



January 12, 2015

Darcie Green
Board President
Santa Clara County Office Of Education
1290 Ridder Park Dr.
San Jose, CA 95131

Jon R. Gundry
County Superintendent of Schools

Dear President Green and Superintendent Gundry:

On behalf of the University Preparatory Academy (UPA) Board and staff we would like to extend our appreciation to the County Board and your staff for approving the UPA Charter Petition for another 5 years. As I stated on several occasions during the hearings our school is about celebrating success and moving forward with solving some of the issues we face as a school; we aim to keep getting better and better.

During discussions with county office staff and as indicated by the County Board, UPA needs to increase its number of low Socio-Economic students. We have increased our recruitment efforts as outlined in the approved reauthorization but in response to Board concerns, expressed during reauthorization approval we would like to go a step further and propose that the school give priority status to low Socio-Economic students in the school's lottery process. UPA considers this a significant change in our lottery process and thus we are seeking approval from the County Office of Education Board to amend our lottery procedures.

For the Board's reference, we are attaching the recently approved petition. The amended language can be found on page 64 of the petition. Amended language is indicated in bold italics.

Please contact me should you, your staff or the Board need additional information.

Sincerely,

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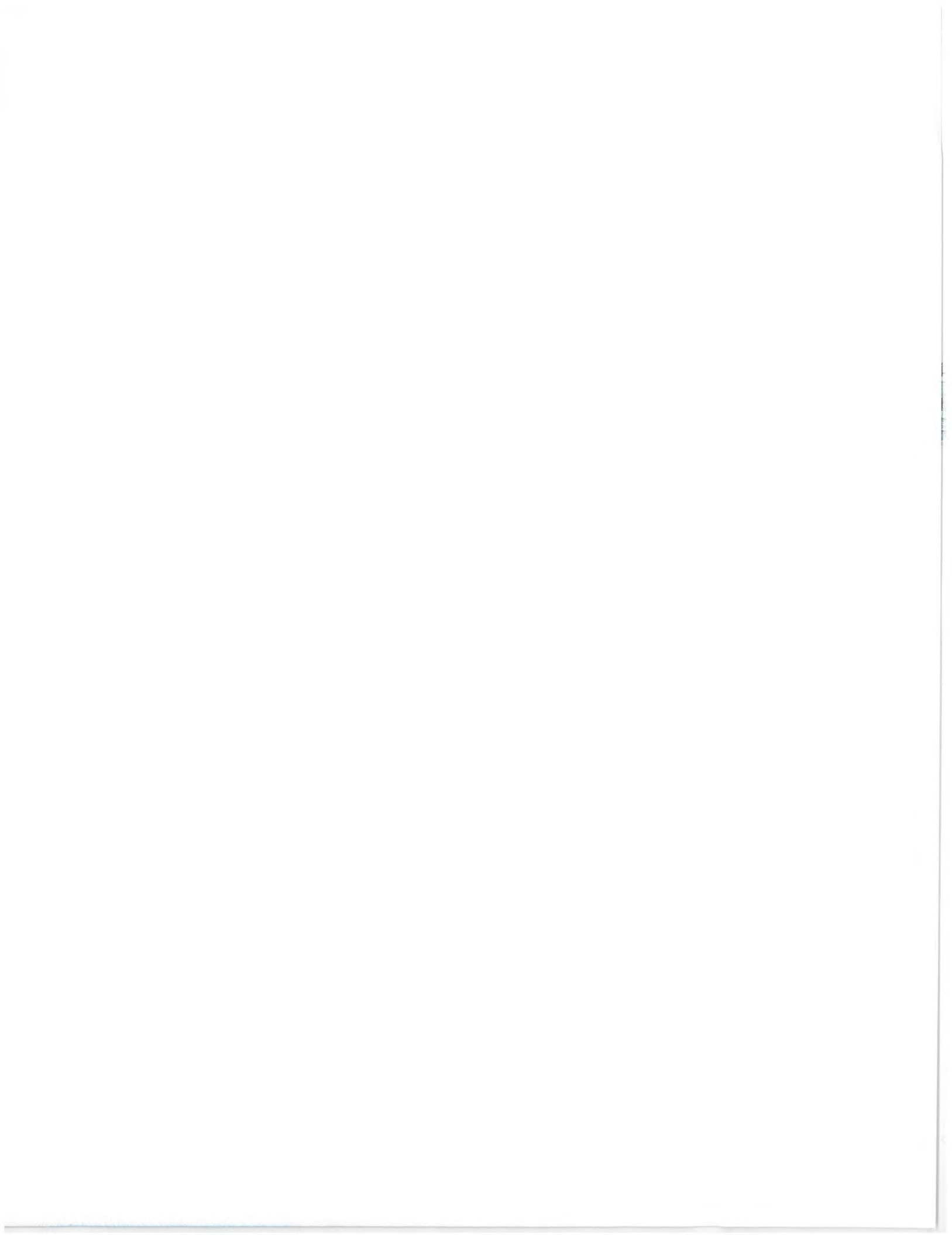
Daniel Ordaz
Executive Director
University Preparatory Academy

cc: Toni Cordova
Chief Strategy Officer

Don Bolce
Director, Special Projects

2315 Canoas Garden Ave., San Jose, CA 95125
408.723.1839 | www.upasv.org

Preparing Students to Enter and Excel in the Best Colleges and Universities in the Nation





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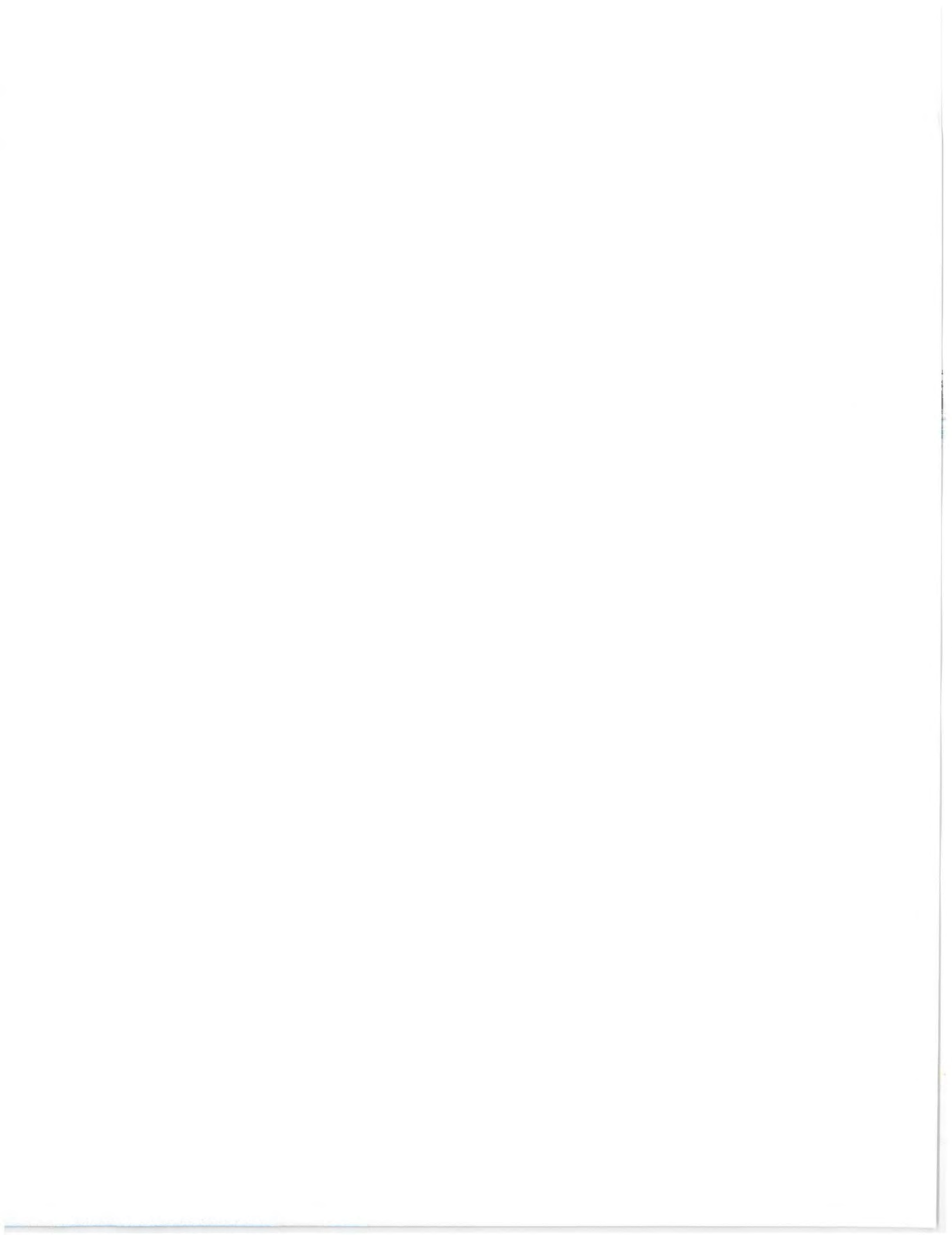
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Preparing Students to Enter and Excel in the Best Colleges and Universities in the Nation



Charter Petition

for Reauthorization

September 11, 2014



UNIVERSITY PREPARATORY ACADEMY

University Preparatory Academy Charter School | 2315 Canoas Garden Ave, San Jose, CA 95125

TABLE OF CONTENTS

Legal Affirmations	1
Introduction - Executive Summary	3
Major Achievements /Accomplishments 2010-2014	5
School Data	6
I. EDUCATIONAL PROGRAM	20
Mission	20
Educational Philosophy	21
Parent Notification of Course Eligibility for College and Credit Transferability	21
Students to be Served.....	22
Curriculum and Instructional Design	22
Personalized Learning Approach	24
Educational Support	25
College Going Culture.....	26
Plan for English Language Learners	32
Plan for Special Education	33
Professional Development and Training	34
Improving Student Outcomes	36
II. MEASURABLE STUDENT OUTCOMES AND	45
III METHODS OF ASSESSING STUDENT OUTCOMES	
Pupil Outcome Goals	45
Accountability	45
Methods of Assessing Student and School Performance	46
IV. GOVERNANCE STRUCTURE	50
Elections and Terms of office	50
Board Structure and Operations	50
Board Training	51
Leadership and Service Responsibilities	52
Parent and Student Involvement	53
V. PUBLIC SCHOOL EMPLOYER	54
VI. EMPLOYEE QUALIFICATIONS	55
Recruitment and Hiring Plan	55
Qualifications of Employees	56
Performance Reviews	58
VII. HEALTH AND SAFETY	60

TABLE OF CONTENTS

1	Legal Considerations	1
2	Introduction - A Brief History	2
3	Major Activities - A Brief History	3
4	School Data	4
5	EDUCATIONAL POLICY	5
6	Introduction	6
7	Educational Objectives	7
8	Parent Involvement in the Education of the Child with Learning Disabilities	8
9	Factors to be Considered	9
10	Characteristics and Instructional Design	10
11	Personalized Learning Approach	11
12	Behavioral Support	12
13	College Going Culture	13
14	Plan for High Ability Learners	14
15	Plan for Special Education	15
16	Individual Development and Training	16
17	Improving Student Outcomes	17
18	THE SPECIAL STUDENT ON TOURS AND	18
19	THE NEEDS OF ASSESSING STUDENT OUTCOMES	19
20	Legal Issues and Data	20
21	Assessment	21
22	Method of Assessing Student Learning Outcomes	22
23	CONCEPTS FOR THE	23
24	Integration and Transfer of Learning	24
25	Direct Learning and Outcomes	25
26	Direct Learning	26
27	Levels of Learning Outcomes	27
28	Tools and Student Outcomes	28
29	THE PUBLIC SCHOOL LEARNER	29
30	THE PUBLIC SCHOOL LEARNER	30
31	Role of the Public School Learner	31
32	Characteristics of the Public School Learner	32
33	Learning Outcomes	33
34	THE PUBLIC SCHOOL LEARNER	34

Student Health Screening	60
Blood Borne Pathogens	60
Child Abuse Reporting	61
VIII. RACIAL AND ETHNIC BALANCE	62
IX. ADMISSION REQUIREMENTS	63
Recruiting and Admissions Cycle	63
Timeline for Recruiting and Admissions	63
Lottery Provisions.....	63
X. FINANCIAL AUDIT.....	65
XI. SUSPENSION AND EXPULSION	66
Grounds for Suspension and Expulsion of Students	66
Suspension Offenses	66
Suspension Procedure	69
Expellable Offenses	70
Authority to Expel	72
Expulsion Procedure	72
Special Procedures for Expulsion Hearings Regarding Sexual Assault	73
or Battery Offenses	
Students with Disabilities	74
Services During Suspension	74
Procedural Safeguards/Manifestation Determination	75
Due Process Appeals	75
Interim Alternative Educational Setting	76
Procedures for Students Not Yet Eligible for Special Services	76
Presentation of Evidence	77
Written Notice to Expel	77
Rehabilitation Plans	78
Readmission	78
XII. RETIREMENT PROGRAMS	79
XIII. PUBLIC SCHOOL ATTENDANCE ALTERNATIVES	80
XIV. DESCRIPTION OF EMPLOYEE RIGHTS	81
XV. DISPUTE RESOLUTION	82
Disputes Arising from Within the School	82
Disputes between the Charter School and the County Office.....	83
XVI. CLOSURE PROCEDURES	85
XVII. PROGRAM OPERATIONS AND IMPACT ON COUNTY.....	88
Financial Plan	88

Insurance.....	88
Indemnification.....	88
Administrative Services.....	88
Authorizer Impacts	89
Civil Liability	90
Term of Charter.....	90
Severability.....	90
Amendments.....	90
Force Majeure.....	90
Notices.....	90
Facilities Location	91

100
101
102
103
104
105
106
107
108
109
110

111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
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LEGAL AFFIRMATIONS

As the authorized lead petitioner I, Daniel Ordaz, hereby certify that the information submitted in this petition for the renewal of University Preparatory Academy, located within the boundaries of Santa Clara County, is true to the best of my knowledge and belief; I also certify that this petition does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded a renewed charter, University Preparatory Academy:

- Shall meet all statewide standards and conduct the student assessments required pursuant to Education Code Section 60605 and 60851 and any other statewide standards authorized in statute or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- Shall be deemed the exclusive public school employer of the employees of University Preparatory Academy for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605 (b)(5)(O)]
- Shall be nonsectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- Shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- Shall admit all students who wish to attend University Preparatory Academy, and who submit a timely application, unless University Preparatory 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 University Preparatory Academy shall not be determined according to the place of residence of the student or his or her parents within the State except as provided in Education Code Section 47605(d)(2). Preference in a public random drawing shall be provided as described in Education Code Section 47605(d)(2)(B). In the event of a drawing the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C) and Education Code Section 51747.3. [Ref. Education Code Section 47605(d)(2)(A)-(B)]
- Shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]
- Shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities 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. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- Shall ensure that teachers at University Preparatory Academy hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools is required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. California Education Code Section 47605(l)]
- Shall at all times maintain all necessary and appropriate insurance coverage.

- Shall, for each fiscal year, offer, at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- Shall notify, within 30 days, the superintendent of the school district of any pupil who is expelled or leaves University Preparatory Academy without graduating or completing the school year for any reason. The school district notified shall be determined by the pupil's last known address. University Preparatory Academy shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]
- Will provide a written notice of the approval (if the charter is granted) and a copy of the Petition to:
 - The California Department of Education
 - State Board of Education
- Will follow any and all other federal, state, and local laws and regulations that apply to University Preparatory Academy including but not limited to:
 - University Preparatory Academy shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection.
 - University Preparatory Academy shall on a regular basis consult with parents and teachers regarding University Preparatory Academy's education programs.
 - University Preparatory Academy shall comply with any jurisdictional limitations to locations of its facilities.
 - University Preparatory Academy shall comply with all laws establishing the minimum and maximum age for public school enrollment.
 - University Preparatory Academy shall comply with all applicable portions of the No Child Left Behind Act.
 - University Preparatory Academy shall comply with the Public Records Act.
 - University Preparatory Academy shall comply with the Family Educational Rights and Privacy Act.
 - University Preparatory Academy shall comply with the Ralph M. Brown Act.
 - University Preparatory Academy shall meet or exceed the legally required minimum of school days.
 - University Preparatory Academy shall comply with Article 5.5 (sections 51745–51749.3) of Chapter 5 of Part 28 of the Education Code and implementing regulations adopted thereafter for the purpose of implementing short-term independent study.



 Daniel Ordaz, Executive Director, UPA

INTRODUCTION – EXECUTIVE SUMMARY

The charter petition that follows is for the reauthorization of the **University Preparatory Academy** (“UPA”) charter school, a county wide benefit charter school serving students in grades 7th –12, operating under the approval of the **Santa Clara County Office of Education** (“SCCOE” or the “county”).

UPA opened in 2007 as a small school serving 195 students in grades 7-9, and now serves a total school enrollment of 575 students in grades 7-12.

Our Mission

The **mission of University Preparatory Academy** is to prepare students to enroll and excel in the best colleges and universities in the nation. UPA serves a diverse population of 7th through 12th grade students most of whom reside in Santa Clara County. UPA’s campus is easily accessible, located off Highway 87 at Curtner Avenue. The campus is located across the street from a light rail station and local bus station. This strategic location enables UPA to draw students from school districts throughout Santa Clara County. UPA is a college preparatory alternative for those students who are not performing to their potential and get lost in traditional large middle and high school settings.

UPA targets students who have not been successful in the traditional educational setting and/or who have not met their educational potential. UPA provides a strong, supportive, small school environment in order for these students to excel academically. They are at risk for not passing CAHSEE, not completing high school, not completing “a-g” requirements and not scoring at proficient or above on the California Standards Tests (CST). These students are frequently ill prepared to succeed in a four-year college or university. They are students who would be better served in a program that offers a rigorous college preparatory program coupled with the additional support needed to ensure that students are mastering the curriculum at each grade level.

Our Campus

UPA’s campus is located at 2315 Canoas Garden Avenue in San Jose on the 13.4 acre site that is part of the Cathedral of Faith church site. The school utilizes two classroom wings, a gym, a theatre, a computer center, and an office complex. This modern, safe and secure environment provides parents and staff the comfort and confidence of knowing that students can focus on learning.

Our Educational Program

UPA offers an **intensive college preparatory program**, integrating rigorous academics with leadership/citizenship skills, and technology, and an expansive visual and performing arts program to actualize the unique skills and talents of each student. Based on The Bill and Melinda Gates Foundation model, UPA provides students with a new version of the “three R’s”, rigorous, academic coursework including Advanced Placement classes for all students, meaningful relationships with teachers, and a team approach to guiding students to meet their academic and personal goals. In 2010/2011, UPA introduced practical and relevant learning opportunities through mentoring, internships and community partnerships.

UPA is built on the commitment to hold its students accountable within a demanding program, while at the same time providing a supportive learning environment in which they can excel. UPA's instructional approach is characterized by the following fundamental tenets:

- **Rigorous, standards-based curriculum.** Meet the California academic content standards and ensure that core high school courses meet the University of California's "a-g" requirements. For graduation, 250 credits are required including a minimum of two Advanced Placement classes.
- **Personalized learning approach.** Teacher/Advisor focus on identifying and meeting the individualized needs of each student through the development and implementation of a Personalized Learning Plan. The personalized learning approach is based on assessment of each student's academic strengths and weaknesses, as well as on the student's personal assets required for student success.
- **Educational support.** Students are enrolled in school for 185 days, and a 6 and 7 period day. Additional supplemental support such as mentoring, and after school tutoring, are available to each student.
- **Small school environment.** With a maximum enrollment of 580 students, our school provides students and teachers with the opportunity to develop supportive long-term relationships that are conducive for increased student achievement.
- **Integrated technology across the curriculum.** Technology is integrated across the instructional program to ensure students have the skills to enable them to compete for admission to the best colleges and universities in the nation.
- **Visual and performing arts.** Students have opportunities to pursue electives in the visual and performing arts, which will enrich their educational experience and foster their individual talents. Available to students are courses in art and painting, dance, drama and music.
- **World Language.** Students at UPA are required to take three years of Spanish or French.

UPA is open to all students, and its motivational strategies encourage students to take personal responsibility for their own education and become committed to academic outcomes that will prepare them for college and careers. UPA provides quality instruction and guidance, curricular and extracurricular support, and resource materials to support academic progress toward achievement.

Our Team

UPA's team members include public school administrators and teachers with many years experience in specialized and alternative educational programs, and programs serving disadvantaged and troubled youth. Our team also includes community leaders and life-long residents of the San Jose area, as well as business professionals with significant financial management experience.

Major Achievements/Accomplishments

2010-2014

University Preparatory has met the requirements for renewal specified in Education Code section 47607:

- (1) Attained its Academic Performance Index (API) growth target in the last three years both school wide and for all groups of pupils served by the charter school.
- (2) Achieved a statewide rank 10 in the prior year or in two of the last three years.
- (3) Achieved a similar schools rank of 6 in the prior year or in two of the last three years.

In addition, UPA has made further progress toward high levels of student academic achievement and operational sustainability throughout the current charter term (July 2010-June 2015), as demonstrated by significant achievements and accomplishments by students, staff, and the school:

- 85 percent graduation rate for 2013-14 cohort
- Low incidence of suspensions and expulsions
- High attendance rate of 97 percent
- Consistently high CAHSEE passage rates in Math and English, 96% pass rate on the first attempt
- Very high participation in school clubs, and academic competitions
- Student participation with great success in regional Math, Speech and Debate competitions
- Student awards ceremonies and talent shows have been established as part of student assemblies as a regular tradition. The UPA Board of Directors at their meetings formally recognizes students for exceptional academic achievement and or performance in academic competitions.
- UPA has a fully developed arts program featuring classes in visual art, music, drama and dance. Students are able to perform and showcase their talents in state of the art facilities. Each year the drama department presents a fall and spring drama production. The school band performs and receives high achievement awards at the CMEA festival.
- A UPA Media Center has opened for students and parents to introduce themselves to the college application process, conduct research, practice presentations and collaborate with fellow students in team projects.
- University field trips have been implemented for all students in grades 7 through 11.

- An active student government has been formed and a student executive council organized.

Staff:

- A very active professional development and training program has been implemented with the purpose of improving instruction. A rigorous BTSA program has been implemented for first year teachers.
- Systematic instructional supervision by school leaders and teachers has been implemented featuring “quick visits” to classrooms and teacher formative and summative evaluations.
- Monthly Lead Team meetings have been established where teacher leaders and administration collaborate on curriculum, academic achievement, budgeting, and resolving school problems/ issues.
- Teachers are very active in reviewing and revising course curriculum, to better serve students.
- Core teachers offer an organized tutoring program after school for students needing help and support in their classes.

The School:

- A well developed student recruitment procedure features over 10 parent information meetings held in community centers and libraries, 2 open houses, placement testing using the NWEA Masures of Academic Progress, personal interviews for every student/family, grade level orientations, celebrations, open houses and grade level counseling meetings.
- State of the art facilities are furnished, managed, and superbly maintained.
- UC a-g curriculum for all students
- Established definition of success as a “C” or better in all classes. A grade of “D” does not fulfill graduation requirements.
- Honors courses are offered in core subject areas in year two of high school, to better meet the differentiated needs of our students.
- Over 13 AP courses offered in the curricular areas of English, World Language, Math, Science and Social Science
- Over 70% of the students in grades 10-12 are enrolled in AP courses.
- Approximately 70% of the students enrolled in AP courses are passing the exams with a score of 3 or better.
- An active Parent Teacher Student Organization (PTSO), Athletics Boosters, Music Boosters, Speech and Debate Boosters, parent groups have been formed as well as the UPA Foundation organized and awaiting recognition as a 501 (c)(3)

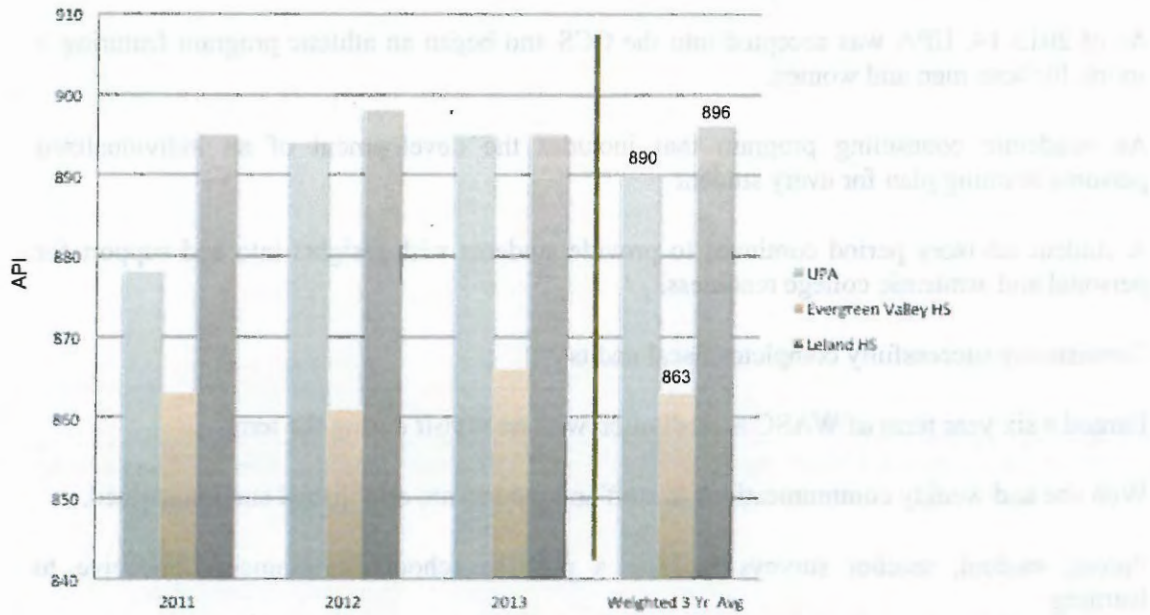
- An active Executive Directors Advisory council meets monthly to provide input on school policies, monitor WASC action plan, and assist with determining annual budget priorities.
- Formation of a Curriculum Materials Review and Selection Committee
- As of 2013-14, UPA was accepted into the CCS and began an athletic program featuring 5 sports for both men and women.
- An academic counseling program that includes the development of an individualized personal learning plan for every student
- A student advisory period continues to provide students with insights into and support for personal and academic college readiness.
- Consistently successfully completes fiscal audits
- Earned a six year term of WASC accreditation with no revisit during the term
- Web site and weekly communications to staff and parents are established and maintained.
- Parent, student, teacher surveys indicate a positive school environment conducive to learning:
 - Over 90% of the students feel safe at school
 - 85% of students feel teachers support and respect students
 - Over 72% of students enjoy learning at UPA
 - 77% of the parents feel their student is challenged by the UPA curriculum
 - Over 85% of the parents surveyed feel their student likes UPA
 - 89% of the parents feel teachers are accessible to the students and parents
 - Over 90% of the parents surveyed would recommend UPA to other parents
- Implementation of “Project Lead The Way” (PLTW), a STEM program sponsored by San Jose State University Department of Engineering
- Implementation of Advancement via Individual Determination (AVID) program in grades 8 and 9
- Implementation of “WEB and Link Crew” peer mentoring programs for middle and high school students

As the following graphs and tables demonstrate, University Preparatory Academy has significantly increased student achievement and is outperforming area high schools and most middle schools. UPA subgroups have demonstrated significant academic achievement as well.

A very high percentage of UPA students come from two districts. For comparison of API performance, UPA selected the highest performing schools from the two districts. As the chart below indicates UPA’s API is about 30 points above one school and 6 point below the other school that consistently is one of the highest scoring schools in our valley. Very few of UPA students come from this affluent area; nevertheless our school compares very favorably with this

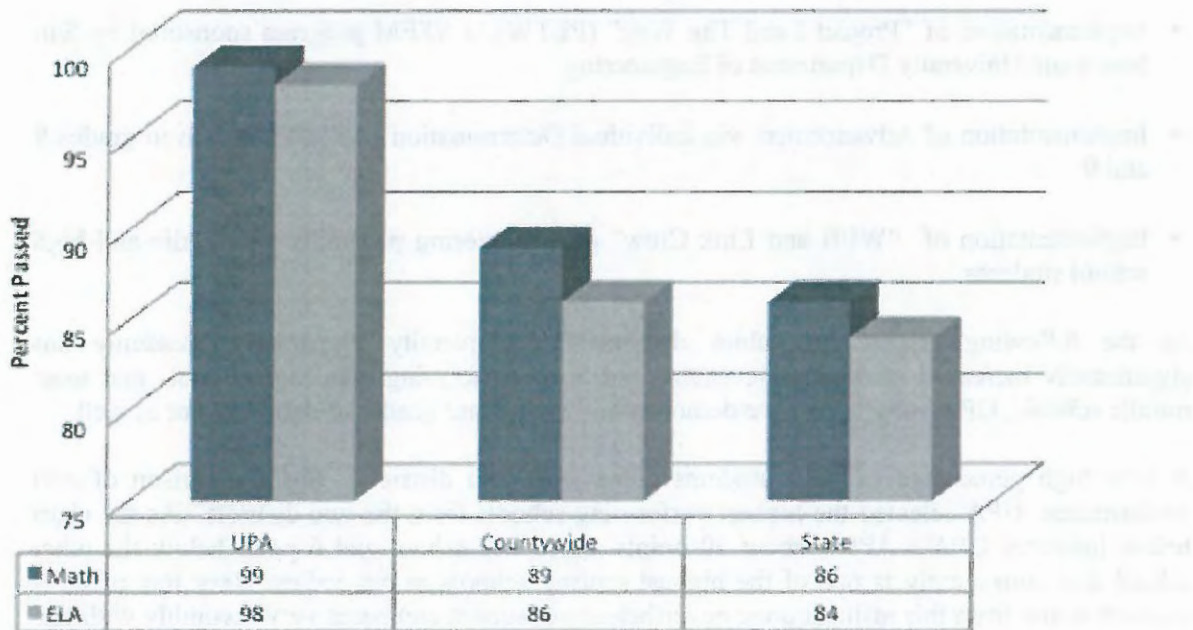
school. The first few charts are intended to show a general performance with the state and countywide. Comparison with high schools and middle school follow.

API and 3 Year weighted Average



Regarding UPA's percentage of students passing the CAHSEE, as the chart below illustrates, the school's pass rate significantly exceeds the average of all Santa Clara County Districts.

CAHSEE Passage Rate



UPA takes great pride in making a rich college preparatory curriculum available for all students. Indeed taking and passing at least two Advanced Placement classes is a graduation requirement. Below are tables indicating the percent of UPA student test takers and the percentage of the test takers receiving greater than a score of 3 on their exams. The percentage of test takers significantly exceeds the county wide average. The percentage of test takers receiving scores of 3 or better has been climbing steadily. The countywide average is about 73% (not counting the passage rate for 2013-14 which is not yet available). The passage rate for UPA in 2013-14 was 72%. It should be noted that UPA makes AP classes available to students in grades 10 -12 whereas the countywide average is computed using 11th and 12th graders only. In summary in terms of access, UPA greatly exceeds countywide averages and is on par with the countywide average of test takers earning scores of 3 and above.

Percent of AP Test Takers

	2010-11	2011-12	2012-13	2013-14
UPA	60%	59%	69%	72%
Countywide	40%	42%	45%	Not Available

Percent of AP Test Takers Receiving Scores of 3,4 &5

	2010-11	2011-12	2012-13	2013-14
UPA	60%	59%	69%	72%
Countywide	73%	73%	72%	Not Available

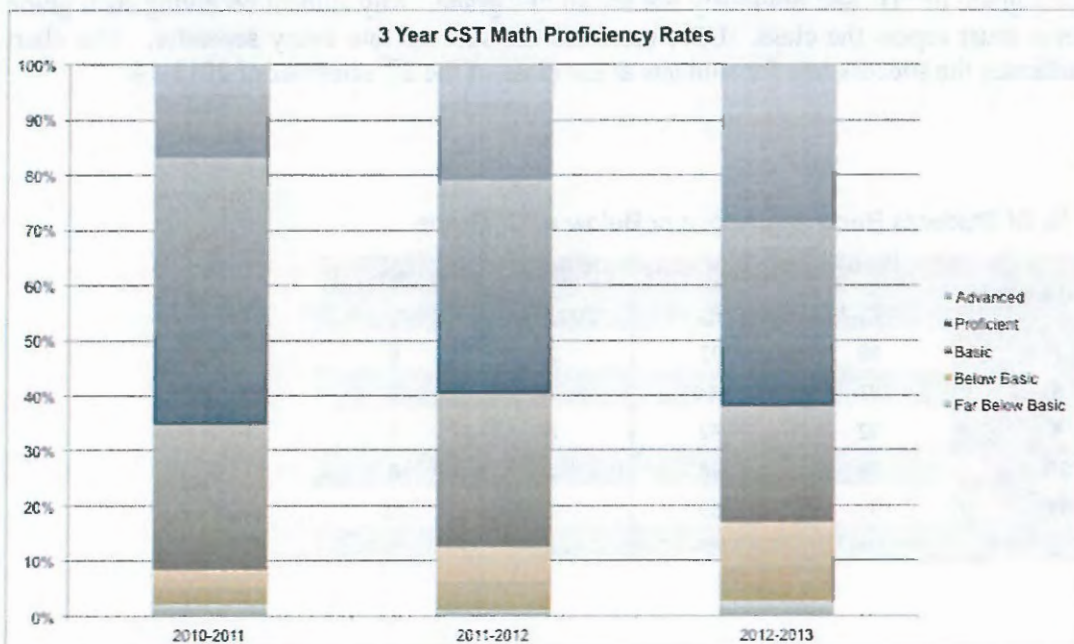
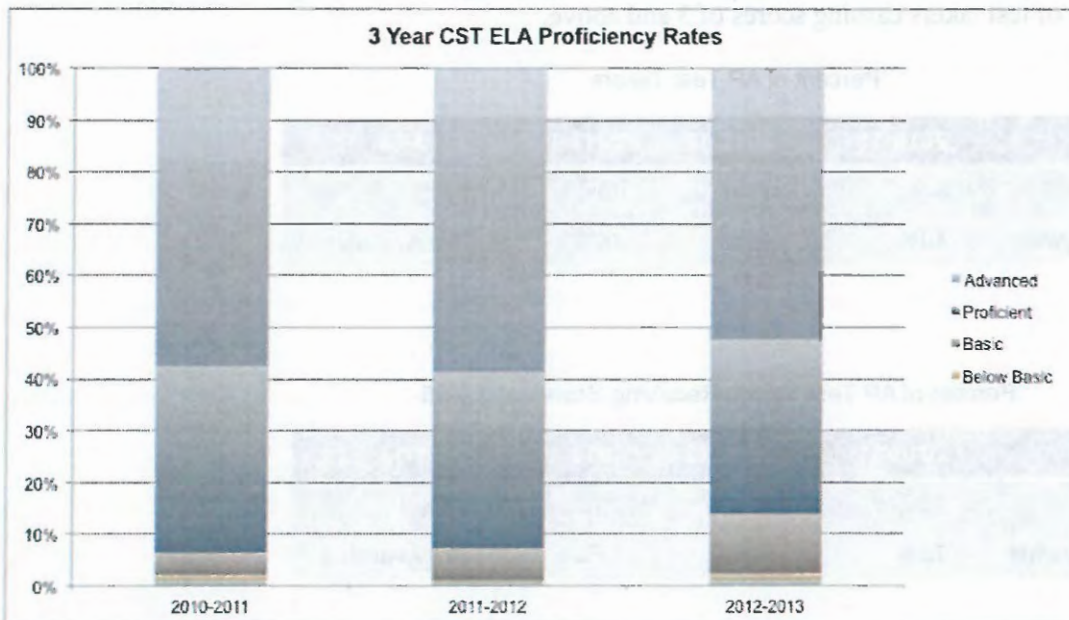
The UPA standard for success in any course is a grade of "C" or better. UPA does not grant credit for a grade of "D" and obviously not for an "F" grade. Any student receiving such grade in a course must repeat the class. UPA monitors the success rate every semester. The chart below indicates the success rate for students at the close of the 2nd semester of 2013-14.

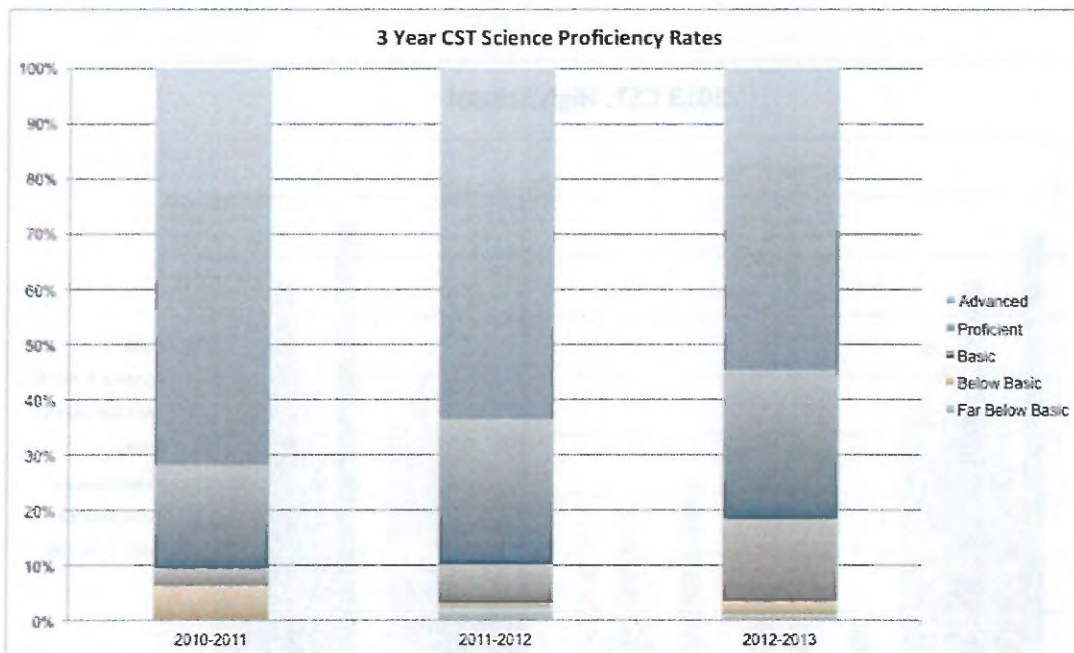
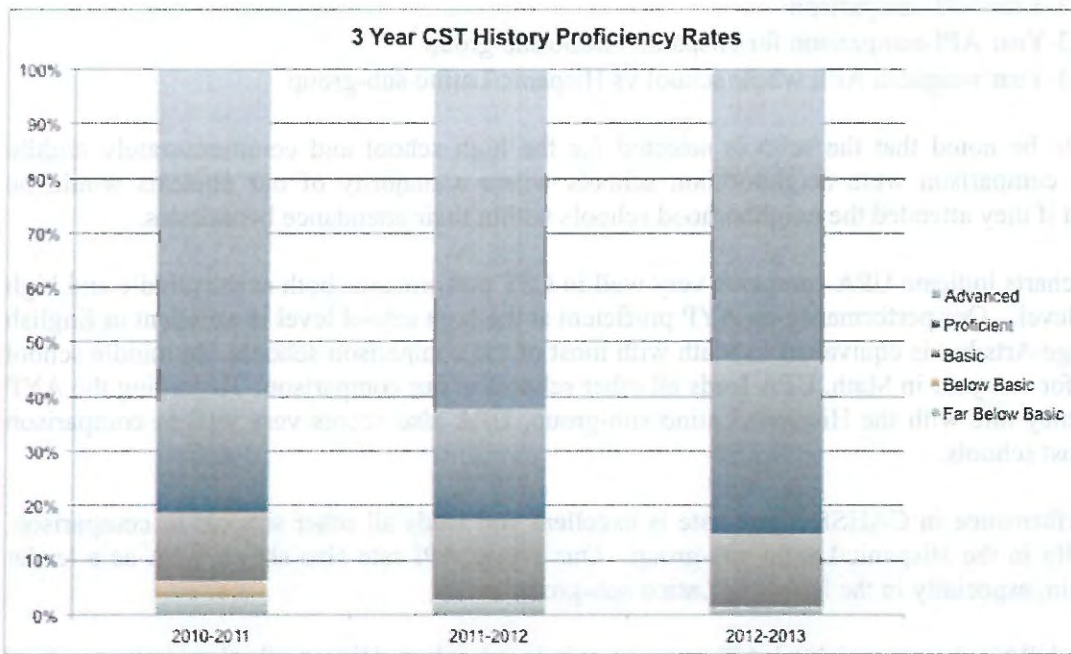
% Of Students Receiving Above or Below a "C" Grade

Grade Level	"C" or Above		Below "C" Grade	
	2012-13	2013-14	2012-13	2013-14
7	98	92	2	8
8	93	100	7	0
9	92	92	8	8
10	98	94	2	6
11	97	89	3	11
12	100	98	0	2

As indicated above and based on the UPA standard a high percentage of our students are meeting with academic success.

The bar charts below indicate UPA's proficiency rates as measured by the California Standards Test (CST) in English Language Arts, Math, History and Science. As the charts indicate, the greater percentages of UPA students score in the Advanced and Proficient range. English scores have been static over the last three years. However, there has been a slight increase in the number of students scoring Proficient and Advanced in Math and History. There has been a slight increase in the number of students scoring in the basic range and a slight decrease in the Advanced range in Science.





The following charts indicate UPA performance in the 2013:

- California Standards Test, High school and middle school
- Adequate Yearly Progress (AYP)- percent proficient, High school and middle school
- AYP- percent proficient, High school and middle school Hispanic and Latino
- Performance on the CAHSEE
- Performance on the CAHSEE- Hispanic and Latino

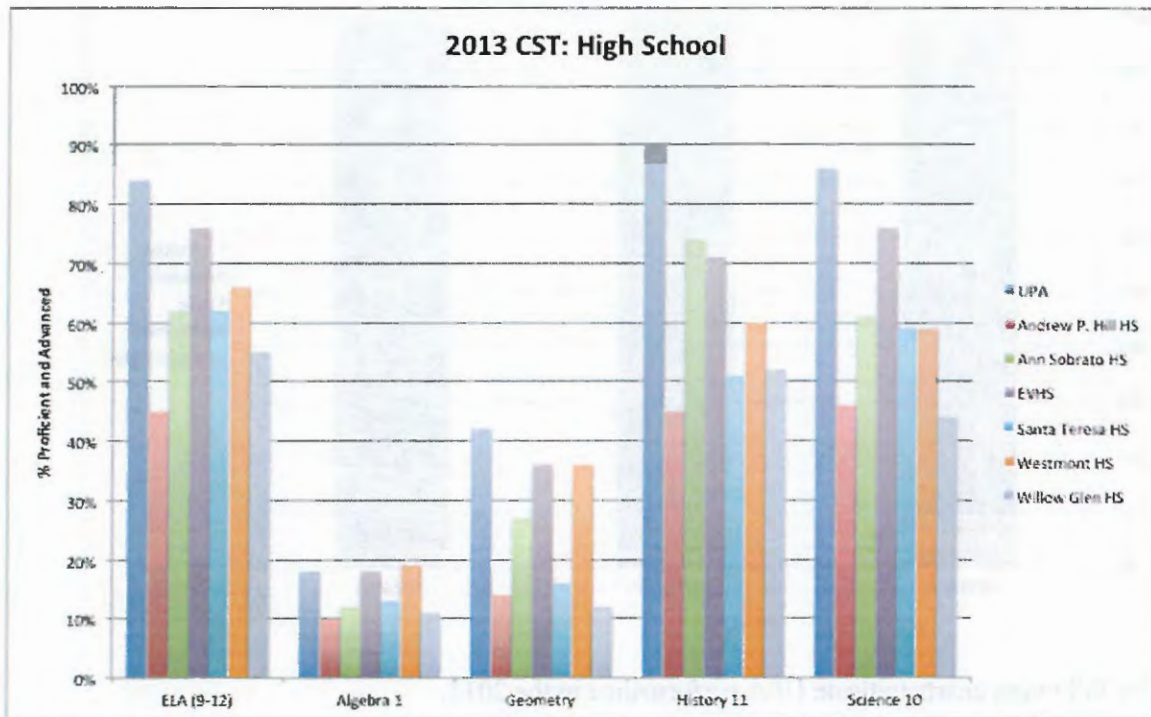
- 3-Year API comparison
- 3-Year API comparison for Hispanic/Latino sub group
- 3-Year weighted API: whole school vs Hispanic/Latino sub-group

It should be noted that the schools selected for the high school and commensurately middle schools comparison were neighborhood schools where a majority of our students would be enrolled if they attended the neighborhood schools within their attendance boundaries.

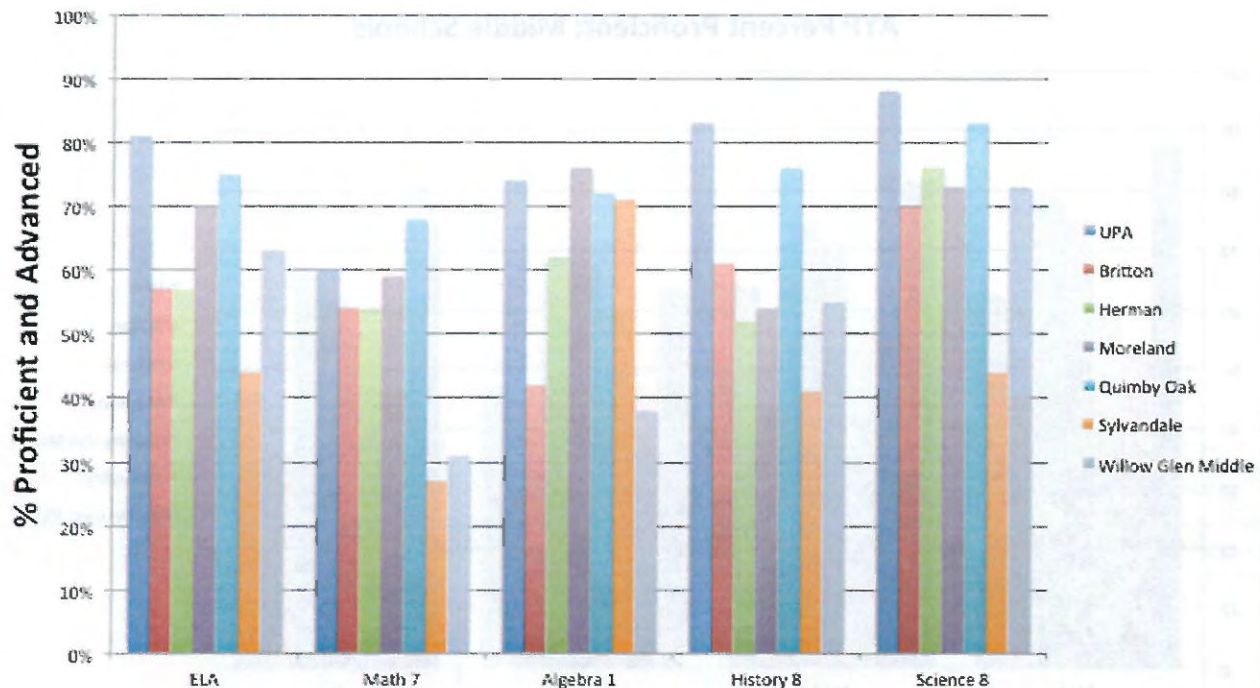
As the charts indicate UPA compares very well in CST performance both at the middle and high school level. Our performance on AYP proficient at the high school level is excellent in English Language Arts but is equivalent in Math with most of the comparison schools. In middle school except for one year in Math, UPA leads all other schools in our comparison. Regarding the AYP proficiency rate with the Hispanic/Latino sub-group, UPA also scores very well in comparison with most schools.

Our performance in CAHSEE pass rate is excellent and leads all other schools in comparison, especially in the Hispanic/Latino sub-group. Our 3-year API rate also shows UPA as a leader and again, especially in the Hispanic/Latino sub-group

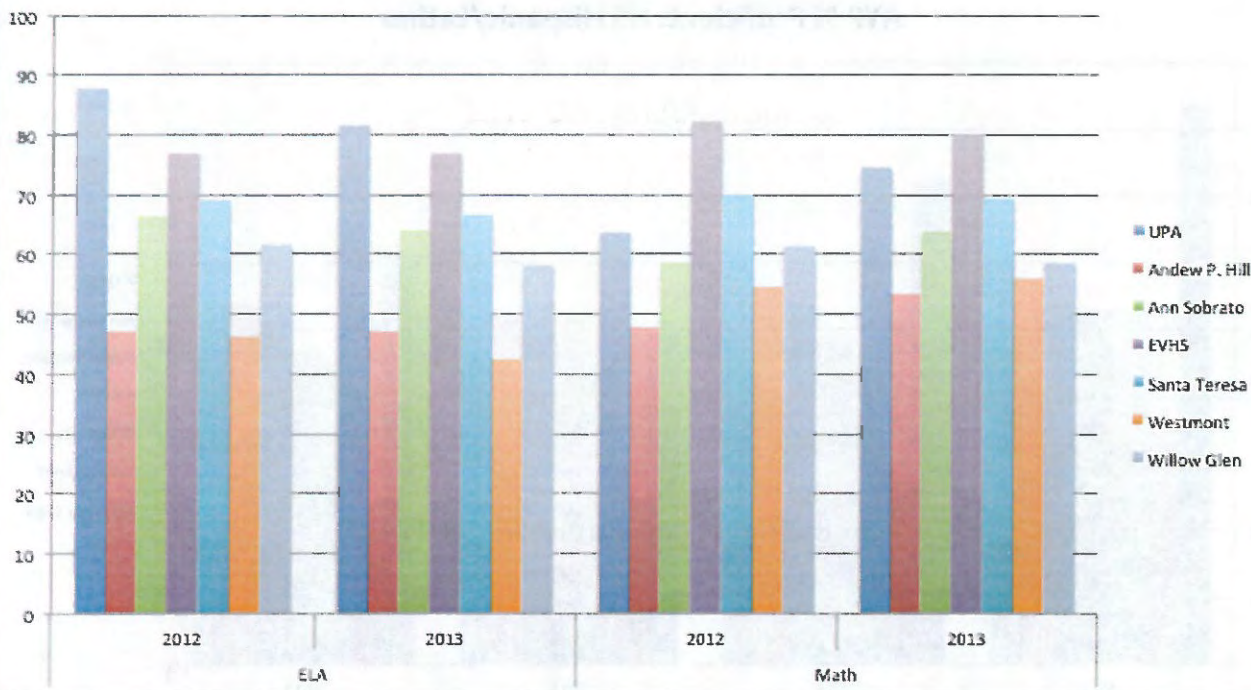
Finally, UPA's 3-year weighted API average, whole school vs. Hispanic/Latino, indicates hard work in closing the achievement gap. UPA also compares extremely well in this category.



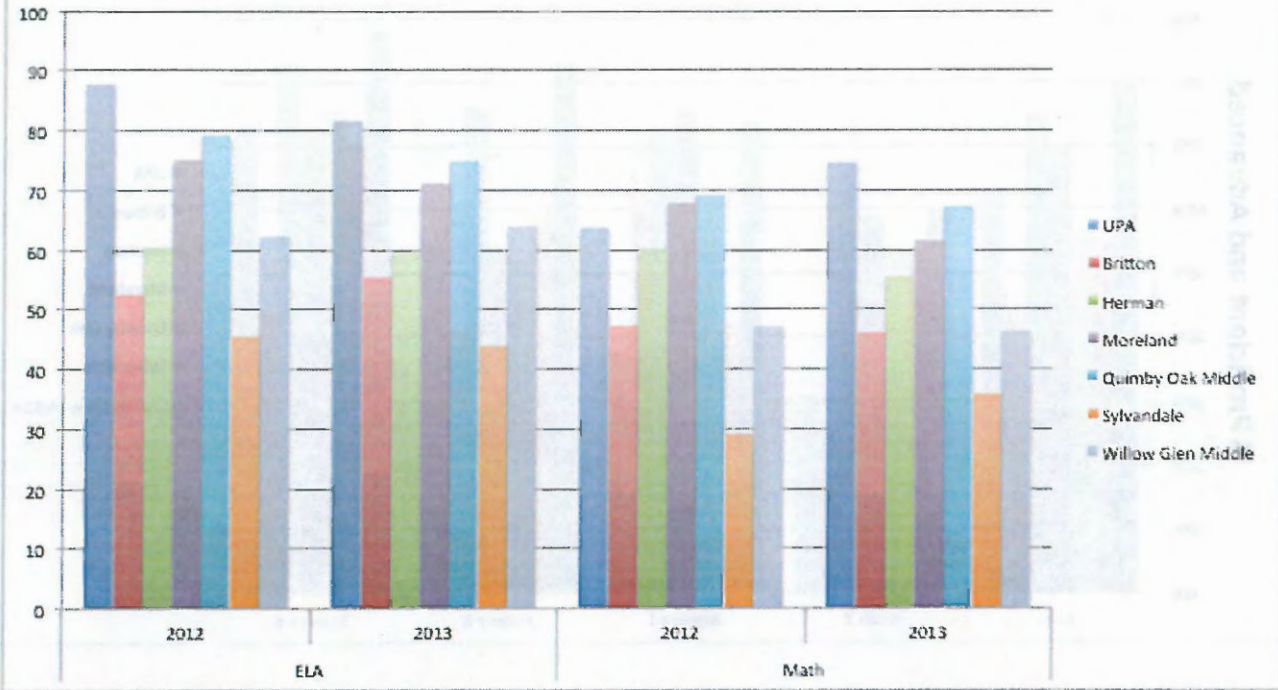
2013 CST: Middle Schools



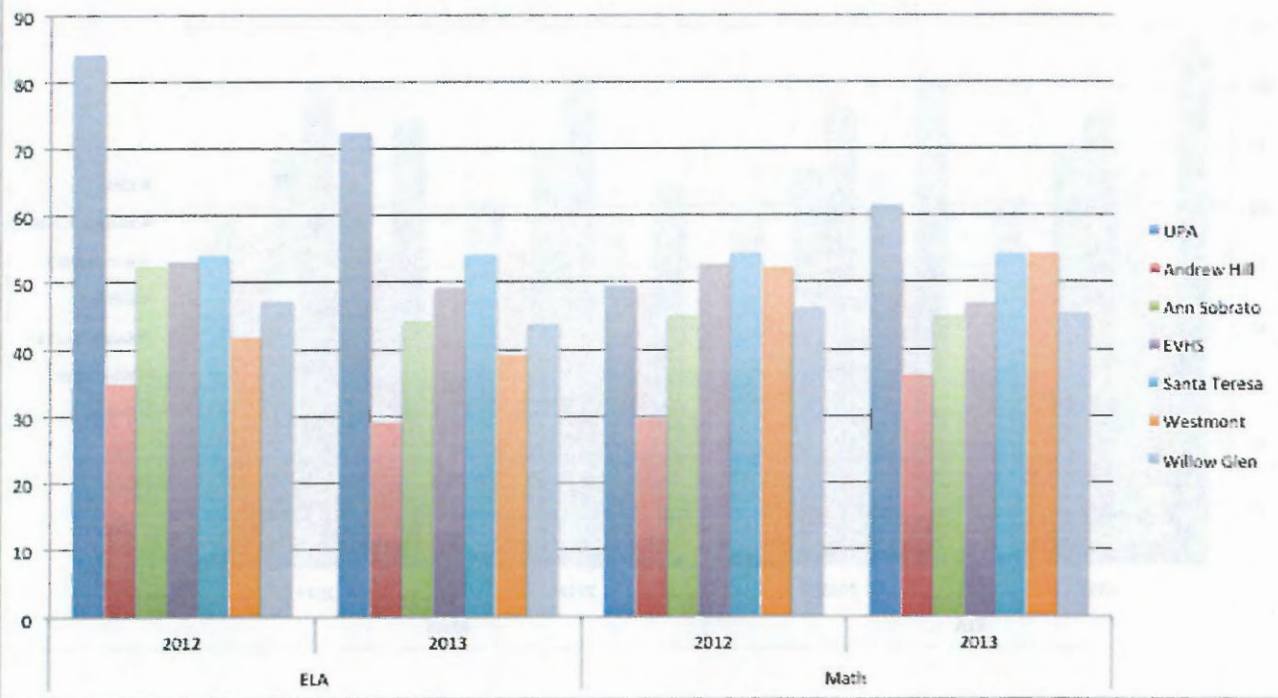
AYP Percent Proficient: High Schools



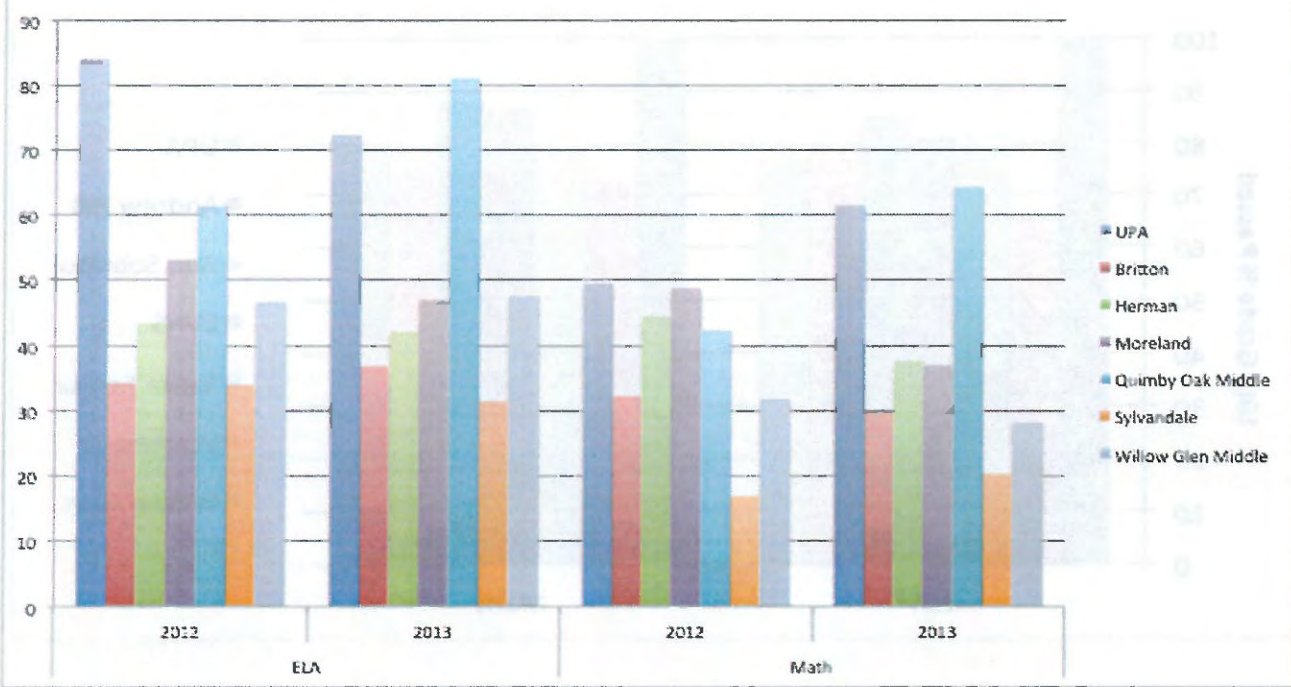
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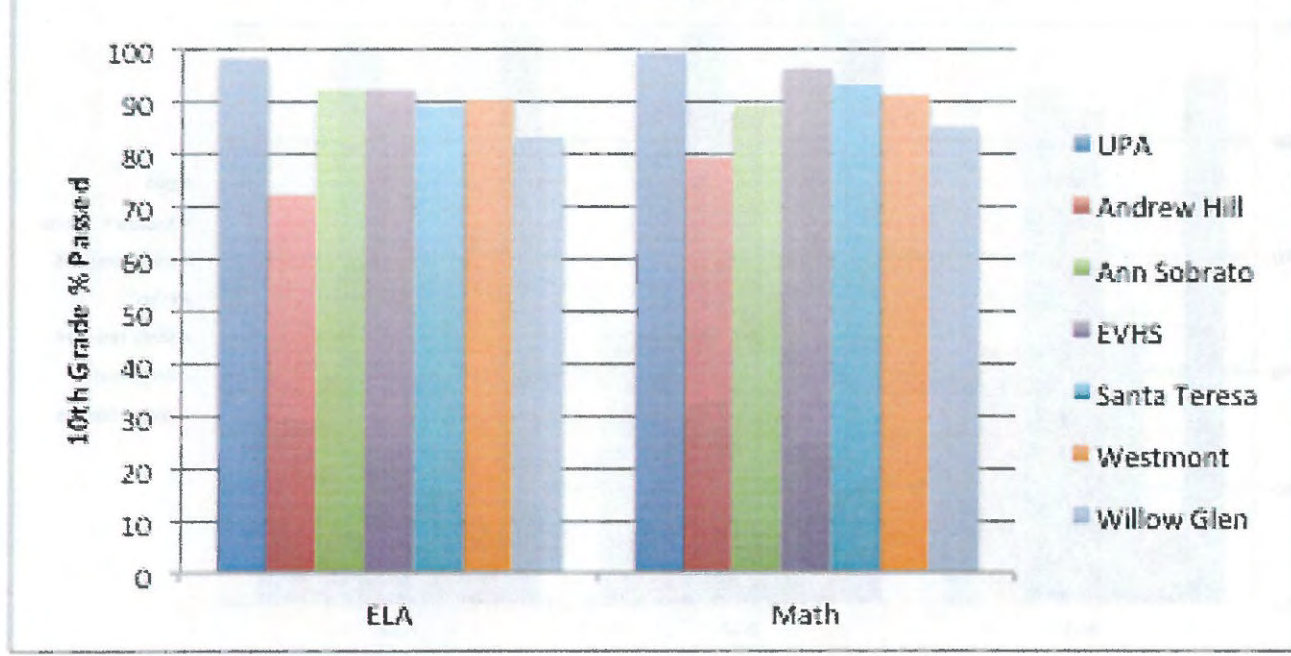
AYP % Proficient: HS Hispanic/Latino



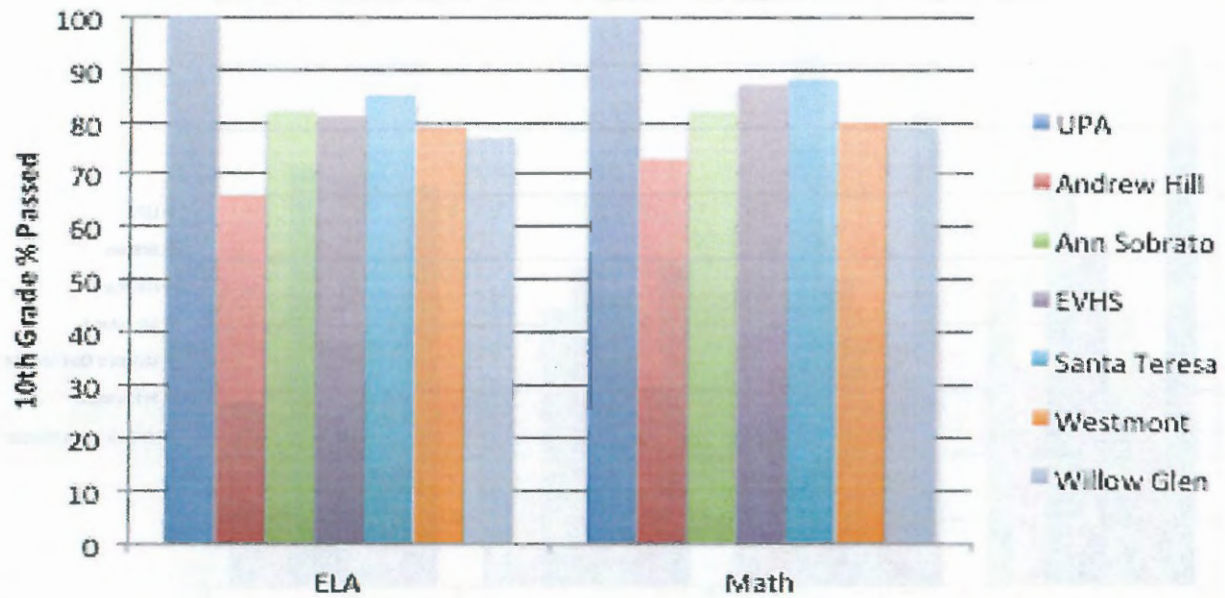
AYP % Proficient: MS Hispanic/Latino



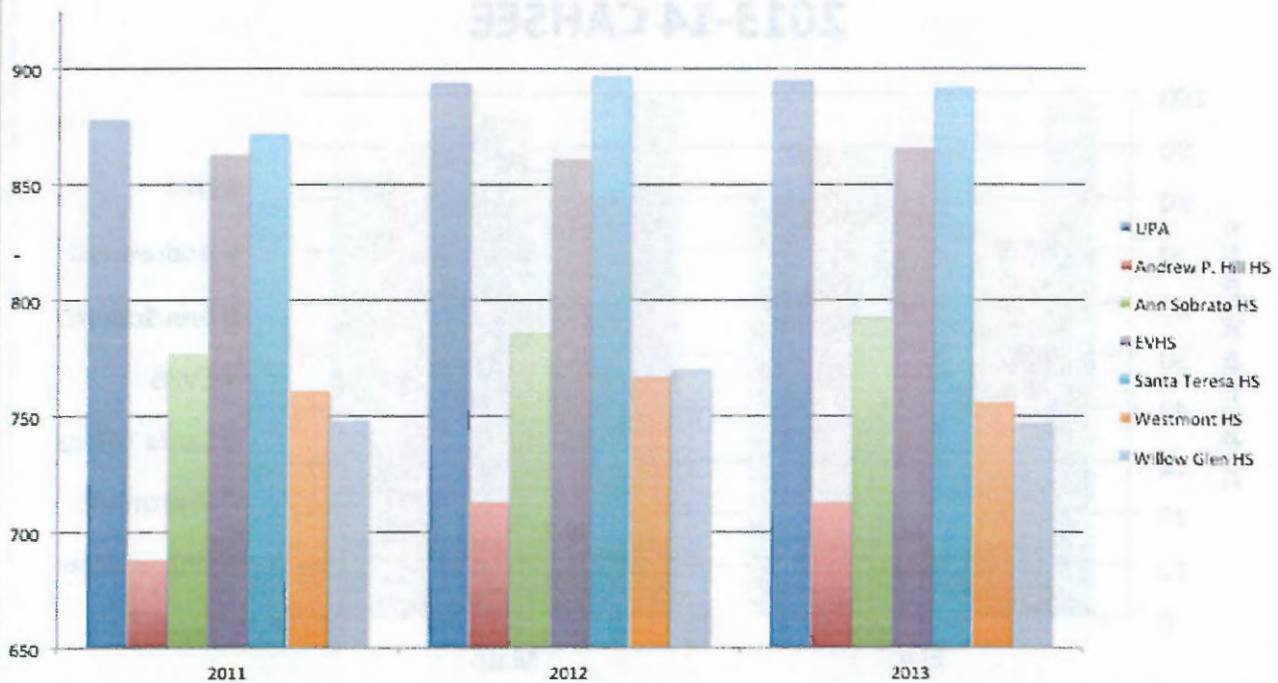
2013-14 CAHSEE



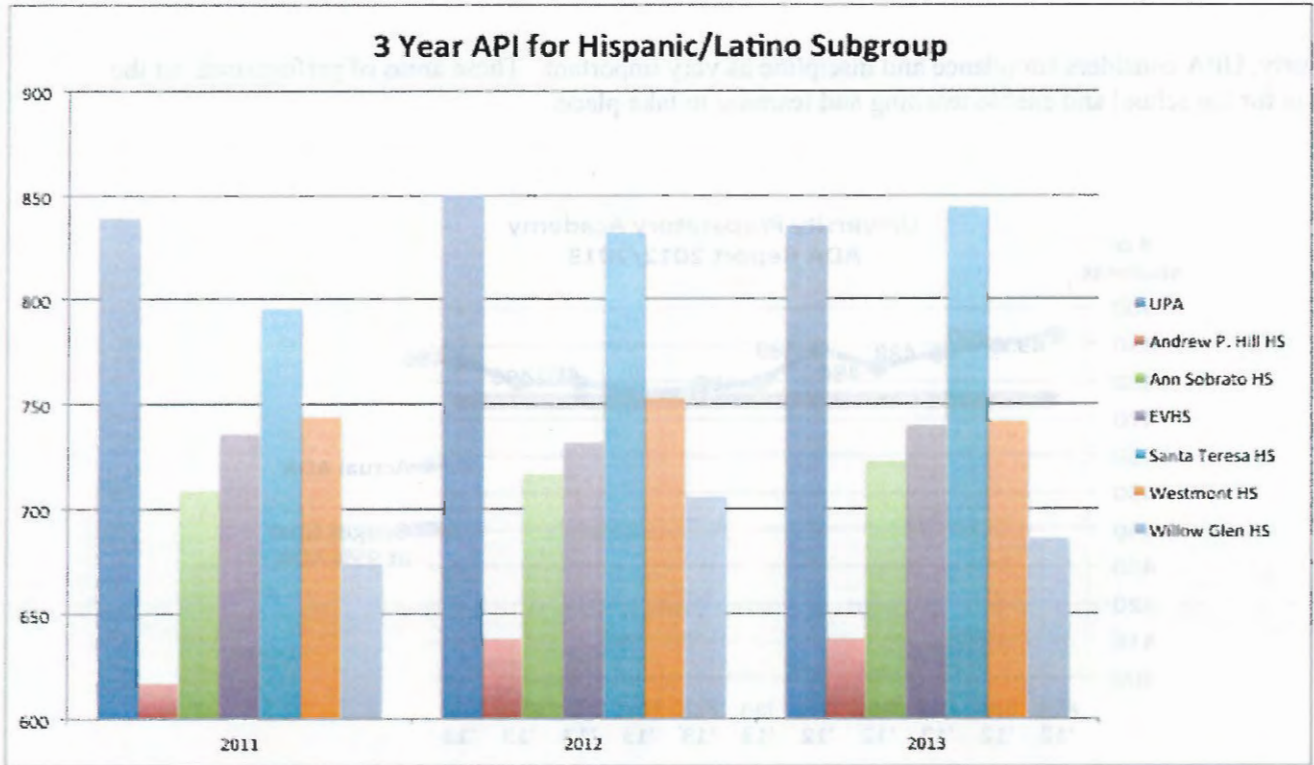
2013-14 CAHSEE Hispanic/Latino



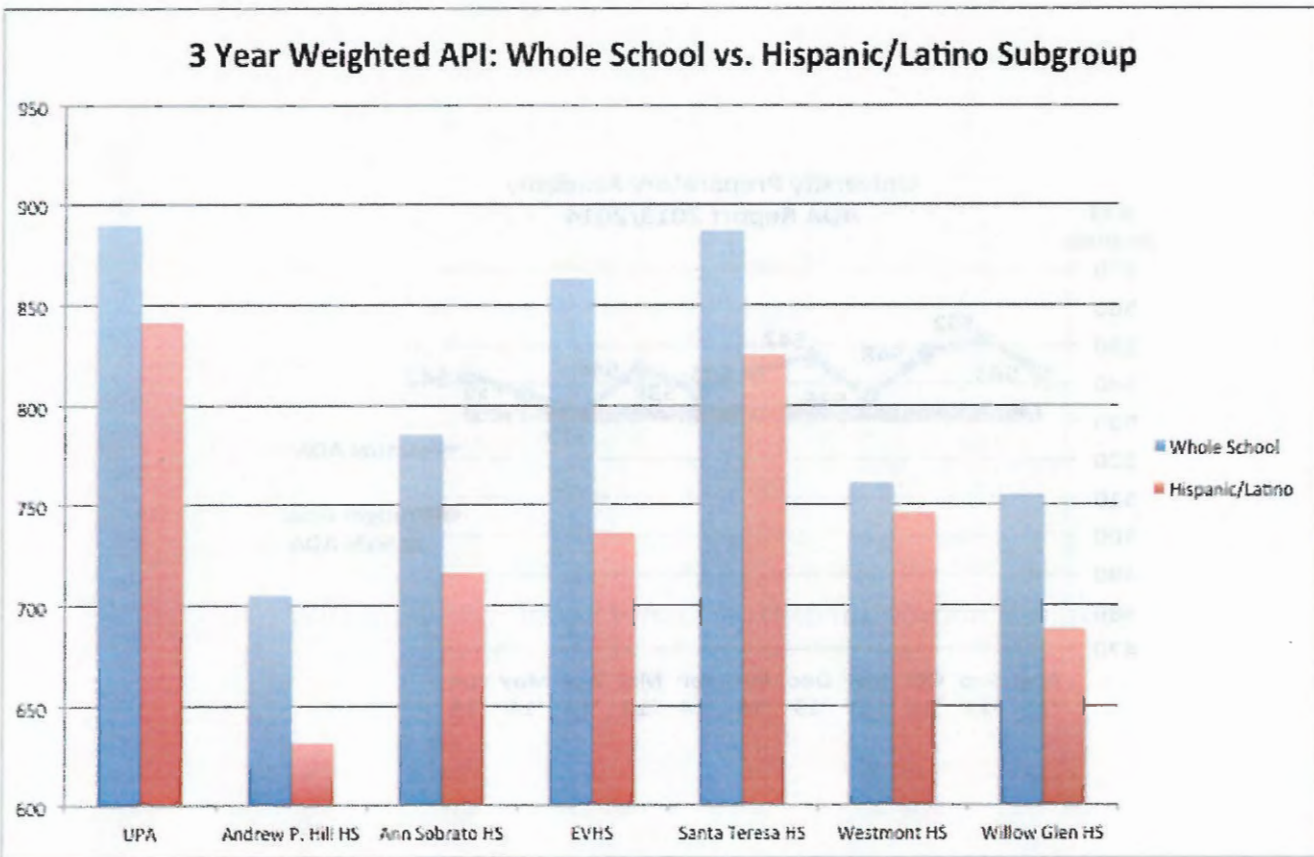
3 Year API Comparison



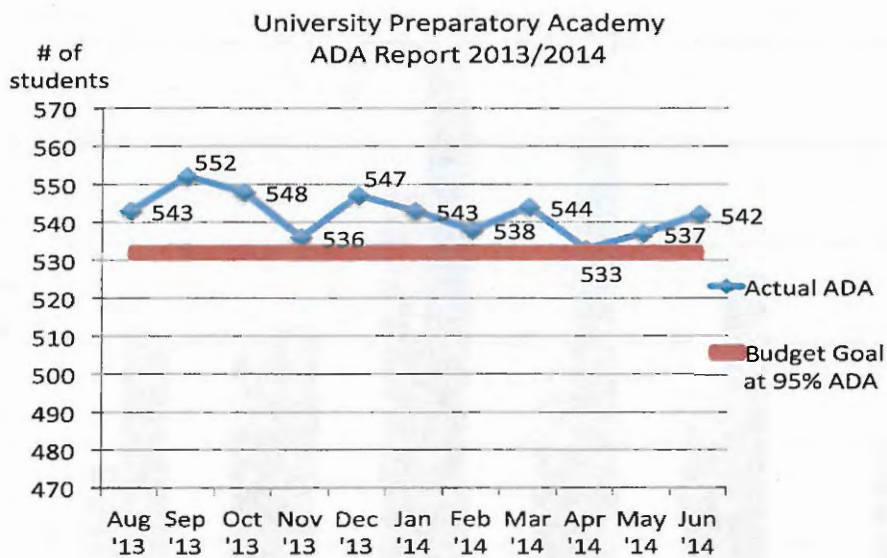
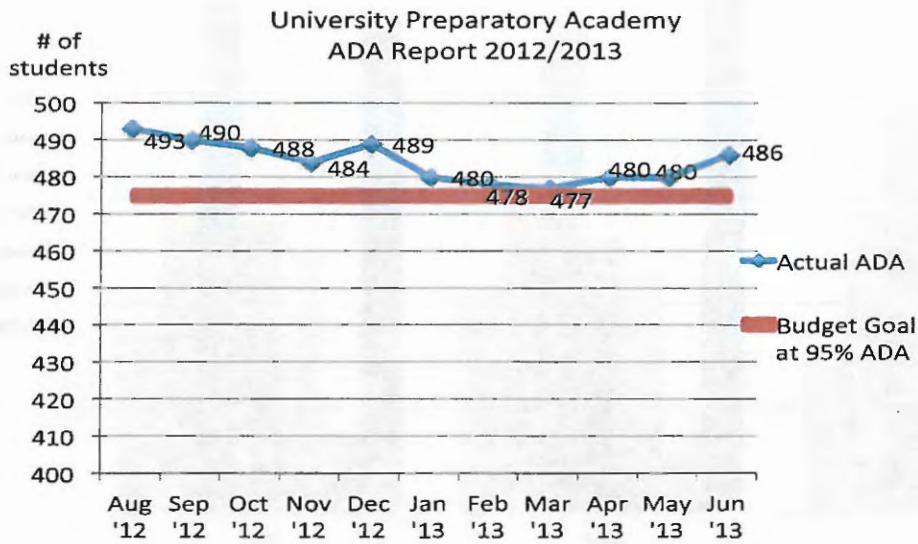
3 Year API for Hispanic/Latino Subgroup



3 Year Weighted API: Whole School vs. Hispanic/Latino Subgroup



Lastly, UPA considers attendance and discipline as very important. These areas of performance set the tone for the school and enable teaching and learning to take place.



Year	Suspension Rate		Expulsion Rate	
	UPA	Countywide	UPA	Countywide
2011-12	2.6	3.7	0	.1
2012-13	2.3	3.2	0	.1
2013-14	.01	Unavailable	0	Unavailable

As the charts above indicate, UPA students attend school at a very high rate. Also the incidence of suspensions and expulsions compares very well with countywide available data

In conclusion our students are achieving; they are successful academically; we are making inroads at closing the achievement gap; we are meeting our mission.

I. EDUCATIONAL PROGRAM

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.

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.

If the proposed school will serve high school pupils, a description of the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A" to "G" admissions criteria may be considered to meet college entrance requirements.

Education code section 47605(b)(5)(A)

Mission

The *mission* of the University Preparatory Academy (UPA) is to prepare students to enter and excel in the best colleges and universities in the nation. UPA serves a diverse population of 7th through 12th grade students throughout the Santa Clara County. UPA's target population is students who have not been highly successful in the traditional educational setting and need a small, highly supportive environment in order to find success in post secondary education.

The UPA education program design is based not only on the research findings of expert educators, it is also tied closely to core instructional elements that the UPA development team has implemented with San Jose students in both traditional school and alternative educational settings. In short, we have found, and the research supports, that the keys to academic success, even for traditionally low-performing students, are 1) offering a rigorous college preparatory curriculum for all students, 2) while focusing on the specific learning needs of each individual student, and 3) providing the supplemental support, counseling and instruction students need in a small school environment.

UPA targets below average performing students who may or may not pass the California High School Exit Exam ("CAHSEE"), and would not have exposure to a high-level, college preparatory curriculum that would prepare them for the rigors required for university success. Research indicates that a program such as UPA's is successful in increasing the performance of students who have been average and below average students. (See Marzano, "What Works in Schools" and The Bill and Melinda Gates Foundation "High Schools for a New Millennium").

Educational Philosophy

UPA gives students an academically demanding, “hands-on” educational program in which they can pursue a college preparatory education, develop unique interests, uncover hidden talents, experience satisfaction in accomplishments, and gain a sense of responsibility. UPA also works to prepare each student with the life skills necessary for personal success in a world that needs each person to care enough to make a positive difference. Technology is integrated into the curriculum, and UPA offers a substantial arts program to help students build a frame of reference and knowledge base for future learning. Real world assignments focus on joining the rigors of the classroom with the professional world.

How Learning Best Occurs

UPA believes that students learn best in a small school setting. They should be exposed to a rigorous curriculum, taught by highly qualified, caring teachers. Staff and parents need to build a strong, supportive environment to assist students as they learn the curriculum and gain the life skills necessary for success in school and in life. In addition, learning is facilitated in a safe environment where students are free to fully engage in their schoolwork and not fear for their safety. Finally, learning best occurs in a culture of high expectations where staff and students are accountable for teaching and learning.

UPA believes that to be an “educated person” in the 21st century requires that a student possess a multitude of academic and personal skills, including:

- Strong written and verbal communication skills to share ideas and information and read to comprehend, critically analyze and transform information
- Ability to apply mathematical and scientific principles to solve real-world problems
- Ability to think critically and creatively to approach, grapple with and resolve complex issues in a solutions-oriented mindset
- A global perspective and understanding of the world
- Technological fluency, using and applying technology in their everyday lives as students, workers and individuals
- Appreciation for and enjoyment of the visual and performing arts
- Leadership skills that show personal and social responsibility, task commitment, a well developed sense of empathy and an active participation in life
- Ability to work independently, and in teams with people from different experiences and backgrounds

A chart indicating the skills above, where they are included in the UPA instructional program, and possible instructional activities to build these skills is found in Section 3, Plan for Student Academic Performance, of this document.

Parent Notification of Course Eligibility for College and Credit

Transferability

UPA course completion requirements for graduation are based on the University of California “a-g” requirements. UPA’s mission is to provide students with the academic foundation and life skills necessary to allow them to be admitted to and excel at the country’s major universities and colleges, including the University of California and the California State University Systems. UPA will ensure that its students have completed the “a-g” course requirements so that graduates will be eligible to apply to the University of California and California State University campuses as well as other four-year colleges and universities. The Western Association of Schools and Colleges (WASC) granted UPA a six-year term of accreditation. See letter from WASC

indicating our term of accreditation located at the end of this section. UPA courses are transferable to other schools and are recognized by the UC and CSU systems as meeting “a-g” requirements. UPA provides students and parents with a course catalog and Student-Family Handbook, which are also provided on the school’s website, notifying parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements.

Students to be Served

UPA does not discriminate against any student on the basis of race, gender, ability, religion, or sexual orientation. All students are welcomed at UPA. Our goal is to have a diverse student body that reflects our community and Santa Clara County as a whole.

Students at UPA enter with different skill level competencies in core subject areas. Our student population includes some non-native English-speaking students, many students who have fallen behind grade level in one or more core subject areas, and students with other special needs. Despite the challenges that many of our students face, we believe a rigorous, standards-based instructional program can help to close the achievement gap that plagues our targeted, underachieving student population. Research indicates that high expectations of students, coupled with effective monitoring and pressure to achieve, in a supportive learning environment, are among the most important things that a school can provide its students (see Robert Marzano, “*What Works in Schools*” describing the benefits of a high expectations learning environment and The Gates Foundation, “*High Schools for a New Millennium*” calling for small supportive learning environments to enable students to succeed). UPA holds its students accountable for a rigorous program, but also gives them a learning environment in which to excel.

Curriculum and Instructional Design

UPA’s curriculum is demanding, aligned, and standards-based. It consists of the following fundamental components:

- Fulfillment of “a-g” requirements by all students with grades of C or higher in order to receive course credit, with an emphasis on Advanced Placement courses
- A college preparatory curriculum for all students
- Standards-based mastery of subject matter
- Meaningful homework every night
- AP classes in nearly all curriculum areas. Students are required to complete and pass with a “C” or better at least two AP classes in order to satisfy graduation requirements.

The courses available by grade level are as follows:

Subject	Grade 7	Grade 8	Grade 9	Grade 10	Grade 11	Grade 12
English	Engl 7; MS Engl Intervention	Engl 8; MS Engl Intervention	Engl 9; Journalism; HS Engl Intervention	Engl 10	Engl 11; AP Engl Lit	Engl 12 (Film Analysis); AP Engl Language
Math	Math 7; MS Math Support; MS Math Intervention	Math 8; MS Math Support; MS Math Intervention	Integ Math 1; Integ Math I Support; HS Math Intervention	Algebra II Honors; HS Math Support; Geometry	Algebra II; Pre-Calc; Pre-Calc Honors; AP Calc AB	Statistics & Problem Solving; AP Calc BC

Science	Life Science	Physical Science	Biology	Chemistry; Honors Chemistry; AP Biology	Physics; AP Chemistry	AP Environ. Sci
Social Science	World Civ	Am History	World Geography	World Hist; AP World Hist	US Hist; AP US Hist	AP Govt & Politics; Economics; AP Psych
Engineering	Gateway to Tech I	Gateway to Tech II	Principles of Biomed Science; Intro to Engin & Design	Principles of Engin; Human Body Systems	Medical Interventions; Digital Engineering	
World Lang		Spanish I	Spanish I; French I	Spanish II; French II	Spanish III; French III; Spanish Immersion	AP Spanish Language & Culture; AP Spanish Literature & Culture
Arts	Art a/b; Drama 7/8; Dance 7/8; Beginning Band	Art I/II; Drama I; Dance I; Intermed Band	Dwg & Paint I/II; Adv Dance; Adv Drama	3 Dimension Art; Theater Tech; Adv Band		
PE	PE 7	PE 8	PE 9	PE 10	PE 11	PE 12
Electives	Intro to Tech; Breathing & Stretching;	Intro to Technology; Grade 8 AVID; Breathing & Stretching	Grade 9 AVID; Breathing & Stretching	Breathing & Stretching	Breathing & Stretching	Breathing & Stretching
Advisory	Advisory 7	Advisory 8	Advisory 9	Advisory 10	Advisory 11	Advisory 12 (Senior Project)

Recent research indicates that 34% of all high school graduates nationwide (40% of white students, 23% of African American students, and 20% of Hispanic students) are eligible to enter a four-year college or university based on minimum qualifications required by these institutions. (Education Working Paper No.18, February 2005, *Public High School Graduation and College Readiness Rates—1991—2002*, Jay P. Greene, Ph.D. Manhattan Institute for Policy Research). Without a doubt, students who have completed college-level work while in high school are significantly more likely to find success in entering college and remaining in college until graduation. (See Jay Mathews, *Class Struggle: What Is Wrong (and Right) About America's Best Public High Schools* and a 1999 U. S. Department of Education study by Clifford Adelman titled *Answers In A Tool Box*) The study concluded, "no matter how one divided the universe of students, a high school curriculum of high academic intensity and quality is the factor that contributes to students' likelihood of completing college." The study further found that just the completion of one advanced placement course exposes a student to college level work; the

challenge of the course and emphasis on critical thinking, study skills, and increased content knowledge prepares a student for college work.

Beginning in 7th grade, UPA students are challenged with a pre-AP curriculum that prepares them for AP and college courses. All students at UPA are enrolled in pre-AP Mathematics classes. It is our goal to prepare them for Calculus by their Junior or senior year. Students are also required in grade 7 and 8 to take pre-AP English classes so that they are prepared for AP English Language and Literature classes in grades 11 and 12. UPA believes it is critical for students to successfully complete college courses while in high school in order to prepare them for success in four-year colleges and universities. (For documentation of the success of this approach, see *Advanced Placement Courses Cast Wider Net* by Kathleen Kennedy Manzo, published in Education Week, November 3, 2004, describing various researches done on this topic).

The UPA curriculum has been modified to bring it into alignment with the Common Core State Standards (CCSS) for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects, and Mathematics. In addition, UPA intends to use Next Generation Science Standards. (See **Curriculum Binders submitted with this petition**) UPA's leaders monitor instruction to ensure successful implementation of the written curriculum.

All students are required to reach beyond their present academic levels in a cycle of continuous improvement, verified by testing that gives students, parents and teachers immediate feedback on skill levels and needs. Students are generally assigned approximately 2-3 hours of rigorous, meaningful homework each night. Homework experts say there is an unfortunate gap in the amount and quality of homework given to the "haves" and the "have nots," which places many disadvantaged urban students further behind than their more affluent peers, (Professor Harris Cooper, Duke University, citing research finding homework demands increased in "more well-off communities"). UPA believes that successful college students are those who have been given substantive, meaningful homework assignments. Students who do more homework score better on tests and get better grades, particularly in high school. UPA ensures that its students are accustomed to daily homework assignments that expand upon their classroom instruction and help prepare them for the rigors of a college environment.

UPA has adopted the California state standards as the framework for our curriculum. As required by law, UPA students will take the required state standardized tests. Approved textbooks and instructional materials support the UPA curriculum. UPA core curriculum materials and textbooks for 7th and 8th grades have been selected from the list of state-required textbooks. Ninth through twelfth grade non-advanced placement textbooks are California State Standards-aligned. UPA uses College Board-required textbooks and instructional materials for advanced placement classes.

Personalized Learning Approach

Much of our educational program is based on the research and philosophical approach of The Bill and Melinda Gates Foundation, "High Schools for a New Millennium" (2004) and Dennis Littky, "The Big Picture: Education Is Everyone's Business" (2004) who have researched and written widely on the merits of a rigorous, high expectation program coupled with a highly personalized approach to meeting the students' additional support needs. To implement this philosophy, the UPA approach has been designed to meet the specific needs of the individual student. Personalized Learning Plans (PLP's) and additional instructional time in small-group and individualized instruction are key to our program.

The school design is based on the needs of the individual student to ensure that regardless of the student's academic needs, s/he will be given the necessary support to master content requirements. Learning is individualized for each student through the development of a Personal Learning Plan. The PLP is based upon the assessment of each student's academic strengths and weaknesses. (See sample PLP form attached to Section 3, Plan for Student Academic Performance, of this document.)

Educational Support

In addition to a rigorous academic curriculum, students are offered additional opportunities for reinforcement and skill building. UPA offers an intensive schedule with increased instructional time to ensure that students are provided with the support necessary to meet individual learning needs. UPA begins school at 8:15 AM and is on a block schedule two days per week, Wednesday and Thursday, to ensure continuous uninterrupted time in each of the courses. In addition, UPA has employed a number of other instructional support strategies for students needing remediation. These include:

- Organized after school tutoring in our Media Center each afternoon except Thursdays.
- Advisory intervention classes every day (30 minutes) in middle school and high school math as well as English for designated students
- Math intervention classes for middle and high school students needing long term concentrated support in math
- A rigorous summer program that includes a Math/Literacy Institute for incoming 7th graders that have been identified through assessment that a "headstart" in math and English is necessary for these students prior to the start of school. Make-up classes for students who have received an "Incomplete" grade in math, English and Social Studies are also offered during summer school.

This in addition to opportunities for advancement in math, with students having the opportunity to take courses off-campus at community colleges and on-line through internet based universities such as BYU-online, independent study, as well as the inclusion of peer tutors in our tutoring program round out current opportunities for educational support for students requiring these services. The need for educational support activities is identified through the creation of a student action plan developed by our Student Study Team process. This process includes Student Study Team meetings to monitor student progress, formulate recommendations, and develop a personal learning plan for the student that is reviewed and discussed with the academic counselors.

Small Group Environment

UPA will continue to invest in the academic needs of students in grades seven through twelve. Research shows that small schools allow students and teachers to develop supportive, long-term relationships that allow for better conditions for teaching and learning (The Bill and Melinda Gates Foundation, "*High Schools for a New Millennium*"). All else being equal, students in small high schools score higher on tests, pass more courses, and go on to college more frequently than those in large ones. Moreover, these results appear to be greatest for low-income students and students of color (Cotton, K., "*New Small Learning Communities: Findings from recent literature.*" Northwest Regional Educational Laboratory, 2001). Small schools have been shown to increase graduation and college-going rates, improve attendance, and bolster teacher morale and effectiveness. UPA's small size offers many advantages that help promote teacher professionalism and student learning. Our small size facilitates collaboration, allowing teachers

to share ideas about teaching, to serve as friendly critics by offering suggestions about how to improve lessons and classroom management. (Lawrence, Bingler, Diamond, Hill, et. al. 2002. "Dollars and Sense: The Cost Effectiveness of Small Schools." Cincinnati, OH, Knowledge Works Foundation)

College Going Culture

A major on-going initiative at UPA is to build and maintain a strong a college-going culture. We do this in a variety of ways. We have purchased the Naviance platform to provide a rich college and career guidance program. Naviance provides students with self-assessment tools for discovering interests, strengths and personality types. It guides students toward relevant career options, college choices, scholarship opportunities, and academic planning. Students visit 12 UC/CSU campuses during their high school years.

Grade 13 Academic Counseling - University Preparatory Academy's mission states that we will prepare students to enter *and excel* at the greatest colleges and universities in the nation. Our student alumni often report to us that college is surprisingly manageable given the academic tools of preparedness we provide our students during middle school and high school.

Our former graduates continue to approach our counselors, staff, and teachers with questions regarding college matriculation, transfer issues, social and family concerns, and financial questions. Students have asked to have essays and assignments proofread by our teachers and counselors, and often ask us for academic advice when making decisions around course and major selection.

The shared academic and social experiences our alumni report to us, their successes and their challenges, and their reflections on the UPA program, continue to inform our practice as we prepare current students to attend those very same institutions.

Further, UPA seeks to invite our alumni to share their academic journey with our current students, to contribute as guest speakers, tutors, and as attendees at school wide events. Our graduates are an inspiration to our current students and to our teaching staff; they provide a tangible representation of our school's mission.

The continued support that we seek to provide our alumni, the desire to learn from their experiences, and the contributions these students will continue to make to UPA in the years to come have caused us to create a new counseling position in 2014. The current counseling position of Grade 11/12 Counselor, will be modified to **Grade 12/13 Counselor**.

UPA will maintain academic counseling at all other grade levels, and now with the addition of a seventh grade level of counseling, we are able to formally bridge the high school and college divide. Upward articulation is so important that UPA began and always will exist as a middle/high school, providing linkage between middle school and high school. That strategy now extends to the college and university students who once graced UPA's hallways.

UPA's Grade 13 Counselor will focus and deliver the following:

- Track graduates' college enrollments using the program Naviance.

- Provide social, academic, and crisis support by linking graduates with college counseling resources and outside agencies as the student requires, especially the few students from UPA that enter the community college system.
- Provide tutoring and guest speaking opportunities to graduates on behalf of current students.
- Provide major selection and career counseling to graduates.
- Interview and survey graduates in order to collect data that will inform counseling best practices at the school site.
- Invite graduates to participate in stay connected to school wide events and traditions.
- Serve as a liaison to graduates' colleges and universities and advocate for those students where possible.
- Provide opportunities to graduates to address current students and parents on college field trips and to provide tours.

Advancement Via Individual Determination (AVID)

UPA's mission of preparing all students to enter and excel in the colleges and four-year universities, and the methods employed by the UPA to achieve that mission share much in common with the AVID program. At UPA we recognize how formally adopting AVID could further strengthen the services we offer to first-generation, English Learner, special needs, and low-socioeconomic students, and in summer of 2014, UPA sent a team to receive formal training and commitment to the AVID program.

Through adopting AVID, UPA has also committed to rolling out AVID strategies school-wide, to all students. These strategies include AVID's WICOR (Writing, Inquiry, Collaboration, Organization, and Reading) framework – strategies that include Cornell note-taking, Socratic seminar discussions, and textual markup. These strategies are given to teachers through our Professional Development program, and used in core content classrooms to create a common language that all students can understand throughout their learning experience.

The AVID elective, which features these and other AVID strategies in more depth, also helps first-generation students, English Learners, and low socioeconomic students to navigate the college preparation and application process in ways that allow them to overcome the extra challenges they face above and beyond their peers.

Summer School Program

Our summer math program and English literacy Institute introduce seventh grade students to course content in the coming school year to positively impact students' ability to meet the demands of UPA courses. In addition throughout the school year, UPA offers a Math support class that is innovative and adaptable (ALEKS) so that personal attention to gaps in learning are addressed.

Integrated Technology Across the Curriculum

A major school wide initiative is the integration of student centered technology. Research indicates that when technology is embedded in the curriculum, not only are students provided the opportunity to learn necessary skills for success in the 21st century, but they become more engaged in their learning, leading to greater comprehension, retention of information, and use of that academic knowledge in later life (The Bill and Melinda Gates Foundation, "*High Schools*

for the New Millennium”, 2004). At-risk students show substantial improvement when technology is introduced into their curriculum. Experts believe the reason for this is that technology gives educators an opportunity to individualize instruction and meet the needs of individual students. (NCREL-Published Research—Source: Computer Based Technology and Learning: Evolving Uses for Expectations. Valdez, McNab, Foetach, Anderson, Hawking and Raack, 2000.)

Teachers are required and encouraged to integrate technology throughout the curriculum. All UPA teachers are issued a technology package that includes a laptop, digital projector, print services, and server-based services. UPA has built a high-tech computer lab that is comprehensive in its design and delivery of technology services to students. UPA has purchased a mobile computer lab for use in classrooms and all classrooms are equipped with up to date Wi-Fi technology. We utilize projectors, TV, and DVD players as instructional tools in the classroom. In addition to 5 computer carts with 25 laptops/chrombooks each, UPA will be purchasing at least another 200 new laptops/chrombooks during this charter term, especially to facilitate CCSS testing, provide access to digital textbooks, and to facilitate ongoing instruction. Interactive white boards and other “nice to have” technology tools will be added as funding permits. Students develop course projects and course work in which they are required to use the technology skills at their level described above for the successful completion of their work. The skills they are typically required to use for completion of coursework are word processing, spreadsheets, presentation technology, database, audio and visual conferencing, and creating complex multimedia projects. Students develop skills and positive attitudes concerning technology that support communication, collaborative projects, creativity and productivity. UPA uses technology to enable students to learn to search and discover knowledge, actively communicate with others, and solve problems so that they can become productive, life-long members of our society.

Computer science courses are new to our curriculum and as outlined in our 2014 LCAP, these courses will be fully implemented by the end of the charter term. We are analyzing current capacity, developing our professional development schedule, and creating a continuum of courses that will culminate in AP coursework.

Visual and Performing Arts

According to the National Arts standards, “All students deserve access to the rich education and understanding that the arts provide, regardless of their background, talents or disabilities”. UPA believes in the importance of the arts not only as a means to enrich a student’s understanding of the past and present, but also as an advanced form of communication and expression, and an academic tool to broaden a student’s ability to approach a problem or situation. Indeed, Leonardo daVinci, perhaps the greatest inventor of modern times, blended art and science in his work to communicate his learnings and discoveries in a manner that would be commonly understandable. Scientists and physicians today are just now realizing the tangible benefits of daVinci’s scientific works that he conveyed originally as art forms. “Arts learning requires students to observe, analyze, synthesize, create, and evaluate. It also draws on a variety of intelligences and provides students with experience in higher order thinking.” (Washington D.C. Public Schools-Kennedy Center, “Report on the Status of DCPS [D.C. Public Schools] Elementary Arts Programs” 2002-03)

UPA provides performing arts and music as the foundation of our electives program. We believe that each student has a talent for or interest in an area of the arts. We encourage students to explore these interests, provided that those students are successfully mastering their core subjects

and do not need to focus heavily on remedial instruction in core areas. UPA provides access to state-of-the-art facilities for the performing arts and music aspects of our program. We have use of a theater (450 person capacity) with a performance stage, a state-of-the-art sound and lighting system, complete television transmission (cameras, editing, video equipment), stage sets and storage, dressing rooms and a dance studio. UPA offers courses in the visual arts, drama, instrumental music, and dance to allow the students to pursue their individual artistic interests and talents. We believe that in order for our students to be competitive with their peers in post-secondary settings, they should be exposed to the arts. This approach is in line with premier high school programs and the International Baccalaureate curriculum, which require study in the arts as a condition of graduation.

New students entering UPA are assessed utilizing the Northwest Evaluation Association Common Core aligned Measures of Academic Progress assessments. An individual assessment is completed for each student to determine academic strengths and areas of weakness. This initial student assessment allows UPA staff to identify the learning needs of each student. Based on assessment, identified students are asked to attend an academic readiness program called, the Summer Math/Literacy Institute.

UPA is committed to closing the achievement gap. Students who are identified as low-achieving through the initial assessment and through ongoing class work and assessments are enrolled in support activities and other remediation activities described above. Low-achieving students' progress is constantly monitored through their Personal Learning Plan and counseling interventions, as well as the application of Student Study Teams, 504 Plan meetings, and Special Education services, to ensure they get "back on track" towards making progress and meeting the state content standards. Communication and partnerships between school leaders, teachers, parents and students is such that all are participants in providing the support required for academically challenged students.

Academically high performing students are identified through the same means as described above. More advanced opportunities for them include, but are not limited to, honors classes, advanced placement classes, independent study projects, arts-based and extra-curricular opportunities, interest-based study groups and academic, online courses and concurrent classes at the community college. In partnership with parents, opportunities for community service, academic camps at local universities, internships, and community events are all promoted by the school and made available to the student.

Other Keys to a Successful Educational Program

Commitment to Program Success - Leadership, Staff, Parents and Community: In order to ensure the success of our educational program as outlined above, UPA hires and trains a dedicated, effective, professional staff and organizational leaders who are committed to the success of every student and to continuous improvement, and collaborative decision-making involving students, parents, staff and community. The focus of leadership is in three areas, 1) improving instruction, 2) providing a high quality curriculum and 3) building a positive school climate.

Middle School / High School Articulation - A unique characteristic of our school is that we are a middle and high school, under one roof, with the benefit of one informing the other. UPA embraces a strong upward articulation where students experience a smooth academic and social transition from middle school to high school, not common for most middle school students moving to another high school or within a unified district.

Curriculum delivery at the middle school level is informed by the scope and sequence of high school courses. Teachers may teach courses at the middle school level and at the high school level within the same department. Advanced Placement courses are taught with pre-AP strategies in place at the middle school level. Expectations around homework, projects and assessments are scaffolded across the grade levels. Introductory middle school courses in many departments exist as natural prerequisites for high school courses resulting in a deep and wide course of study throughout the grade levels.

Lasting relationships between teachers and students grow at UPA for six years, resulting in strong bonds of support and commitment to the mission. High school students are positive role models for our middle school students and our graduates are all of our students' greatest inspiration. Our high school students tutor our younger students and they keep watch over the middle school students. UPA is truly a family, made up of younger and older students, all bonded by a common mission, and with six full years to grow academically and develop positive social relationships.

Formal On-going Staff Development: UPA provides time during the school day for daily and weekly staff collaboration. In addition, UPA's calendar provides for a half-day staff development program, usually once each month. This staff development time is dedicated for planning, developing curriculum, and training to improve instruction. Professional development also includes staff training preceding the opening of school. The current staff development program includes small interest group workshops as well as the entire staff working together in areas for school improvement. Teachers have opportunities to visit other classrooms and engage in continuous reflective assessment. Professional development is continuous, giving staff what they need when they need it. On-going professional development activities focus on:

- Advanced Placement curriculum development including pre-advanced placement classes
- Designing and implementing UPA's student advisory program
- Use of technology to enhance instruction
- English Language Learner strategies, including differentiated instruction
- Review of the UPA mission and school/professional practices that promote the accomplishment of the mission
- Backward mapping to construct standards-based lesson plans and pacing guides
- Assessment practices for learning and the use of data to inform teaching practice
- Development and use of personal learning plans (PLP's)
- CCSS implementation

The Professional Development calendar for the 2014-15 school year is indicated later in this section, see Professional Development and Training.

Instructional Supervision:

Teachers are observed formally as well as informally by the Executive Director and Directors to review strengths, discuss areas for growth, exchange ideas and brainstorm solutions. In addition, "quick visits" are conducted each week of the month. Members of the administration have been assigned a particular week of the month to conduct their quick visits. Thus, for every week of the month there are instructional leaders observing classrooms and obtaining first hand information regarding teaching and learning. UPA teacher leaders of departments are also charged with conducting visits in their particular subject area. UPA's goal is to be a community

of learners who seek continuous improvement in order to increase student achievement academically, personally and socially.

Student, Parent, and Staff Commitment: UPA's strength is in the commitment of its stakeholders to the school and to each other as they invest time and effort to achieve success. UPA believes that parent involvement is critical. Parent involvement and positive parent/teacher interaction regarding student progress accomplish two inter-related goals. First, parent involvement in the student's progress and after-school work directly helps to ensure that the student is keeping up with the pace of the UPA program. This is accomplished through parent oversight of student's assignments/ homework and involvement in monitoring the student's progress toward the goals outlined in their PLP. Parents make extensive use of UPA's student information system, PowerSchool and Schoology to keep informed of assignments, homework, grades and attendance. Secondly, parent involvement in the school community through volunteer hours and other service to the school demonstrates to their student the value that the parents place on the school program, acting as a role model for their students.

Campus Life: UPA recognizes and values the development of all aspects of a student's life: academic/intellectual, physical, and emotional/mental. To this end, UPA addresses the mental health needs of its students by:

- o ensuring that all faculty and staff receive appropriate professional development
- o providing a 'safe' counseling space to facilitate emergency or ongoing mental health needs of students
- o continual assessment of school climate related to academic stress, school safety
- o establishing partnerships with mental health support staff in agencies and the SC mental health department

Similarly, UPA has increased the number of teams participating in our athletic and intermural programs. Student interest clubs, active student government, dances, spirit rallies and lunchtime activities are conducted to build school spirit and add "fun" activities to the rigorous academic program of the school.

WEB and Link Crew - UPA's Orientation and New Student Support Programs - In 2013, University Preparatory Academy formalized our student orientation and year-long support strategy for grade seven students with the introduction of the **Where Everyone Belongs (WEB)**, a program developed by the Boomerang Project. In 2014, UPA added Boomerang's high school orientation and transitional program **Link Crew** to the menu of support services we provide our newest students. With these programs, UPA provides orientation and year-long support to all grade seven and nine students, and to the staff and peer leaders who facilitate the programs. UPA has removed the stigma and struggles associated with entering and excelling at a new school for our incoming 7th and 9th grade students with the introduction of the WEB and Link Crew programs. UPA considers these programs part of our effort to contribute to a culture of mental wellness, social inclusion, and academic success on our campus.

UPA staff members are formally trained to coordinate the program and curriculum and peer leaders are trained to execute the programs. WEB and Link Crew provide not only research based and proven strategies for conducting meaningful orientation programs for new students, each provides leadership and mentorship training and experience to peer leaders on the school campus. These programs have contributed to reducing discipline referrals, provided for a safer school environment, encouraged strong attendance, and promoted students' improved academic success. A new component of the programs focuses on anti-bullying education, character

development, and self-esteem promotion, where student learn to identify and seek assistance around instances of any kind of bullying.

The new student orientation is the cornerstone of WEB and Link Crew programs. New students receive information about how to find success on the UPA campus; they are made to feel welcome and surrounded by family when they first step on the campus, and the students benefit from the mentorship and positive role modeling the WEB and Link Crew student leaders provide as older and more experienced students.

WEB and Link Crew programs continue as the small "families" that are created during orientation participate in social and academic follow-ups throughout the school year. This follow-up occurs on a monthly basis; student leaders pay close attention to the needs of individual students as the needs becomes evident through strong relationship building and trust-based exercises.

WEB and Link Crew orientation and year-long activities focus on survival and skill building strategies for new students that include: academic preparedness, decision making, emotional intelligence, self-advocacy, and social navigation. Over 95% of incoming grade seven and grade nine students participate in these programs.

WEB and Link Crew orientation and year-long programs focus on leadership skills for the leader participants that include: team-building, positive school culture development, organization, communication, personal development and teaching. Students who are selected for these leadership roles come from a variety of academic and social backgrounds meant to represent the incoming population of new students.

Plan for English Learners

UPA ensures that English Language Learners (ELL) have access to the full range of educational opportunities that UPA offers. UPA complies with all applicable federal laws in regard to services and the education of English Language Learner students, and re-designates English Language Learners as English proficient based on UPA governing board-adopted criteria. Specific information on the Plan for ELL's is included in Section 6 of this document.

UPA identifies ELL students through the state-required home language survey given to students and families when they complete an application for enrollment. Identified students are tested for English proficiency using the state mandated CELDT assessment. Additional information on the identification of ELL's is included in Section 6 of this document.

The School's ELL instruction is offered primarily through English immersion, and in general, UPA classrooms are based on an "inclusion" philosophy for ELL students. However, teachers are given autonomy within their classroom to determine whether additional literacy support is needed. This flexible teacher driven approach enables UPA to effectively meet the unique needs of each EL student.

The school's English Language Development Coordinator monitors the student's progress and consults with teachers regarding useful strategies to meet students' needs. All teachers who have ELL students in their classes are properly certified authorizing teaching to English Language Learners. In addition, the ELL coordinator ensures that students receive special one-on-one attention through an EL class conducted within the school day and after school tutoring sessions

until they have achieved the goals on their PLP and have been re-designated as English Proficient.

UPA provides training to teachers in six key strategies. These strategies have proven successful with English Language Learners. They are:

1. Vocabulary and Language Development
2. Guided Interaction
3. Meta-cognition and Authentic Assessment
4. Explicit Instruction
5. Meaning-Based Context and Universal Themes
6. Modeling, Visuals, and Graphic Organizers

UPA will use the ILP to track progress of ELLs. The coordinator will monitor progress, and communicate with the student's parents/guardian. Where necessary, individualized instruction and special instructional support will be provided to ensure students are making progress in language proficiency.

Plan for Special Education

UPA provides a rigorous curriculum for all students. The small school size allows teachers to know their students individually—to know their learning styles, their academic and personal strengths and their areas for growth. UPA understands that the school has the obligation to serve students with exceptional needs and that the school, pursuant to applicable state and federal law, must ensure that all of its students have access to a free and appropriate public education.

UPA in good faith negotiates and enters into a written agreement with SCCOE and the SELPA to identify the specific desired mix of special education funding and services to be provided. This annual agreement shall set forth whether UPA shall receive services, funding, or some combination of both pursuant to Education Code Section 47646(b) or subsequent legislation. See MOU at the end of this section.

Because of the nature of the population served, UPA anticipates that a number of our students will enter school with an IEP or with learning disabilities that may require testing and possible special services. UPA works proactively and cooperatively with families, the teaching staff, and the SCCOE to identify students with exceptional needs. Upon enrollment, UPA works with the SCCOE to identify students who have or may have exceptional needs. UPA's enrollment/registration policies and practices regarding special needs students include but are not limited to, the following:

- Non-discriminatory methods to identify students with exceptional needs to help ensure that school staff is aware of all students who have identified special needs;
- Validate student status related to special education needs;
- Early and quick communication with all feeder local education agencies to request and obtain cumulative files and other documents in a timely fashion;
- Staff development and training for school staff, to ensure that they possess an understanding of tools and techniques to identify students who may have exceptional needs; and,

- Review of student assessment data, including but not limited to state-mandated testing, to identify students who may be falling behind expectations in their academic progress and in need of additional support or services.

UPA has implemented a "student success team" (SST) model to attempt to meet all student needs within the regular instructional setting prior to referral for formal assessment for special education purposes. Such teams typically consist of the student's teacher(s), a school administrator, the student's parent/guardian, and others. The team oversees development of plans to meet students' needs, if possible, without immediate referral to assessment for special education needs. The team monitors students' progress.

In the event that formal intervention provided through the SST is not successful, UPA communicates with SCCOE staff to secure a formal and appropriate assessment conducted by qualified/credentialed staff. If the assessment identifies that the student has exceptional needs and requires special education and/or related services under the terms of applicable special education law, UPA works with appropriate SCCOE staff to convene and conduct an individualized educational plan (IEP) team meeting.

UPA staff actively participates as appropriate in planning and conducting the IEP team meetings and processes. The school is committed to implementing all special education and related services called for by the IEP. UPA understands that student progress toward the goals specified in the IEP will be monitored regularly and formally reviewed by the IEP team on at least a triennial basis. Resource specialists help UPA teachers tailor their classroom teaching to ensure that the needs of all special education students are being met.

In the event of a due process claim to enforce provisions of applicable special education law, UPA is committed to responding to the claim while ensuring that all due process is provided.

UPA recognizes that some of its students may have exceptional needs that are not governed by the terms of the federal special education law (IDEA) but who may require accommodations or services pursuant to the terms of section 504 of the Rehabilitation Act. The school is responsible for planning and implementing any such accommodations or services.

UPA may pursue independent local education agency (LEA) and/or special education local plan area (SELPA) status at some future time pursuant to Education Code Section 47641(a) or other subsequent legislation. Prior to establishing independent LEA and/or SELPA status, UPA will provide written verifiable assurances that it will be able to undertake such change in status, pursuant to Education Code section 47641 or other subsequent legislation.

Professional Development and Training

Professional development and training at UPA is an important activity required of all teachers and staff. Both time and fiscal resources are invested in the development of our staff to ensure better teaching and learning. A staff development coordinator has been appointed to plan and implement activities. This teacher on special assignment has release time to devote to coordination. The UPA bell schedule has been adjusted to enable our students to be released at 1:50 PM each Thursday. The early release has been accomplished by eliminating a 30-minute advisory class on Thursdays and combining middle school and high school lunch period into one lunch period. One Thursday of each month is reserved for professional development and training activities only. A second Thursday is reserved for department collaboration. A third Thursday is devoted to Lead Team meetings. With the implementation of the AVID program in

our school, we have made the conscious decision to focus our school professional development program in 2014-15 on implementing AVID activities school wide in preparation for expansion of the program to all grade levels over the course of the next 2 years. Our professional development agenda for the 2014-15 school year is indicated below.

University Preparatory Academy Professional Development 2014-2015:
Department Alignment, AVID Strategies Schoolwide

August 6, 7, and 8 (Pre-Service Meetings): Department Vertical Alignment; AVID Strategy: Philosophical Chairs; LCAP

- -Facilitate Department Vertical Alignment.
- -Explain, model, and practice “Philosophical Chairs.”

September 4: AVID Strategy: Socratic Seminar; Student IEP Informational Session

- Read “What is Backward Design?” from *Understanding Design* by Wiggins and McTighe.
- Explain, model, and practice “Socratic Seminars” using “What is Backward Design as central text.

October 2: Supporting Students’ Emotional Well-Being: LGBTQ Youth Space Speaker

- Discuss LGBTQ student safety and campus culture
- Youth Space Speaker

November 6: Critical Reading Process AVID Strategy: Pre-Reading and Interacting with Text

- AVID Strategies for English Learners
- Read “Essential Questions: Doorways to Understanding” from *Understanding Design*.
- Explain, model, and practice “Reading Prompts” and “Pre-Reading Plans.”
- Explain, model, and practice “Cornell Notes,” and “Literature Circles.”

December 4: Common Core and AVID Strategy Review; AVID Strategy Lesson Share and Alignment SMART Goal share by Department

- Multiple Levels of Questions for English Learners
- Match AVID Critical Reading Strategies with Common Core Standards.
- Departments share AVID Strategies “in practice” and prepare progress reports on Department Alignment with school SMART Goals and LCAP.

January 5 (all day workshop): Backwards Design and Department Vertical Alignment: Writing

- Review “What is Backward Design” and “Essential Questions: Doorways to Understanding” from *Understanding Design*.
- Departments will align procedures, formatting, structure, and desired outcomes for common writing assessments.

January 8: Department Writing Alignment (CONT.)

- Departments will continue to learn procedures, formatting, structure, and desired outcomes for common writing assessments.
- Flexible Grouping for English Learners

February 5: AVID Strategy: Structuring Argument

- Read “Crafting Understandings” from *Understanding Design*
- Explain, model, and practice graphic organizers for structuring written argument.
- Project Menus for English Learners

March 5: AVID Strategy: Writing Argument

- Read “Teaching for Understanding” from *Understanding Design*.
- Explain, model, and practice writing for audience and purpose, academic and content vocabulary use, and effective peer review.
- EL Professional Development TBD

April 2: Staff bonding activity to be determined

May 7: Department Alignment SMART Goal share and AVID Schoolwide share; Plan next steps

- Departments share materials and appropriate student samples related to Department
- Alignment SMART Goal.
 - Departments share AVID Schoolwide materials and appropriate student samples related to AVID strategies.
- Plan for next year’s department alignment.

Improving Student Outcomes

The chart below identifies UPA goals and actions relevant to improving student outcomes that are identified in the state’s eight priorities:

STATE PRIORITY #1— BASIC SERVICES	
<i>The degree to which teachers are appropriately assigned (E.C. §44258.9) and fully credentialed, and every pupil has sufficient access to standards-aligned instructional materials (E.C. § 60119), and school facilities are maintained in good repair (E.C. §17002(d))</i>	
SUBPRIORITY A – TEACHERS	
GOAL TO ACHIEVE SUBPRIORITY	All UPA teachers will be appropriately credentialed, including appropriate English learner authorization as defined by the California Commission on Teacher Credentialing (CTC)
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ◦ All teacher credentials will be verified with CTE annually ◦ SCCOE semi annual audit
SUBPRIORITY B – INSTRUCTIONAL MATERIALS	
GOAL TO ACHIEVE SUBPRIORITY	UPA pupils will have full access to state standards-aligned materials
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ◦ Purchase and development of standards aligned materials ◦ Professional development in state standards materials
SUBPRIORITY C – FACILITIES	
GOAL TO ACHIEVE	UPA will maintain adequate facilities to achieve its mission to provide a small school, college preparatory environment.

SUBPRIORITY	
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ Maintain a pupil teacher ratio of 21:1 ○ Maintain adequate budget allocation for maintenance and repair. ○ Facilities lease maintenance and repair is provided through UPA/landlord lease agreement
STATE PRIORITY #2— IMPLEMENTATION OF COMMON CORE STATE STANDARDS	
<i>Implementation of Common Core State Standards, including how EL students will be enabled to gain academic content knowledge and English language proficiency</i>	
SUBPRIORITY A – CCSS IMPLEMENTATION	
GOAL TO ACHIEVE SUBPRIORITY	UPA governance, educational, operational, and fiscal decisions prioritize the implementation of CCSS
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ Board training in CCSS, LCFF, LCAP to ensure appropriate program oversight and implementation. ○ Intensive staff professional development in CCSS and Technology in Teaching and Learning ○
SUBPRIORITY B – EL STUDENTS & ACADEMIC CONTENT KNOWLEDGE	
GOAL TO ACHIEVE SUBPRIORITY	UPA EL students will make academic gains.
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ Teachers will have appropriate certification in their subject area to teach EL students ○ Professional development will prioritize EL instruction ○ Reading specialist availability will meet student demand
SUBPRIORITY C – EL STUDENTS & ENGLISH LANGUAGE PROFICIENCY	
GOAL TO ACHIEVE SUBPRIORITY	UPA EL students will gain English language proficiency.
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ EL students will receive English Language Arts/Literacy instruction and appropriate instructional support through pull out program ○ EL coordinator will monitor student progress. ○ Teachers will receive professional development
STATE PRIORITY #3— PARENTAL INVOLVEMENT	
<i>Parental involvement, including efforts to seek parent input for making decisions for schools, and how the school will promote parent participation</i>	
SUBPRIORITY A – ACHIEVING/MAINTAINING PARENTAL INVOLVEMENT	
GOAL TO ACHIEVE SUBPRIORITY	Parents will be involved in the governance, fundraising and student academic support functions of UPA

ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ Provide user-friendly student information system to keep parents informed of assignments, homework, grades and attendance. ○ Provide volunteer opportunities that visibly demonstrate parent commitment to academics and foster school's long-term sustainability ○ Maintain Advisory Board to provide guidance to governing board regarding specific areas of school operations, education programs, support services, supplemental programs, and fundraising
SUBPRIORITY B – PROMOTING PARENT PARTICIPATION	
GOAL TO ACHIEVE SUBPRIORITY	Parents are actively involved in the school at all levels.
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ Support parent group activities. ○ Create/maintain systems for clear school parent communications and involvement.
STATE PRIORITY #4— STUDENT ACHIEVEMENT	
<i>Pupil achievement, as measured by all of the following, as applicable:</i>	
<i>A. California Assessment of Student Performance and Progress (CAASPP) statewide assessment</i>	
<i>B. The Academic Performance Index (API)</i>	
<i>C. Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education</i>	
<i>D. Percentage of ELs who make progress toward English language proficiency as measured by the California English Language Development Test (CELDT) and/or English Language Proficiency Assessment for California (ELPAC)</i>	
<i>E. EL reclassification rate</i>	
<i>F. Percentage of pupils who have passed an AP exam with a score of 3 or higher</i>	
<i>G. Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 et seq.) or any subsequent assessment of college preparedness</i>	
SUBPRIORITY A – CAASPP: ELA/LITERACY AND MATHEMATICS	
GOAL TO ACHIEVE SUBPRIORITY	All students will score proficient or higher on statewide assessments.
ACTIONS TO ACHIEVE GOAL	<p>95 percent of UPA students at tested grade levels will participate in mandated standardized state testing.</p> <p>UPA will provide curriculum and instruction aligned to state standards.</p> <p>UPA will conduct formative, interim and summative assessments aligned to the state standards and implement appropriate interventions where indicated including SST, supplemental supports, tutoring, differentiated instruction, AVID, special education services.</p>
SUBPRIORITY B – API	
GOAL TO ACHIEVE SUBPRIORITY	UPA will meet API growth targets, or equivalent

ACTIONS TO ACHIEVE GOAL	Conduct quantitative and qualitative student achievement monitoring by implementing formative, summative, embedded, unit, and interim assessment strategies
SUBPRIORITY C – UC/CSU COURSE REQUIREMENTS (OR CTE)	
GOAL TO ACHIEVE SUBPRIORITY	All UPA high school students will complete all required courses for UC/CSU admission.
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ Maintain a-g approval of all relevant courses ○ Effective supervision and evaluation of teachers ○ Effective monitoring of individual student progress
SUBPRIORITY D – EL PROFICIENCY RATES	
GOAL TO ACHIEVE SUBPRIORITY	EL students will make steady and consistent progress toward ELA proficiency
ACTIONS TO ACHIEVE GOAL	All teachers will use SDAIE and ELD instructional strategies
SUBPRIORITY E – EL RECLASSIFICATION RATES	
GOAL TO ACHIEVE SUBPRIORITY	EL students will be timely reclassified as Fluent English Proficient.
ACTIONS TO ACHIEVE GOAL	All teachers will use SDAIE and ELD instructional strategies
SUBPRIORITY F – AP EXAM PASSAGE RATE	
GOAL TO ACHIEVE SUBPRIORITY	All students take and pass the AP exam for AP courses taken.
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ Offer AP courses. ○ Provide exam fee for students who cannot afford them.
SUBPRIORITY G – COLLEGE PREPAREDNESS/EAP	
GOAL TO ACHIEVE SUBPRIORITY	By the beginning of the senior year, UPA students will receive feedback on their readiness for college as determined by responses on 11 th grade state standardized testing.
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ Enroll students who are not yet demonstrating college-readiness in grade 12 Expository Reading and Writing Course and refer them to interactive math and English success Web sites. ○ Meet with students grades 8-12 throughout high school career and

	monitor progress toward college readiness (as well as individual post high school goals)
STATE PRIORITY #5— STUDENT ENGAGEMENT	
<i>Pupil engagement, as measured by all of the following, as applicable:</i>	
A. School attendance rates	
B. Chronic absenteeism rates	
C. Middle school dropout rates (EC §52052.1(a)(3))	
D. High school dropout rates	
E. High school graduation rates	
SUBPRIORITY A – STUDENT ATTENDANCE RATES	
GOAL TO ACHIEVE SUBPRIORITY	Students are actively engaged in learning activities.
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ UPA will keep accurate and appropriate attendance records ○ UPA will implement intervention strategies including immediate identification and intervention for absences and tardies ○ UPA will review student records to ensure adequate student progress ○ UPA will provide appropriate professional development opportunities to encourage effective, high quality, instruction
SUBPRIORITY B – STUDENT CHRONIC ABSENTEEISM RATES	
GOAL TO ACHIEVE SUBPRIORITY	UPA students will attend school consistently and regularly
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ Implement student contracts. ○ Monitor attendance. ○ Provide tailored interventions to promote attendance.
SUBPRIORITY C – MIDDLE SCHOOL DROPOUT RATES	
GOAL TO ACHIEVE SUBPRIORITY	UPA middle school students will promote to the 9 th grade or enroll in another middle or high school
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ UPA will monitor all middle school students to support completion of courses at each grade level ○ UPA will facilitate transfer of all students to other accredited schools and track actual admission.
SUBPRIORITY D – HIGH SCHOOL DROPOUT RATES	
GOAL TO ACHIEVE SUBPRIORITY	UPA high school students will complete high school at UPA or at another high school.

ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ UPA will monitor all high school students for attendance and satisfactory progress toward meeting graduation requirements ○ UPA will measure student engagement per attendance rates, satisfaction surveys, academic achievement, and extra curricular activities participation. ○ UPA will track the transfer of exiting UPA students to ensure that they are reenrolled in another accredited high school
SUBPRIORITY E – HIGH SCHOOL GRADUATION RATES	
GOAL TO ACHIEVE SUBPRIORITY	UPA high school students will graduate from UPA or another high school within five years of 9 th grade enrollment.
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ UPA will monitor all high school students to support completion of all required courses for graduation ○ UPA will maintain its college counseling and guidance program. ○ UPA will monitor student records for timely completion of graduation requirements.
STATE PRIORITY #6— SCHOOL CLIMATE	
<i>School climate, as measured by all of the following, as applicable:</i>	
<ul style="list-style-type: none"> A. <i>Pupil suspension rates</i> B. <i>Pupil expulsion rates</i> C. <i>Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness</i> 	
SUBPRIORITY A – PUPIL SUSPENSION RATES	
GOAL TO ACHIEVE SUBPRIORITY	UPA will maintain its currently low suspension rates.
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ UPA discipline policy promotes positive discipline ○ Professional development of UPA philosophy ○ Alternatives to suspension and intervention ○ Advisory program – character education curriculum
SUBPRIORITY B – PUPIL EXPULSION RATES	
GOAL TO ACHIEVE SUBPRIORITY	UPA will have low expulsion rates.
ACTIONS TO ACHIEVE GOAL	Implement restorative justice philosophy - extensive use of suspended enforcement of expulsion through behavior contracts.
STATE PRIORITY #7— COURSE ACCESS	
<i>The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster youth, E.C. §42238.02) and students with exceptional needs.</i>	
<i>“Broad course of study” includes the following, as applicable:</i>	

Grades 1-6: English, mathematics, social sciences, science, visual and performing arts, health, physical education, and other as prescribed by the governing board. (E.C. §51210)
Grades 7-12: English, social sciences, foreign language(s), physical education, science, mathematics, visual and performing arts, applied arts, and career technical education. (E.C. §51220(a)-(i))

GOAL TO ACHIEVE SUBPRIORITY	UPA will maintain its college preparatory mission and education program, ensuring that all students have full access to and are enrolled in a broad course of study and programs that support their success with all subjects.
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ Review and update course offerings annually ○ Conduct frequent reviews of student achievement data. ○ Provide professional development to maximize learning and provide access to multiple instructional/learning delivery systems that support college preparation. ○

STATE PRIORITY #8—OTHER STUDENT OUTCOMES

Pupil outcomes, if available, in the subject areas described above in #7, as applicable.

SUBPRIORITY A – ENGLISH

GOAL TO ACHIEVE SUBPRIORITY	Students will demonstrate grade level proficiency in English Language Arts/Literacy
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ AP courses ○ Rapid identification of struggling students ○ Tailored intervention program, including intervention and support classes, as well as after school tutoring ○ EL support

SUBPRIORITY B – MATHEMATICS

GOAL TO ACHIEVE SUBPRIORITY	Students will demonstrate grade level proficiency in mathematics
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ AP courses ○ Rapid identification of struggling students ○ Tailored intervention program, including math specialist and tutoring

SUBPRIORITY C – SOCIAL SCIENCES

GOAL TO ACHIEVE SUBPRIORITY	Students will demonstrate grade level proficiency in social sciences.
ACTIONS TO ACHIEVE GOAL	Direct instruction with an integrated approach for American history, world history, government, geography and economics using the CA History-Social Science Content Standards or other approved state

	standards. Strategies included in an integrated approach are: non-fiction and historical fiction texts; mini research projects and presentations, computer based information (articles, videos); field trip experiences, debates, and hands-on projects
SUBPRIORITY D – SCIENCE	
GOAL TO ACHIEVE SUBPRIORITY	Students will demonstrate grade level proficiency in science.
ACTIONS TO ACHIEVE GOAL	Implement curriculum and instructional strategies aligned to the CA Next Generation Science Standards
SUBPRIORITY E – VISUAL AND PERFORMING ARTS	
GOAL TO ACHIEVE SUBPRIORITY	Two years of drama, dance, visual arts, and/or instrumental music.
ACTIONS TO ACHIEVE GOAL	Offer exploratory and or experiential courses.
SUBPRIORITY F – PHYSICAL EDUCATION	
GOAL TO ACHIEVE SUBPRIORITY	Students will complete one year of PE.
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> ○ Offer courses in traditional PE, and in yoga and weight lifting ○ Allow waivers for extra curricular physical education activities. ○ Conduct PE testing.
SUBPRIORITY H – FOREIGN LANGUAGES (GRADES 7-12 ONLY)	
GOAL TO ACHIEVE SUBPRIORITY	By grade twelve, students will complete a minimum of three foreign language courses in the same language.
ACTIONS TO ACHIEVE GOAL	UPA will offer three years of Spanish and French.

Additional details on UPA’s initiatives and goals to meet the State’s 8 priorities are detailed in UPA’s Local Control Accountability Plan (LCAP) and accompanying 3-year budget that is attached to the end of this section. UPA has identified the following 6 school wide initiatives under which the school’s various goals to meet the State’s priorities have been grouped:

1. Initiative: Eliminate the Achievement Gap
2. Initiative: Build and Enhance a College Going Culture
3. Initiative: Support for English Learners
4. Strengthen The Culture of Accountability

- 5. Initiative: Improve the Quality of Student Life on Campus
- 6. Initiative: Improve the Availability of Computing Devices and Implement more Technology Courses into the Curriculum

<p>Additional details on LPA's initiatives and goals to meet the State's priorities are detailed in LPA's Local Control Accountability Plan (LCAP) and accompanying 3-year budget that is attached to the end of this section. LPA has identified the following 8 school-wide initiatives that meet the school's various goals to meet the State's priorities that are covered:</p>	<p>1. Initiative: Enhance the Achievement Gap</p> <p>2. Initiative: Build and Enhance a College-going Culture</p> <p>3. Initiative: Support for English Learners</p> <p>4. Initiative: The College and Career Path</p>
<p>LPA will offer three years of Spanish instruction.</p>	<p>ACHIEVE GOAL</p> <p>ACTION TO</p>
<p>By graduation, students will complete a minimum of three foreign language courses in the same language.</p>	<p>ACHIEVE GOAL</p> <p>ACTION TO</p>
<p>Additional details on LPA's initiatives and goals to meet the State's priorities are detailed in LPA's Local Control Accountability Plan (LCAP) and accompanying 3-year budget that is attached to the end of this section. LPA has identified the following 8 school-wide initiatives that meet the school's various goals to meet the State's priorities that are covered:</p>	<p>5. Initiative: Enhance the Achievement Gap</p> <p>6. Initiative: Build and Enhance a College-going Culture</p> <p>7. Initiative: Support for English Learners</p> <p>8. Initiative: The College and Career Path</p>
<p>LPA will offer three years of Spanish instruction.</p>	<p>ACHIEVE GOAL</p> <p>ACTION TO</p>
<p>By graduation, students will complete a minimum of three foreign language courses in the same language.</p>	<p>ACHIEVE GOAL</p> <p>ACTION TO</p>
<p>Additional details on LPA's initiatives and goals to meet the State's priorities are detailed in LPA's Local Control Accountability Plan (LCAP) and accompanying 3-year budget that is attached to the end of this section. LPA has identified the following 8 school-wide initiatives that meet the school's various goals to meet the State's priorities that are covered:</p>	<p>9. Initiative: Enhance the Achievement Gap</p> <p>10. Initiative: Build and Enhance a College-going Culture</p> <p>11. Initiative: Support for English Learners</p> <p>12. Initiative: The College and Career Path</p>
<p>LPA will offer three years of Spanish instruction.</p>	<p>ACHIEVE GOAL</p> <p>ACTION TO</p>
<p>By graduation, students will complete a minimum of three foreign language courses in the same language.</p>	<p>ACHIEVE GOAL</p> <p>ACTION TO</p>

II. MEASURABLE PUPIL OUTCOMES AND III. METHODS OF ASSESSING STUDENT OUTCOMES

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).

The method by which pupil progress in meeting those pupil outcomes (identified in Element A) 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).

Pupil Outcome Goals

At UPA all students can achieve success in a college preparatory curriculum, regardless of skill level, or special program designation. Student progress is measured toward graduation and program outcomes through multiple and varied benchmark assessments described in section III. These assessments are aligned to standards and state/federal accountability systems.

In order to ensure student success in high school, current UPA 8th grade students will be considered for promotion to the 9th grade based on the following criteria:

- Proficiency level on standardized tests
- End of course grade of C or higher in core courses
- Growth on NWEA or equivalent test

University Preparatory Academy's graduation requirements are established by the UPA Board and are currently set at 250 units. These requirements meet the University of California "a-g" course requirements. Graduation credits are subject to annual review by the UPA Board.

Accountability

University Preparatory Academy is committed to academic accountability and believes in the importance of federal and state assessment measures to evaluate student performance and hold the school accountable for student academic performance. High academic achievement, in preparation for a college or university environment, is fundamental to the UPA educational program. Student progress goals are identified on an annual basis, and teachers develop plans for meeting those goals together with school leaders.

UPA uses DATA Director to manage data to inform instruction and provide indicators of student achievement. With this tool, faculty and staff have useful data to guide decision making to best meet the needs of students. These resources, used concurrently with the use of the NWEA

Common Core aligned MAP assessment provides faculty and staff with a constant and predictive source of data. Continuous assessment and evaluation of students is some of the most important work undertaken at UPA.

In addition to embedded unit assessments and end of course assessments, UPA will use the NWEA MAP assessment at least twice each year to assess student progress toward attaining proficiency in the CCSS.

UPA continuously seeks improvement in accountability through the use of data. We have established a list of key data that is shared with the Board and public at specific benchmark dates throughout the academic year. These indicators provide useful information for strategic decision-making and include: attendance, subject area grades, and grade point averages by grade, subject, and schoolwide, graduation rates and on target graduation rates, enrollment and waiting list, student withdrawal rates, CAHSEE passage rate, re-designated ELs, AP course enrollment, completion and passage scores.

Teachers meet monthly in departments to discuss grade and subject level data in order to adjust instruction as appropriate, and to review the effectiveness of selected curriculum. Student progress is the most important measure of success and student performance data is used as a measure for teacher evaluation and for professional development planning. Administrators and the Board review academic data to ensure progress toward the achievement of the UPA mission. Parents are kept informed of their student's academic performance through our on line parent portal. SST are scheduled for students who have been identified At-Risk, and plans are created to improve student performance.

The chart below extends the goals and activities for pupil outcomes as specified in the eight state priorities by providing the actual measures and means for measurement:

CAASPP: ELA/LITERACY AND MATHEMATICS	
MEASURABLE OUTCOME	All eleventh students including all student subgroups, who attend UPA for at least three years will score proficient or higher on state standardized tests.
METHODS OF MEASUREMENT	Test results
API	
MEASURABLE OUTCOME	UPA school wide, and all students - including all student subgroups - who attend UPA for at least three years, will meet API Growth Targets, or equivalent
METHODS OF MEASUREMENT	API growth or equivalent
EL PROFICIENCY RATES	
MEASURABLE	EL students will make steady and consistent progress toward ELA

OUTCOME	proficiency
METHODS OF MEASUREMENT	CELDT
EL RECLASSIFICATION RATES	
MEASURABLE OUTCOME	EL students will be reclassified as Fluent English Proficient within 4 years of enrollment at UPA.
METHODS OF MEASUREMENT	Reclassification data
AP EXAM PASSAGE RATE	
MEASURABLE OUTCOME	All students enrolled in AP courses will receive a score of 3 or better on AP exam.
METHODS OF MEASUREMENT	Exam score
COLLEGE PREPAREDNESS/EAP	
MEASURABLE OUTCOME	95% college acceptance rate
METHODS OF MEASUREMENT	UC a-g course completion rate Number of students taking AP courses and passing AP exams with 3 or better College acceptance letters
STUDENT ATTENDANCE RATES	
MEASURES	UPA will maintain an attendance rate of 96 percent or better
MEANS OF MEASUREMENT	Attendance records
STUDENT ABSENTEEISM RATES	
MEASURABLE OUTCOME	UPA chronic absenteeism will be less than 5 percent
METHODS OF MEASUREMENT	Attendance records
MIDDLE SCHOOL DROPOUT RATES	
MEASURABLE OUTCOME	UPA middle school students will promote to the 9 th grade or enroll in another middle or high school
METHODS OF MEASUREMENT	Student records
HIGH SCHOOL DROPOUT RATES	
MEASURABLE OUTCOME	UPA drop out rate will be less than 5 percent

METHODS OF MEASUREMENT	Student records
HIGH SCHOOL GRADUATION RATES	
MEASURABLE OUTCOME	UPA high school students will graduate from UPA or another high school within five years of 9 th grade enrollment.
METHODS OF MEASUREMENT	Enrollment and graduation data
PUPIL SUSPENSION RATES	
MEASURABLE OUTCOME	UPA suspension rates will be the same as or lower than the districts in which students reside.
METHODS OF MEASUREMENT	Student records SARC
PUPIL EXPULSION RATES	
MEASURABLE OUTCOME	UPA's expulsion rates will be the same as or lower than the districts in which students reside.
METHODS OF MEASUREMENT	Student records SARC
ENGLISH	
MEASURABLE OUTCOME	All students who have been enrolled in UPA for at least three years will demonstrate grade level proficiency in English Language Arts/Literacy
METHODS OF MEASUREMENT	End of unit exams End of course exams Statewide testing performance
MATHEMATICS	
MEASURABLE OUTCOME	All students who have been enrolled in UPA for at least three years will demonstrate grade level proficiency in mathematics
METHODS OF MEASUREMENT	End of unit exams End of course exams Statewide testing performance
SOCIAL SCIENCES	
MEASURABLE OUTCOME	All students who have been enrolled in UPA for at least three years will demonstrate grade level proficiency in social sciences.
METHODS OF MEASUREMENT	End of unit exams End of course exams

SCIENCE	
MEASURABLE OUTCOME	All students who have been enrolled in UPA for at least three years will demonstrate grade level proficiency in science.
METHODS OF MEASUREMENT	End of unit exams End of course exams Statewide testing performance
VISUAL AND PERFORMING ARTS	
MEASURABLE OUTCOME	All students will demonstrate grade level proficiency in two of visual and performing arts courses.
METHODS OF MEASUREMENT	End of unit exams End of course exams
PHYSICAL EDUCATION	
MEASURABLE OUTCOME	Students will participate in one year of PE to fulfill graduation requirements.
METHODS OF MEASUREMENT	Statewide testing performance
FOREIGN LANGUAGES (GRADES 7-12 ONLY)	
MEASURABLE OUTCOME	By grade twelve, all students who have been enrolled at UPA for at least three years will enroll in and complete a minimum of three foreign language courses in the same language.
METHODS OF MEASUREMENT	End of unit exams End of course exams Student records

Additional details on UPA's initiatives and goals to meet the State's 8 priorities are detailed in UPA's Local Control Accountability Plan (LCAP) and accompanying 3-year budget that is attached to the end of this section.

IV. GOVERNANCE STRUCTURE

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).

The University Preparatory Academy is organized as a California Public Benefit Corporation pursuant to section 47604(a) and other subsequent legislation of the California Education Code, and has been granted tax exempt organization under section 501(c)(3) of the Internal Revenue Code.

Governance Structure

The school is governed by a set of policies and procedures to help UPA staff and administrators perform their daily responsibilities in a manner that promotes a safe and healthy, sustainable school environment, operated with a focus on the school's mission. The UPA Board bylaws, adopted by the Governing Board are the primary policy document dictating Board practice and operations.

The UPA Governing Board takes fiduciary responsibility for ensuring that UPA academic and fiscal programs and operations are being carried out appropriately and in alignment with its charter. It adopts policies, approves the budget, and assures that the school maintains high academic standards. To this end, the Board:

1. Establishes and approves all major educational and operational policies
2. Approves all major contracts
3. Approves the school's annual budget and oversees the school's fiscal affairs
4. Selects and evaluates the school's Executive Director, who will be responsible for operating the school and implementing the policy direction of the Board
5. Develops annual goals for the school and long range plans with input from the Director, teachers, and parent advisory committee members
6. Establishes and monitors achievement of UPA goals,

Election and Terms of Office

All Governing Board members are elected to serve staggered three-year terms and are selected using the following methodology, as further defined in UPA's bylaws:

1. Annual nominations for expiring terms,
2. Review of candidates' narrative statements regarding board qualifications including a description of expertise in matters pertaining to the charter school's operations and demonstrated commitment to UPA's mission and targeted student population,
3. Board selection of new members to obtain new members with a commitment to UPA and a combined mix of skills and expertise necessary to effectively govern the charter school.

University Preparatory Academy Board members or other members of the UPA charter school community may recommend the removal of a Board member pursuant to the Governing Board's removal policy and procedure that are set forth in the Board's bylaws.

Board Structure and Operations

The Board of Directors holds regularly scheduled meetings each month and special meetings as needed. The Board follows the Brown Act in generating and posting agendas for public information. Board meetings are conducted using Roberts Rules and the Brown Act. Expulsion hearings, personnel matters, and other confidential governance matters are held in closed session, unless open session is requested by the parent of the child in question or faculty/staff member in

a matter for which open session is legally appropriate. The Board appoints a president, a secretary, and a treasurer. The Board President is responsible for the functioning of the Board and the conduct of Board business and meetings. The Board Secretary is responsible for generating meeting notes and distributing the agenda in a timely manner. Agendas are posted in hard copy at the school site and on the school web site. The Board treasurer has primary responsibility to monitor UPA's fiscal affairs and to oversee and review financial statements created by the school's back office contractor for presentation to the Board.

Board Training

University Preparatory Academy Board members are committed to continuous improvement and on-going training to assist the Board in fulfilling its responsibilities to act as stewards for the charter school. To this end, the UPA Board will seek appropriate training and educational opportunities to more effectively govern UPA's operations. Such training experiences may include individual training sessions with legal counsel or other experts familiar with public school governance, and/or training sessions with charter school governance experts. The school continues to maintain in effect general liability and Board errors and omissions insurance policies.

The UPA Board of Directors brings a wealth of experience, passion, and expertise necessary to accomplish UPA's stated goals on behalf of its targeted population.

- **Mr. Patrick Dunkley:** General Counsel for Stanford University
Skills: Legal, Corporate Governance
- **Mr. Kurt Foreman:** Director of Operations for Cathedral of Faith; UPA Founder
Skills: Business Administration, Facilities, Project Management and Accounting, CFO for California Youth Outreach and for Reaching Out.
- **Mr. Richard Pfaff,** Retired Director of Financial Aid, San Jose State University.
Skills: Finance, Financial Aid, College Admissions
- **Mr. James Romero:** Engineer
Skills: Business Development/Administration, Technology
- **Ms. Dorothy Westerhoff:** Education Consultant, Retired Educator/School Administrator of East Side Union High School District, UPA Founder
Skills: Curriculum and Instruction, School Administration, Assessment, Counseling, Mentoring, Budget, WASC accreditation, and Alternative Education
- **Mr. Robert Hernandez:** Vice President, Comerica Bank
Skills: Business, Banking, and Financing of Start-Up Companies

Mr. Daniel Ordaz: UPA Founder, serves as UPA's Executive Director

Skills: Charter school evaluation, finance and budgeting; public school administration, governance, personnel, categorical programs and funding, and curriculum development

The Instructional Leadership Team reports directly to the Executive Director who in turn reports to the Board of Directors. This leadership model provides the basis for a collaborative school environment. A brief role description for each of the positions is indicated by the schematic below. Will make a JPEG and place picture here

University Preparatory Academy
Leadership Services & Responsibilities

Director of Business & Operation	Director of Instructional Services	Director of Student Services	Executive Director
Purchasing	Master Schedule Development	Counseling and Guidance	WASC Accreditation/Reporting
Management and Evaluation of Support Staff	Testing and Assessment	Advisory Program	Charter Reauthorization
Human Resources	Academic Data Services	Discipline Program	SCCOE Audits
Budgeting	Curriculum Development	Student Activities	Staffing
Deposits	CC implementation	Teacher Evaluation	Student recruitment
Attendance Accounting	Teacher Evaluation	Athletics	Administrator Evaluation
Benefits Coordination	Professional Development	Promotion & Graduation Planning	Board interface
Coordination of Facilities use with CoF	Grading and Report Cards	School Safety	Administrative Supervision
Supervise operation and Maintenance of PowerSchool SIS	ELL Program	Supervise Campus Supervisors	Economic Development
Master Schedule Technology	Summer School	Coordinate/Interface with UPA Support groups	Student registration
Director of UPA Foundation	At Risk Program	504 Student Program	Teacher Evaluation
Technology	Special Ed Program Supv.	Student Store	Home School Communications
Events Planning	E-Learning	Events Planning	Systems Monitoring And Progress

Parental and Student Involvement

The University Preparatory Academy believes firmly that active parent, student, and employee participation in school operations and governance helps foster a public school's long-term sustainability as a successful program. Currently the school has the following parent/community groups organized and functioning:

- Parent Teacher Student Association (PTSO)
- Executive Director's Advisory Council (school site council)
- Curriculum Materials Selection Committee
- Athletic Boosters Committee
- Band Boosters Committee
- UPA Foundation
- Fine Arts Committee (Provides support to the Drama Program)

UPA has developed and established protocols to increase the level of parent involvement focused on teaching and learning, and formed an Executive Director's Advisory Council which plays an important role in making UPA a school more responsive to staff, student, and parents' needs. The Executive Director's Advisory Council, which also includes EL Parents, acts as a school site council and meets regularly to address and make recommendations to the Executive Director regarding specific areas of school operations, budgeting, education programs, support services, supplemental programs, and fundraising.

Once a student is admitted to the school, families are encouraged to join one of the school's parent organizations named above

UPA screens all employees and volunteers who are with students in unsupervised settings, including fingerprinting and criminal background checks pursuant to Education Code 45125. Registered sex offenders under Penal Code section 290 or other subsequent legislation may not serve as volunteers on campus, anywhere or at anytime students are present. All volunteers who work on campus are required to have a current TB test on file with the charter school.

V. PUBLIC SCHOOL EMPLOYER

A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code).

Education Code Section 47605(b)(5)(M).

The University Preparatory Academy shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Education Employment Relations Act (EERA).

VI. EMPLOYEE QUALIFICATIONS

The qualifications to be met by individuals to be employed by the school.

Education Code Section 47605.6(b)(5)(F).

The Executive Director (ED) is the chief executive officer of the school and reports directly to the Board of Directors. The ED is responsible to administer all aspects of school operations and carries out the policies of the Board. Some of the major program responsibilities of the ED include budget development and control; instructional supervision and curriculum development; wage and salary administration; recruitment and selection of staff; development of Board memoranda and draft policies; and representing the school to the community.

Qualifications

- Ability to inspire and lead the school to accomplish its mission
- Professional Administrative Services Credential and a Masters Degree in Education or equivalent preferred
- At least five years successful site and central office experience in educational administration
- Collaborative leadership and management style
- Instructional expertise in curriculum development and implementation
- Successful experience in school business operations, including developing and supervising a school budget
- Ability to represent the school to the community
- Experience in working with school boards

The UPA faculty and staff recruitment and selection process is designed to ensure that all staff employed by UPA possess the personal characteristics, knowledge base, experiences, and the responsibilities and qualifications essential to successfully fulfill their responsibilities. UPA will continue to ensure that all required legal qualifications, including compliance with the requirements of the No Child Left Behind Act (NCLB), are met for teachers, staff, para-professionals and other administrative employees of the school. Each certificated employee is required to meet the state licensing requirements related to charter schools for the position that he/she holds. For all positions, certificated and non-certificated, the employee, at minimum, needs to satisfactorily meet the performance specifications required for the position, as briefly described below, as well as possess the qualifications required to perform the essential functions of the position, as determined by the UPA Board and Executive Director. The number, type, mix and salary levels of each employee are outlined in detail in the Financial Plan in section 2 of this document.

Recruitment and Hiring Plan

UPA seeks to hire a diverse faculty composed of highly qualified teachers, and highly skilled professionals who express an understanding of and support for the school, our mission, and student population. The school achieves this goal by recruiting and compensating the faculty and staff based on their ability to meet the qualifications of the school's program as outlined in the hiring and evaluation rubric approved by the Board of Directors and containing qualifications and criteria directly aligned to the qualities the Board believes are essential for effective teaching and learning within the UPA program.

UPA maintains an average classroom student to teacher ratio of 21:1. The school also allocates a counselor position, a Director of Curriculum and Instruction, A Director of Operations and Director of Student Services. Also, the equivalent of 1.0 FTE is invested in release time for the coordination of the following programs:

1. At Risk/Intervention
2. AVID
3. Common Core Implementation in Math
4. English Language Learners
5. Professional Development and Training

In addition, the school employs a .75 FTE administrative assistant, a .75 FTE registrar and a campus supervisor/technical support manager.

Employing a highly qualified faculty and staff is critical to our program. The UPA Executive Director is very active in annual teacher recruitment activities, including attendance at major teacher recruitment fairs, advertising in neighborhood newspapers and advertising on the UPA website. The instructional leadership team performs initial screening and interviews. Successful candidates are then forwarded to the administration for a second interview. The Executive Director makes all hiring decisions and the Board approves all contracts for budgeting purposes.

The instructional leadership team is comprised of teacher leaders who have developed or are developing expertise in various aspects of instructional leadership. The teacher leaders, called Lead Teachers, are appointed by the Executive Director and are given a stipend to coordinate the following instructional leadership programs:

- Instructional supervision
- Build a community of learners
- Curriculum development
- Facilitate professional development and training
- Guidance program supervision and master schedule development
- Testing and achievement data coordination

Teachers and Instructional Staff

UPA has adopted a set of qualities it requires of faculty. UPA adheres to all “highly qualified” requirements of the No Child Left Behind Act (NCLB) with respect to teachers. As such, teachers in all of our core subjects – English/language arts, mathematics, science, social science, and foreign language – meet NCLB’s highly qualified standards. Teachers of core, college preparatory subjects (i.e. English language arts, math, science, history/social science, and foreign language) hold a credential issued by the Commission on Teacher Credentialing (CTC) permitting the instructor to teach in their subject area of preparation. Because of UPA’s adoption of UC a-g requirements for all students, instructors in the elective areas must also hold proper credentials issued by the CTC.

In order to ensure implementation of the school’s mission and educational philosophy, hiring preference is given to teachers who have experience designing and implementing curriculum. Applicants to teach at the school are hired based on the UPA Board approved job description and desirable qualifications including the following:

- Demonstrated expertise in subject area and the ability to communicate the appropriate knowledge to each student,

- Possession of a CLAD, BCLAD, or CDE certification as required,
- Knowledge and experience with standards-based instruction: ability to align curriculum and standards and willingness to adopt grading practices that can be used in standards-based grading,
- Knowledge of assessment strategies and the desire to use data to drive their teaching and ensure continuous improvement of student learning,
- Ability to effectively use a broad range of instructional strategies, including providing a guaranteed curriculum, challenging goals and effective feedback, differentiated instruction, and back mapping, among others,
- Willingness and ability to work with students and parents on an ongoing basis to ensure student success.

These characteristics are found in the research of Robert J. Marzano and many others. (Marzano, *“What Works in Schools”* and *“Classroom Instruction that Works”* by Robert J. Marzano, Debra J. Pickering, and Jane E. Pollock). Based on the research showing that the teacher has the most impact on student learning, UPA seeks to find the most effective teachers based on the above factors. The school uses a rubric in the evaluation and interview process so candidates are each evaluated against a common set of standards.

UPA hires non-certificated instructional support staff with an appropriate mix of subject matter expertise, professional experience, and the demonstrated capacity to work successfully in an instructional capacity. Instructional support staff will not assign grades or approve student work assignments without the approval of a teacher unless they are instructing non-core or non-college preparatory courses and activities.

Directors

The Director of Operations, Director of Instructional Services, and Director of Student Services are responsible to deliver the services as outlined in the table above page 50, “Leadership Services and Responsibilities.” In addition the Directors may perform other duties as assigned by the Executive Director and as required in their job descriptions approved by the UPA Board of Directors.

Overall Qualifications for the various positions may include:

- Successful experience in site educational administration preferred
- Collaborative leadership and management style
- Instructional expertise in curriculum development and implementation
- Experience in developing a student activities and athletics programs
- Successful experience in dealing with student discipline
- Successful experience in attendance accounting
- Experience in master scheduling
- Experience in Budgeting and Purchasing

Counselor

A highly qualified counselor is fundamental to the UPA program and applies knowledge and training in specialized fields, including growth and development of the student, testing and assessment, educational and career planning, and personal and social guidance. Counselors may hold a Pupil Personnel Services credential and expertise to match the qualifications outlined above.

Support Staff

The school hires support staff that has demonstrated experience and expertise in the areas and work tasks required of them. Support staff is provided professional development and training opportunities to upgrade their skills in their positions.

The administrative assistant's responsibility is to assist the Directors in the administration of the school by performing a variety of complex and routine administrative support functions including attendance accounting. The administrative assistant also directs and coordinates the workflow and activities processed through the school's main office. This position requires in-depth knowledge of school operations and administrative procedures as well as a high level of clerical skills and ability to work in an independent manner.

Under the supervision of the Director of Curriculum and Instruction, *the UPA Registrar* maintains student records, issues transcripts, assists in processing report cards and generating the master schedule.

Campus Supervisors monitor the school campus before and after school as well as during breaks and lunchtime.

The Manager of Technology is responsible to maintain the school's computer lab and classroom computers, mobile computing devices as well as assist teachers in resolving classroom technology problems.

Business Management

UPA employees a "back office" business management firm to generate school budgets, maintain accounts payable, maintain attendance accounting, manage payroll and to generate fiscal and attendance reports required by the charter authorizer and/or CDE.

General Requirements and Performance Reviews

Prior to a final employment offer, UPA requires each employee to submit to criminal background checks as required by Education Code §44237 or other subsequent legislation. UPA adheres to California laws including fingerprinting, and prohibitions regarding the employment of persons who have been convicted of a violent or serious felony. All employees are required to undergo criminal background checks through such services as a LiveScan fingerprint process. These services will occur where the LiveScan service is offered, which may be located at district, county or local college facilities.

UPA will continue to meet the provisions of NCLB as they apply to certificated personnel. Prior to employment, each employee must furnish proof of tuberculosis (TB) testing, as well as documents establishing legal employment status. The Executive Director is responsible for monitoring and maintaining documentation of medical and criminal investigation clearances, as required by California and federal laws.

The UPA Board of Directors approves the criteria by which to judge the performance of all employees and this is conveyed to employees in job descriptions and evaluation forms. These criteria are tied directly to UPA's educational program goals and mission. The UPA Governing Board evaluates the performance of the UPA Executive Director based on Board approved measurable management goals.

The Executive Director is responsible to organize teacher recruitment, screening of applicants, and to agendize the approval of employment agreements by the Governing Board. The Executive Director will have the responsibility of evaluating the performance of the teaching and support staff on an annual basis.

University Property: A thorough review and implementation of a comprehensive set of health, safety, and risk management policies. These policies have been developed in consultation with the school's insurance carrier and address the topics discussed below.

All faculty and staff members shall be in compliance with California Education Code Section 44227 or other applicable legislation. As a condition of employment, the screening and fingerprinting will be required with clearance by the Department of Justice before the employee's start date. All incoming students and staff must provide records concerning immunizations to the extent required by law, including mandatory tuberculosis screening for staff and students exposed to have prolonged contact with students. All new teaching and administrative staff for students. The school will have the all employee criminal records check and ongoing updates as required by law.

USA is committed to maintaining a safe school environment and has a 24-hour emergency plan that addresses areas of concern such as earthquakes, fire, bomb threats, natural disasters, and other emergencies. USA also has a policy regarding the use of Section 504, Individuals with Disabilities Act (ADA) and other federal, state, and local laws. USA also has a policy regarding the use of Section 504, Individuals with Disabilities Act (ADA) and other federal, state, and local laws.

USA provides a safe and healthy work environment for all employees. USA provides a safe and healthy work environment for all employees. USA provides a safe and healthy work environment for all employees. USA provides a safe and healthy work environment for all employees.

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VII: Health and Safety

The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237.

Education Code Section 47605.6(b)(5)(G).

University Preparatory Academy adopted and implemented a comprehensive set of health, safety, and risk management policies. These policies have been developed in consultation with the school's insurance carriers and address the topics discussed below.

All faculty and staff members shall be in compliance with California Education Code Section 44237 or other subsequent legislation. As a condition of employment, TB screening and fingerprinting will be required with clearance by the Department of Justice before the employee's start date. All enrolling students and staff must provide records documenting immunizations to the extent required by law, including mandatory tuberculosis screening for staff and volunteers expected to have prolonged contact with students, and vision, hearing and scoliosis screening for students. The school requires that all employee candidates conduct initial and ongoing tuberculosis screening as required by law.

UPA is committed to establishing a safe school environment and has a School Safety Plan that addresses areas of concern such as, earthquakes, fire, floods, shootings, natural disasters, and electricity loss. See Section 7, Maintenance and Safety. UPA also has a policy requiring that instructional and administrative staff receive training in emergency response, including appropriate "first responder" training or its equivalent.

UPA buildings comply with state building codes, Federal American Disabilities Act (ADA) access requirements, and other applicable fire, health, and structural safety requirements. UPA ensures that the school is housed in facilities that have received state Fire Marshal approval and that have been evaluated by a qualified structural engineer who has determined the facilities present no substantial seismic safety hazard.

Student Health

UPA provides screening for student vision, and scoliosis. As required by law, all students must show proof of immunization. The school maintains records of legally required tests and immunizations of students and staff. UPA implements policies relating to the administration of prescription drugs and other medicines. UPA also has a policy establishing the school as a drug, alcohol, and tobacco free workplace.

Blood-borne Pathogens

UPA has implemented policies relating to preventing contact with blood-borne pathogens. The Director of Operations is responsible to ensure that UPA meets state and federal standards for dealing with blood-borne pathogens and other potentially infectious materials in the workplace. A written "Exposure Control Plan" designed to protect employees from possible infection due to contact with blood-borne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV) is included in Section 7 Maintenance and Safety.

Child Abuse Prevention and Reporting

UPA maintains policies and procedures for the immediate reporting of suspected child abuse. Such policies detail the role and obligation of staff in the reporting of child abuse pursuant to CA Penal Code Section 11164 or other subsequent legislation. California Penal Code section 11166 requires any child care custodian who has knowledge of, or observes, a child in his or her professional capacity or within the scope of his or her employment whom she or he knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within thirty-six (36) hours of receiving the information concerning the incident. All appropriate staff is required to certify that he or she has knowledge of California Penal Code section 11166 and will comply with its provisions before being hired.

Health and safety issues are dealt with in accordance with UPA policies. These policies and procedures are incorporated into the school's student and staff handbooks and are reviewed on an ongoing basis in professional development meetings and periodic reviews conducted by the Governing Board.

VIII: Racial and Ethnic Balance

The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

Education Code Section 47605.6(b)(5)(H).

All students are welcome at UPA. It is UPA's goal to provide an education program to low socio economic and high ethnically diverse populations to close the achievement gap. As such, UPA has instituted a recruitment program designed to educate and inform potential students about its instructional program and seek to identify and recruit students who traditionally have been underserved and/or have underperformed in traditional school environments.

UPA implements a student recruitment strategy that consists of, but is not limited to, the following strategies to ensure a diverse student body and a racial and ethnic balance among students that is reflective of the county:

- An enrollment timeline that allows for a broad-based recruiting and application process.
- The development and distribution of promotional and informational material that appeals to various racial and ethnic groups represented in SCCOE, including materials in dominant languages other than English to appeal to limited English proficient populations.
- The distribution of promotional and informational materials to a broad variety of community groups and agencies.
- Outreach meetings in several areas of the county to reach prospective students and parents. UPA will keep a record of the number and location of these community presentations,
- Use of brochures, newsletter, TV/radio public service announcements, print and non-print media for outreach communications
- Discussions and distribution of application materials to the SCCOE central office, middle schools, small autonomous schools, county high schools, private schools, and other events and areas where diverse student families might be reached
- Collaboration with community based organizations to support outreach efforts
- Focused recruitment of groups that may be underrepresented among UPA's student population, using brochures, public meetings, and door-to-door outreach

Because we seek a student population whose families may not be reachable by traditional means, UPA conducts direct outreach strategies such as direct mailing and community home meeting outreach efforts targeted in specific communities in the San Jose area. UPA also may use bus stop signage and church and community group bulletin boards in an effort to tailor outreach efforts to a diversity of students/families.

For additional details on the school's student recruitment plan see section 4, Student Recruitment and Enrollment.

Element IX: Admissions Requirements

Admission requirements, of the charter school, if applicable.

Education Code Section 47605.6(b)(5)(N).

University Preparatory Academy actively recruits a diverse student population from throughout Santa Clara County. Admission to the school is open to any resident of the State of California. Students are considered for admission without regard to race, ethnicity, national origin, religion, gender or disability or any other characteristic described in Education Code Section 220. The school strives through recruiting efforts to achieve a racial and ethnic balance of students that reflects the general population within Santa Clara County.

UPA provides a rigorous educational experience that includes longer hours and more school days than is expected of them at other neighborhood schools.

Prospective students and their parents or guardians are briefed regarding the school's instructional and operational philosophy and are informed of the school's student-related policies at numerous intervals, including open houses, informational evenings, inclusion of these expectations on the school web site, orientations, and interviews.

UPA has no requirement for admission and admits any child that wishes to attend.

Parents are asked to help ensure that their child upholds the academic and behavioral rules of the school, and are asked to acknowledge the UPA academic and behavior policies, and support those policies.

Recruiting and Admissions Cycle

UPA has established an annual recruiting and admissions cycle, which includes reasonable time for (1) outreach and marketing, (2) parent information meetings, tours and open houses for students and parents, to familiarize themselves with the school (3) an admissions lottery, if necessary (3) completion of forms and admissions application after the lottery, (4) personal interviews of students and parents, and (5) scheduling of classes.

The school fills vacancies or openings that become available after this process using a waiting list. The school admits students at any time during the school year on an open-ended basis in order to better serve the transient local population, if an opening is available. Please see Section 4 for additional details regarding the school's enrollment plan.

Timeline for Recruiting and Admissions

Applications for admission are made available in December of the previous year and are due by the 1st Friday in March. UPA holds parent information meetings between December and March so parents can learn more about the school before they apply. Additionally, the school features an open house, scheduled for a weekend, where any and all community members are able to attend the school to learn more about what UPA offers their students.

Lottery – Public Random Drawing

In the event that the number of students seeking admission to any grade or class exceeds capacity, a lottery is held. Please see Section 4 for additional details regarding the school's lottery procedure.

UPA is committed to maintaining a diverse student population, utilizing outreach efforts to recruit students who traditionally have been underserved. No student shall be required to attend the charter school, and alternative school choices are available at other elementary schools within the Santa Clara County.

All students who are interested in enrolling at the school are required to complete an application for admission.

No specialized admission assessments are required; however, tests may be administered to determine the proper placement of students. All students who wish to enroll in the school are enrolled unless the number of applications exceeds the number of seats available in which case a public random drawing is held. See lottery procedure in Section 4

Existing students of UPA have an automatic right to continued enrollment in the school should they wish to do so and shall not need to be included in the public random drawing. UPA does grant preference in the public random drawing as to siblings of students already attending UPA, children of UPA educators, administrators, and staff, students who reside in the elementary school attendance area for Canoas Elementary School (in accordance with Education Code Section 47605.3 and 47614.5), students who are eligible to receive Free or Reduced Price Meals as determined by federal forms documentation¹, and students who reside in the County.
See section 4

Any applicants not admitted through this public random drawing due to capacity limitations will be placed on a waiting list and as space becomes available, will be offered admission in the order in which their names were drawn. Applications are accepted after the lottery and are added to the wait list. The wait list does not carry over from one school year to the next.

¹ Following admission, UPA will conduct an audit of the records of students who utilized this preference. Any student who utilized this preference, but is not eligible to receive Free or Reduced Price Meals, will forfeit admission and be placed at the end of the wait list. This preference will be capped at 25% of enrollment.

X: Financial Audit

The manner in which annual, independent, financial audits shall be conducted, in accordance with regulations established by the State Board of Education, and the manner in which audit exceptions and deficiencies shall be resolved.

California Education Code 47605b.5.I

The University Preparatory Academy Governing Board will form an audit committee each fiscal year to oversee selection of an independent auditor and the completion of an annual audit of the school's financial affairs. The audit will verify the accuracy of the school's financial statements, attendance and enrollment, accounting practices, and review the school's internal controls. The audit will be conducted as outlined in the MOU between UPA and county superintendent of schools. The school's audit committee will review any audit exceptions or deficiencies and report to the school's Governing Board with recommendations on how to resolve them. The Governing Board will report to the county superintendent of schools how the exceptions and deficiencies have been or will be resolved. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process contained in the MOU.

The audit verifies the accuracy of the school's financial statements, attendance and enrollment accounting practices and reviews the school's internal controls. The audit will always be conducted in accordance with generally accepted accounting principles applicable to the school in accordance with the K-12 audit guide as incorporated into the California Code of Regulations. The annual audit will be completed by an independent auditor included on the list of approved educational auditors by the California State Controller within four months of the close of the fiscal year and that a copy of the auditor's findings will be forwarded to SCCOE, the State Controller, and the CDE by December 15 of each year.

The UPA Board will submit a report to the SCCOE describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the County Office of Education.

University Preparatory Academy will compile and provide to the county superintendent of schools reports as specified in the MOU between UPA and the county superintendent of schools.

XI: Suspension and Expulsion

The procedures by which pupils can be suspended or expelled.

Education Code Section 47605.6(b)(5)(J).

The following Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at UPA (the "Charter School"). When the policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as UPA's policy and procedures for student suspension and expulsion, and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements.

Staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will clearly describe discipline expectations, and it will be printed and distributed as part of the Student-Family Handbook, which is sent to each student at the beginning of the school year. (See Student-Family Handbook at the end of Section 1.) The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures.

Discipline includes but is not limited to advising and counseling students, conferring with parents/guardians, detention during and after school hours, use of alternative educational environments, suspension and expulsion.

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.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is 1) related to school activity, 2) school attendance occurring at Charter School or at any other school, or 3) a Charter School sponsored event. A pupil may be suspended or expelled for acts that are enumerated below and related to school activity or attendance that occur at any time, including, but not limited to, and of the following:

- a) while on school grounds;
- b) while going to or coming from school;
- c) during the lunch period, whether on or off the school campus; or
- d) during, going to, or coming from a school-sponsored activity.

Suspension Offenses

Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force of violence upon the person of another, except self-defense.
3. 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.
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 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.
5. Committed or attempted to commit robbery or extortion.
6. Caused or attempted to cause damage to school property or private property.
7. Stole or attempted to steal school property or private property.
8. 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.
9. Committed an obscene act or engaged in habitual profanity or vulgarity.
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
11. 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.
12. Knowingly received stolen school property or private property.
13. 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.
14. Committed or attempted to commit a sexual assault as defined in Penal code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4.
15. 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.
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
17. Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or pre-initiation 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.

18. 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.
19. 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.
20. 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.
21. 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.
22. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school personnel.
23. 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).

Non- Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

Possessed, sold, or otherwise furnished any firearm, knife, 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 Executive Director or designee's concurrence.

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 Executive Director or designee with the student and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the student for disciplinary action. The conference may be omitted if the Executive Director or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense.

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 school officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of suspension, the Executive Director 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 school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension.

Upon a recommendation of Expulsion by the Executive Director or Executive Director's 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. This determination will be made by the Executive Director or designee upon either of the following determinations: 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.

Expellable Offenses

Discretionary Expellable Offenses: Students may be expelled 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 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 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 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 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 pre-initiation 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, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school personnel.
- 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).

Non -Discretionary Expellable Offenses: Students must be expelled for any of the following acts when it is determined pursuant to the procedures below that the pupil:

Possessed, sold, or otherwise furnished any firearm, knife, 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 Executive Director or designee's concurrence.

If it is determined by the Governing Board 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.

Authority to Expel

A student may be expelled either by the Board following a hearing before it or by the Board 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 Board member of the UPA's governing board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Executive Director or designee determines that the Pupil has committed an expellable offense.

In the event an administrative panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session 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:

- The date and place of the expulsion hearing
- A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;

- A copy of the School's disciplinary rules which relate to the alleged violation;
- Notification of the student's or parent/guardian's obligation to provide information about the student's status at the school to any other school district or school to which the student seeks enrollment;
- 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;
- The right to inspect and obtain copies of all documents to be used at the hearing;
- The opportunity to confront and question all witnesses who testify at the hearing;
- The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

The School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations, which shall be examined, only by the School, Panel Chair or the hearing officer in the expulsion. 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 School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the person or panel 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 person 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 person 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 person 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 School must present evidence that the witness' presence is both desired by the witness and will be helpful to the School. 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.

Students With Disabilities

A pupil identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act ("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 disciplinary action, including suspension and expulsion, and is accorded the same due process procedures applicable to regular education pupils except when federal and state law mandates additional or different procedures. The Charter School will follow the IDEIA, Section 504, and all applicable federal and state laws when imposing any form of discipline on a pupil identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such pupils. The following procedures shall be followed when a student with a disability is considered for suspension or expulsion. These procedures will be updated if there is a change in the law.

Notification of District

UPA shall immediately notify the SCCOE and coordinate the procedures in this policy with the county office the discipline of any student with a disability or student who the Charter School or District would be deemed to have knowledge that the student had a disability.

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; and receive, as appropriate, a functional behavioral assessment or functional analysis, 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.

Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Charter School, the parent, and relevant members of the IEP Team shall review all relevant information in the student's file, including the child's IEP, 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.

If the Charter School, the parent, and relevant members of the IEP Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

If the Charter School, the parent, and relevant members of the IEP Team make the determination that the conduct was a manifestation of the child's disability, the IEP Team shall:

1. Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
2. 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
3. Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

If the Charter School, the parent, and relevant members of the IEP 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, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter school, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer 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 Charter School agree otherwise.

Special Circumstances

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

The Executive Director or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

1. 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;
2. 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
3. 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.

Interim Alternative Educational Setting

The student's IEP team shall determine the student's interim alternative educational setting.

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 district's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the Charter School had knowledge that the student was disabled before the behavior occurred.

The Charter School shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

1. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
2. The parent has requested an evaluation of the child.
3. The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

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

If the Charter School had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. The Charter School shall conduct an expedited evaluation if requested by the parents; however the student shall remain in the education placement determined by the Charter School pending the results of the evaluation.

The Charter School shall not be deemed to have knowledge 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.

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.

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, Panel or designee 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 expulsion-hearing panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

Written Notice to Expel

The Executive Director 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:

1. Notice of the specific offense committed by the student
2. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the School.

The Executive Director or designee shall send a copy of the written notice of the decision to expel to the County Office of Education. This notice shall include the student's name and the specific expellable offense committed by the student. The Board's decision to expel shall be final.

Disciplinary Records

The School shall maintain records of all student suspensions and expulsions at the School. Such records shall be made available to the County Office upon request.

Expelled Pupils/Alternative Education

Pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. UPA will work with the student and family of expelled students to find proper placement in their home district.

Rehabilitation Plans

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

Readmission

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

XII: RETIREMENT PROGRAM

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).

UPA staff will participate in the federal social security system, and the State Teachers Retirement System for certificated staff. For a complete statement on employee retirement benefits please see Section 5 Personnel Policies.

XIII: PUBLIC SCHOOL ATTENDANCE ALTERNATIVES

The public school attendance alternatives for pupils residing within the county who choose not to attend the charter school.

Education Code Section 47605.6(b)(5)(O).

No student shall be required to attend UPA. Parents/guardians will be informed that no student shall be granted an automatic right to enrollment in any school or program of SCC schools on the basis of that student's application to, or enrollment in UPA.

XIV: DESCRIPTION OF EMPLOYEE RIGHTS.

A description of the rights of an employee of the county office of education, upon leaving the employment of the county office of education, to be employed by the charter school, and a description of any rights of return to the county office of education that an employee may have upon leaving the employ of the charter school.

Education Code Section 47605.6(b)(5)(P).

Members of the University Preparatory Academy staff who leave employment with Santa Clara County Office of Education or any California public school district to work at UPA shall not have any right to return to employment with their districts because of employment at UPA. Employees of UPA who were not previous employees of the SCCOE will not become employees of the SCCOE and will not have the right to employment within the SCCOE.

XV: DISPUTE RESOLUTION

The procedures to be followed by the charter school and the county board of education to resolve disputes relating to provisions of the charter.

Education Code section 47605.6(b)(5)(L).

The University Preparatory Academy has adopted policies and processes for aiding and resolving internal and external disputes.

Intent

The intent of this dispute resolution process is to (1) resolve disputes within the school pursuant to the school's policies, (2) minimize the oversight burden on SCCOE, (3) insure a fair and timely resolution of disputes, and (4) frame a charter oversight and renewal process and timeline so as to avoid disputes regarding oversight and renewal matters.

Public Comments

The staff and Governing Board members of UPA resolve all disputes regarding this charter school pursuant to the terms of this section. UPA staff and administration shall refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

Disputes Arising From Within the School

All internal disputes involving UPA shall be resolved by the UPA Board according to the UPA's own internal policies. All complaints about UPA received by the SCCOE will immediately be forwarded to UPA.

This dispute resolution process provides parents, students, and volunteers who have a grievance concerning the school, with a procedure to follow to have the grievance heard by the school's Executive Director or his or her designee and, if it cannot be resolved at this level, to have it heard by the Board of Directors at a regularly scheduled meeting.

A complaint may include any feeling of dissatisfaction or injustice in connection with any matter related to the educational program, or staffing. The following steps should be taken to resolve a dispute:

- Any complaint should be brought to the attention of the respective party as soon as possible with the intention to resolve the issue. If it cannot be resolved at this level, then an appointment should be made with the school Executive Director to attempt further resolution.
- The complaint shall be reduced to writing by the complainant and submitted to the school Executive Director. The complainant should specify the problem to the fullest extent possible and any remedies sought.
- Following any necessary investigation, and a meeting with the complainant(s), the school Executive Director shall prepare a written response to the complainant no later than twenty (20) working days from the date of receipt of the written complaint statement, unless for good cause, and upon notice given, additional time is required for the response.
- If the matter cannot be resolved at the school Executive Director level, the complainant may request to have the matter properly placed upon the agenda for the next regularly scheduled Board meeting.

- The Board of Directors and the school Executive Director will set a date and time for the hearing of any evidence to be presented concerning the complaint. At the hearing, the complainant and a representative of UPA shall have the opportunity to present evidence, both oral and documentary. Within three (3) working days from the date of the hearing, the Board and school Executive Director shall make a decision on the complaint in writing. This decision will serve as the final decision of UPA. An administrative panel of less than a quorum of Board members appointed by the Board may be used for hearing purposes in lieu of a full Board.

If a parent disagrees with the established rules on conduct, policies, procedures, or practice, he/she can express this concern directly to the school Executive Director. No parent will be penalized, formally or informally, for voicing a complaint with UPA in a reasonable, business-like manner, or for using this dispute resolution process.

The school Executive Director is the official representative between parents and the Board of Directors. S/he or any administrator is accessible and ready to hear suggestions, concerns, and complaints. UPA cannot act on any problem unless it is aware of it, so we request that complaints be brought to the appropriate party as soon as possible.

SCCOE staff will instruct any UPA stakeholder who attempts to log a complaint with SCCOE to stop their explanation of the situation and will inform them that all complaints must be directed to UPA personnel. SCCOE agrees not to intervene or become involved in the internal dispute unless the internal dispute has given the district reasonable cause to believe that a violation of this charter or related laws or agreements have occurred, or unless UPA has requested that SCCOE intervene in the internal dispute.

Disputes between the charter school and the county

In the event that the charter school and the county superintendent of schools have disputes regarding the terms of this charter or any other issue regarding the charter school, the parties will utilize the dispute resolution process as outlined in the MOU between UPA and the county superintendent of schools.

The staff and UPA Board members of UPA agree to attempt to resolve all disputes between the County Office of Education and UPA regarding this charter pursuant to the terms of this section. Both will refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

Any controversy or claim arising out of or relating to the charter agreement between the County Office of Education and UPA, except any controversy or claim that in any way related to revocation of this charter, shall be handled first through an informal process in accordance with the procedures set forth below.

Any controversy or claim arising out of or relating to the charter agreement, except any controversy or claim that in any way related to revocation of this charter, must be put in writing ("Written Notification") by the party asserting the existence of such dispute. The Written Notification must identify the nature of the dispute and all supporting facts known to the party giving the Written Notification. The Written Notification may be tendered by personal delivery, by facsimile, or by 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 notices shall be addressed as follows:

To Executive Director, University Preparatory Academy Charter School
2315 Canoas Garden Ave
San Jose, CA 95125

To Charter School Director, Santa Clara County Office of Education:
1290 Ridder Park Dr
San Jose, CA 95131

A written response ("Written Response") shall be tendered to the party providing the Written Notification within twenty (20) business days from the date of receipt of the Written Notification. The Written Response shall state the responding party's position on all issues stated in the Written Notification and set forth all facts that the responding party believes support its position. 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 5:00p.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. The parties agree to schedule a conference to discuss the claim or controversy ("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.

If the controversy, claim, or dispute is not resolved by mutual agreement at the Issue Conference, then either party may request that the matter be resolved by mediation. Each party shall bear its own costs and expenses associated with the mediation. The mediator's fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 60 days from the date of the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the controversy or claim at dispute.

If the mediation is not successful, the parties agree that each party has exhausted its administrative remedies and shall have any such recourse available by law.

XVI: CLOSURE PROCEDURES

A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of public records.

Education Code Section 47605.6(b)(5)(Q).

The following are closing procedures that abide by Cal. Ed. Code §47605(b)(5)(P), should the school close for any reason. The decision to close UPA either by the UPA/UPA Board of Directors or by the SCCOE Board will be documented in a closure action. The closure action shall be deemed to have been automatically made when any of the following occurs: the charter is revoked or not renewed by the SCCOE Board of Education; the charter school Board votes to close the school; or the charter lapses. In the event of such a closure action, the following steps are to be implemented:

1. Closure of the school will be documented by official action of the UPA Board of Directors. The action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities.

The Charter School Board of Directors will promptly notify parents and students of the Charter School, the SCCOE, the County Office of Education, the School's SELPA, the retirement systems in which the School's employees participate (e.g., Public Employees' Retirement System, State Teachers' Retirement System, and federal social security), and the California Department of Education of the closure as well as the effective date of the closure. This notice will also include the name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure; the pupils' school SCCOEs 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. Written notification to parents/guardians/caregivers of the enrolled students of the UPA will be issued by UPA within 72 hours after the determination of a closure action. A sample copy of the language used in the written notification is also to be made to SCCOE within the same time frame.

- a.** The written notification will also include information on assistance in transferring each student to another appropriate school, and a process for the transfer of all student records.
- b.** The process for transferring student records to the receiving schools shall be in accordance with SCCOE procedures for students moving from one school to another.
- c.** Parents/guardians will also be provided with student information that includes closure notice, grade reports, discipline records, immunization records, completed coursework and credits that meet graduation requirements.
- d.** The UPA Board will also develop a list of pupils in each grade level and the classes they have completed, together with information on the pupils' SCCOEs of residence, which they will provide to the entity responsible for closure-related activities.

2. Written notification to the SCCOE of the list of returning students and their home schools, to be made within 72 hours of the determination of the closure action.

3. Transfer of student records to the receiving schools, within seven calendar days from the determination of an action to close when parents notify UPA of the receiving school. Records of students who have not notified UPA in writing of a receiving school will be sent to the student's school of residence.

All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. UPA will ask the SCCOE to store original records of the UPA students. All records of the UPA shall be transferred to the SCCOE upon closure if the SCCOE agrees. If the SCCOE will not or cannot store the records, UPA 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 and maintained in accordance with applicable law.

4. Written notification to the California Department of Education and the Santa Clara County Office of Education of the closure action shall be made by the UPA by registered mail within 72 hours of Closure Action.

5. The UPA shall allow SCCOE access, inspection and copying of all school records, including financial and attendance records, upon written request by SCCOE.

6. A financial closeout audit of the school will be paid for by UPA to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets. The final independent audit shall be completed within six months after the closure of the school. This audit will be conducted by a neutral, independent licensed CPA who will employ generally accepted accounting principles. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to the charter school.

Any liability or debt incurred by UPA will be the responsibility of UPA and not SCCOE. UPA understands and acknowledges that the Charter School will cover the outstanding debts or liabilities of UPA Charter School. On closure of the school, all assets of the school, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the school, remain the sole property of UPA and shall be distributed in accordance with the Articles of Incorporation upon the dissolution of the nonprofit public benefit corporation. Any assets acquired from the SCCOE or SCCOE property will be promptly returned upon closure to the SCCOE. 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.

As UPA is operated by a nonprofit public benefit corporation, should the corporation dissolve with the closure of UPA, the Board will follow the procedures set forth in the California Corporations Code for the dissolution of a nonprofit public benefit corporation and file all necessary filings with the appropriate state and federal agencies.

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

UPA understands and acknowledges that only unrestricted funds will be used to pay creditors. Any unused AB 602 funds will be returned to the SCCOE SELPA, and other categorical funds will be returned to the source of funds.

7. For six calendar months from the closure action or until budget allows, whichever comes first, sufficient staff as deemed appropriate by the UPA Board will maintain employment to take care of all necessary tasks and procedures required for a smooth closing of the school and student transfers.

8. The UPA Board shall adopt a plan for windup of the school and, if necessary, the corporation, in accordance with the requirements of the Corporations Code.

9. In addition to a final audit, UPA will also submit any required year-end financial reports to the California Department of Education and SCCOE, in the form and time frame required.

10. As a nonprofit corporation, the UPA does not have any other functions than operation of the charter school; the corporation will determine whether it should be dissolved according to its bylaws.

a. The corporation's bylaws will address how assets are to be distributed at the closure of the corporation.

These procedures shall survive the revocation, expiration, termination, or cancellation of this charter or any other act or event that would end UPA's right to operate as a charter school or cause UPA to cease operation. UPA and SCCOE agree that, due to the nature of the property and activities that are the subject of this petition, the SCCOE and public shall suffer irreparable harm should charter school breach any obligation. The SCCOE, therefore, shall have the right to seek equitable relief to enforce any right arising under this Element 16 or any provision of this element or to prevent or cure any breach of any obligation undertaken, without in any way prejudicing any other legal remedy available to the SCCOE. Such legal relief shall include, without limitation, the seeking of a temporary or permanent injunction, restraining order, or order for specific performance, and may be sought in any appropriate court.

XVI: PROGRAM OPERATIONS AND IMPACT ON COUNTY

Financial Plan

A financial plan for the school is submitted with this petition. See Section 2, Financial Plan

Financial Reporting

UPA maintains a contract with EdTec, a back office service provider for finance, accounting, and payroll services. See EdTec Services contract included in Section 2 of this document.

Insurance

UPA maintains insurance coverage as outlined in the MOU between UPA and the county superintendent of schools.

UPA keeps on file certificates signed by an authorized representative of the insurance carrier. Certificates shall be endorsed as follows: The insurance afforded by this policy shall not be suspended, cancelled, reduced in coverage or limits or non-renewed except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the county. Facsimile or reproduced signatures are not acceptable. The county reserves the right to require complete certified copies of the required insurance policies.

Should UPA deem it prudent and/or desirable to have insurance coverage for damage or theft to school, employee or student property, for student accident, or any other type of insurance coverage not listed above, such insurance shall not be provided by the SCCOE and its purchase shall be the responsibility of the charter school.

Indemnification

With respect to its operations under this charter, UPA shall, to the fullest extent permitted by law, hold harmless, indemnify, and defend the SCCOE, its officers, directors, and employees from and against any and all claims, demands, actions, suits, losses, liability expenses and costs including, without limitation, attorneys' fees and costs arising out of injury to any persons, including death or damage to any property caused by, connected with, or attributable to the willful misconduct, negligent acts, errors or omissions of UPA or its officers, employees, agents and consultants.

Administrative Services

University Preparatory Academy's Executive Director will be responsible for administering the school under policies adopted by UPA's Board. The school will continue outsourcing some of its administrative services to a business services provider. UPA will seek a contract service provider that has a demonstrated track-record of experience with charter schools or other public schools, and will meet the charter school's service needs based on mandatory state data tracking and reporting requirements. The services include payroll, accounts payable, student accounting, and financial reporting. The specific terms and cost for these services will be the subject of an annual operational agreement or memorandum of understanding.

University Preparatory Academy will coordinate with the SCCOE to report pertinent STRS payroll data pursuant to the MOU and the county superintendent of schools. The county may request a reasonable fee for coordinating this transfer of data. The school plans on obtaining its

own health and benefits via small business plan type offerings from local vendors (e.g., Kaiser and Blue Cross).

Facilities

This charter authorizes the operation of UPA within the geographic boundaries of Santa Clara County Office of Education. UPA operates in leased facilities located at 2315 Canoas Garden Ave. San Jose, CA 95125. The facilities meet federal, state, and local building codes and requirements. UPA has negotiated a mutually binding, arms length rental agreement with the landlord for facilities space. The agreement is memorialized in a rental contract which sets forth the details of UPA's occupancy of the facilities, including such items as routine maintenance, including janitorial, grounds keeping, minor maintenance, and utility costs. The details of costs are provided on the attached financial plan.

Transportation

University Preparatory Academy does not provide transportation, but ensures that students with IEPs that require transportation services receive them. UPA may arrange for public, rented or parental transportation for field trip-type excursions and learning opportunities.

Authorizer Impacts

This section is intended to satisfy the requirement of *Education Code section 47605.6(h)* or other subsequent legislation that charter schools provide the charter authorizer an impact statement. This section provides information regarding the proposed operation and potential effects of UPA on the SCCOE. It is intended to assist the SCCOE in understanding how UPA may affect the SCCOE but it is not intended to govern the relationship of the school and SCCOE. Further details regarding the relationship between UPA and SCCOE will be detailed in an annual MOU between the charter school and the county superintendent of schools.

UPA agrees to permit the County Office of Education to inspect and receive copies of all records relating to the operation of the school, including financial, personnel, and pupil records. UPA shall promptly comply with all such reasonable written requests. The records of the School are public records and shall comply with the California Public Records Act.

UPA shall be operated by a California nonprofit 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 23701d.

Pursuant to Education Code Section 47604(c), an entity that grants a charter to a charter school operated by or as a nonprofit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or omissions by UPA if the authority has complied with all oversight responsibilities required by law. UPA shall work diligently to assist the SCCOE in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other SCCOE-requested protocol to ensure the SCCOE shall not be liable for the operation of the school.

The corporate bylaws of UPA shall provide for indemnification of the school's Board, officers, agents, and employees, and the Charter School will purchase general liability insurance, Board Members and Officer's insurance, and fidelity bonding to secure against financial risks. Insurance amounts are determined by recommendation of the Charter School's insurance company for schools of similar size, location, and student population. SCCOE shall be named an additional insured on the general liability insurance.

The UPA Board has instituted appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

Civil Liability

The University Preparatory Academy is as a non-profit public benefit corporation. UPA holds liability, property, and errors and omissions insurance as outlined above to protect the school's assets, staff, governing board members, and, where appropriate, the county from unforeseen liability.

Term of Charter

The term of this charter shall be for five years beginning July 1, 2015, and expiring on June 30, 2020. UPA will comply with all processes and timelines set forth by the SCCOE for charter renewal.

SCCOE may revoke the charter of UPA in accordance with Education Code Section 47607, any successor provisions to section 47607, or other statutory provisions, if enacted after the date of the charter, regarding the revocation of charters.

Severability

The terms of this charter are severable. If, for any reason, any provision hereof shall be determined to be invalid or unenforceable, the validity and effect of the other provisions hereof shall not be affected thereby.

Amendments

This petition may be altered, amended, changed, or modified only by agreement in writing executed by UPA and SCCOE. Material revisions and amendments will be made pursuant to the standards, criteria, and timelines in California as described in Education Code Section 47607.

Force Majeure

Neither party shall be liable if the performance of any part or all of this charter petition is prevented, delayed, hindered or otherwise made impracticable or impossible by reason of any strike, flood, riot, fire, explosion, earthquake, act of terror, act of God, sabotage, accident or any other casualty beyond either party's control, and which cannot be overcome by reasonable diligence and without unusual expense.

Notices

All notices required or permitted by this petition shall be in writing and shall be either hand delivered, sent by facsimile, sent by US mail, postage prepaid, addresses as set forth on the signature page hereof. A notice shall be effective either when personally delivered, on the date set forth on the receipt of a facsimile, or upon the earlier of the date set forth on the receipt of registered or certified mail or on the fifth day after mailing.

To Executive Director
University Preparatory Academy Charter School
2315 Canoas Garden Ave
San Jose, CA 95125

To Charter School Director
Santa Clara County Office of Education:
1290 Ridder Park Dr
San Jose, CA 95131

Facility Location

The location of each charter school facility that the petitioner proposes to operate.

Education Code Section 47605.6(b)(5)(D).

UPA will continue to occupy the following facilities leased and guarantees that they meet zoning, fire-life safety, and handicapped accessibility requirements.

Address:
2315 Canoas Garden Ave
San Jose, CA 95125

Facility Location

The location of a facility is a key decision in the strategic planning process.

Key factors in facility location include:

1. Proximity to customers and suppliers
2. Availability of labor and infrastructure
3. Transportation costs and routes
4. Government incentives and regulations

Address:

111 Spring Street, 4th

Floor, New York, NY 10038