
Benefits	0.27	1.50	33,615		350,001
Total Personnel			158,115	17.50	1,646,301
OPERATIONS					
Office Supplies	cost/staff		1,500		17,500
Telephone	1,000		1,500		17,500
Mileage	300		450		5,250
Staff Recruitment			0		0
Staff Development	250		375		4,375
Building Maintenance	100		150		1,750
Computers and Printers	650		975		11,375
Classroom Supply	1,000		1,500		17,500
Conference and Training	1,000		1,500		17,500
Curriculum/Treatment Supply	1,000		1,500		17,500
Total Operations			9,450		110,250
TOTAL DIRECT			167,565		1,756,551
INDIRECT	0.13		21,783		228,352
TOTAL EXPENSE			189,348		1,984,903
Services As Needed	Hourly Rate				
Specialist (DHOH, AT, etc)	167	50	8,333		8,333
School Psychologist	125	350	43,750		43,750
Special Education Nursing	125	10	1,250		1,250
SANS Projected Total			53,333		53,333
Professional Development					
Expert Trainers	185	10	1,850		1,850
Professional Development Total			1,850		1,850
TOTAL EXPENSE			244,532		2,229,434

LEGACY ACADEMY Unconditional Education Partnership Seneca Family of Agencies		Student Enrollment				180
		Year Three		Year Three		Year Three Total
PROGRAM COSTS		School/District Expense		DBHS/EPSDT		TOTAL
PERSONNEL		FTE	Expense	FTE	Expense	Total FTE Total Expense
Direct Program Staff						
Unconditional Education Coach	85,000	0.50	42,500	0	0	0.50 42,500
SPED Teacher	85,000	0.50	42,500	0	0	0.50 42,500
Classroom Intervention Specialist	78,000		0	12.00	936,000	12.00 936,000
Mental Health Counselor	50,000		0	12.00	600,000	12.00 600,000
Program and Clinical Supervision			17,000		307,200	
Program/Case Assistant	45,000	0.50	22,500	1.50	67,500	2.00 90,000
Direct Program Staff Subtotal			124,500		1,910,700	2,035,200
Benefits	0.27	1.50	33,615		515,889	1.50 549,504
Total Personnel			158,115	25.50	2,426,589	27.00 2,584,704
OPERATIONS	cost/staff					
Office Supplies	1,000		1,500		25,500	27,000
Telephone	1,000		1,500		25,500	27,000
Mileage	300		450		7,650	8,100
Staff Recruitment			0		0	0
Staff Development	250		375		6,375	6,750
Building Maintenance	100		150		2,550	2,700
Computers and Printers	650		975		16,575	17,550
Classroom Supply	1,000		1,500		25,500	27,000
Conference and Training	1,000		1,500		25,500	27,000
Curriculum/Treatment Supply	1,000		1,500		25,500	27,000
Total Operations			9,450		160,650	170,100
TOTAL DIRECT			167,565		2,587,239	2,754,804
INDIRECT	0.13		21,783		336,341	358,125
TOTAL EXPENSE			189,348		2,923,580	3,112,929
Services As Needed	Hourly Rate					
Specialist (DHOH, AT, etc)	167	50	8,333			8,333
School Psychologist	125	540	67,500			67,500
Special Education Nursing	125	10	1,250			1,250
SANS Projected Total			77,083			77,083
Professional Development						
Expert Trainers	185	10	1,850			1,850
Professional Development Total			1,850			1,850
TOTAL EXPENSE			268,282		2,923,580	3,191,862

LEGACY ACADEMY		Student Enrollment		180	
Unconditional Education Partnership Seneca Family of Agencies		ONGOING ANNUAL EPSDT TOTAL		TOTAL THREE YEAR REQUEST	
PROGRAM COSTS		Total FTE	Total EPSDT	TOTAL	DBHS/EPSDT
PERSONNEL					
Direct Program Staff					
Unconditional Education Coach	85,000	0	0	0	0
SPED Teacher	85,000	0	0	0	0
Classroom Intervention Specialist	78,000	12.00	936,000	1,872,000	1,872,000
Mental Health Counselor	50,000	12.00	600,000	1,200,000	1,200,000
Program and Clinical Supervision			307,200	614,400	614,400
Program/Case Assistant	45,000	1.50	67,500	168,750	168,750
Direct Program Staff Subtotal			1,910,700	3,855,150	3,855,150
Benefits	0.27		515,889	1,040,891	1,040,891
Total Personnel		25.50	2,426,589	4,896,041	4,896,041
OPERATIONS					
Office Supplies	cost/staff	25,500	25,500	51,750	51,750
Telephone	1,000	25,500	25,500	51,750	51,750
Mileage	300	7,650	7,650	15,525	15,525
Staff Recruitment		0	0	0	0
Staff Development	250	6,375	6,375	12,938	12,938
Building Maintenance	100	2,550	2,550	5,175	5,175
Computers and Printers	650	16,575	16,575	33,638	33,638
Classroom Supply	1,000	25,500	25,500	51,750	51,750
Conference and Training	1,000	25,500	25,500	51,750	51,750
Curriculum/Treatment Supply	1,000	25,500	25,500	51,750	51,750
Total Operations			160,650	326,025	326,025
TOTAL DIRECT			2,587,239	5,222,066	5,222,066
INDIRECT	0.13		336,341	678,869	678,869
TOTAL EXPENSE			2,923,580	5,900,934	5,900,934
Services As Needed	Hourly Rate				
Specialist (DHOH, AT, etc)	167		0	0	0
School Psychologist	125		0	0	0
Special Education Nursing	125		0	0	0
SANS Projected Total			0	0	0
Professional Development					
Expert Trainers	185		0	0	0
Professional Development Total			0	0	0
TOTAL EXPENSE			2,923,580	5,900,934	5,900,934



November 2, 2015

Mr. Marc Buller
Executive Director
The Legacy Academy
943 Marble Court
San Jose, CA 95120

Dear Marc,

I am pleased to inform you that the Board of Directors of the Leo M. Shortino Family Foundation has approved a grant to The Legacy Academy in the amount of \$50,000 to provide startup funding in preparation for the 2016 launch of a charter middle school for students who have been involved in the juvenile justice or foster care system and/or had significant problems at their previous school. Payment of the grant will be conditional on the Legacy Academy securing a facility for the school and obtaining approval of its charter application.

The grant agreement, incorporating the planned outcomes, will be issued through our online grants management system. In the coming days we will send an email with instructions to sign and submit the agreement electronically. Upon receipt of the signed agreement, and evidence that the grant's conditions have been met, we will send you a check for the grant award.

The Board members wish you and your organization success in achieving your mission and enhancing the quality of life in Santa Clara County.

Best regards,

Elaine Curran
Executive Director

Sisters of the Holy Family

September 12, 2016

Marc Buller
Legacy Academy
943 Marble Court
San Jose, CA 95120

Dear Mr. Buller,

The Board of Directors of St. Elizabeth's Day Home has recommended the Legacy Academy for a grant. The day home closed in 2015 and the Sisters of the Holy Family are distributing the money as recommended by the board.

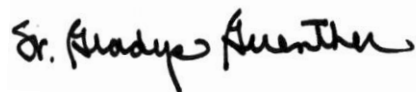
The grant was approved in the amount of \$205,000.00 for the Behavioral Health program. We will hold our check pending approval of your charter school application, but no longer than June 2017.

The Sisters of the Holy Family expect no recognition for this grant. However, if it would be to your advantage to use it to leverage additional funds, you have our permission to do so.


Please note that these funds will represent a one-time donation from the proceeds of the sale of St. Elizabeth's Day Home.

May God bless your work, those you serve, and your staff and volunteers.

Sincerely in the Holy Family,



Sr. M. Gladys Guenther
Congregational President

*" . . . to
seek out
and
advocate
for the
poor and
needy,
especially
families,

for the
kingdom
of God. . . "*

March 24, 2015

Dr. John R. Porter, Jr
Superintendent
Franklin-McKinley School District
645 Wool Creek Drive
San Jose Ca. 95122

Hand Delivered

Dear Superintendent Porter,

Pursuant to Education Code Section 47605.6(a) (1)(A)-(B) this letter serves as notice that The Legacy Academy will be petitioning the Santa Clara County Office of Education to operate a Charter Middle School within your District boundaries. The address of the proposed site is 1970 McLaughlin Ave San Jose Ca. 95122

Sincerely,

Marc Buller
Executive Director
The Legacy Academy

March 4, 2016

Nancy Albarran
Superintendent
San Jose Unified School District
855 Lenzen Ave
San Jose Ca. 95126

Hand Delivered

Dear Superintendent Albarran

Pursuant to Education Code Section 47605.6(a) (1)(A)-(B) this letter serves as notice that The Legacy Academy will be petitioning the Santa Clara County Office of Education to operate a Charter Middle School potential within your District boundaries. We have not identified a specific site but will be looking at options for lease property within your school boundaries.

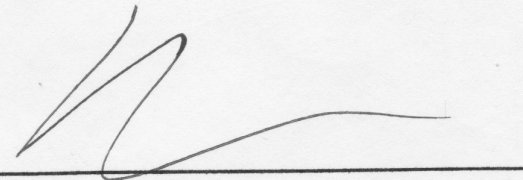
Sincerely,

Marc Buller
Executive Director
The Legacy Academy

Signature Page For Teachers

I, the undersigned, believe that the attached charter for the creation of the Legacy Academy (the "Charter School") merits consideration and hereby petition the Santa Clara County Office of Education to grant approval of the charter pursuant to Education Code Section 47605 to enable the creation of the Charter School. The Petitioners for the Charter School agree to operate the Charter School pursuant to the terms of the Charter Schools Act and the provisions of the Charter School's charter. The petitioner listed below certifies that he or she is a teacher who is meaningfully interested in teaching at the Charter School and is familiar with the Education Program set forth in the Petition.

By the Lead Petitioner:

MARC Buller 

Name

Signature

11-10-15

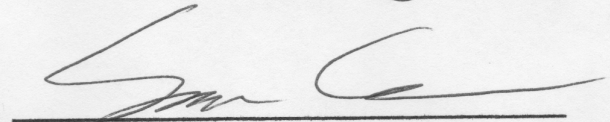
Date

The Petitioner recognize Marc Buller as the Lead Petitioner and hereby authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Santa Clara County Office of Education.

Print Name

Scott Guagliardo

Signature



Date

10/29/15

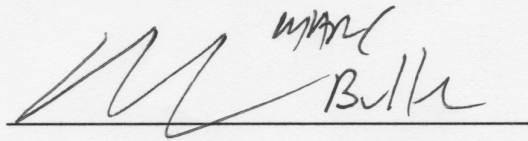
Credential(s) Held

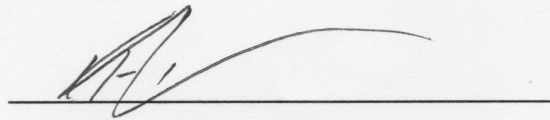
K-8 → Multiple Subject
K-12 → CTE Business Technology

Signature Page For Teachers

I, the undersigned, believe that the attached charter for the creation of the Legacy Academy (the "Charter School") merits consideration and hereby petition the Santa Clara County Office of Education to grant approval of the charter pursuant to Education Code Section 47605 to enable the creation of the Charter School. The Petitioners for the Charter School agree to operate the Charter School pursuant to the terms of the Charter Schools Act and the provisions of the Charter School's charter. The petitioner listed below certifies that he or she is a teacher who is meaningfully interested in teaching at the Charter School and is familiar with the Education Program set forth in the Petition.

By the Lead Petitioner:

 ^{MARC}
Buller



Name

Signature

11-10-15

Date

The Petitioner recognize Marc Buller as the Lead Petitioner and hereby authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Santa Clara County Office of Education.

Print Name

THOMAS HA

Signature

Thomas Ha

Date

5/26/2015

Credential(s) Held

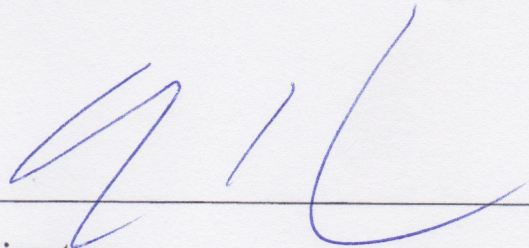
CA-BCLAD Multiple Subjects

Signature Page For Teachers

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By the Lead Petitioner:

MARC Buller



Name

Signature

9-17-16

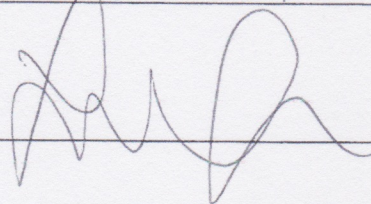
Date

The Petitioner recognize Marc Buller as the Lead Petitioner and hereby authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Santa Clara County Office of Education.

Print Name

Laura Lim

Signature



Date

9/16/16

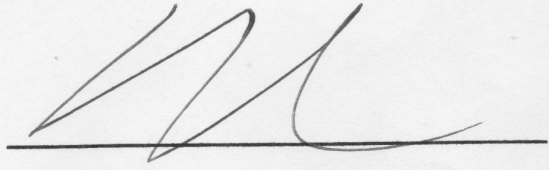
Credential(s) Held

SPED-Mild/Moderate

Signature Page For Teachers

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By the Lead Petitioner:

Marc Buller 
Name Signature

11-10-15
Date

The Petitioner recognize Marc Buller as the Lead Petitioner and hereby authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Santa Clara County Office of Education.

Print Name Kathryn Wassell

Signature Kathryn A. Wassell


Date 10/29/15

Credential(s) Held Single Subject-CA

Signature Page For Teachers

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By the Lead Petitioner:

MARC Buller 

Name

Signature

11-10-15

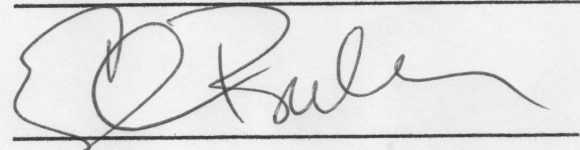
Date

The Petitioner recognize Marc Buller as the Lead Petitioner and hereby authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Santa Clara County Office of Education.

Print Name

Ed Buller

Signature



Date

10/30/2015

Credential(s) Held

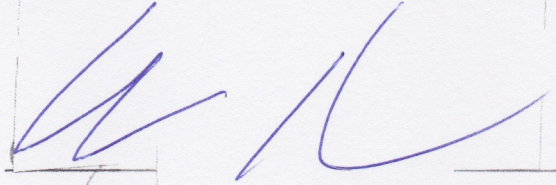
Life

Signature Page For Teachers

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By the Lead Petitioner:

Marc Buller



Name

Signature

9/19/14

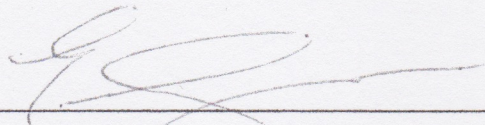
Date

The Petitioner recognize Marc Buller as the Lead Petitioner and hereby authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Santa Clara County Office of Education.

Print Name

EDUARDO LUNA

Signature



Date

9/19/14

Credential(s) Held

SPEP / ADMIN

Jon R. Gundry, County Superintendent of Schools

CHARTER REVIEW MATRIX

Proposed Charter School	Petitioner Contact Information	Petition Review Timeline	
Name of Proposed Charter School: The Legacy Academy	Name: Marc Buller	Petition Received:	
Location of Proposed School(s): 520 W. Virginia Street, San Jose CA 95125 (Year One)	Title: Executive Director	Public Hearing: (30 days from receipt)	
Grade Level: 6-8	Phone/Cell: 408.318.9807	Board Decision: (60 days from receipt)	
District of Proposed Charter School: San Jose Unified (Year One), Franklin-McKinley Year Two and Ongoing	Email: mpbuller@sbcglobal.net	<input type="checkbox"/> 30 day extension granted (60 days from receipt, may be extended 30 days if agreed by petitioner(s) and SCCOE)	

REQUIRED ELEMENTS: Education Code § 47605 (b) (1)-(5)				
	Yes	No	N/A	Page
<input type="checkbox"/> The charter school presents a sound educational program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	13-63
<input type="checkbox"/> The petitioners are demonstrably unlikely to successfully implement the program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	64-143
<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"/>	1-2
<input type="checkbox"/> The initial review finds that the petition has included all of the required elements (A-P)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1-143
REQUIRED PETITION SIGNATURES IF CONVERSION OF EXISTING PUBLIC SCHOOL: Education Code § 47605(a)				
	Yes	No	N/A	Page
REQUIRED PETITION SIGNATURES IF NOT CONVERSION OF EXISTING PUBLIC SCHOOL: Education Code § 47605(a)				
• 50% of parents/guardians of number of students expected to attend	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	n/a
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"/>	Appendix Misc-6
NOTIFICATION UPON APPROVAL: Education Code § 47605 (3) (i)				
	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"> • The department (California Department of Education) • State Board of Education 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	143
REQUIRED AFFIRMATIONS: Education Code § 47605(d)(1)				
	Yes	No	N/A	Page
<input type="checkbox"/> Statement 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 ethnicity, national origin, gender or disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1-2

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.

Legend:

- Required to be included in charter petition and/or Memorandum of Understanding.
- Applies to Petition Renewals

CHARTER RENEWAL REQUIRED ELEMENTS: Evidence to Support Renewal (CCR) Title 5 Section 11966.4				
	Yes	No	N/A	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"/>	<input type="checkbox"/>	
<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"/>	<input type="checkbox"/>	
<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"/>	<input type="checkbox"/>	
<input type="checkbox"/> Annual visits and annual reports, including correcting and deficiencies identified during annual reviews and visits.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Inspections or observations of any part of the charter school at any time	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Strengths:				
Areas of Concerns:				
Conclusions				






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

A	Educational Program	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	1. Targeted School Populations		<input type="checkbox"/>	4
	Age, grade levels and number of students	<input type="checkbox"/>		9
	• Number of students per class room	<input type="checkbox"/>		9
	• Maximum enrollment predicted for school	<input type="checkbox"/>		9
	Type of desired student populations	<input type="checkbox"/>		4-9
	• States whether school will enroll students from outside the district (if submitted as an appeal previously denied by a district)	<input type="checkbox"/>		n/a
	• States whether school will enroll students from outside the county	<input type="checkbox"/>		9
<input type="checkbox"/>	2. Attendance		<input type="checkbox"/>	10
	• Describes whether multiple sites will be included	<input type="checkbox"/>		10
	• Indicates proposed opening date(s)	<input type="checkbox"/>		10
<input type="checkbox"/>	Attendance requirements		<input type="checkbox"/>	10-13
	• Includes length of school day and year	<input type="checkbox"/>		10-12
	• 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"/>		13
<input type="checkbox"/>	3. What it Means to be an Educated Person in the 21st Century		<input type="checkbox"/>	13-15
<input type="checkbox"/>	Objective of enabling pupils to become self-motivated, competent, lifelong learners		<input type="checkbox"/>	13-15
	Clear list of general academic skills and qualities important for an educated person	<input type="checkbox"/>		13-15
<input type="checkbox"/>	4. Description of How Learning Best Occurs		<input type="checkbox"/>	15-
	Persuasive instructional design	<input type="checkbox"/>		15-22
	• Broad outline (not entire scope and sequence) of the curriculum content	<input type="checkbox"/>		22-31
	• Description of instructional approaches and strategies	<input type="checkbox"/>		22-31
	• Description of learning environment (e.g. traditional, independent study)	<input type="checkbox"/>		22-31
	Proposed program strongly aligned to school's mission	<input type="checkbox"/>		15-22
	Affirmation or description of curriculum aligned to student performance standards	<input type="checkbox"/>		22-31
	Outline of plan or strategy to support students not meeting pupil outcomes	<input type="checkbox"/>		31-52
	Instructional design or strategies based upon successful practice or research	<input type="checkbox"/>		15-52
	Instructional strategies for special education, English learners, etc.	<input type="checkbox"/>		31-52
	Proposed program/curriculum reflects a focus on adopted CCSS and NGSS	<input type="checkbox"/>		22-31
	Educational Program describes professional development for teachers	<input type="checkbox"/>		52-56

Minimal instructional time	<input type="checkbox"/>		10-12
Includes school calendar	<input type="checkbox"/>		10-12
<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"/>	n/a
<input type="checkbox"/> 6. English Learner Services		<input type="checkbox"/>	46-52
<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"/>	47
<input type="checkbox"/> Staff members providing English Learner Services are appropriately credentialed.		<input type="checkbox"/>	51
<input type="checkbox"/> A description of the manner in which students are identified as requiring English Learner Services		<input type="checkbox"/>	47-48
<input type="checkbox"/> A description of the process for reclassification of English Learners		<input type="checkbox"/>	48-49
<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 California English-language Development Standards.)		<input type="checkbox"/>	49
<input type="checkbox"/> References to curriculum and materials that will be utilized in the instruction of English Learners		<input type="checkbox"/>	49-51
<input type="checkbox"/> Petition tells how English Learners will be reclassified and how English Learners will be monitored		<input type="checkbox"/>	48-49
Strengths:			
Areas of Concerns			
Conclusions			
<input type="checkbox"/> 7. LCFF/LCAP Annual Goals and Annual Actions to Achieve Goals for Subgroups in EC 2052		<input type="checkbox"/>	64-70
<input type="checkbox"/> Charter includes language that assures compliance with LCFF/LCAP		<input type="checkbox"/>	63, 65-66
<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"/>	64-70
<input type="checkbox"/> A. Conditions of Learning	<input type="checkbox"/>		66-69
(Priority 1) Basic Needs	<input type="checkbox"/>		68-69
(Priority 2) Implementation of State Standards	<input type="checkbox"/>		66-69
(Priority 7) Course Access	<input type="checkbox"/>		68-69
<input type="checkbox"/> B. Pupil Outcomes	<input type="checkbox"/>		66-69
(Priority 4) Pupil Achievement (College and Career)	<input type="checkbox"/>		66-69
(Priority 8) Other Pupil Outcomes	<input type="checkbox"/>		68-69
<input type="checkbox"/> C. Engagement	<input type="checkbox"/>		66-68
(Priority 3) Parental Involvement	<input type="checkbox"/>		66-68
(Priority 5) Pupil Engagement	<input type="checkbox"/>		66-69
(Priority 6) School Climate	<input type="checkbox"/>		66-68
Provides specific annual actions to achieve these goals for each of the subgroups listed below:	<input type="checkbox"/>		66-69
<input type="checkbox"/> Racial/Ethnic groups	<input type="checkbox"/>		66-69
<input type="checkbox"/> Low-income students, including homeless students	<input type="checkbox"/>		66-69
<input type="checkbox"/> English learners	<input type="checkbox"/>		66-69
<input type="checkbox"/> Students with disabilities	<input type="checkbox"/>		66-69
<input type="checkbox"/> Foster youth	<input type="checkbox"/>		66-69
<input type="checkbox"/> 8. Transferability of High School Courses EC 47605 (b) (5) (A) (iii)		<input type="checkbox"/>	n/a
If serving high school students, describes how district/charter school informs parents of:	<input type="checkbox"/>		n/a
<input type="checkbox"/> Transferability of courses to other public high schools; and	<input type="checkbox"/>		n/a
<input type="checkbox"/> Eligibility of courses to meet college entrance requirements	<input type="checkbox"/>		n/a
<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"/>		n/a

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"/>	64-65
	How pupil outcomes will address state content and performance standards in core academics.	<input type="checkbox"/>		64-65
	Exit outcomes include acquisition of academic and non-academic skills.	<input type="checkbox"/>		64-65
	Concise (one page) list of exit outcomes encompass specific skills, not too vague.	<input type="checkbox"/>		64-65
	Affirmation that "benchmark" skills and specific classroom-level skills will be developed.	<input type="checkbox"/>		64-65
	Affirmation/description that exit outcomes will align to mission, curriculum and assessments.	<input type="checkbox"/>		64-65
	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"/>		n/a
	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"/>		64-69
	Acknowledges that exit outcomes and performance goals may need to be modified over time.	<input type="checkbox"/>		65
	If high school, graduation requirements defined.	<input type="checkbox"/>		n/a
	If high school, WASC accreditation standards addressed.	<input type="checkbox"/>		n/a
<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"/>	65-69
<input type="checkbox"/>	Statement that pupil achievement measurements will include the elements listed below:		<input type="checkbox"/>	65-66
<input type="checkbox"/>	Alignment with state priorities 52060 (d) and description of how the charter will address all 8 state priorities		<input type="checkbox"/>	66-69
<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"/>	65-69
<input type="checkbox"/>	(B) The Academic Performance Index, as described in Section 52052		<input type="checkbox"/>	n/a
<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"/>	n/a
<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"/>	65-69
<input type="checkbox"/>	(E) The English learner reclassification rate.		<input type="checkbox"/>	65-69
<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"/>	n/a
<input type="checkbox"/>	(G) The percentage of pupils who participate in, and demonstrate college preparedness pursuant to, the Early Assessment Program.		<input type="checkbox"/>	n/a

For Charter Renewal, EC 47607 (a)(3)(A) defines the most important factor is the increase in pupil academic achievement for all groups of students served by the charter school. The Minimum Threshold for Student Achievement:

<input type="checkbox"/>	<p>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)</p> <p>EC 52052 (e) proxies include</p> <p>I. Most recent API calculation</p> <p>II. Average of 3 most recent API calculations</p> <p>III. Alternative measures that show increases in pupil academic achievement for all groups of pupils school-wide and among significant student groups.</p>	<input type="checkbox"/>	
<input type="checkbox"/>	<p>2) Ranked in deciles 4 to 10, inclusive, on the API in prior year or two of the last three years</p>	<input type="checkbox"/>	
<input type="checkbox"/>	<p>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.</p>	<input type="checkbox"/>	
<input type="checkbox"/>	<p>4) Academic Performance of the charter school is at least equal to the academic performance of the public schools that the charter schools would have 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 served</p>	<input type="checkbox"/>	
<input type="checkbox"/>	<p>5) Qualified for an alternative accountability system (EC 52052)</p>	<input type="checkbox"/>	

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"/>		71-80
	Assessments include multiple, valid and reliable measures using traditional/ alternative tools	<input type="checkbox"/>		71-80
	Chosen assessments are appropriate for standards and skills they seek to measure	<input type="checkbox"/>		71-80
	Affirmation/description of how assessments align to mission, exit outcomes, and curriculum	<input type="checkbox"/>		71
	Describes minimal required performance level necessary to attain each standard	<input type="checkbox"/>		75-77
	Outlines a plan for collecting, analyzing and reporting student/school performance data	<input type="checkbox"/>		78-80
<input type="checkbox"/>	LCFF/LCAP Assurance that methods of assessment are aligned with measureable student outcomes		<input type="checkbox"/>	71-80
<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"/>	71-80
<input type="checkbox"/>	(B) Include the annual assessment tools as required by state and federal assessments (CAASPP, CELDT, etc.)		<input type="checkbox"/>	71-80
<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"/>	78-80
<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"/>	71-80
<input type="checkbox"/>	(E) Committed plan to share performance information with students, families and public agencies		<input type="checkbox"/>	78-80
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"/>	81, 88-89
<input type="checkbox"/>	Describes key features of governing structure (usually a board of directors) such as:		<input type="checkbox"/>	81-89
	• Size/composition of board	<input type="checkbox"/>		82-85
	• Board committees or advisory councils	<input type="checkbox"/>		82-85
	• Board's scope of authority/responsibility/conflict of interest	<input type="checkbox"/>		82-85
<input type="checkbox"/>	Status as a non-profit or public school		<input type="checkbox"/>	81-82
<input type="checkbox"/>	If non-profit, provisions for liability of debts		<input type="checkbox"/>	81
	Has set of, proposed bylaws, policies or similar documents	<input type="checkbox"/>		Appen dix D-3
	Initial governing board members identified by name or the process used to select them	<input type="checkbox"/>		82-83
	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"/>		82-83
<input type="checkbox"/>	Demonstrates compliance with Brown Act		<input type="checkbox"/>	81-89
<input type="checkbox"/>	Annual Review and Revision of the Local Control Accountability Plan (LCAP).		<input type="checkbox"/>	84
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		<input type="checkbox"/>	36-37
<input type="checkbox"/>	Consulted with the Santa Clara County SELPA Director		<input type="checkbox"/>	Discussion
	• Discussed special education responsibilities of charter	<input type="checkbox"/>		Discussion
	• Discussed application of SELPA policies	<input type="checkbox"/>		Discussion
<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"/>	36-46
	• Includes fiscal allocation plan	<input type="checkbox"/>		Appendix Misc-2 and Misc-3
<input type="checkbox"/>	If charter not an independent LEA:		<input type="checkbox"/>	36-46
	• Clarifies in charter the responsibilities of each party for service delivery	<input type="checkbox"/>		36-46
	<input type="checkbox"/> Referral	<input type="checkbox"/>		38-39
	<input type="checkbox"/> Assessment	<input type="checkbox"/>		39-41
	<input type="checkbox"/> Instruction	<input type="checkbox"/>		36-46
	<input type="checkbox"/> Due Process	<input type="checkbox"/>		43-45
	<input type="checkbox"/> Agreements describing allocation of actual and excess costs	<input type="checkbox"/>		36-37
	<input type="checkbox"/> Charter fiscally responsible for fair share of any encroachment on general funds	<input type="checkbox"/>		36-37
<input type="checkbox"/>	If charter is LEA within County SELPA		<input type="checkbox"/>	36-37
	• Notifies SELPA Director of intent prior to February 1 st of the preceding school year	<input type="checkbox"/>		36-46
	• Located within SELPA geographical boundaries	<input type="checkbox"/>		36-46
	• Provides current operating budget in accordance with Ed Code § 42130 and § 42131	<input type="checkbox"/>		36-46
	• Provides assurances that all be instructed in safe environment	<input type="checkbox"/>		36-46
	• Provides copy of original charter petition and any amendments	<input type="checkbox"/>		36-46
	• Responsible for any legal fees relating to application and assurances process	<input type="checkbox"/>		36-46
	• Meets the terms of the "Agreement Regarding the Organization, Implementation, Administration and Operation of the SELPA (Section 12-13, Appendix A)	<input type="checkbox"/>		36-46
	• Meets the terms of all SELPA policies and procedures	<input type="checkbox"/>		36-46
	• Charter fiscally responsible for fair share of any encroachment on general funds	<input type="checkbox"/>		36-46
<input type="checkbox"/>	Petition includes the following assurances:		<input type="checkbox"/>	36-46
	• The charter will comply with all provisions of IDEA	<input type="checkbox"/>		36-46
	• No student will be denied admission based on disability or lack of available services	<input type="checkbox"/>		36-46
	• 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	<input type="checkbox"/>		36-46
<input type="checkbox"/>	Staff members providing special education services are appropriately credentialed		<input type="checkbox"/>	36-46
<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"/>	36-46
<input type="checkbox"/>	The charter school will assume full responsibility for appropriate accommodation to address the needs of any student		<input type="checkbox"/>	36-46
<input type="checkbox"/>	The responsibility of the school to provide special education, instruction and related serves to the students enrolled in the school regardless of students' district of residence		<input type="checkbox"/>	36-46
<input type="checkbox"/>	Specialized instruction and services available at the school		<input type="checkbox"/>	36-46
<input type="checkbox"/>	The provision of Designated Instruction and Services (DIS)		<input type="checkbox"/>	36-46
<input type="checkbox"/>	Special transportation for students whose IEPs indicate that service is necessary for the provision of FAPE		<input type="checkbox"/>	36-46
<input type="checkbox"/>	The procedures for ensuring that students are referred, assessed and served in a timeline manner		<input type="checkbox"/>	36-46

<input type="checkbox"/>	A description of the school's "Search and Service" procedures	<input type="checkbox"/>		36-46
<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"/>		36-46
<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"/>		36-46
	Overview of how special education funding and services will be provided by:	<input type="checkbox"/>		36-46
	• Charter School	<input type="checkbox"/>		36-46
	• Charter Granting Agency	<input type="checkbox"/>		36-46
	• SELPA			36-46
<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"/>		36-46
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"/>		45-46
<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"/>		45-46
<input type="checkbox"/>	All staff members providing services to the student are familiar with the identified needs of the student	<input type="checkbox"/>		45-46
<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"/>		45-46
<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"/>		45-46
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...) • Job Descriptions for Positions • Identifies key staff positions with the charter school	<input type="checkbox"/>		90-97
	Process for staff selection	<input type="checkbox"/>		95-96
	Procedure for adequate background checks	<input type="checkbox"/>		90
	Salaries and benefits for all employees	<input type="checkbox"/>		96-97
	Measures of assessment of performance	<input type="checkbox"/>		96-97
	Describes specific key qualifications (knowledge, experience, education, certification, etc.) sufficient to ensure the health and safety of pupils and staff.	<input type="checkbox"/>		91-95
<input type="checkbox"/>	Defines "core, college preparatory" teachers/affirms they will hold appropriate credentials (Commission on Teacher Credentialing Certificate/Permit) • Identifies whether these teachers will teach only within the restrictions of their credentials		<input type="checkbox"/>	93-94
	Verification that teachers and paraprofessionals who are required to be certified are "highly qualified" as required by the federal No Child Left Behind Act	<input type="checkbox"/>		n/a

Identifies any non-core, non-college prep teaching positions staffed by non-certified teachers and their qualifications	<input type="checkbox"/>		94-95
The credentials/qualifications of other charter school staff (e.g., counselors, librarians, administrators, nurses and others)	<input type="checkbox"/>		91-95
Statement of acknowledgment that all employees, even if not public, are subject to state and federal employment laws	<input type="checkbox"/>		90
Explains how teachers will learn the curricula	<input type="checkbox"/>		96, 52-56

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"/>	98
	Outlines specific health and safety practices addressing such key areas as:	<input type="checkbox"/>		98-100
	• Seismic safety (structural integrity and earthquake preparedness)	<input type="checkbox"/>		99
	• Natural disasters and emergencies	<input type="checkbox"/>		99
	• Immunizations, health screenings, administration of medications, employee TB testing	<input type="checkbox"/>		98-99
	• Tolerance for use of drugs and/or tobacco	<input type="checkbox"/>		100
	• Staff training on emergency and first aid response	<input type="checkbox"/>		99-100
	• Description of the charter school's safety plan and disaster preparedness plan	<input type="checkbox"/>		100
	References/accompanied by more detailed set of health and safety related policies/procedures	<input type="checkbox"/>		100
<input type="checkbox"/>	Method for conducting criminal background checks in 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		<input type="checkbox"/>	99

Strengths:

Areas of Concern:

Conclusions

G	Means to Achieve a Reflective Racial and Ethnic Balance	Evidence	Addressed in Petition	Page
	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"/>		101-102
	• 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	<input type="checkbox"/>		101-102

Strengths:

Areas of Concern:

Conclusions

H	Admissions Requirements	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Mandatory assurances regarding non-discriminatory admission procedures		<input type="checkbox"/>	103
<input type="checkbox"/>	No contradiction of admissions requirements re: <i>conversion schools and public random drawings</i> <ul style="list-style-type: none"> Describes how random drawing will be conducted 		<input type="checkbox"/>	104-107
	Clearly describes admissions requirements, including any preferences <ul style="list-style-type: none"> Identifies that the charter school will give preference to pupils who reside in the district and how the charter school will employ this preference 	<input type="checkbox"/>		103-107
	Includes a copy of an annual parent/student contract, if available	<input type="checkbox"/>		n/a
	Proposed admissions and enrollment process and timeline	<input type="checkbox"/>		107

Note that with regard to student recruitment, charter schools cannot recruit students in any way that discriminates against students on the basis of race, gender, gender identity, gender expression, color, national origin or disability. 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
	Procedure to select and retain independent auditor	<input type="checkbox"/>		108
	Qualifications of independent auditor	<input type="checkbox"/>		108
	Audit will employ generally accepted accounting procedures	<input type="checkbox"/>		108
	Describe specific scope of audit	<input type="checkbox"/>		108
	Timing of audit and whom it will be sent to	<input type="checkbox"/>		108
	Process for resolving audit exceptions to satisfaction of granting agencies	<input type="checkbox"/>		108
	Describes manner in which the audit will be made public	<input 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			
	Proof of knowledge of requirement and the process by which charter school will submit quarterly financial reports to its chartering authority and the county superintendent of schools (required by AB 1137)			
	Describes services the charter intends to contract out to the district or another provider (if not included in a memorandum of understanding)			
	Describes manner in which audit exceptions and deficiencies will be resolved to the satisfaction of the authorizing board			

Strengths:

Areas of Concern:

Conclusions

J	Pupil Suspension Expulsion	Evidence	Addressed in Petition	Page
	Student code of conduct and process by which this information is given to students and parents/guardians	<input type="checkbox"/>		109-110
	Procedure for involving parents, students and staff in designing and implementing a discipline policy	<input type="checkbox"/>		109-110
	Reference to a comprehensive set of student disciplinary policies OR detailed process by which student may be suspended or expelled	<input type="checkbox"/>		109-124

Describes disciplinary steps to be taken prior to suspension or expulsion	<input type="checkbox"/>		109-124
Evaluation Criteria [5CCR § 11967.5.1(f)(10)] (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.	<input type="checkbox"/>		109-124
(B) Identify the procedures by which pupils can be suspended or expelled.	<input type="checkbox"/>		109-124
(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.	<input type="checkbox"/>		109-124
(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 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"/>		109-124
(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.	<input type="checkbox"/>		109-124
What educational alternative, if any, will be provided to students who were suspended or expelled	<input type="checkbox"/>		109-124
Describes who or what body will be responsible for final suspension/expulsion decisions	<input type="checkbox"/>		109-124
Describes appeal procedures	<input type="checkbox"/>		109-124
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"/>		109-124
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"/>		109-124
Policies balance students' rights to due process with responsibility to maintain a safe learning environment	<input type="checkbox"/>		109-124
Explains how resident school district or COE will be involved in disciplinary matters	<input type="checkbox"/>		109-124

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"/>	125
	Relationship between teachers and district/county bargaining unit	<input type="checkbox"/>		1-2
	Process by which salaries, benefits, working conditions and items, i.e., calendars, holidays, vacations, work day and year will be determined	<input type="checkbox"/>		125
	Labor procedures which will be applied to employees	<input type="checkbox"/>		128-129

Process for resolving complaints/grievances	<input type="checkbox"/>		128-129
Process for ensuring due process	<input type="checkbox"/>		128-129
Manner by which staff members will be covered by STRS, PERS, Social Security or Medicare	<input type="checkbox"/>		125
Process for staff recruitment, selection, evaluation and termination	<input type="checkbox"/>		95-96
Procedure for processing and monitoring credentials if required	<input type="checkbox"/>		90

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 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"/>	126

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		<input type="checkbox"/>	127
	Acknowledgment whether collective bargaining contract in sponsor district will be controlling	<input type="checkbox"/>		127
	Whether and how charter school staff may resume employment within the district	<input type="checkbox"/>		127
	Sick/vacation leave (ability to carry it over to and from charter school)	<input type="checkbox"/>		127
	Whether charter school staff will continue to earn service credit (tenure) in district while at charter school	<input type="checkbox"/>		127
	How employees will be paid (e.g. salaried, hourly, etc.)	<input type="checkbox"/>		125
	Describes employee benefits	<input type="checkbox"/>		125
	Identifies intended employment status of charter school employees	<input type="checkbox"/>		125
	Identifies whether the charter school will be responsible for the payment of social security and applicable taxes for charter school employees	<input type="checkbox"/>		125
	Describes how rights will be communicated to prospective employees	<input type="checkbox"/>		127

Strengths:

Areas of Concern:

Conclusions

N	Dispute Resolution Process	Evidence	Addressed in Petition	Page
	Outlines a simple process for charter and granting agency to settle disputes	<input type="checkbox"/>		128-130
	Process indicates whether it is binding on school or granting agency/fair process	<input type="checkbox"/>		128-130
	Step by step process for identifying/framing dispute points	<input type="checkbox"/>		128-130
	<ul style="list-style-type: none"> Whether internal charter disputes may be brought to granting agency 	<input type="checkbox"/>		128-130
	<ul style="list-style-type: none"> Identifies specific parties to be involved at each step 	<input type="checkbox"/>		128-130
	<ul style="list-style-type: none"> Basic rules at each step 	<input type="checkbox"/>		128-130
	<ul style="list-style-type: none"> Which results are binding 	<input type="checkbox"/>		128-130

Strengths:

Areas of Concern:

Conclusions				
O	Labor Relations	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Whether charter or local school district will be employer for EERA purposes		<input type="checkbox"/>	1-2
	If local district the employer, includes provisions clarifying charter's roles in collective bargaining	<input type="checkbox"/>		1-2
	A declaration of whether charter school employees will be part of the collective bargaining unit in the sponsoring district	<input type="checkbox"/>		1-2
	Statement that charter school employees who are part of the sponsoring district's or county's employee union will be employed under the terms of the district or country collective bargaining agreement	<input type="checkbox"/>		1-2
	If the petitioners elect not to have charter school employees join the sponsoring district's or county's employee union, a declaration as to whether petitioners intend to organize and bargain as a separate unit. Note the charter employees are not required to engage in collective bargaining, but they have that right if they choose as a group to do so.	<input type="checkbox"/>		1-2
Strengths:				
Areas of Concern:				
Conclusions				
P	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"/>		131-132
	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, including pupil records (per code)	<input type="checkbox"/>		131-132
	What the employment status relative to the district/county of charter school employees is and what it will be in the event the charter school ceases or in the event employees seek employment in the district/county	<input type="checkbox"/>		131-132
Strengths:				
Areas of Concern:				
Conclusions				
REQUIRED SUPPLEMENTAL INFORMATION: Education Code § 47605(g)				
i	Administrative Services	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Outlines an adequate process to be used if the charter school closes		<input type="checkbox"/>	133
	Process includes a final audit of the charter school that includes specific plans for disposition of any net assets and for the maintenance and transfer of pupil records	<input type="checkbox"/>		133
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		<input type="checkbox"/>	133-134

the charter school operates or proposes to operate and upon the county board of education?

Strengths:

Areas of Concern:

Conclusions

iii	Financial Plan	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> First year operational budget includes: <ul style="list-style-type: none"> Start-up costs Cash flow for first three years Financial projections for first three years 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	134 Appendix Misc-1 134 Appendix Misc-1 134

Strengths:

Areas of Concern:

Conclusions

iv	Planning Assumptions	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> Number/types of students Number of staff Teacher/student ratio Facilities needs Whether the charter school will participate in the National School Lunch Program Costs of all major items are identified and within reasonable market ranges Revenue assumptions in line with state and federal funding guidelines Revenue from "soft sources" (e.g., donations, grants and fundraisers) less than 10% of ongoing operational costs Timeline allows window for grant applications to be submitted and funded 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	135-136 Appendix Misc-1 135-136 Appendix Misc-1 135-136 Appendix Misc-1 135-136 Appendix Misc-1 135-136 Appendix Misc-1

Strengths:

Areas of Concern:

Conclusions

v	Start-Up Costs	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> Clearly identifies most major start-up costs <ul style="list-style-type: none"> Staffing Facilities Equipment and Supplies Professional Services Assumptions in line with overall school design plan Identifies potential funding source that could or would fund these costs 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	136 Appendix Misc-1 136 Appendix Misc-1 136 Appendix Misc-1 136 Appendix Misc-1 136 Appendix Misc-1 136 Appendix Misc-1 136 Appendix Misc-1

<ul style="list-style-type: none"> Timeline allows for grant and fundraising 	<input type="checkbox"/>		136 Appendix Misc-1
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Strengths:
Areas of Concern:
Conclusions

vi	Annual Operating Budget	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> Annual revenues and expenditures clearly identified by source and expenditures are clearly identified by destination (i.e. object codes). 	<input type="checkbox"/>		136-137 Appendix Misc-1
	<ul style="list-style-type: none"> Revenue assumptions closely related to applicable state and federal funding formulas 	<input type="checkbox"/>		136-137 Appendix Misc-1
	<ul style="list-style-type: none"> Expenditure assumptions reflect school design plan 	<input type="checkbox"/>		136-137 Appendix Misc-1
	<ul style="list-style-type: none"> Expenditure assumptions reflect prevailing or market costs 	<input type="checkbox"/>		136-137 Appendix Misc-1
	<ul style="list-style-type: none"> "Soft" revenues (e.g. fund-raises and grants) are not critical to solvency 	<input type="checkbox"/>		136-137 Appendix Misc-1
	<ul style="list-style-type: none"> Strong reserve or projected ending balance (the larger of 2-5% of expenditure or \$25,000) 	<input type="checkbox"/>		136-137 Appendix Misc-1
	<ul style="list-style-type: none"> 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. 	<input type="checkbox"/>		136-137 Appendix Misc-1
	<ul style="list-style-type: none"> Budget clearly indicates restricted versus general operating/flexible funds. 	<input type="checkbox"/>		136-137 Appendix Misc-1
	<ul style="list-style-type: none"> Expenditure for sufficient insurance to name district as also insured/hold harmless agreement 	<input type="checkbox"/>		136-137 Appendix Misc-1
	<ul style="list-style-type: none"> Expenditure sufficient for reasonably expected legal services 	<input type="checkbox"/>		136-137 Appendix Misc-1
	<ul style="list-style-type: none"> Expenditure for Special Education excess costs consistent with current experience in county 	<input type="checkbox"/>		136-137 Appendix Misc-1
	<ul style="list-style-type: none"> Description of all insurance the charter school will purchase, complete with annual cost 	<input type="checkbox"/>		136-137 Appendix Misc-1

Strengths:
Areas of Concern:
Conclusions

vii	Cash Flow Analysis	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> Monthly projection of revenue receipts in line with state/federal funding disbursements 	<input type="checkbox"/>		137 Appendix Misc-1
	<ul style="list-style-type: none"> Expenditures projected by month and correspond with typical/reasonable schedules 	<input type="checkbox"/>		137 Appendix Misc-1
	<ul style="list-style-type: none"> Show positive fund balance each month and/or identify sources of working capital 	<input type="checkbox"/>		137 Appendix Misc-1

Strengths:
Areas of Concern:
Conclusions

viii	Long-term Plan	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> Projects revenues and expenditures for at least three additional years (in addition to first year budget). 	<input type="checkbox"/>		137 Appendix Misc-1
	<ul style="list-style-type: none"> Revenue assumptions based on reasonable potential growth in state and federal revenues 	<input type="checkbox"/>		137 Appendix Misc-1
	<ul style="list-style-type: none"> Revenue assumptions based on reasonable student growth projections 	<input type="checkbox"/>		137 Appendix Misc-1
	<ul style="list-style-type: none"> Expenditure projections are inflated by reasonable cost-of- 	<input type="checkbox"/>		137

	living and inflation assumptions and school growth assumptions.			Appendix Misc-1
	<ul style="list-style-type: none"> Projected annual fund balances are positive or likely sources of working capital are identified to cover projected deficits. 	<input type="checkbox"/>		137 Appendix Misc-1
Strengths:				
Areas of Concern:				
Conclusions				
ix	District Impact Statement	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> Does the charter include an impact statement? 	<input type="checkbox"/>		137-139
	<ul style="list-style-type: none"> Provides estimated numbers of students anticipated to enroll 	<input type="checkbox"/>		137-139
	<ul style="list-style-type: none"> Identify whether or not will request district-owned facilities 	<input type="checkbox"/>		137-139
Strengths:				
Areas of Concern:				
Conclusions				
x	Grade Level, Geographic and Site Limitations	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> Does the Petition demonstrate that it will operate a single charter school within the geographic jurisdiction of the school district <ul style="list-style-type: none"> If not, does the Petition demonstrate any basis for an exception 	<input type="checkbox"/>		139
	<ul style="list-style-type: none"> Does the Petition identify where the school will operate 	<input type="checkbox"/>		139
	<ul style="list-style-type: none"> Does the Petition demonstrate that it will not serve grade levels not served by this district unless it serves all of the grade levels 	<input type="checkbox"/>		139
Strengths:				
Areas of Concern:				
Conclusions				
xi	Annual Financial Report	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> 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. 	<input type="checkbox"/>		139-140
Strengths:				
Areas of Concern:				
Conclusions				
xii	Facilities / Transportation	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> Specify where school intends to be located and describes facilities to be used by the charter school. 	<input type="checkbox"/>		140-142
	<ul style="list-style-type: none"> 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. 	<input type="checkbox"/>		TBD
	<ul style="list-style-type: none"> Present evidence that the facility is located in an area properly zoned for operation of a school and has been cleared for student occupancy by all appropriate local authorities. 	<input type="checkbox"/>		140-142
	<ul style="list-style-type: none"> Transportation arrangements, if any. (Note that if charter schools provide transportation to and/or from school or while 	<input type="checkbox"/>		140-142

at school, they may be subject to state and federal laws governing vehicles, drivers, etc.)

Strengths:

Areas of Concern:

Conclusions

xiii	Insurance Coverage	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> 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. 	□		142
	<ul style="list-style-type: none"> Liability of district/county to handle payments if charter school defaults: <ul style="list-style-type: none"> for schools organized pursuant to Non-Profit Benefit Corporation Law for schools not covered by Non-Profit Benefit Corporation Law AB 1994 General Assurances "Boiler Plate" Language 	□		142

Strengths:

Areas of Concern:

Conclusions