

THE LEGACY ACADEMY

INITIAL CHARTER PETITION

Respectfully Submitted

to the

Santa Clara County Office 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 47605.6(e)(1)]
- Shall be nonsectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. California Education Code section 47605.6(e)(1)]
- Shall not charge tuition. [Ref. California Education Code Section 47605.6(e)(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 47605.6(d)(1)]
- Shall, on a regular basis, consult with parents, guardians, and teachers regarding the school's educational programs. [Ref. California Education Code Section 47605.6(d)(2)]
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- 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 47605.6(e)(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 47605.6(b)(6)]
- 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. [Ref. California Education Code section 47605.6(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.

- 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 47605.6(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 47605.6(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 47605.6(e)(1)-(2), 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 families	7,407	69%	9,022	80%	9,155	82%
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.

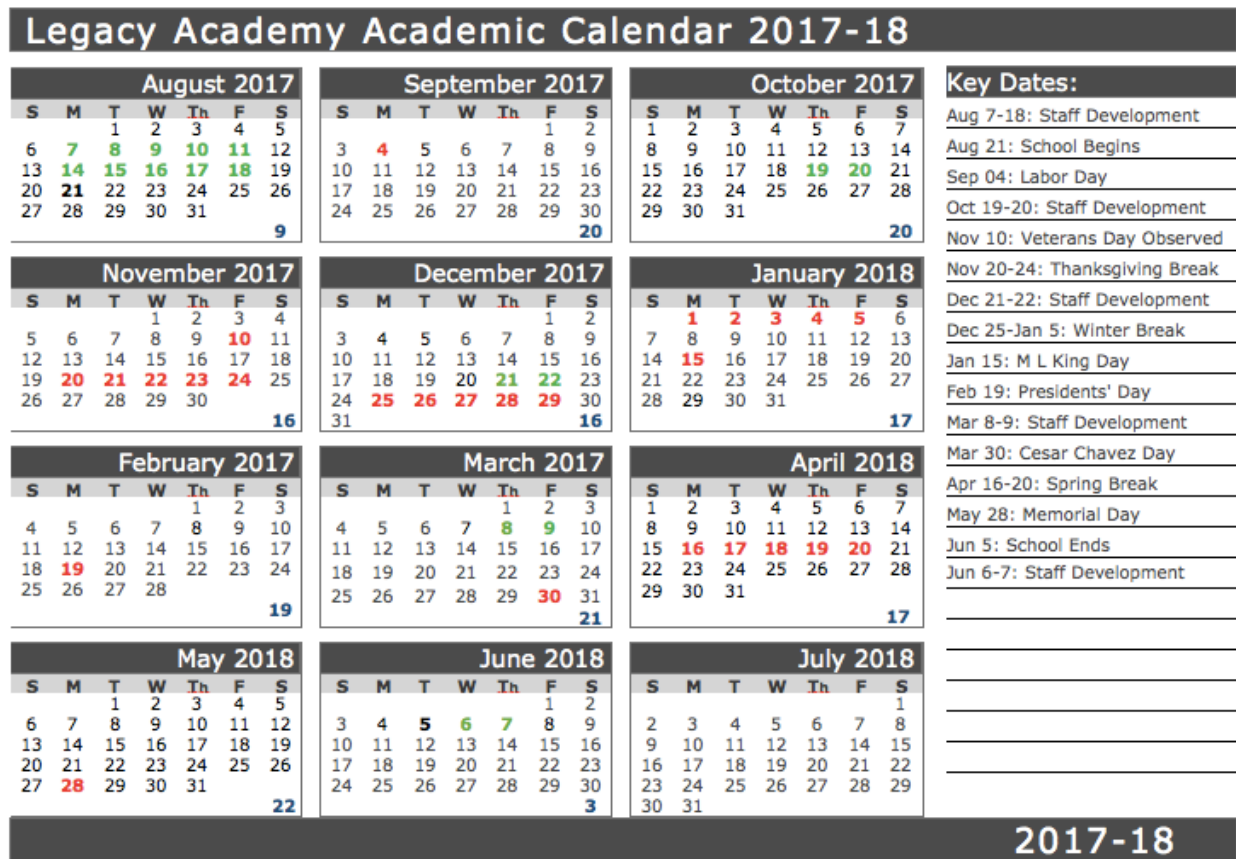
Attendance

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 within which the school operates 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						
9:30			Math Lab	Literacy		
9:45						
10:00						
10:15	Literacy Lab	Science or Social Studies (alternate every 9 weeks)	Math			
10:30						
10:45						
11:00					Literacy	Math Lab
11:15						
11:30						
11:45						
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						
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				
1:00	Leadership & Service	Leadership & Service	Leadership & Service	Leadership & Service
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 the 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 Dweck,⁹ Seligman,¹⁰ Duckworth,¹¹ Moffitt,¹² and others. It also includes research

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

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.

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:

- **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,

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.

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

¹⁴ 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.

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.

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:

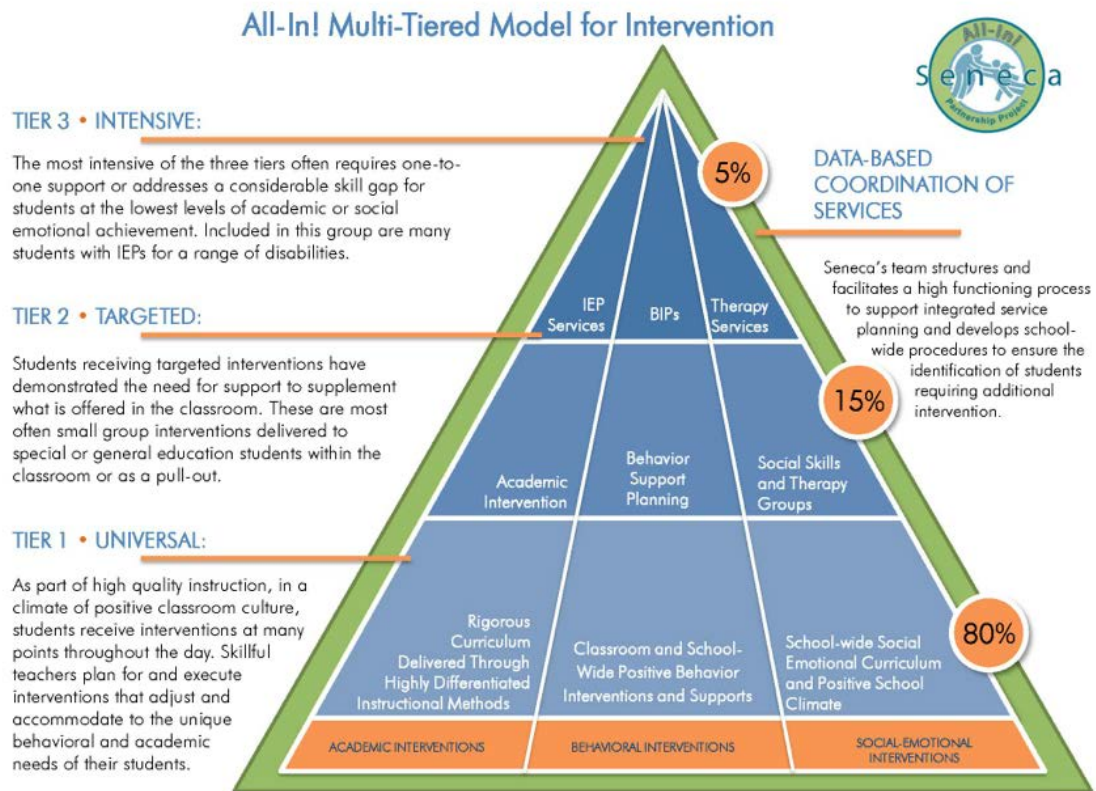
¹⁶ Creating Trauma-Informed Systems. (n.d.). Retrieved August 22, 2016, from <http://www.nctsn.org/resources/topics/creating-trauma-informed-systems>

- **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				
9:30			Literacy	
9:45				
10:00				
10:15	Math Lab			
10:30	Literacy Lab	Science or Social Studies (alternate every 9 weeks)	Math	
10:45				
11:00	Literacy			
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				
1:15		Literacy		
1:30				
1:45				
2:00				
2:15	Physical Education	Arts	Life Skills	
2:30				
2:45				
3:00				
3:15				
3:15	Legacy Reflect & Snack	Legacy Reflect & Snack	Legacy Reflect & Snack	Legacy Reflect & Snack
3:30	Life Skills	Physical Education	Arts	
3:45				
4:00				
4:15				
4:30				
4:45				
5:00	Arts	Life Skills	Physical Education	
5:15				
5:30				
5:45				
5:45				

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 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 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.

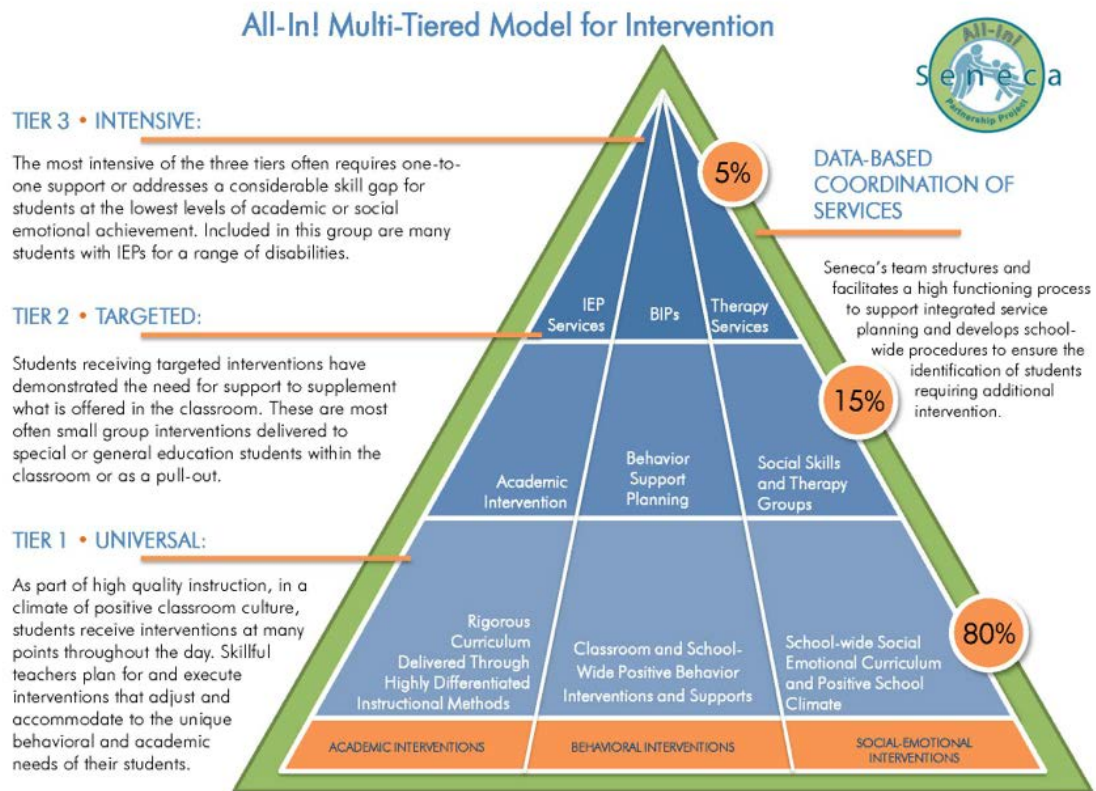
Seneca utilizes a “Coordination Of Services Team” (COST) made up of school leaders, service providers, general education teachers, and support staff that is responsible for the coordination of intervention services. The team regularly reviews school-wide data including academic, behavioral and/or social 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.

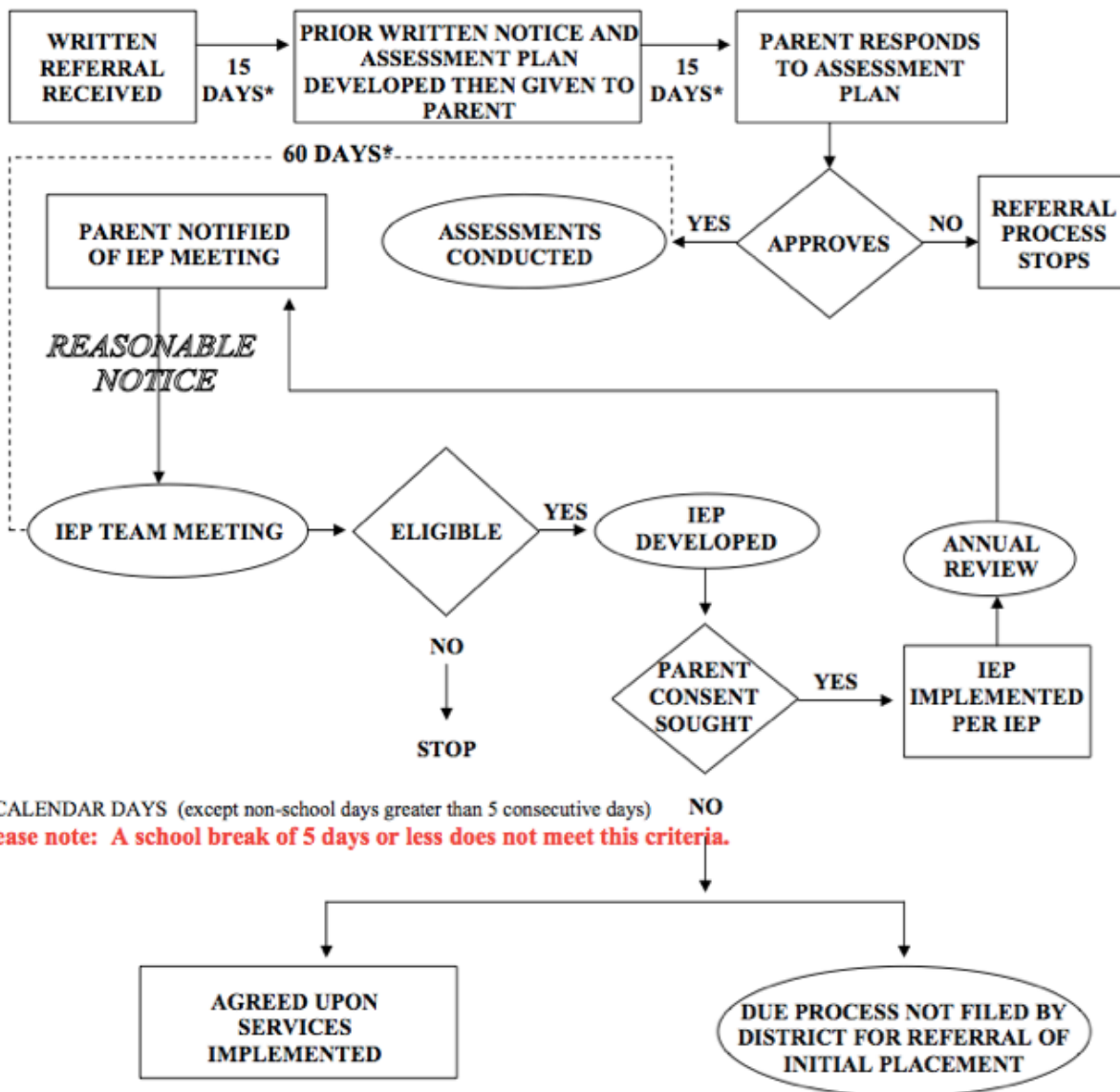
The parent of any student suspected of needing or qualifying for special education services may also make a referral for an evaluation. Any such referrals will be responded to in writing by The Legacy Academy within 15 days. The Legacy Academy will notify SCCOE and/or the SELPA of the assessment request 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 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 state 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 The Legacy Academy 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 authorizer 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 county 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 Office of Education 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>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>For the duration of the CELDT as the State adopted tool, the following 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

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

- need to use for effective academic learning, classroom participation, and real-life purposes.²⁶

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

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

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.

- 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
- 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 Promise 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, teacher 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

	<ul style="list-style-type: none"> Coaching, observation and feedback on implementation
English Language Development (Teaching Staff)	
Pre-service	First Year and Ongoing
All Teaching Staff <ul style="list-style-type: none"> Day 1 of 3 on Integrated ELD and using the California ELD Standards Classroom Instruction Specialists <ul style="list-style-type: none"> In addition to Integrated ELD, Day 1 of 3 on Designated ELD 	All Teaching Staff <ul style="list-style-type: none"> Days 2 and 3 of on Integrated ELD Coaching, observation and feedback on implementation Classroom Instruction Specialists <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

	<ul style="list-style-type: none"> Coaching, observation and feedback on implementation
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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 is 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 note 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 47605.6(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 47605.6(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 47605.6(b).

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

Pursuant to Education Code Section 47605.6(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
<ol style="list-style-type: none"> 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

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)
<p><u>A Focus on Math and Literacy (Priority 1, 2 and 4)</u></p> <ul style="list-style-type: none"> • Students develop their literacy and redefine themselves as mathematicians, opening up new opportunities for these students and their own future legacy within our community. <p><u>Real-World Learning Investigations (Priority 2, 4, and 7)</u></p> <ul style="list-style-type: none"> • Students critically examine the world around them and examine the power of choice on their lives and the lives of others. <p><u>Enrichment Tailored to the Needs of At Promise Adolescents (Priority 8)</u></p> <ul style="list-style-type: none"> • 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
<ol style="list-style-type: none"> 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)
<p><u>A Focus on Math and Literacy (Priority 1, 2, and 4)</u></p> <ul style="list-style-type: none"> • 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 47605.6(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 47605.6(d)(1),
- 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 47605.6(d)(1), 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 Office of Education, 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 Office of Education 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>	6-8	<ul style="list-style-type: none"> • ELA 	<ul style="list-style-type: none"> • Upon enrollment 	<ul style="list-style-type: none"> • At grade level

<ul style="list-style-type: none"> • Measure student’s ability to write along a developmental continuum • Provide data on student writing level against rubric, as well as growth-based progress • Example: On Demand Writing Prompt 		<ul style="list-style-type: none"> • Across Subject Areas (Math, Science, Social Studies) 	<ul style="list-style-type: none"> • Quarterly thereafter until exited 	<ul style="list-style-type: none"> • Or, making greater than one year annual progress
<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 47605.6(b)(5)(E).

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 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 County Office of Education administrative meetings upon request by the County Office of Education and stay in direct contact with the County Office of Education 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 47605.6(b)(5)(F).

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 47605.6(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

Teacher Qualifications

In accordance with Education Code Section 47605.6(l), teachers at The Legacy Academy shall be required to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. As a county-wide benefit charter school, there is no flexibility of requirements for “non core” teachers as is found in district authorized charter schools. As such, the minimum qualifications for teachers 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 47605.6(l))
- 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

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:

- 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

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.

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 47605.6(b)(5)(G).

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 Office of Education for review at least 30 days prior to operation or as otherwise agreed upon by the County Office of Education 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 Office of Education.

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 Office of Education (if at County Office of Education facilities).

The Legacy Academy shall secure a facility and shall provide the County Office of Education 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 47605.6(b)(5)(H).

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 Office of Education, 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 47605.6(e)(1)-(2).

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 § 47605.6(e)(1)-(2). 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 47605.6(e)(2)(B), 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 Santa Clara 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:

- Santa Clara 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 47605.6(e)(2)(B) 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 47605.6(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 47605.6(b)(5)(l) and 47605.6(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 47605.6(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 Office of Education 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 of residence and coordinate the procedures in this policy with the District of residence of the discipline of any student with a disability or student who The Legacy Academy or the District of residence 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 47605.6(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 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.

-trained teachers

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 47605.6(b)(5)(L).

No student may be required to attend The Legacy Academy. Students who reside within Santa Clara County who choose not to attend the Charter School may attend school within the District in which they reside according to District policy or at another school district or school within the District through their home District's intra-and inter-district policies. Students who reside within Santa Clara County who qualify for a school or program of the SCCOE may attend that school or program. 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 a local education agency upon leaving the employment of a local education agency to work in the Charter School, and of any rights of return to a local education agency after employment at the Charter School. Education Code Section 47605.6(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 a local education agency 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 47605.6(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 47605.6(b)(5)(O).

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 students' Districts of residence, 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 County Office of Education 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 County Office of Education 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 County Office of Education 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 County Office of Education or County Office of Education property will be promptly returned upon The Legacy Academy closure to the County Office of Education. 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 47605.6(h).

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 Office of Education 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 Office of Education and subject to County Office of Education availability and willingness to provide such services.

ii. Civil Liability

Governing Law: Potential civil liability effects, if any, upon the school and upon the Authorizer. Education Code Section 47605.6(h).

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 Office of Education in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other County Office of Education -requested protocol to ensure the County Office of Education shall not be liable for the operation of The Legacy Academy.

Further, The Legacy Academy and the County Office of Education shall enter into a memorandum of understanding, wherein The Legacy Academy shall indemnify the County Office of Education 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 Office of Education 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 47605.6(h).

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																																									
Students	<p>As detailed in Element A, the student population at Legacy is proposed as follows:</p> <p>Proposed Enrollment Plan</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr style="background-color: #2c5e6c; color: white;"> <th style="width: 15%;">Grade</th> <th colspan="5">School Year</th> </tr> <tr style="background-color: #d9e1f2;"> <th></th> <th>2017-18</th> <th>2018-19</th> <th>2019-20</th> <th>2020-21</th> <th>2021-22</th> </tr> </thead> <tbody> <tr> <td>6</td> <td>60</td> <td>60</td> <td>60</td> <td>60</td> <td>60</td> </tr> <tr> <td>7</td> <td></td> <td>60</td> <td>60</td> <td>60</td> <td>60</td> </tr> <tr> <td>8</td> <td></td> <td></td> <td>60</td> <td>60</td> <td>60</td> </tr> <tr> <td>Totals</td> <td>60</td> <td>120</td> <td>180</td> <td>180</td> <td>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																																								
	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																																				
Staff	<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>																																								
Student to Teacher Ratios	<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>																																								
Facilities Needs	<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 County Office of Education as also insured/hold harmless agreement
- Expenditure sufficient for reasonably expected legal services

- Expenditure for Special Education excess costs consistent with current experience in the County Office of Education
- 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. Authorizer 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 (FMUSD) 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 FMUSD. 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 Office of Education Oversight Fee

The County Office of Education 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 Office of Education. Notwithstanding the foregoing, the County Office of Education 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 Office of Education oversight.
- The County Office of Education'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 Office of Education 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 Office of Education 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 Office of Education 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 47605.6(m), the School Accountability Report Card (SARC), and the LCAP.

The Legacy Academy agrees to and submits to the right of the County Office of Education 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 Office of Education.

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 on 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 Office of Education 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 47605.6(h) 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 Office of Education 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 47605.6(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 47605.6(h).

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 Office of Education 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 (FMSD). 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 Office of Education 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 Office 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 Office of Education 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 Office of Education 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 Office of Education to answer any concerns concerning this Charter and to present the County Office of Education 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.