

# **ALBERT EINSTEIN ACADEMIES**

## **CHARTER PETITION**



**SUBMITTED TO**

**SAN DIEGO UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION**

*Submitted*  
**September 3, 2020**

*Revised*  
*September 9, 2025*  
*Approved December 10, 2025 (SDUSD)*

*Charter Term of:*  
*July 1, 2021 - June 30, 2028*

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## AFFIRMATIONS/ASSURANCES

As the authorized lead petitioner, I, Dr. David Sciarretta, hereby certify that the information submitted in this petition for a California public charter school, Albert Einstein Academies (AEA), located within the boundaries of the San Diego Unified School District, is true to the best of my knowledge and belief; I also certify that this petition does not constitute the conversion of a private school to the status of a public charter school; further, I understand that if awarded a Charter, AEA will follow any and all federal, state, and local laws and regulations that apply to AEA, including but not limited to the following:

Albert Einstein Academies:

- Shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Sections 60605 and, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(d)(1)]
- Albert Einstein Academies shall be deemed the exclusive public school employer of the employees of AEA for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(c)(6)(O)]
- Shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(e)(1)]
- Shall not charge tuition. [Ref. Education Code Section 47605(e)(1)]
- Shall admit all students who wish to attend AEA, and who submit a timely application, unless AEA 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 process. Except as required by Education Code Section 47605(e)(2), admission shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(e)(2)(B)(i)-(iv). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of AEA in accordance with Education Code Section 47605(e)(2)(C). [Ref. Education Code Section 47605(e)(2)(A)-(C)]
- Shall not discriminate on the basis of the characteristics listed in Education Code 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(e)(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 in AEA hold a Commission on Teacher Credentialing certificate, permit, or other document required for the teacher's certificated assignment. AEA may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in the same manner as a governing board of a school district. Teachers employed by charter schools during the 2019-20 school year shall have until July 1, 2025, to obtain the certificate required for the teacher's certificated assignment [Ref. California Education Code Section 47605(l) and 47605.4(a)]
- 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).
- If a pupil is expelled or leaves AEA without graduating or completing the school year for any reason, AEA shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to AEA within 30 days if AEA demonstrates that the pupil had been enrolled in AEA. [Ref. California Education Code Section 47605(e)(3)]
- AEA may encourage parental involvement but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at the School. [Ref. Education Code Section 47605(n)]
- AEA shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)]
- AEA shall on a regular basis consult with its parents and teachers regarding AEA's education programs. [Ref. California Education Code Section 47605(d)]
- AEA shall comply with any jurisdictional limitations to locations of its facilities. [Ref. California Education Code Section 47605 and 47605.1]

- AEA shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. California Education Code Section 47612(b), 47610]
- AEA shall comply with all applicable portions of the Elementary and Secondary Education Act (“ESEA”), as reauthorized and amended by Every Student Succeeds Act (“ESSA”).
- AEA shall comply with the Public Records Act.
- AEA shall comply with the Family Educational Rights and Privacy Act.
- AEA shall comply with the Ralph M. Brown Act.
- AEA shall comply with Government Code Section 1090, *et seq.*, as set forth in Education Code Section 47604.1
- AEA shall comply with the Political Reform Act.
- AEA shall meet or exceed the legal required minimum of school days. [Ref. Title 5 California Code of Regulations 11960]

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David Sciarretta, Ed.D. - Superintendent

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Date

# SUPERINTENDENT'S LETTER

September 3, 2020

Dear SDUSD Board of Trustees and Superintendent Marten:

On behalf of the Albert Einstein Academies (AEA) Board of Trustees, our dedicated staff and most importantly our students, I proudly and humbly present the following material revision and charter renewal documents for your consideration. AEA has served students in grades k-8 for nearly two decades in San Diego, and it has long been our community's dream to complete the International Baccalaureate (IB) k-8 continuum by opening an AEA high school.

Our petition would necessitate the following steps:

1. Addition of grades 9-12
2. Incorporation of the AEACES (grades k-5) charter
3. Renewal of the AEACMS charter with renaming as described below

If these documents meet the approval of the SDUSD Board, the single charter would then be named Albert Einstein Academies; each school would locally be recognized by the existing naming protocol according to grade span as follows: Albert Einstein Academy Charter Elementary School (AEACES, grades k-5), Albert Einstein Academy Charter Middle School (AEACMS, grades 6-8), Albert Einstein Academy Charter High School (AEACHS, grades 9-12).

This request before you would accomplish the following on behalf of students and families:

- Renew our high- performing AEA middle school (currently eligible for a possible 7 year renewal term as per the California Department of Education).
- Authorize AEA to open a high school beginning with 200 students in grade 9 in Fall 2024 and growing slowly and responsibly over a four year period to full enrollment with 800 students grades 9-12 (see enrollment projections within the petition).
- Consolidate all three AEA schools under one CDS code and as one LEA (the AEA elementary charter is up for renewal at the end of the 2021-2022 school year).
- Allow San Diego's youth the opportunity for a comprehensive IB experience culminating in both the IB Diploma Program (IBDP) as well as the innovative IB Career-related Programme (IBCP). The combination of the IBDP and IBCP would be the first of its kind in San Diego.

AEA was recommended for a facilities planning grant by the Charter School Facility Committee, and the recommendation was approved by the SDUSD Board. Our team has been engaged in a high school strategic planning process for years and has identified a facility for the school's eventual location.

Through its steady leadership and consistent membership our Board of Trustees has demonstrated the ability to govern strategically and with vision. This stewardship made possible AEA's growth and expansion into a state-of-the-art middle school facility in 2014 that has become a landmark in the Grant Hill neighborhood. With its unanimous support for this charter revision and renewal process (see appendices for Board resolution) our Board has once again redoubled its commitment to serving all students.

At AEA we have enjoyed a long history of collaboration with SDUSD, and we will continue in this spirit as we develop our high school. For over ten years AEA and San Diego High School of International Studies have enjoyed a close working relationship on behalf of students, with AEA underwriting a full time language teacher position at SDHSIS to help insure language continuity through the IBDP. We would like this supportive relationship to continue even after opening the AEA high school for one reason: it benefits students, whether they choose to attend a charter or district school.

AEA's motto is "Teaching our children today to advance our shared humanity tomorrow." As we move forward with this request, I thank you for the opportunity to continue to make this motto a reality for future AEA students grades k-12.

Sincerely,

David V. Sciarretta, Ed. D.  
AEA Superintendent



# INTRODUCTION

Albert Einstein Academies was founded with the following vision: *Albert Einstein Academies nurtures, cultivates, and inspires multilingual, critical thinkers who are well-rounded, responsible, global citizens uniquely prepared to thrive, lead, and create positive change in the 21st century.* The motto that unites our schools is, *Teaching our children today to advance our shared humanity tomorrow.*

## History

Albert Einstein Academies Charter Elementary School (AEACES) received its charter in May of 2002. The school was founded by a group of forward-thinking native German speaking parents who spent hundreds of hours over a four-year period researching and evaluating educational models that would embrace their dream of a school for second language learning with an international focus. From that dream emerged the first authorized International Baccalaureate Primary Years Programme (IBPYP) in San Diego to offer a 50/50 English/German dual immersion education.

AEACES began in the basement of a church with 27 children. In the near future, AEA as an organization will serve over 2,000 students in grades TK-12 (the AEA Charter Middle School, AEACMS, opened in 2006, and the AEA Charter High School, AEACHS, is set to open in 2028). Our student population represents a cross-section of the Northpark, Southpark, Golden Hill, and Grant Hill neighborhoods while welcoming families from North County, East County, and the South Bay regions of San Diego County. The AEA community is ethnically, economically, linguistically, and culturally diverse which enriches our organization immeasurably.

The heart of AEA is the International Baccalaureate Program (IB). With multiple authorizations through the International Baccalaureate Organization (IBO), our schools have become examples of educational best practices, and we receive visitors from around the country who are interested in replicating our programs.

Now with the addition of the AEA Charter High School (AEACHS) and the IB Diploma Program (IBDP) and the only IB Career-related Program in San Diego (IBCP), AEA students will not only be able to meet the University of California and California State University's "a-g" subject requirements upon graduation, they will be both college and career-ready. AEA will implement the Common Core State Standards and the Next Generation Science Standards adopted by the state of California, which provide a solid framework for core competencies in English Language Arts, mathematics, and science. AEA will interweave these state standards through its IB program from Kindergarten through 12<sup>th</sup> grade. AEA will also seek Western Association of Schools and Colleges accreditation for the AEA Charter High School beginning in its first year of operation (2028-29).

## **AEA Mission Statement**

Albert Einstein Academies, the first authorized public charter schools with a K-8 International Baccalaureate continuum in San Diego, educates children to thrive and contribute as active thinkers in the world.

## **AEA Vision Statement**

Albert Einstein Academies nurtures, cultivates, and inspires multilingual, critical thinkers who are well-rounded, responsible, global citizens uniquely prepared to thrive, lead, and create positive change in the 21st century.

## **AEA Core Values**

The following Core Values guide our day-to-day actions and decisions:

- Inspire a thirst for lifelong learning.
- Model personal responsibility while holding ourselves to the highest standards of conduct.
- Foster international mindedness with an understanding of world cultures and languages.
- Promote and sustain a healthy global environment.
- Foster a desire to care for and serve others.
- Appreciate the importance of working together for common purposes.
- By teaching children how to think, rather than what to think, we will prepare them to lead positive change in our world.

## **Charter Renewal Criteria**

Evidence of Meeting Charter Renewal Criteria Pursuant to Education Code Section 47607.2(b).

Pursuant to the amendments made to Education Code Section 47607, and the creation of Education Code Section 47607.2, by Assembly Bill 1505 (2019), at the time of charter renewal, a chartering authority shall consider the performance of the charter school on the state and local indicators reported on the California School Dashboard (“Dashboard”), and, in some circumstances, the performance of the charter school on assessments deemed to be verified data. In addition to the shift toward assessing Dashboard data, Assembly Bill 1505 also created a three-tiered system of evaluating charter schools’ performance, plus a separate category for Dashboard Alternative School Status schools. Each of the three tiers has unique qualifying criteria.

Education Code Section 47607.2(b) states:

(1) For all charter schools for which paragraph (2) of subdivision (c) of Section 47607 and subdivision (a) of this section do not apply, the chartering authority shall consider the schoolwide performance and performance of all subgroups of pupils served by the charter school on the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5

and the performance of the charter school on the local indicators included in the evaluation rubrics adopted pursuant to Section 52064.5.

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

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

The following tables display the AEA Charter Elementary School (AEACES) and the AEA Charter Middle School (AEACMS) and subgroup dashboard state indicators for the years 2017 through 2019.

#### **AEACES CA Dashboard**

| Key Indicators  | 2017         | 2018         | 2019         |
|---|--------------|--------------|--------------|
| Chronic Absenteeism                                   | N/A          | Yellow       | Green        |
| Suspension Rate                                       | Blue         | Blue         | Blue         |
| English Learner Progress                              | Orange       | N/A          | N/A          |
| English Language Arts                                 | Orange       | Green        | Green        |
| Mathematics   | Yellow       | Green        | Green        |
| Basics: Teachers, Instructional Materials, Facilities | Standard Met | Standard Met | Standard Met |
| Implementation of Academic Standards                  | Standard Met | Standard Met | Standard Met |
| Parent and Family Engagement                          | Standard Met | Standard Met | Standard Met |
| Local Climate Survey                                  | Standard Met | Standard Met | Standard Met |
| Access to a Broad Course of Study                     | N/A          | Standard Met | Standard Met |

## AEACMS CA Dashboard

| Key Indicators  | 2017         | 2018         | 2019         |
|---|--------------|--------------|--------------|
| Chronic Absenteeism                                   | N/A          | Blue         | Yellow       |
| Suspension Rate                                       | Yellow       | Green        | Orange       |
| English Learner Progress                              | Blue         | N/A          | N/A          |
| English Language Arts                                 | Green        | Green        | Yellow       |
| Mathematics   | Green        | Yellow       | Yellow       |
| Basics: Teachers, Instructional Materials, Facilities | Standard Met | Standard Met | Standard Met |
| Implementation of Academic Standards                  | Standard Met | Standard Met | Standard Met |
| Parent and Family Engagement                          | Standard Met | Standard Met | Standard Met |
| Local Climate Survey                                  | Standard Met | Standard Met | Standard Met |
| Access to a Broad Course of Study                     | N/A          | Standard Met | Standard Met |

## Demographics

AEA continues to serve the populations that closely represent those of the District and the state. Analyzing three years of enrollment data demonstrated in the charts below, for our most significant subgroups, we see a consistent uptick in enrollment from Hispanic (not white), African-American, and Asian; and slightly fewer students identifying as white.

Further, AEA has seen a nearly 12% increase in English Learner student population over the last three years and a nearly 20% increase in enrollment of students with disabilities (SPED), bringing AEA's SPED population to almost 12.5%. AEA has also seen an increase of 5% in students who qualify for Free/Reduced Lunch, bringing the total number of students that qualify to nearly half of AEA's student population.

## Demographics Over Time

| School Year | African American | American Indian or Alaska Native | Asian         | Filipino      | Hispanic or Latino | Pacific Islander | White           | Two or More Races | Not Reported  | Total |
|-------------|------------------|----------------------------------|---------------|---------------|--------------------|------------------|-----------------|-------------------|---------------|-------|
| 2019-2020   | 50<br>(3.5%)     | 2<br>(0.14%)                     | 29<br>(2.06%) | 13<br>(0.92%) | 702<br>(49.79%)    | 0<br>(0%)        | 519<br>(36.81%) | 94<br>(6.67%)     | 1<br>(0.07%)  | 1410  |
| 2018-2019   | 50<br>(3.57%)    | 4<br>(0.29%)                     | 26<br>(1.86%) | 12<br>(0.86%) | 700<br>(49.96%)    | 1<br>(0.07%)     | 512<br>(36.55%) | 91<br>(6.5%)      | 5<br>(0.36%)  | 1401  |
| 2017-2018   | 45<br>(3.22%)    | 6<br>(0.43%)                     | 15<br>(1.07%) | 8<br>(0.57%)  | 652<br>(46.7%)     | 1<br>(0.07%)     | 530<br>(37.97%) | 117<br>(8.38%)    | 22<br>(1.58%) | 1396  |

## English Learner Population Over Time

| School Year | Kinder | Grade 1 | Grade 2 | Grade 3 | Grade 4 | Grade 5 | Grade 6 | Grade 7 | Grade 8 | Total |
|-------------|--------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| 2019-2020   | 31     | 30      | 35      | 33      | 18      | 29      | 54      | 52      | 34      | 316   |
| 2018-2019   | 31     | 33      | 31      | 27      | 33      | 31      | 53      | 37      | 37      | 313   |
| 2017-2018   | 29     | 26      | 27      | 36      | 30      | 27      | 41      | 37      | 28      | 281   |

## SPED Population Over Time

| School Year | Kinder | Grade 1 | Grade 2 | Grade 3 | Grade 4 | Grade 5 | Grade 6 | Grade 7 | Grade 8 | Total |
|-------------|--------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| 2019-2020   | 7      | 7       | 10      | 24      | 18      | 17      | 30      | 37      | 26      | 176   |
| 2018-2019   | 5      | 9       | 23      | 17      | 16      | 22      | 28      | 28      | 27      | 175   |
| 2017-2018   | 6      | 10      | 13      | 15      | 17      | 14      | 23      | 23      | 24      | 145   |

## Free and Reduced Eligibility Over Time

| School Year | Free or Reduced Meal Eligibility | Total Enrollment |
|-------------|----------------------------------|------------------|
| 2019-2020   | 634 (44.96%)                     | 1410             |
| 2018-2019   | 603 (43.04%)                     | 1401             |
| 2017-2018   | 546 (39.11%)                     | 1396             |

## ELA and Math CAASPP

As the charts below demonstrate, AEA consistently performs at a high level. AEA Charter Elementary School showed year-over-year increases in meeting and exceeding in both ELA and Math. And while the AEA Charter Middle School is working on improving in targeted areas it still outpaced the state of California in ELA and math.

## AEACES ELA CAASPP Results Over Time

| School Year | Number of Students with Test Result | Standard Not Met | Standard Nearly Met | Standard Met | Standard Exceeded | Meeting and Exceeding |
|-------------|-------------------------------------|------------------|---------------------|--------------|-------------------|-----------------------|
| 2018-2019   | 388                                 | 18.56%           | 25.00%              | 24.74%       | 31.70%            | 56.44%                |
| 2017-2018   | 380                                 | 20.53%           | 23.42%              | 28.42%       | 27.63%            | 56.05%                |
| 2016-2017   | 373                                 | 28.42%           | 27.35%              | 24.40%       | 19.84%            | 44.24%                |

## AEACES Math CAASPP Results Over Time

| School Year | Number of Students with Test Result | Standard Not Met | Standard Nearly Met | Standard Met | Standard Exceeded | Meeting and Exceeding |
|-------------|-------------------------------------|------------------|---------------------|--------------|-------------------|-----------------------|
| 2018-2019   | 388                                 | 12.11%           | 28.61%              | 25.52%       | 33.76%            | 59.28%                |
| 2017-2018   | 382                                 | 17.02%           | 28.27%              | 24.61%       | 30.10%            | 54.71%                |
| 2016-2017   | 374                                 | 22.19%           | 31.55%              | 22.73%       | 23.53%            | 46.26%                |

### AEACMS ELA CAASPP Results Over Time

| School Year | Number of Students with Test Result | Standard Not Met | Standard Nearly Met | Standard Met | Standard Exceeded | Meeting and Exceeding |
|-------------|-------------------------------------|------------------|---------------------|--------------|-------------------|-----------------------|
| 2018-2019   | 591                                 | 19.97%           | 27.58%              | 37.90%       | 14.55%            | 52.45%                |
| 2017-2018   | 588                                 | 17.01%           | 26.53%              | 36.90%       | 19.56%            | 56.46%                |
| 2016-2017   | 595                                 | 13.78%           | 24.20%              | 41.85%       | 20.17%            | 62.02%                |

### AEACMS Math CAASPP Results Over Time

| School Year | Number of Students with Test Result | Standard Level Not Met: Level 1 | Standard Nearly Met: Level 2 | Standard Met: Level 3 | Standard Exceeded: Level 4 | Meeting and Exceeding |
|-------------|-------------------------------------|---------------------------------|------------------------------|-----------------------|----------------------------|-----------------------|
| 2018-2019   | 592                                 | 28.89%                          | 27.36%                       | 21.62%                | 22.13%                     | 43.75%                |
| 2017-2018   | 587                                 | 24.36%                          | 31.52%                       | 19.59%                | 24.53%                     | 44.12%                |
| 2016-2017   | 596                                 | 19.13%                          | 30.03%                       | 23.32%                | 27.52%                     | 50.84%                |

### AEA ELA CAASPP Results Over Time

| School Year | Number of Students with Test Result | Standard Not Met | Standard Nearly Met | Standard Met | Standard Exceeded | Meeting and Exceeding |
|-------------|-------------------------------------|------------------|---------------------|--------------|-------------------|-----------------------|
| 2018-2019   | 979                                 | 19.41%           | 26.56%              | 32.68%       | 21.35%            | 54.03%                |
| 2017-2018   | 968                                 | 18.39%           | 25.31%              | 33.57%       | 22.73%            | 56.30%                |
| 2016-2017   | 968                                 | 19.42%           | 25.41%              | 35.13%       | 20.04%            | 55.17%                |

### AEA Math CAASPP Results Over Time

| School Year | Number of Students with Test Result | Standard Not Met | Standard Nearly Met | Standard Met | Standard Exceeded | Meeting and Exceeding |
|-------------|-------------------------------------|------------------|---------------------|--------------|-------------------|-----------------------|
| 2018-2019   | 980                                 | 22.25%           | 27.85%              | 23.16%       | 26.73%            | 49.90%                |
| 2017-2018   | 969                                 | 21.47%           | 30.24%              | 21.57%       | 26.73%            | 48.29%                |
| 2016-2017   | 970                                 | 20.31%           | 30.62%              | 23.09%       | 25.98%            | 49.07%                |

## CAASPP and Scale Scores

AEA has demonstrated strong academic achievement through its CAASPP scores. In January 2017, the State Board of Education (“SBE”) elected to adopt and use CAASPP Scale Scores in its Accountability System, specifically for the Academic Indicator on the CA Dashboard. CAASPP scale scores offer a more precise method to determine students’ performance on the online computer adaptive test, rather than achievement levels because each level is based on a range of numbers, rather than an individual scale score.

AEA’s scale score is consistently in line with the state and the District’s scores and in a majority of cases, AEA’s scores were above both the state and the District. This is especially true in some of the subgroups, including English Language Learners and students with disabilities.

### CAASPP Comparisons - All Students, ELA

| ELA           | Mean Scale Score | Standard Not Met | Standard Nearly Met | Standard Met | Standard Exceeded |
|---------------|------------------|------------------|---------------------|--------------|-------------------|
| CA Grade 3    | 2425.2           | 28.04%           | 23.42%              | 22.19%       | 26.35%            |
| SDUSD Grade 3 | 2442.7           | 23.31%           | 20.50%              | 21.68%       | 34.51%            |
| AEA Grade 3   | 2447.3           | 16.30%           | 23.70%              | 26.67%       | 33.33%            |
| CA Grade 4    | 2466.1           | 31.18%           | 19.35%              | 22.59%       | 26.87%            |
| SDUSD Grade 4 | 2482.9           | 25.77%           | 17.41%              | 22.99%       | 33.83%            |
| AEA Grade 4   | 2480.8           | 23.66%           | 23.66%              | 20.61%       | 32.06%            |
| CA Grade 5    | 2502.4           | 28.44%           | 19.88%              | 28.02%       | 23.66%            |
| SDUSD Grade 5 | 2522.8           | 22.35%           | 17.62%              | 27.84%       | 32.19%            |
| AEA Grade 5   | 2524.5           | 15.57%           | 27.87%              | 27.05%       | 29.51%            |
| CA Grade 6    | 2524.8           | 25.41%           | 24.58%              | 31.16%       | 18.85%            |
| SDUSD Grade 6 | 2537.2           | 23.01%           | 21.54%              | 31.12%       | 24.33%            |
| AEA Grade 6   | 2512.8           | 27.55%           | 28.06%              | 32.14%       | 12.24%            |
| CA Grade 7    | 2547.5           | 26.39%           | 22.23%              | 33.20%       | 18.17%            |
| SDUSD Grade 7 | 2561.6           | 23.37%           | 19.50%              | 34.11%       | 23.01%            |
| AEA Grade 7   | 2559.2           | 18.59%           | 22.61%              | 44.72%       | 14.07%            |
| CA Grade 8    | 2560.8           | 25.66%           | 24.93%              | 32.37%       | 17.04%            |
| SDUSD Grade 8 | 2569.2           | 24.49%           | 22.39%              | 32.33%       | 20.79%            |
| AEA Grade 8   | 2579.2           | 13.78%           | 32.14%              | 36.73%       | 17.35%            |



## CAASPP Comparisons - All Students, Math

| Math          | Mean Scale Score | Standard Not Met | Standard Nearly Met | Standard Met | Standard Exceeded |
|---------------|------------------|------------------|---------------------|--------------|-------------------|
| CA Grade 3    | 2434.3           | 26.75%           | 23.03%              | 27.71%       | 22.51%            |
| SDUSD Grade 3 | 2457.1           | 20.67%           | 18.91%              | 26.90%       | 33.35%            |
| AEA Grade 3   | 2468.9           | 12.59%           | 18.52%              | 30.37%       | 38.52%            |
| CA Grade 4    | 2472             | 24.75%           | 30.32%              | 24.92%       | 20.02%            |
| SDUSD Grade 4 | 2493.5           | 18.90%           | 26.10%              | 25.74%       | 29.25%            |
| AEA Grade 4   | 2506.1           | 6.87%            | 35.88%              | 25.95%       | 31.30%            |
| CA Grade 5    | 2495.3           | 35.27%           | 26.73%              | 16.80%       | 21.19%            |
| SDUSD Grade 5 | 2523.7           | 26.02%           | 23.30%              | 18.33%       | 32.35%            |
| AEA Grade 5   | 2535.9           | 17.21%           | 31.97%              | 19.67%       | 31.15%            |
| CA Grade 6    | 2513.8           | 34.21%           | 27.27%              | 18.62%       | 19.90%            |
| SDUSD Grade 6 | 2532.7           | 28.24%           | 25.55%              | 20.29%       | 25.92%            |
| AEA Grade 6   | 2529             | 31.12%           | 21.94%              | 21.94%       | 25.00%            |
| CA Grade 7    | 2526.6           | 36.45%           | 25.70%              | 18.47%       | 19.37%            |
| SDUSD Grade 7 | 2546.5           | 30.31%           | 23.74%              | 21.07%       | 24.88%            |
| AEA Grade 7   | 2548.7           | 22.61%           | 33.17%              | 24.12%       | 20.10%            |
| CA Grade 8    | 2539.9           | 40.78%           | 22.59%              | 15.81%       | 20.82%            |
| SDUSD Grade 8 | 2553.5           | 37.25%           | 21.49%              | 16.11%       | 25.15%            |
| AEA Grade 8   | 2560.6           | 32.99%           | 26.90%              | 18.78%       | 21.32%            |

## CAASPP Comparisons – English Learners, ELA

| ELA           | Mean Scale Score | Standard Not Met | Standard Nearly Met | Standard Met | Standard Exceeded |
|---------------|------------------|------------------|---------------------|--------------|-------------------|
| CA Grade 3    | 2362.8           | 54.40%           | 27.17%              | 12.89%       | 5.54%             |
| SDUSD Grade 3 | 2352.5           | 60.60%           | 25.93%              | 10.00%       | 3.47%             |
| AEA Grade 3   | 2385.9           | 47.62%           | 28.57%              | 19.05%       | 4.76%             |
| CA Grade 4    | 2396.6           | 59.73%           | 22.69%              | 13.31%       | 4.28%             |
| SDUSD Grade 4 | 2408.1           | 52.61%           | 23.85%              | 18.22%       | 5.32%             |
| AEA Grade 4   | 2413.9           | 55.17%           | 27.59%              | 13.79%       | 3.45%             |
| CA Grade 5    | 2417.6           | 62.48%           | 24.23%              | 11.64%       | 1.66%             |
| SDUSD Grade 5 | 2424             | 58.84%           | 26.36%              | 12.64%       | 2.17%             |

|               |        |        |        |        |       |
|---------------|--------|--------|--------|--------|-------|
| AEA Grade 5   | 2455.2 | 31.25% | 46.88% | 21.88% | 0.00% |
| CA Grade 6    | 2432.3 | 62.21% | 28.30% | 8.84%  | 0.66  |
| SDUSD Grade 6 | 2415.9 | 71.12% | 22.62% | 5.17%  | 1.08% |
| AEA Grade 6   | 2429.4 | 62.96% | 25.93% | 11.11% | 0.00% |
| CA Grade 7    | 2445.2 | 66.05% | 24.79% | 8.63%  | 0.53  |
| SDUSD Grade 7 | 2428.8 | 74.06% | 18.84% | 6.38%  | 0.72  |
| AEA Grade 7   | 2461.9 | 54.29% | 31.43% | 14.29% | 0.00% |
| CA Grade 8    | 2451.7 | 69.05% | 24.76% | 5.85%  | 0.32  |
| SDUSD Grade 8 | 2436.3 | 78.46% | 17.85% | 3.38%  | 0.32  |
| AEA Grade 8   | 2498.7 | 48.39% | 41.94% | 6.45%  | 3.23% |

### CAASPP Comparisons – English Learners, Math

| Math          | Mean Scale Score | Standard Not Met | Standard Nearly Met | Standard Met | Standard Exceeded |
|---------------|------------------|------------------|---------------------|--------------|-------------------|
| CA Grade 3    | 2385.4           | 48.76%           | 26.67%              | 18.11%       | 6.47%             |
| SDUSD Grade 3 | 2380.1           | 51.46%           | 26.24%              | 16.50%       | 5.80%             |
| AEA Grade 3   | 2397.2           | 33.33%           | 52.38%              | 9.52%        | 4.76%             |
| CA Grade 4    | 2418.4           | 46.78%           | 35.45%              | 13.63%       | 4.13%             |
| SDUSD Grade 4 | 2431             | 39.70%           | 36.10%              | 17.65%       | 6.55%             |
| AEA Grade 4   | 2449.5           | 17.24%           | 51.72%              | 24.14%       | 6.90%             |
| CA Grade 5    | 2426.1           | 66.88%           | 23.53%              | 6.59%        | 3.00%             |
| SDUSD Grade 5 | 2441             | 59.48%           | 26.17%              | 9.88%        | 4.47%             |
| AEA Grade 5   | 2489             | 31.25%           | 43.75%              | 18.75%       | 6.25%             |
| CA Grade 6    | 2422.6           | 70.82%           | 21.67%              | 5.42%        | 2.08%             |
| SDUSD Grade 6 | 2417.4           | 73.73%           | 19.48%              | 4.42%        | 2.38%             |
| AEA Grade 6   | 2439.2           | 64.81%           | 20.37%              | 12.96%       | 1.85%             |
| CA Grade 7    | 2424.8           | 75.67%           | 17.33%              | 4.97%        | 2.30%             |
| SDUSD Grade 7 | 2419             | 75.00%           | 18.13%              | 5.08%        | 1.79%             |
| AEA Grade 7   | 2450.1           | 57.14%           | 31.43%              | 11.43%       | 0.00%             |
| CA Grade 8    | 2425.2           | 81.51%           | 12.54%              | 3.73%        | 2.23%             |
| SDUSD Grade 8 | 2417.5           | 82.72%           | 12.23%              | 2.75%        | 2.29%             |
| AEA Grade 8   | 2465.1           | 59.38%           | 34.38%              | 6.25%        | 0.00%             |

## CAASPP Comparisons – Economically Disadvantaged, ELA

| ELA           | Mean Scale Score | Standard Not Met | Standard Nearly Met | Standard Met | Standard Exceeded |
|---------------|------------------|------------------|---------------------|--------------|-------------------|
| CA Grade 3    | 2399.6           | 36.86%           | 26.53%              | 20.54%       | 16.07%            |
| SDUSD Grade 3 | 2412.4           | 32.61%           | 24.59%              | 21.31%       | 21.50%            |
| AEA Grade 3   | 2399.4           | 38.64%           | 31.82%              | 15.91%       | 13.64%            |
| CA Grade 4    | 2438.7           | 40.69%           | 21.82%              | 21.23%       | 16.26%            |
| SDUSD Grade 4 | 2450.4           | 35.94%           | 20.55%              | 22.97%       | 20.53%            |
| AEA Grade 4   | 2438             | 44.44%           | 22.22%              | 16.67%       | 16.67%            |
| CA Grade 5    | 2473.9           | 37.40%           | 23.00%              | 26.05%       | 13.55%            |
| SDUSD Grade 5 | 2491             | 31.48%           | 21.07%              | 27.43%       | 20.01%            |
| AEA Grade 5   | 2485.7           | 25.00%           | 38.46%              | 19.23%       | 17.31%            |
| CA Grade 6    | 2496.8           | 33.78%           | 28.34%              | 27.78%       | 10.10%            |
| SDUSD Grade 6 | 2500.7           | 33.50%           | 26.08%              | 28.46%       | 11.97%            |
| AEA Grade 6   | 2473.9           | 41.67%           | 32.41%              | 23.15%       | 2.78%             |
| CA Grade 7    | 2517.5           | 35.13%           | 25.76%              | 29.62%       | 9.49%             |
| SDUSD Grade 7 | 2524.7           | 33.66%           | 23.03%              | 32.06%       | 11.25%            |
| AEA Grade 7   | 2536.6           | 23.28%           | 28.45%              | 39.66%       | 8.62%             |
| CA Grade 8    | 2530.9           | 34.11%           | 28.73%              | 28.40%       | 8.76%             |
| SDUSD Grade 8 | 2532.6           | 34.57%           | 27.05%              | 27.94%       | 10.44%            |
| AEA Grade 8   | 2560.2           | 16.19%           | 40.95%              | 32.38%       | 10.48%            |

## CAASPP Comparisons – Economically Disadvantaged, Math

| Math          | Mean Scale Score | Standard Not Met | Standard Nearly Met | Standard Met | Standard Exceeded |
|---------------|------------------|------------------|---------------------|--------------|-------------------|
| CA Grade 3    | 2410.9           | 35.24%           | 26.28%              | 25.45%       | 13.03%            |
| SDUSD Grade 3 | 2427.4           | 29.66%           | 23.52%              | 26.50%       | 20.32%            |
| AEA Grade 3   | 2424.4           | 31.82%           | 29.55%              | 22.73%       | 15.91%            |
| CA Grade 4    | 2446.9           | 32.98%           | 34.55%              | 21.80%       | 10.67%            |
| SDUSD Grade 4 | 2462.8           | 27.24%           | 31.88%              | 24.53%       | 16.36%            |
| AEA Grade 4   | 2480.2           | 16.67%           | 33.33%              | 27.78%       | 22.22%            |
| CA Grade 5    | 2467.2           | 45.78%           | 28.70%              | 14.29%       | 11.23%            |
| SDUSD Grade 5 | 2492.7           | 36.45%           | 26.87%              | 16.91%       | 19.78%            |
| AEA Grade 5   | 2502.8           | 26.92%           | 42.31%              | 9.62%        | 21.15%            |

|               |        |        |        |        |        |
|---------------|--------|--------|--------|--------|--------|
| CA Grade 6    | 2481.6 | 44.68% | 29.33% | 15.73% | 10.26% |
| SDUSD Grade 6 | 2492.2 | 40.78% | 29.24% | 16.78% | 13.20% |
| AEA Grade 6   | 2485.1 | 44.44% | 29.63% | 14.81% | 11.11% |
| CA Grade 7    | 2490.7 | 47.69% | 27.47% | 15.25% | 9.59%  |
| SDUSD Grade 7 | 2503.4 | 42.44% | 26.88% | 18.10% | 12.58% |
| AEA Grade 7   | 2517.3 | 31.03% | 36.21% | 21.55% | 11.21% |
| CA Grade 8    | 2501.2 | 52.55% | 23.58% | 13.18% | 10.69% |
| SDUSD Grade 8 | 2506.7 | 51.39% | 23.15% | 13.02% | 12.44% |
| AEA Grade 8   | 2523.7 | 43.40% | 30.19% | 16.98% | 9.43%  |

### CAASPP Comparisons – SPED, ELA

| ELA           | Mean Scale Score | Standard Not Met | Standard Nearly Met | Standard Met | Standard Exceeded |
|---------------|------------------|------------------|---------------------|--------------|-------------------|
| CA Grade 3    | 2358.6           | 59.18%           | 19.50%              | 11.70%       | 9.63%             |
| SDUSD Grade 3 | 2367.3           | 55.98%           | 20.72%              | 13.30%       | 10.00%            |
| AEA Grade 3   | 2391.8           | 37.50%           | 37.50%              | 12.50%       | 12.50%            |
| CA Grade 4    | 2386.3           | 65.68%           | 14.89%              | 11.02%       | 8.41%             |
| SDUSD Grade 4 | 2384.2           | 66.70%           | 15.03%              | 11.37%       | 6.90%             |
| AEA Grade 4   | 2389.5           | 62.50%           | 25.00%              | 6.25%        | 6.25%             |
| CA Grade 5    | 2414             | 65.57%           | 16.45%              | 11.91%       | 6.08%             |
| SDUSD Grade 5 | 2423.6           | 61.41%           | 18.09%              | 15.06%       | 5.44%             |
| AEA Grade 5   | 2464.8           | 33.33%           | 33.33%              | 22.22%       | 11.11%            |
| CA Grade 6    | 2425.9           | 66.07%           | 20.45%              | 10.33%       | 3.16%             |
| SDUSD Grade 6 | 2434.7           | 61.18%           | 22.78%              | 11.92%       | 4.11%             |
| AEA Grade 6   | 2395             | 84.00%           | 12.00%              | 4.00%        | 0.00%             |
| CA Grade 7    | 2445.5           | 66.38%           | 19.59%              | 11.22%       | 2.81%             |
| SDUSD Grade 7 | 2454.2           | 62.96%           | 20.80%              | 12.79%       | 3.45%             |
| AEA Grade 7   | 2474             | 46.15%           | 30.77%              | 23.08%       | 0.00%             |
| CA Grade 8    | 2458.8           | 66.13%           | 21.44%              | 10.20%       | 2.24%             |
| SDUSD Grade 8 | 2465.4           | 62.13%           | 22.04%              | 13.13%       | 2.70%             |
| AEA Grade 8   | 2483.7           | 52.38%           | 33.33%              | 14.29%       | 0.00%             |

## CAASPP Comparisons – SPED, Math

| Math          | Mean Scale Score | Standard Not Met | Standard Nearly Met | Standard Met | Standard Exceeded |
|---------------|------------------|------------------|---------------------|--------------|-------------------|
| CA Grade 3    | 2371.2           | 56.97%           | 18.79%              | 14.78%       | 9.47%             |
| SDUSD Grade 3 | 2386.4           | 52.47%           | 20.41%              | 15.26%       | 11.86%            |
| AEA Grade 3   | 2416.4           | 43.75%           | 25.00%              | 12.50%       | 18.75%            |
| CA Grade 4    | 2402             | 57.46%           | 24.04%              | 11.47%       | 7.03%             |
| SDUSD Grade 4 | 2410.7           | 54.27%           | 26.02%              | 11.99%       | 7.72%             |
| AEA Grade 4   | 2438.1           | 50.00%           | 31.25%              | 0.00%        | 18.75%            |
| CA Grade 5    | 2414.3           | 70.76%           | 16.44%              | 6.67%        | 6.13%             |
| SDUSD Grade 5 | 2434.7           | 63.14%           | 20.63%              | 9.69%        | 6.55%             |
| AEA Grade 5   | 2441.9           | 50.00%           | 44.44%              | 0.00%        | 5.56%             |
| CA Grade 6    | 2406.1           | 74.39%           | 15.97%              | 5.61%        | 4.03%             |
| SDUSD Grade 6 | 2425             | 67.02%           | 21.25%              | 7.29%        | 4.44%             |
| AEA Grade 6   | 2394.1           | 80.00%           | 16.00%              | 0.00%        | 4.00%             |
| CA Grade 7    | 2417.2           | 76.40%           | 14.42%              | 5.55%        | 3.62%             |
| SDUSD Grade 7 | 2430.3           | 72.65%           | 16.14%              | 6.95%        | 4.26%             |
| AEA Grade 7   | 2430.9           | 61.54%           | 34.62%              | 3.85%        | 0.00%             |
| CA Grade 8    | 2421.1           | 80.77%           | 11.60%              | 4.21%        | 3.41%             |
| SDUSD Grade 8 | 2434.6           | 77.45%           | 12.75%              | 5.19%        | 4.60%             |
| AEA Grade 8   | 2451.7           | 81.82%           | 13.64%              | 4.55%        | 0.00%             |

While AEA is pleased with the work that it continues to do as a unique IB program in the heart of San Diego, we also recognize that there is still work that needs to be done. We are continuing to identify and meet the specific needs of each student.

Our efforts include:

- Ongoing Professional Development for our staff
- Evaluation of new academic programs
- Targeted intervention, individually and in small groups
- Increased collaboration with our school community

These efforts continued during distance learning caused by the COVID pandemic.

### **Action Plan for Areas of Growth:**

**All Students:** we will continue to implement targeted instruction via stations and small groups. Teacher support for this initiative will include on and off site professional development.

**English Language Learners:** with a steady increase in ELL students in our community, the data shows we need to continue to focus on how to meet the needs of this subgroup. This will include on and off site professional development, targeted instruction via MAP/benchmark data, and a restructuring of Tier Two supports within the classroom.

**Special Education:** with a SPED population now beyond 12% across our schools and growing, we will also need to heavily focus on meeting the needs of our most fragile students. This will include the same professional development and data measures as ELL as well as extensive analysis of our current progress monitoring system to ensure we are showing progress over time for these students.

## **ELEMENT ONE: EDUCATIONAL PROGRAM**

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

*The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in paragraphs (2) to (8), inclusive, of subdivision (d) of Section 52060, that apply for the grade levels served 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. – California Education Code Section 47605(c)(5)(A)(ii)*

*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. – California Education Code Section 47605(c)(5)(A)(iii).*

### **The International Baccalaureate Program**

AEA is committed to the highest standards. In its operations and interactions with all members of its community, AEA will at all times be committed to an anti-discriminatory stance in compliance with Education Code 220. With this commitment to Education Code 220, every student will continue to enjoy opportunities to develop leadership skills, productive citizenship attributes, a strong work ethic, and a positive core value system.

AEA will grow to become a college and career preparatory International Baccalaureate (IB) school that approaches teaching and learning holistically from the International Baccalaureate Primary Years Program, to the International Baccalaureate Middle Years Program, to the International Baccalaureate Diploma Program, and an important inclusion of the International Baccalaureate Career-related Program in high school.

The IB’s multicultural and inclusive programs incorporate 21st century skills, are infused with keys to literacy and embedded with resilience skills to ensure that students achieve mastery of concepts. The IB programs will ensure that AEA scholars are prepared to compete globally in any field of their choice and to become skilled prospective employees for local industries.

## **Elementary School (AEACES) - IB Primary Years Program**

AEACES provides a curriculum based on the International Baccalaureate Primary Years Program (IBPYP). This program addresses the needs of our school community, places an emphasis on English/German biliterate education, and is standards-based yielding measurable and accountable student success.

The elementary school's academic focus is a rigorous research-based transdisciplinary IBPYP program emphasizing language arts in English and German, computation and mathematical reasoning, integrated science, history/social studies, technology, art, and personal, social, and physical education (PSPE). The elementary school utilizes a collaborative, inquiry-based approach to learning and offers students additional support through a well-established Learning Center.

The IBPYP identifies six subject areas: languages, social studies, mathematics, science and technology, the arts, and personal, social and physical education (PSPE).

All subjects are taught as transdisciplinary units. To achieve this the IBPYP has six organizing themes that assist teachers and students to explore knowledge in the broadest sense of the word.

These organizing themes are:

- Who are we
- Where are we in place and time
- How we express ourselves
- How the world works
- How we organize ourselves
- Sharing the planet

### *German Language Program*

To create a unique multicultural learning environment and to foster global awareness and understanding, we stress the introduction of foreign language through German instruction at a very early age. Since it is an inherent desire of every young child to communicate, language introduction and acquisition become an unconscious and enjoyable effort for students with instruction in a nurturing environment. The benefits of a multilingual education with regard to thinking skills, cultural diversity, and global understanding have been clearly delineated and established by research (Singleton, 1998; Harley, 1986, Long, 1990; Hakuta, 1998).

In the elementary school program, heterogeneous groups model and share language experiences. German language instruction is taught through immersion. Immersion is an educational approach in which a second language is used as both the medium of instruction and the content of the curriculum, allowing students to acquire the language in meaningful academic contexts (Pacific Policy Research Center, 2010). This approach supports all students as they learn some core content in two languages.



## **Middle School (AEACMS) - IB Middle Years Program**

AEACMS, serving grades 6-8, has historically been a receiver for students matriculating from the AEACES fifth grade. The middle school also enrolls students graduating from other elementary schools seeking the benefits and challenges of an International Baccalaureate education, with preference given to students matriculating from Sherman Elementary, the closest SDUSD elementary school geographically.

AEACMS provides a point of entry for all students to access the academic advantages of the IB program without a prerequisite of IB Primary Years Program participation. The structure of the school provides a mechanism for success in not only IB Middle Years Program (IBMYP) but also the acquisition of a second language during their middle years, which broadens understanding of diverse cultures and world perspectives. We embrace the creative energy and natural curiosity of every student as the catalyst for self-initiated lifelong learning.

AEACMS subject group and grade level teams and supporting teachers collaborate to identify complementary content, skills and concepts. In turn, the IBMYP units of study address common, real-world issues and become interdisciplinary. This connectivity of knowledge and learning encourages broader perspectives on complex issues and encourages deeper levels of analysis and synthesis.

The IBMYP organizes teaching and learning through eight subject areas:

- Language and Literature: develops skills in six areas including listening, speaking, reading, writing, viewing and presenting in the student's primary language.
- Language Acquisition: provides students the opportunity to develop insights into the features, processes and craft of language and the concept of culture, and to discover diverse ways of living, viewing and behaving in the world.
- Individuals and Societies: incorporates disciplines traditionally studied in the humanities, as well as disciplines in the social sciences opening a gateway to integrated global awareness.
- Sciences: encourages students to investigate issues through research, observation and experimentation, working independently and collaboratively.
- Mathematics: promotes both inquiry and application, helping students develop problem-solving techniques that transcend the discipline and are useful in the world beyond school.
- Arts: develops aesthetic awareness through creating, performing and presenting arts in ways that engage and convey feelings, experiences and ideas.
- Physical and Health Education: empowers students to understand and appreciate the value of being physically active and to develop motivation for making healthy life choices.
- Design: uses the design cycle to structure inquiry and analysis of problems, the creation of solutions, and testing and evaluation of solutions. Solutions may be models, prototypes, products or systems that students have developed and created independently.

Design is present in the materials and processes we use to shape our world and the ways we communicate and share ideas, opinions and information.

A comprehensive training program has been implemented for staff development. Teachers are on the front line to assure student success and are held accountable for professional development (PD). The staff professional development program is focused on the IBMYP with both in-service training and participation in IB-sponsored training workshops held worldwide.

### **High School Program (AEACHS) – IB Diploma Program (IBDP) and IB Career-related Program (IBCP)**

#### *IBDP*

While AEA will not have an entering ninth grade class until the fall of 2024, the AEACHS program will serve as a receiver for the AEACMS program and will continue the IB tradition throughout the high school experience. While matriculating AEACMS students will be granted enrollment preference, should additional openings exist these will be available for students who have not previously attended AEA. All students will be able to pursue the IB Diploma Program (IBDP) as well as the new IB Career-related Program (IBCP). While SDUSD offers IBDP programs at select high schools, the IBCP will create an entirely unique and innovative option for San Diego students

The IBDP provides students an academically challenging and balanced program of education. It offers final examinations that prepare students for success in post-secondary education and life beyond. The IBDP is designed to address the intellectual, social, emotional and physical well-being of students.

AEACHS students will choose one subject from each of five groups:

- Studies in Language and Literature;
- Language Acquisition;
- Individuals and Societies;
- Sciences; and Mathematics.

Students will also choose either an arts subject or a second subject from one of the groups 1 to 5, above.

There are different courses within each subject group that students will choose. In addition to academic skills, IBDP assessments encourage an international outlook and intercultural skills. IBDP assesses student work as direct evidence of achievement against the stated goals of the courses.

Students take written examinations as part of the IBDP program. These examinations will be made available free of charge to all eligible students. Students also complete assessment tasks in each course. The marks awarded for each course range from 1 (lowest) to 7 (highest). Students can also be awarded up to three additional points for their combined results on theory of

knowledge and the extended essay. An IB diploma is awarded to students who gain at least 24 points, subject to certain minimum levels of performance and to satisfactory participation in the creativity, action, and service requirements. Assessment is criterion-related, which means student performance is measured against pre-specified assessment criteria based on the aims and objectives of each subject curriculum, rather than the performance of other students taking the same examinations.

### *IBCP*

In addition to the IBDP program, AEA will offer the IB Career-related Program. The IBCP allows students to take advantage of IBDP courses, while adding career-related study that provides students with an academic foundation and provides more practical skills. AEACHS will develop a robust program of career and industry partnerships, with an emphasis on building lifelong career technical skills.

The IBCP core components give context to the IBDP courses and the career-related study, drawing all aspects of the framework together. Through the CP core, students develop personal qualities and professional skills, as well as intellectual habits required for lifelong learning. The school will work with its students to choose the career-related study most suited to the needs of its students and the community.

The IB Career-related Program (IBCP) includes four interrelated components:

- *Personal and Professional Skills* – designed for students to develop attitudes, skills and strategies to be applied to personal and professional situations and contexts now and in the future.
- *Service Learning* – the development and application of knowledge and skills towards meeting an identified and authentic community need.
- *Reflective Project* – an in-depth body of work produced over an extended period of time and submitted towards the end of the IBCP. Students identify, analyze, critically discuss and evaluate an ethical issue arising from their career-related studies.
- *Language Development* – ensures that all students have access to a language program that will assist and further their understanding of the wider world. The ability to communicate in more than one language is essential to the IB's concept of an international education.

The IBCP also requires students to complete a career-related study concurrently with their IBCP Core and the IBDP courses. The career-related study is designed to prepare students for higher education, an internship or apprenticeship, or a position in a designated field of interest. It provides the opportunity for students to learn about theories and concepts through application and practice while developing broad-based skills in authentic and meaningful contexts. Students who complete the program receive the International Baccalaureate Career-related Program Certificate, the certification awarded by the career-related study provider in their chosen field of study along with their high school degree.

## Projected Enrollment and Growth

AEA anticipates opening AEACHS in the fall of 2024 with a ninth grade class of approximately 200 students. Both the elementary and the middle school programs will have projected numbers consistent with current (2020) enrollment. The high school program will gradually grow its program over a four year period of time, adding one class per year. The table below presents the projected enrollment of AEA over the next eight years:

|       | 2020-21 | 2021-22 | 2022-23 | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 |
|-------|---------|---------|---------|---------|---------|---------|---------|---------|
| K     | 138     | 138     | 138     | 138     | 138     | 138     | 138     | 138     |
| 1     | 138     | 138     | 138     | 138     | 138     | 138     | 138     | 138     |
| 2     | 138     | 138     | 138     | 138     | 138     | 138     | 138     | 138     |
| 3     | 132     | 132     | 132     | 132     | 132     | 132     | 132     | 132     |
| 4     | 130     | 130     | 130     | 130     | 130     | 130     | 130     | 130     |
| 5     | 129     | 129     | 129     | 129     | 129     | 129     | 129     | 129     |
| 6     | 210     | 210     | 210     | 210     | 210     | 210     | 210     | 210     |
| 7     | 204     | 204     | 204     | 204     | 204     | 204     | 204     | 204     |
| 8     | 196     | 196     | 196     | 196     | 196     | 196     | 196     | 196     |
| 9     | 0       | 0       | 0       | 0       | 200     | 200     | 200     | 200     |
| 10    | 0       | 0       | 0       | 0       | 0       | 200     | 200     | 200     |
| 11    | 0       | 0       | 0       | 0       | 0       | 0       | 200     | 200     |
| 12    | 0       | 0       | 0       | 0       | 0       | 0       | 0       | 200     |
| Total | 1,415   | 1,415   | 1,415   | 1,415   | 1,615   | 1,815   | 2,015   | 2,215   |

## AEA Educational Model

Across the three AEA schools our educational model is an interweaving of the IBPYP, the IBMYP, the IBDP, the IBCP, the California Common Core State Standards (CCSS), Next Generation Science Standards (NGSS), and language immersion.

## What It Means to Be an Educated Person in the 21<sup>st</sup> Century

AEA believes that in the 21<sup>st</sup> century, educated citizens must have global awareness and a solid foundation in science, math, history, literature, and language arts. With such knowledge students not only keep up with the rapid growth in science and technology, but will also be able to contextualize and understand global implications and interconnectedness. In addition, AEA students must be effective language users adept at writing and speaking, and committed to the

intellectual virtues of objectivity, respect for the truth, and social and moral awareness. While insisting upon thorough study of these traditional disciplines, the curriculum accentuates the interrelatedness of core subjects and advances a holistic view of learning. This interconnectedness is accomplished through the IB Programs described above.

The IB programs require the student to consider issues and problems in their widest scope and to realize that good solutions often draw upon insights one has acquired from many sources. Educated citizens of the 21<sup>st</sup> century must possess a love of learning that will enable them to be lifetime independent learners and adapt quickly and easily to the dynamic nature of knowledge. Students must work productively and cooperatively in a multicultural environment. By encouraging students to consider multiple perspectives and intercultural awareness AEA not only fosters tolerance and respect, but also instills empathy.

### **How Learning Best Occurs at AEA**

*Learning best occurs in a collaborative environment.* School success is dependent upon collaboration and goals (Schmoker, 1996). AEA embraces collaborative learning experiences for all students, while teachers and staff thrive within a collaborative atmosphere of distributed leadership opportunities.

*Learning best occurs when parents participate in the educational program.* AEA strives to enhance relationships with parents through a program of parent participation, school-sponsored cultural and social events, meaningful volunteer opportunities, and regular Parent University sessions.

*Learning best occurs in a climate of measurable goals.* This "beginning with the end in mind" requires a standards-based system that provides direction to academic programs and is designed to ensure proficiency for students. Planning is specifically developed around "Backwards Design" with the assessment task being defined before instruction commences.

*Learning best occurs within a climate of accountability.* As Schmoker (1996) states: "What gets measured gets done." AEA provides a continuous collection and application of data for students, parents, teachers and administrators. Charter schools can positively change the climate of accountability in a district (Gil, 1999).

*Learning best occurs with highly specialized teachers and staff.* Specialized staff development programs provide proactive instructional leadership. Darling-Hammond (1997) states, "The single most important determinant of student achievement is the expertise and qualifications of teachers."

*Learning best occurs in programs that have strong literacy components.* Literacy provides a foundation for most academic success. AEA students develop literacy across the curriculum and in multiple languages in addition to English.

*Learning best occurs in a program that incorporates technology.* Technological innovations can enhance communication and hence relationships within the academic environment. Technology

provides students with the knowledge and skills to enter the business and social opportunities of the 21st Century.

*Learning occurs best when students are immersed in an educational environment that is reflective of their culture.* Language arts instruction is most effective when grounded in authentic cultural connections and defined norms. (Lessow-Hurley, 2000).

The following elements augment AEA's view of how learning best occurs:

- Personal attention: AEA provides multiple opportunities for teachers and staff to provide individualized attention and support that values students as individuals
- Stimulating environment: AEA promotes a school environment that is developmentally appropriate and stimulates students' creativity while promoting a thirst for knowledge
- Strong collaborative culture: AEA teachers and staff have created an effective collaborative model that facilitates academic articulation, programmatic innovation, and genuine support for holistic student learning

### **The AEA Community**

The community surrounding the AEA campuses is a dense urban, racially diverse population. Our goal is to locate AEACHS in the same community as AEACES and AEACMS. Many of our students originate from multilingual families and have been exposed to two languages since infancy. AEA schools are non-discriminatory and open to all students, irrespective of gender, ethnicity, national origin, language, etc., who seek an international education based on the IB Program, in a multilingual setting. AEA is a classroom-based educational program serving kindergarten through twelfth grade.

Many children come to school needing assistance in strengthening their native language as well as acquiring strong English language skills. The research overwhelmingly supports the supposition that strength in a child's native language supports growth in English language acquisition (Krashen, 1996; Hukuta, 1985; Cummins & Swain, 1986). In communities such as AEA that encourage language acquisition and in programs that support bilingualism, speaking two languages is positively associated with intellectual and academic achievement.

Second language acquisition and multiculturalism are foundational elements of the IB program. Historically, approximately 50% of AEA students are second language speakers. AEA acknowledges and celebrates the advance of bilingualism and encourages the enrollment of students who currently speak a second language or wish to acquire one.

Our schools comply with minimum age requirements for public school attendance (Ed. Code 47610(c) and will maintain student records in accordance with Education Code section 47612.5.

## **WASC Accreditation and Transferability and Eligibility of Courses**

### *WASC Accreditation*

AEA is committed to being a learning organization and using data to make mission-driven decisions at every level. AEACMS is currently accredited by the Western Association of Schools and Colleges (WASC), and AEACHS will initiate the accreditation process in its first year of operation (2024 – 2025).

### **Transferability and Eligibility of Courses – A-G Requirements**

AEA works with its students to achieve all of their academic goals. As part of the high school program, AEA will focus through the IBDP and IBCP on providing students with all the help they need to graduate and also get into college. Students and parents will be notified of course transferability and eligibility of courses to meet college entrance requirements. AEA will maintain an A-G course list for parents and students to review and determine what courses are necessary for University of California (UC) and California State University (CSU).

### **AEA Plan for Students Who Achieve Below Grade Level**

In addition to embracing the IB programs, AEA's primary academic goal is to have students perform at or above proficiency on all achievement tests. Establishing a comprehensive intervention system is a critical component of a sound educational program. AEA implements academic support structures for students and their identified needs. There are two particular groups of students who need strategically differentiated intervention/enrichment programs: (1) students who do not meet their progression towards proficiency in English Language Arts, English Language Development and Mathematics, and (2) students who are achieving above grade level and would benefit from enrichment programs.

AEA believes all students can achieve high standards regardless of their strengths, weaknesses, and life experiences and therefore should be offered opportunities to engage in a rigorous curriculum. Students who are not meeting grade level benchmarks are provided additional interventions beyond the regular school day. The interventions focus on building and supporting basic reading, writing, and math skills for success in the regular grade level appropriate curriculum.

### **Multi-Tiered System of Support (MTSS)**

In partnership with the San Diego County Office of Education, AEA incorporates the Multi-Tiered System of Support or MTSS program. This program is a student-centered, strategic, purposeful, and intentional approach that positively impacts every student. Using the MTSS approach allows us to utilize and maximize our collective resources to support each student at their individual level. MTSS is a comprehensive framework that aligns academic, behavioral, and social-emotional learning in a fully integrated system to positively support all students.



The MTSS framework supports an aligned system of evidence-based instruction, intervention, enrichment, and assessment practices in academics and behavior. It particularly aims to create equitable outcomes by providing every student with the tools they need to succeed. The MTSS will be expanded and adapted to meet the specific needs of AEACHS students.

### **AEA Plan for Students Who Achieve Above Grade Level**

AEA's focus on the IB program, as detailed above, is key to addressing the needs of all students. The IB program, along with other specific courses offered, will make sure that all students remain challenged throughout their school career.

Specifically, we will offer:

- The IBPYP, IBMYP, IBDP, and IBCP programs
- Staff trained for IB, Honors and AP courses
- Block scheduling to allow for learning extension outside the classroom when services are available. Including adding online courses from other universities and or concurrent enrollment programs with university partners
- Expanding the depth of the course to allow students to apply higher-order thinking and analysis
- Parent and Student Programs:
  - Home and School: Partners in Education
  - Parents and Teacher Organization
  - School Site Council (SSC)

### **Student Success Teams**

Special Education assessment and services may be an outcome of the Student Success Team, where a team indicates that special education testing and/or evaluation is deemed appropriate. A Student Success Team ("SST") includes the parent/guardian, teacher, and other school personnel or interested persons, and uses a systematic problem-solving approach to assist students with any concerns that may be interfering with success. SST clarifies problems and concerns; develops strategies and organizes resources; provides a system for school accountability; and serves to assist and counsel the parent/guardian, teacher, and student. SST is a general education function. All students can benefit from an SST, including but not limited to those students achieving below grade level, those who are achieving above grade level and require greater challenges, students who have experienced emotional trauma, behavioral issues, or language issues.

SST meeting participants include but are not limited to teachers, parents/guardians, counselors, doctors, administration, social workers, and law enforcement. The meeting is designed to bring out the best in the people involved.

The protocol for AEA's SSTs includes:

- Team members introduce themselves and their roles.



- Purpose and process of the meeting are stated.
- Timekeeper is appointed.
- Strengths are identified.
- Concerns are discussed, clarified, and listed.
- Pertinent information and interventions are listed.
- Concerns are synthesized; one or two chosen for focus.
- Strategies to address concerns are brainstormed.
- Team chooses the best strategies to implement action plans.
- Individuals make commitments to shared accountability and action plans.
- Person responsible and timelines for action plans are recorded.
- Follow-up date is set.

After implementation of an SST plan and follow-up, the plan may be revised to address any concerns which may not have been adequately addressed and/or effectively resolved. When students do not make satisfactory progress after implementation of remedial programs and strategies, they may be referred for evaluation under Section 504 or IDEIA.

### **AEA Plan for English Learners**

AEA will meet all applicable legal requirements for English Learners (“EL”) as they pertain to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. AEA will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

### **Home Language Survey**

AEA will administer the home language survey upon a student’s initial enrollment pursuant to Education Code section 52164.1.

### **ELPAC Testing**

All students who indicate that their home language is other than English are administered the English Language Proficiency Assessment for California (“ELPAC”) within thirty days of initial enrollment and will take a summative assessment annually thereafter between February 1 and May 31<sup>st</sup> until re-designated as fluent English proficient.

AEA will notify all parents of its responsibility for ELPAC testing and of ELPAC results within thirty days of receiving results from the publisher.

### **AEA Plan for Students with Disabilities**

AEA recognizes its responsibility to enroll and support students with disabilities. AEA complies with all applicable state and federal laws in serving students with disabilities, including, but not

limited to Section 504 of the Rehabilitation Act (“Section 504), the Americans with Disabilities Act (“ADA”) and the Individuals with Disabilities in Education Improvement Act (“IDEA”).

AEA is its own local educational agency (“LEA”) member of the El Dorado County Office of Education Charter Special Education Local Plan Area (“SELPA”) in conformity with Education Code Section 47641(a). SELPA ensures a free and appropriate education is provided to all students with exceptional needs.

AEA complies with all applicable state and federal laws, including but not limited to the IDEA, Section 504 and the ADA and any other civil rights enforced by the U.S. Department of Education Office for Civil Rights (“OCR”). Furthermore, AEA will comply with AB 602, California Department of Education (CDE) guidelines, and all California laws pertaining to special education students. A change in LEA status or SELPA membership shall require a material revision of this charter.

## **Inclusion**

AEA has adopted and embraced an inclusive special education model. The IB defines inclusion as “an ongoing process that aims to increase access and engagement in learning for all students by identifying and removing barriers” (*Special educational needs within the International Baccalaureate Programs*, 2010). In order to meet this standard, IB teachers are mindful of responding positively to the unique needs of each student and developing policies and practices to include all students. On a daily basis, students with special needs are included in general education classes and extracurricular activities to the fullest extent possible. Highly skilled instructional assistants provide in-class support for students with IEPs and work closely with the general education teachers and Education Specialist to provide in-depth information about student progress and needs. We recognize that inclusion is not always the best practice for every student and uphold the legal right that all students must be educated in the least restrictive environment (LRE) in order to best meet their educational needs.

## **Differentiation**

In the IB publication *Special educational needs within the International Baccalaureate Programs* (2010), differentiation is described as a teacher’s response to the diverse learning needs of the students and working with each learner to identify the most effective strategies to meet agreed upon goals. IB teachers develop strategic plans for differentiation as outlined in each unit planner. Using the principles of Bloom’s Taxonomy, teachers develop factual, debatable, and conceptual inquiry questions to address all levels of learning in the classroom. All general education teachers have access to documents containing streamlined IEP and 504 plan information, such as accommodations, modifications and goals to assist in creating differentiated lessons and unit planners that meet the specific needs of all learners. At AEA, we are aware that all students learn differently and strive to embrace these unique differences in our classroom instruction and planning.

There are four specific elements that teachers can differentiate in the classroom to meet the needs of all learners:

- *Content* - what the student will learn;
- *Process* - how the student will learn the content;
- *Products* - what the student will produce to demonstrate mastery of content;
- *Learning Environment* - how the classroom looks and feels.

## **SELPA**

Pursuant to Education Code section 47641, AEA assures the District it will participate as an LEA in a special education plan approved by the State Board of Education. As petitioners, we plan to continue to participate as an LEA in the El Dorado Charter SELPA. In the event AEA chooses to leave the El Dorado SELPA membership, it will secure other SELPA services and retain the right to have services provided by the San Diego Unified SELPA under one of its provided options for charter schools.

With the Reauthorization of IDEA 2004, access to and participation in the general education curriculum is required for students with disabilities. Therefore, special education services at AEA are delivered through teams headed by credentialed and licensed Education Specialists using inclusive practices.

AEA will meet all the requirements mandated within a student's IEP. An inclusive philosophy has been implemented that allows students with IEPs access to all classrooms in the same manner afforded general education students. AEA includes all special needs students with nondisabled peers to the maximum extent appropriate according to their IEP. However, if the student's needs as documented on the IEP require a program other than inclusion, AEA will work with El Dorado Charter SELPA to provide an appropriate placement and services.

Each student with an IEP is assigned an Education Specialist annually. An intake process led by the Education Specialist ensures written plans are fully implemented including diagnostic assessments and surveys as well as annual IEP development. IEP teams are composed according to IDEA guidelines. The Education Specialist and any other relevant experts will conduct triennial testing. The Education Specialist ensures students have access to all academic, social, and support programs available to them at AEA.

If a parent or faculty member feels the student's educational needs are not being met, they may request a reassessment or a review of the IEP by the IEP team at any time during the year via written notice to AEA. Students at AEA who have IEPs will continue to attend school, unless the IEP recommends otherwise.

AEA may request related services (e.g. Speech, Occupational Therapy, Adapted P.E., Nursing, and Transportation) from the SELPA, subject to SELPA approval and availability. AEA may also provide related services by hiring credentialed or licensed providers through private agencies or independent contractors.

AEA is solely responsible for its compliance with Section 504 and the ADA. The facilities utilized by AEA shall be accessible to all students with disabilities.

### **Child Find**

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

AEA shall ensure that child find identification occurs in a timely manner and that no procedures or practices result in delaying or denying this identification. A parent/guardian may request an initial evaluation at any time to determine if the child is a child with a disability.

Special education referrals shall be made only after general education supports and interventions have been considered and provided, as appropriate. AEA may also choose to refer a student for services through the provisions of a Section 504 Plan, if appropriate. No assessment or evaluation will be used for admission purposes.

AEA shall be solely responsible for compliance with state and federal Child Find requirements. AEA shall implement policies and procedures of the El Dorado SELPA in which it is a member to ensure timely identification and referral of students suspected of having a disability.

### **Referral for Assessment**

The referral process is a formal, ongoing review of information related to students who are suspected of having special needs and show potential signs of needing special education and related services. AEA's internal method for referral for assessment will be the Student Study Team (SST).

The parent of any student suspected of needing or qualifying for special education services may also make a request for an evaluation. In accordance with Education Code Section 56043, an AEA designee will respond to parent requests within 15 calendar days to acknowledge receipt of the request, answer any questions the parent may have, and schedule an SST.

Parents will be informed via an AEA designee that special education and related services are provided at no cost to them. If the SST concludes an assessment is appropriate, the parent will receive a written Assessment Plan within 15 calendar days. The parent will be given at least 15 days to provide written consent to the assessment plan. Assessments will be done only upon receipt of written parent permission. The assessment will be completed in an Individualized Education Program meeting held within 60 calendar days of receipt of the parent's signed consent for assessment.

### **Assessment**

AEA shall be solely responsible for conducting special education assessments deemed necessary and appropriate by AEA. Special Education staff will be responsible for gathering all pertinent information and arranging for assessments to be conducted in all areas of suspected disability.

Information gathered will be used to determine the student's disability, eligibility for services, and determining the nature and extent of required services.

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

- Individual Testing;
- Teacher Observations;
- Review of School Records, Reports, and Work Samples;
- Data from student responses to intervention; and
- Parent Input

AEA will follow these assessment guidelines, unless a conflict exists with the El Dorado SELPA policies and procedures, in which case the SELPA policies and procedures will govern:

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

Upon completion of the assessment, an IEP team will be assembled to review the results of the assessment and determine the student's eligibility for special education. AEA will be responsible for scheduling, coordinating and facilitating the IEP meeting.

Team members qualified to interpret test results will present the assessment data at the IEP meeting. Parents/guardians will be provided with written notice of the IEP meeting, and the meeting will be held at a mutually agreeable time and place.

## **Development and Implementation of IEP**

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

AEA shall be solely responsible for ensuring all aspects of the IEP are appropriately implemented. AEA will provide modifications and accommodations (outlined within each IEP) in the general education environment taught by the general education teacher. Students at AEA who have IEPs will be served in the Least Restrictive Environment (“LRE”).

Each student with an IEP will have an IEP team that oversees the IEP development, implementation and progress of the student. All decisions concerning the special education programs and services to be provided to a student with a disability are to be made by the IEP team.

The IEP team will include all of the following members:

- The parent or guardian of the student for whom the IEP was developed;
- The student;
- An AEA Administrator;
- An Education Specialist;
- A General Education teacher who is familiar with the curriculum appropriate to that student, if the student is, or may be, participating in the general education environment;
- If the child was recently assessed, the individual who conducted the assessment or who is qualified to interpret the assessment results;
- Related service providers if the student receives services; and
- Others familiar with the student may be invited as needed.

AEA views the parent/guardian as a key stakeholder in these meetings and will make every effort to accommodate parent schedules and needs so they will be able to participate effectively on the IEP Team. AEA will provide an interpreter if necessary to ensure all parents and/or guardians understand and can participate in the IEP process. If a parent/guardian cannot attend the IEP meeting, the school will ensure his/her participation using other methods, such as conferencing by telephone or offering to meet at the parent’s home.

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

The student’s IEP will include the following:

- A statement of the student’s present levels of academic achievement and functional performance;
- The rationale for placement decisions, including cogent and responsive explanations for the recommendations;

- The services the student will receive and the means for delivering those services;
- A description of when services will begin, how often the student will receive them, who will provide them, and where they will be delivered;
- Measurable annual goals and short-term objectives focusing on the student's current level of performance and appropriately ambitious for his/her circumstances;
- The goals and objectives will also be linguistically appropriate, as per Education Code Section 56345(b).;
- A description of how the student's progress toward meeting the annual goals will be measured and monitored and when reports will be provided;
- Accommodations necessary to measure the academic achievement and functional performance of the pupil on state and district assessments;
- The IEP shall be reasonably calculated to enable the child to make progress appropriate in light of his/her circumstances.

IEP meetings will be held according to the following schedule:

- Initial: After the student has received a formal assessment
- Annual: Yearly to review the student's progress and make any necessary changes
- Triennial: Every three years to review the results of a mandatory comprehensive reevaluation of the student's progress.
- Individual Transition Plan: Required at the appropriate age of 16
- Manifestation: in cases of misconduct for which AEA would suspend or remove a student for 10 or more days in order to determine if a student's misconduct was a manifestation of his or her disability
- By written parent request: consistent with state and federal law, an IEP meeting will be held within 30 days of a parent's request.

## **IEP Review**

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

AEA shall be responsible for conducting IEP reviews and determining necessary supports, services, and placements, in accordance with SELPA policies and all applicable laws. Unless otherwise specified on the student's IEP, parents will be informed two times a year (which is the same frequency as progress is reported to all students and parents) of the student's progress toward meeting annual goals and whether the student is expected to meet his/her annual goals. The Goals and Objectives section of the IEP will be an attachment to the general progress report. This will serve to document the method by which the student's progress toward achieving the annual goal is measured, the student's progress during the relevant period, the extent to which it is anticipated the student will achieve the annual goal prior to the next annual review, and where needed, the reasons the student did not meet the goal. If a parent/guardian or faculty member feels the student's educational needs are not being met, they may request a reassessment or a review of the IEP by the IEP team at any time during the year via written notice to the school.



Once the request is received, AEA will have thirty days, not including school vacations greater than five days, to hold the IEP meeting.

### **Interim and Initial Placements of New Students**

AEA shall comply with Education Code Section 56325 with regard to students transferring into AEA within the academic school year. AEA shall provide transferring students with free and appropriate public education, including services comparable to those listed in the existing IEP. For students transferring to AEA from another school within the same SELPA, AEA, pursuant to Education Code Section 56325(a)(2), shall continue to provide services comparable to those described in the existing approved IEP, unless parents/guardians and AEA agree to develop and implement a new IEP. For students transferring to AEA from another school within a different SELPA, AEA, pursuant to Education Code Section 56325(a)(1), shall continue to provide services comparable to those described in the existing approved IEP for a period of up to 30 days, by which time AEA shall adopt the previous IEP or, in consultation with parents/guardians, develop and implement a new IEP that is consistent with federal and state law.

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

### **Staffing**

AEA will hold ultimate responsibility for providing Special Education services and is committed to ensuring that all IEPs are properly implemented and that all students requiring services are adequately supported.

It is the goal of AEA to employ the appropriate staff with Special Education Credentials including itinerant service providers. Special Education staff are tasked with ensuring that all aspects of the IEP are implemented. All teaching staff at AEA will also be involved in assuring that all IEPs and 504 plans are properly implemented.

The Special Education Team, with the support of the respective Principal, coordinates and oversees the Special Education Program. Duties include:

- Ensure all aspects of the IEP are followed
- Arrange for the educator of student to attend the team meetings
- Ensure Education Specialist and service providers communicate with parents about progress made toward attaining the goals stated on the student's IEP, and inform them of due process procedures and rights
- Consult regularly with the Special Education Team to ensure that the objectives and goals of students with IEPs are being met
- Ensure Education Specialist and service providers complete the requisite paperwork, updating and filing of necessary information for initial referrals, triennial evaluations,



ongoing monitoring of student progress, and appropriate provision of any/all test modifications as stipulated in the IEP

- Maintain a central file with all special education evaluation material and IEPs in accordance with FERPA and IDEA guidelines
- Provide a report of student progress on the same schedule as students in general education

## **Reporting**

In collaboration with the El Dorado SELPA, where appropriate, AEA will collect and maintain the following information on disabled students as required by IDEA:

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

All necessary procedures and practices to ensure confidentiality and accurate/timely reporting will be the responsibility of the Special Education staff. This includes maintaining a central file with all special education evaluation materials, in accordance with IDEA guidelines. The Special Education staff will oversee access to these records and will be responsible for ensuring that all providers responsible for the implementation of a student's IEP will have access to a copy of the IEP and will be informed of their specific responsibilities in implementing the IEP.

## **Procedural Safeguards**

Parents or guardians of students with IEPs at AEA must give written consent for the evaluation and placement of their child, be included in the decision-making process when a change in placement is under consideration, and be invited, along with teachers, to conferences and meetings to develop their child's IEP. AEA will provide the parent with a written Notice of Procedural Safeguards, which will include information on the procedure to initiate both formal and informal dispute resolutions, at least once per year. AEA will utilize the Notice of Procedural Safeguards used by the SELPA in which it is a member. Concerns or disagreements raised by parents/guardians will be acknowledged by the school within five days. AEA will work to arrange a meeting with the parents/guardians to seek resolution of the disagreement. If a disagreement or concern persists, parents or guardians have the right to initiate a due process hearing to challenge a decision regarding the identification, evaluation, or educational placement of their child.

## **Dispute Resolution**

In the event that a parent or guardian files a request for a due process hearing or request for mediation, AEA shall follow the procedures as described in the SELPA's Procedural Guide. AEA reserves the right to make arrangements for legal representation in, and resolution of, legal disputes pertaining to special education. AEA may also initiate a due process hearing or request for mediation with respect to a student enrolled in AEA if it determines such action is legally necessary or advisable.

## **Complaint Procedures**

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

## **Section 504 of the Rehabilitation Act**

AEA recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program of AEA. Any student who has a physical or mental impairment that substantially limits a major life activity including but not limited to learning, is eligible for protection pursuant to Section 504 by the school.

AEA shall be solely responsible for its compliance with Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. All facilities of AEA shall be accessible for all students with disabilities in accordance with the ADA.

AEA will designate one employee to coordinate the school's compliance with its responsibilities under Section 504. A 504 team will be assembled by the designated 504 Coordinator and shall include the parent/guardian, the student, a qualified staff member, and other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options, and accommodations. The 504 team will review the student's existing records, including academic, social, and behavioral records, and is responsible for making a determination as to whether an evaluation for 504 services is appropriate.

If the student has already been evaluated under the IDEA but found ineligible for special education instruction or related services under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team who will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.

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

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

If the student is found by the 504 team to qualify for services and supports under Section 504, the 504 team shall be responsible for determining what, if any, accommodations or services are needed to ensure that the student receives FAPE. In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the school's professional staff.

The 504 Plan shall describe the Section 504 disability and any program accommodations, modifications and/or services that may be necessary. All 504 team participants, parents, guardians, teachers, and any other participants in the student's 504 Plan. The designated 504 Coordinator will ensure that teachers include 504 Plans with lesson plans for short-term substitutes and that he/she review the 504 Plan with a long-term substitute. A copy of the 504 Plan shall be maintained in the student's file. Each student's 504 Plan will be reviewed at least once per year to determine the appropriateness of the Plan, needed modifications to the plan, and continued eligibility.

### **Professional Development**

AEA administration, general and special education teaching staff, as well as other appropriate faculty and staff members, will attend professional development and/or training meetings necessary to comply with state and federal special education laws, including training sponsored by the SELPA.

AEA shall seek professional development opportunities for its staff through training facilitated by the County Office of Education, SELPA, colleges and universities, and private companies or agencies to ensure compliance with state and federal special education laws as well as implementation of best practices for students with disabilities.

## **Independent Study**

AEA has established a Board-approved Independent Study Contract policy (see appendices). This policy provides guidelines and support for families under specific circumstances to ensure educational continuity and ongoing support for students.

## ELEMENT TWO: MEASURABLE STUDENT OUTCOMES

*Governing Law: The measurable pupil outcomes identified for use by the charter school. ‘Pupil outcomes’ for purposes of this part means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all 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 paragraphs (2) to (8), inclusive, of subdivision (d) of Section 52060, that apply for the grade levels served by the charter school. - California Education Code Section 47605(c)(5)(B)*

Albert Einstein Academies provides a rigorous learning experience for each student. The measurable school and pupil outcomes for AEA are designed to reflect our dedication to educate children so they are able to make successful practical applications of learned content and skills in a variety of settings. Student outcomes reflect AEA’s mission, are aligned with the State Standards, and AEA’s definition of an educated person in the 21st century.

AEA’s Goals, Actions, and Measurable Outcomes Align with the Eight State Priorities Pursuant to Education Code Section 47605(c)(5)(A)(ii) and 47605(c)(5)(B)

All students at AEA will have access to and engage in a rigorous, standards-based educational program. At AEA all students will progress and reach proficiency. This includes students who achieve at, above, or below grade level, are English Language Learners, or who have identified disabilities and use their accommodations and modifications as outlined in their IEP’s.

| <b>MEASURABLE STUDENT OUTCOMES<br/>THAT ALIGN WITH THE STATE PRIORITIES</b>   |
|---|
| <p>Pursuant to Education Code Section 47605(c)(5)(B), the following is a table describing AEA’s outcomes that align with the state priorities and AEA’s goals and actions to achieve the state priorities, as identified in Element 1 of the charter.</p> <p>The LCAP and any revisions necessary to implement the LCAP, including outcomes and methods of measurement listed below, shall not be considered a material revision to the charter, and shall be maintained by AEA at the school site.</p> |

**STATE PRIORITY #1—Basic Services**

*The degree to which teachers are appropriately assigned (E.C. §44258.9) and fully credentialed, and every pupil has sufficient access to standards-aligned instructional materials (E.C. § 60119), and school facilities are maintained in good repair (E.C. §17002(d))*

**SUBPRIORITY A - TEACHERS**

|                                    |  |
|------------------------------------|--|
| <b>Goal to Achieve Subpriority</b> | 100% of teachers will hold a valid CA Teaching Credential with appropriate English learner authorization as defined by the CA Commission (CCTC) on Teaching Credentialing  |
| <b>Actions to Achieve Goal</b>     | Ensure all core teacher candidates screened for employment hold appropriate credentials as defined by the CCTC and appropriate EL certification and assign teachers to appropriate classrooms based on the teacher's credential, certifications, and areas of expertise. |
| <b>Measurable Outcome</b>          | 100% of AEA teachers in core subjects, including Education Specialists will be fully credentialed and appropriately assigned.  |
| <b>Methods of Measurement</b>      | Initial and annual verification of core teacher credential as reported by the CCTC; staffing plan and schedule that includes methods to ensure appropriate teacher assignments   |

**SUBPRIORITY B – INSTRUCTIONAL MATERIALS**

|                                    |  |
|------------------------------------|--|
| <b>Goal to Achieve Subpriority</b> | All students, in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, will have access to standards-aligned instructional materials.                             |
| <b>Actions to Achieve Goal</b>     | All instructional materials purchased will be aligned to the Common Core State Standards and aligned with our charter petition. All students, including EL and students with an IEP, will be provided support and accommodations to fully access standards-aligned materials and services. |
| <b>Measurable Outcome</b>          | All AEA students will take courses that meet the CCSS, Next Generation Science Standards, and CA State History/Social Science Content Standards. All students will have access to standards-aligned instructional materials (digital or hard copies of state-approved textbooks).          |
| <b>Methods of Measurement</b>      | AEA Administration will review all instructional and supplemental materials and maintain a curriculum inventory.   |

| <b>SUBPRIORITY C – FACILITIES</b>  |  |
|--|--|
| <b>Goal to Achieve Subpriority</b>   | All students will learn in school facilities that are well maintained and in good repair, as defined by Education Code Section 17002.  |
| <b>Actions to Achieve Goal</b>   | Maintain and update facilities as needed to provide a clean, safe learning environment and budget money for proper repairs. Address safety hazards immediately and refer general needs items to the AEA Board of Trustees for review and prioritization. Conduct annual facility inspections to screen for safety standards. |
| <b>Measurable Outcome</b>  | Achieve the Good Repair Standard as determined by the State of California’s Facility Inspection Tool.  |
| <b>Methods of Measurement</b>  | a. Annual Facility Inspection Reports<br>b. School Accountability Report Card (SARC)   |
| <b><u>STATE PRIORITY #2—Implementation of Common Core State Standards</u></b><br><i>Implementation of Common Core State Standards, including how EL students will be enabled to gain academic content knowledge &amp; English language proficiency</i> |  |
| <b>SUBPRIORITY A – CCSS IMPLEMENTATION</b>   |  |
| <b>Goal to Achieve Subpriority</b>   | All students will be instructed by teachers who participate in schoolwide Professional Development that focuses on the implementation of the CA State Standards/Common Core State Standards for all core subjects.   |
| <b>Actions to Achieve Goal</b>   | a. Provide curriculum aligned to CCSS, NGSS, and History-Social Science Content Standards.<br>b. Ongoing professional development for teachers on CCSS.<br>c. Ongoing and annual review of curriculum materials and student performance data.<br>d. Monthly review of lesson plan materials                                  |
| <b>Measurable Outcome</b>  | All teachers will participate in ongoing CCSS Professional Development; and all teachers will follow through with CCSS implementation in their classroom.  |
| <b>Methods of Measurement</b>  | a. Annual review of curriculum showing alignment.<br>b. PD attendance rosters  |

| <b>SUBPRIORITY B – EL Academic Content Knowledge</b>   |  |
|--|--|
| <b>Goal to Achieve Subpriority</b>                     | 100% of EL students will gain academic content knowledge through the implementation of the CCSS.   |
| <b>Actions to Achieve Goal</b>                         | <ul style="list-style-type: none"> <li>a. Ensure EL learning plans are standards-aligned and focus on achieving competency in the core standards.</li> <li>b. Ensure all teachers are trained in methods and scaffolds to support English learners</li> <li>c. Monitor implementation through observations and grade level discussions.</li> </ul> |
| <b>Measurable Outcome</b>                              | 100% of EL students will gain academic content knowledge through the implementation of the CCSS.   |
| <b>Methods of Measurement</b>                          | <ul style="list-style-type: none"> <li>a. EL Student Performance in CAASPP ELA/Math</li> <li>b. ELPAC Assessments</li> <li>c. Teacher Assessments</li> <li>d. Common Core aligned Benchmark Assessments in ELA/Math</li> </ul>   |
| <b>SUBPRIORITY C – EL English Language Proficiency</b> |  |
| <b>Goal to Achieve Subpriority</b>                     | EL students will gain English language proficiency through the implementation of the standards-aligned English Language Development (ELD) curriculum, instructional materials and EL specific instructional strategies for CCSS implementation.  |
| <b>Actions to Achieve Goal</b>                         | EL students will participate in ELA & Literacy instruction with appropriate support. All EL students will have access to ELD curriculum. Additionally, all relevant teachers will participate in PD and activities to bridge the ELD standards, ELD curriculum and ELPAC assessment.   |
| <b>Measurable Outcome</b>                              | EL students make at least one year of progress as measured by the ELPAC after one year at AEA.   |
| <b>Methods of Measurement</b>                          | <ul style="list-style-type: none"> <li>a. Ongoing progress monitoring</li> <li>b. Annual ELPAC test scores</li> <li>c. Reclassification Rate</li> <li>d. PD attendance rosters</li> <li>e. ELD Curriculum assessments</li> </ul>   |



**STATE PRIORITY #3 – PARENTAL INVOLVEMENT**

*Parental involvement, including efforts to seek parent input for making decisions for schools, and how the school will promote parent participation*

**SUBPRIORITY A – ACHIEVING/MAINTAINING PARENTAL INVOLVEMENT**

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| <b>Goal to Achieve Subpriority</b> | Parents will continue to be an integral part of AEA through a variety of avenues including Parent University, volunteer opportunities, committees and the School Site Council (SSC). |
| <b>Actions to Achieve Goal</b>     | Parents are invited to participate in school-related events including AEA Board of Trustees meetings.  |
| <b>Measurable Outcome</b>          | Provide parents with opportunities to be involved.   |
| <b>Methods of Measurement</b>      | a. Board Agendas & Minutes<br>b. Roster<br>c. Parent Survey (English and Spanish)  |

**SUBPRIORITY B – PROMOTING PARENT PARTICIPATION**

|                                    |   |
|------------------------------------|---|
| <b>Goal to Achieve Subpriority</b> | AEA will provide multiple structured opportunities for parent participation at school.  |
| <b>Actions to Achieve Goal</b>     | a. Translate all relevant school documents, communication and meetings into Spanish<br>b. Parent informational meetings (with simultaneous interpretation in Spanish)   |
| <b>Measurable Outcome</b>          | a. Parent/Guardian attendance/participation in Summer Back-to-School Orientation<br>b. Number of participants at parent informational meetings<br>c. Parent/Guardian attendance at exhibitions/events.<br>d. Parent Survey findings |
| <b>Methods of Measurement</b>      | a. Meeting Agendas & sign-in sheets<br>b. Parent Survey Results   |

| <b>SUBPRIORITY C – Parent Surveys</b>   |  |
|---|--|
| <b>Goal to Achieve Subpriority</b>  | Ensure at least 80% of families complete annual parent/family surveys  |
| <b>Actions to Achieve Goal</b>  | Annually, AEA will administer a student, staff and parent survey on school effectiveness. Results of parent surveys will be presented to the Governing Board annually.   |
| <b>Measurable Outcome</b>   | <ul style="list-style-type: none"> <li>a. LCAP goals and actions will be developed through or as a result of parent meetings and workshops.</li> <li>b. Parent input on LCAP development activities.</li> </ul>  |
| <b>Methods of Measurement</b>   | <ul style="list-style-type: none"> <li>a. Results from Parent Surveys will be shared with all stakeholders upon completion and analysis of results.</li> <li>b. LCAP goals and actions aligned to parent feedback.</li> </ul>  |
| <p style="text-align: center;"><b><u>STATE PRIORITY #4 – STUDENT ACHIEVEMENT</u></b></p> <p><i>Pupil achievement, as measured by all of the following, as applicable:</i></p> <ul style="list-style-type: none"> <li><i>A. California Assessment of Student Performance &amp; Progress (CAASPP) statewide assessment</i></li> <li><i>B. The Academic Performance Index (API)</i></li> <li><i>C. Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education</i></li> <li><i>D. Percentage of ELs who make progress toward English language proficiency as measured by the English Language Proficiency Assessment for California (ELPAC)</i></li> <li><i>E. EL Reclassification rate</i></li> <li><i>F. Percentage of pupils who have passed on AP exam with a score of 3 or higher</i></li> </ul> <p><i>Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (EC §99300 et seq.) or any subsequent assessment of college preparedness</i></p> |  |
| <b>SUBPRIORITY A – CAASPP: ELA/LITERACY &amp; MATHEMATICS</b>   |  |
| <b>Goal to Achieve Subpriority</b>  | Students in all subgroups including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students will demonstrate growth toward proficiency in ELA and Mathematics CAASPP assessments. |

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| <b>Actions to Achieve Goal</b>                            | <ul style="list-style-type: none"> <li>a. Support students through mastery of standards through integrated core projects</li> <li>b. Provide academic intervention for at-risk, struggling students.</li> <li>c. Use data to change instructional approaches and support learning by using data to drive instruction.</li> <li>d. Ongoing review of curriculum materials and student achievement data.</li> <li>e. Instructional PD.</li> </ul> |
| <b>Measurable Outcome</b>                                 | At least a 95% participation rate in the CAASPP with ELA and Math results exceeding statewide subgroup results  |
| <b>Methods of Measurement</b>                             | <ul style="list-style-type: none"> <li>a. CAASPP Results</li> <li>b. ELA &amp; Math Benchmark assessments</li> </ul>  |
| <b>SUBPRIORITY B - California School Dashboard</b>        |   |
| <b>Goal to Achieve Subpriority</b>                        | AEA will meet statewide requirements for performance schoolwide and for all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students.  |
| <b>Actions to Achieve Goal</b>                            | Monitor progress of all students in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, toward meeting statewide goals.  |
| <b>Measurable Outcome</b>                                 | 80% of AEA students in all subgroups who have been at AEA for a year or more, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, will meet statewide accountability benchmarks as defined by the CDE.  |
| <b>Methods of Measurement</b>                             | <ul style="list-style-type: none"> <li>a. CAASPP Results</li> <li>b. Internal Formative and Summative assessments</li> </ul>  |
| <b>SUBPRIORITY C – UC/CSU COURSE REQUIREMENT (OR CTE)</b> |   |
| <b>Goal to Achieve Subpriority</b>                        | All AEACHS students will have access to and support in meeting the UC/CSU A-G course requirements   |

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| <b>Actions to Achieve Goal</b>                   | <ul style="list-style-type: none"> <li>a. Rigorous middle school courses that will prepare students to take core program and graduation requirements that are aligned with “a-g” subject requirements when they get to high school.</li> <li>b. International Baccalaureate (IB) PYP and MYP courses and examinations will be offered</li> </ul>                    |
| <b>Measurable Outcome</b>                        | AEA students will meet the requirements for UC/CSU entrance (“a-g” subject requirements) except as dictated by the IEPs of specific students.   |
| <b>Methods of Measurement</b>                    | Transcript analysis and graduation audits conducted by school counselor.  |
| <b>SUBPRIORITY D – EL Proficiency Rates</b>      |   |
| <b>Goal to Achieve Subpriority</b>               | EL students will become fluent by making progress annually as determined by using the ELPAC.  |
| <b>Actions to Achieve Goal</b>                   | <ul style="list-style-type: none"> <li>a. EL students will receive in-class instructional support.</li> <li>b. Using proficiency scales aligned with CCSS and ELD standards, AEA teachers will monitor progress of EL students to support acquisition of English.</li> <li>c. Teachers will be provided with PD in teaching for EL.</li> </ul>                      |
| <b>Measurable Outcome</b>                        | EL students will progress in proficiency as measured by the ELPAC after one year at AEA.  |
| <b>Methods of Measurement</b>                    | <ul style="list-style-type: none"> <li>a. EL Subgroup performance on CAASPP</li> <li>b. ELPAC Results</li> <li>c. Benchmark Assessments</li> <li>d. Pre/Post Reading Assessments</li> </ul>   |
| <b>SUBPRIORITY E – EL RECLASSIFICATION RATES</b> |   |
| <b>Goal to Achieve Subpriority</b>               | EL students will become fluent in the English language and make progress towards reclassification.  |
| <b>Actions to Achieve Goal</b>                   | <ul style="list-style-type: none"> <li>a. AEA teachers will monitor progress of EL students to support acquisition of English in alignment with CCSS and ELD standards.</li> <li>b. Ensure EL plans are standards-aligned and focused on achieving competency in the core standards.</li> <li>c. Teachers will be provided with PD and ongoing training.</li> </ul> |

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| <b>Measurable Outcome</b>  | Annually, increase EL reclassification rates as measured by ELPAC and the school's reclassification criteria.  |
| <b>Methods of Measurement</b>  | <ul style="list-style-type: none"> <li>a. Reclassification Rate</li> <li>b. Analysis of ELPAC results</li> <li>c. PD attendance rosters</li> <li>d. Ongoing progress monitoring</li> </ul>                         |
| <b>SUBPRIORITY F – AP EXAM PASSAGE RATE</b>  |  |
| <b>Measurable Outcome</b>  | 75% of AP exams taken by AEA students will earn a score of 3 or above.   |
| <b>Methods of Measurement</b>  | Annual analysis of results by administration and school counselor  |
| <b>SUBPRIORITY G – COLLEGE PREPAREDNESS/EAP</b>  |  |
| <b>Measurable Outcome</b>  | AEA Grad Requirements will meet or exceed UC/CSU A-G requirements.   |
| <b>Methods of Measurement</b>  | Transcript analysis and graduation audits conducted by school counselor  |
| <p align="center"><b><u>STATE PRIORITY #5 – STUDENT ENGAGEMENT</u></b></p> <p>Pupil engagement, as measured by all of the following, as applicable:</p> <ul style="list-style-type: none"> <li>F. School attendance rates</li> <li>G. Chronic absenteeism rates</li> <li>H. Middle school dropout rates (<i>E.C. §52052.1(a)(3)</i>)</li> <li>I. High school dropout rates</li> <li>J. High school graduation rates</li> </ul> |  |
| <b>SUBPRIORITY A – STUDENT ATTENDANCE RATES</b>  |  |
| <b>Goal to Achieve Subpriority</b>   | AEA will maintain a high average daily (ADA) attendance rate because students will be meaningfully engaged in their education.   |
| <b>Actions to Achieve Goal</b>   | <ul style="list-style-type: none"> <li>a. Regular monitoring of attendance and immediate intervention when necessary.</li> <li>b. AEA will engage with its community to create a culture of attendance.</li> </ul> |
| <b>Measurable Outcome</b>  | ADA rates of at least 96%  |

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| <b>Methods of Measurement</b>                     | <ul style="list-style-type: none"> <li>a. Monthly, quarterly and annual ADA Reports</li> <li>b. Periodic attendance updates to families</li> </ul>  |
| <b>SUBPRIORITY B – STUDENT ABSENTEEISM RATES</b>  |   |
| <b>Goal to Achieve Subpriority</b>                | AEA will have no chronic absenteeism school wide because students will be meaningfully engaged in their education.  |
| <b>Actions to Achieve Goal</b>                    | <ul style="list-style-type: none"> <li>a. Students and their families will be aware of AEA’s attendance policy.</li> <li>b. Convene Student Attendance Review Team (SART) meeting regularly to monitor progress and to make specific plans to address attendance for at-risk students.</li> </ul>   |
| <b>Measurable Outcome</b>                         | Less than one percent of students in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, will be chronically absent from school.   |
| <b>Methods of Measurement</b>                     | <ul style="list-style-type: none"> <li>a. Attendance Report</li> <li>b. Documentation of communication addressing chronic absenteeism</li> </ul>  |
| <b>SUBPRIORITY C – MIDDLE SCHOOL DROPOUT RATE</b> |   |
| <b>Goal to Achieve Subpriority</b>                | Students will continue through middle school with a sustained school enrollment   |
| <b>Actions to Achieve Goal</b>                    | <ul style="list-style-type: none"> <li>a. AEA administration will monitor student enrollment status</li> <li>b. AEA will provide engaging academic programs and targeted interventions as needed for individual students.</li> <li>c. AEA will maintain communication with families through conferences, phone calls, and reports.</li> </ul> |
| <b>Measurable Outcome</b>                         | All middle school students in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, will reenroll every year or matriculate to high school at AEA or at another school.  |
| <b>Methods of Measurement</b>                     | <ul style="list-style-type: none"> <li>a. Dropout rate</li> <li>b. Student Information System (“SIS”)</li> <li>c. LCAP reporting</li> </ul>   |
| <b>SUBPRIORITY D – HIGH SCHOOL DROPOUT RATES</b>  |   |

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| <b>Goal to Achieve Subpriority</b>   | Students will continue through high school with sustained school enrollment  |
| <b>Actions to Achieve Goal</b>   | <ul style="list-style-type: none"> <li>a. AEA administration will monitor student enrollment status</li> <li>b. AEA will provide engaging academic programs and targeted interventions as needed for individual students.</li> <li>c. AEA will maintain communication with families through conferences, phone calls, and reports</li> </ul>   |
| <b>Measurable Outcome</b>  | All high school students in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, will re-enroll every year or graduate from AEA or another school.   |
| <b>Methods of Measurement</b>  | <ul style="list-style-type: none"> <li>a. Dropout rate</li> <li>b. Student Information System (“SIS”)</li> <li>c. LCAP reporting</li> </ul>  |
| <b>SUBPRIORITY E – High School Graduation Rates – N/A</b>  |  |
| <p style="text-align: center;"><b><u>STATE PRIORITY #6 – SCHOOL CLIMATE</u></b></p> <p>School climate, as measured by all of the following, as applicable:</p> <ul style="list-style-type: none"> <li>D. Pupil suspension rates</li> <li>E. Pupil expulsion rates</li> <li>F. Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.</li> </ul> |  |
| <b>SUBPRIORITY A – PUPIL SUSPENSION RATES</b>  |  |
| <b>Goal to Achieve Subpriority</b>   | All AEA students will feel safe and connected at school and will remain in good behavioral standing at school.   |
| <b>Actions to Achieve Goal</b>   | <ul style="list-style-type: none"> <li>a. AEA will use restorative practices to help maintain safety and a positive school climate, ensuring accountability while reducing the number of suspensions.</li> <li>b. Ongoing PD regarding classroom management and student behavioral and emotional support.</li> <li>c. Ongoing communication with the school community.</li> <li>d. Provide individualized behavior plans for struggling students.</li> </ul> |
| <b>Measurable Outcome</b>  | AEA will have a low suspension rate as defined by the CA Accountability Dashboard.   |

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| <b>Methods of Measurement</b>                        | <ul style="list-style-type: none"> <li>a. Suspension Rate</li> <li>b. SARC Report</li> <li>c. California Accountability Model and School Dashboard Reports</li> </ul>  |
| <b>SUBPRIORITY B – PUPIL EXPULSION RATES</b>         |  |
| <b>Goal to Achieve Subpriority</b>                   | All AEA students will feel safe and connected at school and will remain in good behavioral standing at school.   |
| <b>Actions to Achieve Goal</b>                       | <ul style="list-style-type: none"> <li>a. AEA will use restorative practices to help maintain safety and a positive school climate, ensuring accountability while reducing the number of suspensions.</li> <li>b. Ongoing PD regarding classroom management and student behavioral and emotional support.</li> <li>c. Ongoing communication with the school community.</li> <li>d. Provide individualized behavior plans for struggling students.</li> </ul> |
| <b>Measurable Outcome</b>                            | AEA will have an expulsion rate below the State for all subgroups as represented by the CA Accountability Dashboard.   |
| <b>Methods of Measurement</b>                        | <ul style="list-style-type: none"> <li>a. Expulsion Rate</li> <li>b. SARC Report</li> <li>c. California Accountability Model and School Dashboard Reports</li> </ul>   |
| <b>SUBPRIORITY C – SCHOOL CONNECTEDNESS MEASURES</b> |  |
| <b>Goal to Achieve Subpriority</b>                   | Annually ensure and provide a safe school and positive learning environment for all students.  |
| <b>Actions to Achieve Goal</b>                       | <ul style="list-style-type: none"> <li>a. Annual review/revise School Safety Plan</li> <li>b. Administer survey to measure school safety and connectedness</li> <li>c. Ongoing communication with the school community.</li> </ul>   |
| <b>Measurable Outcome</b>                            | <ul style="list-style-type: none"> <li>a. 100% of AEA staff will participate in school safety trainings.</li> <li>b. Annual parent survey will demonstrate safe and positive feelings about their connection to the AEA community.</li> </ul>  |
| <b>Methods of Measurement</b>                        | <ul style="list-style-type: none"> <li>a. California Healthy Kids Survey</li> <li>b. Parent Survey</li> <li>c. California Accountability Model and School Dashboard Reports</li> </ul>   |



**STATE PRIORITY #7 – COURSE ACCESS**

*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; EC §42238.02) and students with exceptional needs. “Broad course of study” includes the following, as applicable:  
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.*

|                                 |  |
|---------------------------------|--|
| <b>Goal to Achieve Priority</b> | All AEA students in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, will have access to and will be enrolled in a broad course of study including programs and services to support and accelerate all students. |
| <b>Actions to Achieve Goal</b>  | a. All courses will be open to all students.<br>b. Curriculum offerings include a broad range of courses in Math, Science, English, Social Sciences, World Languages, PE/Health, and Art.  |
| <b>Measurable Outcome</b>       | 100% of students will be enrolled in a broad course of study as described above, unless as dictated by the IEP of specific students.   |
| <b>Methods of Measurement</b>   | a. Student enrollment data<br>b. Master schedule<br>c. AEA course list<br>d. Professional development records<br>e. IEPs   |

**STATE PRIORITY #8 – OTHER STUDENT OUTCOMES**

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

**SUBPRIORITY A - ENGLISH**

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|------------------------------------|---|
| <b>Goal to Achieve Subpriority</b> | All AEA students in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, will be grade level proficient in ELA. |
|------------------------------------|---|

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| <b>Actions to Achieve Goal</b>         | <ul style="list-style-type: none"> <li>a. All students will be enrolled in an English course.</li> <li>b. Ongoing review of curriculum materials and student achievement data.</li> <li>c. Instructional professional development.</li> <li>d. Monitor student progress and effectiveness of instruction</li> </ul> |
| <b>Measurable Outcome</b>              | Students in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, will show growth in ELA on the California Accountability Model and School Dashboard.                                     |
| <b>Methods of Measurement</b>          | <ul style="list-style-type: none"> <li>a. CAASPP Assessment</li> <li>b. Formative and Summative Assessments</li> <li>c. Pre/Post Reading Assessment</li> <li>d. NWEA MAP Tests</li> </ul>   |
| <b>SUBPRIORITY B - MATHEMATICS</b>     |   |
| <b>Goal to Achieve Subpriority</b>     | All AEA students in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, will be grade level proficient in Math.  |
| <b>Actions to Achieve Goal</b>         | <ul style="list-style-type: none"> <li>a. All students will be enrolled in a Math course.</li> <li>b. Ongoing review of curriculum materials and student achievement data.</li> <li>c. Instructional professional development.</li> <li>d. Monitor student progress and effectiveness of instruction</li> </ul>     |
| <b>Measurable Outcome</b>              | Students in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, will show growth in Math on the California Accountability Model and School Dashboard.                                    |
| <b>Methods of Measurement</b>          | <ul style="list-style-type: none"> <li>a. CAASPP Assessment</li> <li>b. Formative and Summative Assessments</li> <li>c. NWEA MAP tests</li> </ul>   |
| <b>SUBPRIORITY C – SOCIAL SCIENCES</b> |   |
| <b>Goal to Achieve Subpriority</b>     | All AEA students in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, will be grade level proficient in Social Studies.  |

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| <b>Actions to Achieve Goal</b>                      | <ul style="list-style-type: none"> <li>a. All students will be enrolled in a social studies course.</li> <li>b. Ongoing review of curriculum materials and student achievement data.</li> <li>c. Instructional professional development.</li> <li>d. Monitor student progress and effectiveness of instruction</li> </ul> |
| <b>Measurable Outcome</b>                           | Students in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, will show growth in social studies on the internal benchmark tests.  |
| <b>Methods of Measurement</b>                       | <ul style="list-style-type: none"> <li>a. Informal assessments</li> <li>b. Formative and Summative Assessments</li> </ul>   |
| <b>SUBPRIORITY D - SCIENCE</b>                      |   |
| <b>Goal to Achieve Subpriority</b>                  | All AEA students in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, will be grade level proficient in Science.   |
| <b>Actions to Achieve Goal</b>                      | <ul style="list-style-type: none"> <li>a. All students will be enrolled in science courses.</li> <li>b. Ongoing review of curriculum materials and student achievement data.</li> <li>c. Instructional professional development.</li> <li>d. Monitor student progress and effectiveness of instruction</li> </ul>         |
| <b>Measurable Outcome</b>                           | Students in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, will show growth in science studies on the NWEA MAP Tests and internal benchmark tests.  |
| <b>Methods of Measurement</b>                       | <ul style="list-style-type: none"> <li>a. Informal assessments</li> <li>b. Formative and Summative Assessments</li> <li>c. NWEA MAP tests</li> </ul>  |
| <b>SUBPRIORITY E – VISUAL &amp; PERFORMING ARTS</b> |   |
| <b>Goal to Achieve Subpriority</b>                  | All AEA students in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, will be exposed to and appreciate VAPA.  |

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| <b>Actions to Achieve Goal</b>            | <ul style="list-style-type: none"> <li>a. Students will have the opportunity to enroll in VAPA courses.</li> <li>b. Ongoing review of curriculum materials and student achievement data.</li> <li>c. Instructional professional development.</li> <li>d. Monitor student progress and effectiveness of instruction</li> </ul>       |
| <b>Measurable Outcome</b>                 | Students in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, will participate in VAPA activities throughout the school year.  |
| <b>Methods of Measurement</b>             | <ul style="list-style-type: none"> <li>a. Lesson Plans</li> <li>b. Student Portfolios</li> </ul>  |
| <b>SUBPRIORITY F – PHYSICAL EDUCATION</b> |   |
| <b>Goal to Achieve Subpriority</b>        | All AEA students in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, will develop and practice good healthy, physical fitness habits.   |
| <b>Actions to Achieve Goal</b>            | <ul style="list-style-type: none"> <li>a. Students will have the opportunity to engage in physical education.</li> <li>b. Ongoing review of curriculum materials and student achievement data.</li> <li>c. Instructional professional development.</li> <li>d. Monitor student progress and effectiveness of instruction</li> </ul> |
| <b>Measurable Outcome</b>                 | Students in all subgroups, including English learners, Foster youth, Homeless students, students with disabilities, students in racial/ethnic groups, and socially disadvantaged students, exposed to healthy nutrition and exercise habits throughout the school year.   |
| <b>Methods of Measurement</b>             | <ul style="list-style-type: none"> <li>a. Lesson Plans</li> <li>b. CA Physical Fitness Tests - FITNESSGRAM</li> </ul>   |

## **ELEMENT THREE: METHODS OF MEASURING PUPIL PROGRESS**

*Governing Law: The method by which pupil progress in meeting those pupil outcomes is measured. – California Education Code Section 47605(c)(5)(C)*

### **Assessments of Learning**

AEA shall meet all state standards and shall conduct all pupil assessments required pursuant to Education Code Sections 60605 and 60851 and any other statewide standards authorized in statute. In alignment with AEA's mission, all students will develop knowledge, skills, and the mindsets necessary to make positive changes in our world.

AEA will use formative, summative, and state mandated assessment measures to accurately gauge student learning in order to ensure that students are making expected and required progress, and to determine next steps in learning. Teachers will use data about their students' progress to ensure their teaching approaches serve all students.

AEA will also monitor student growth throughout the school year and review data to understand individual student needs and to monitor the performance of demographic subgroups. Students' academic performance levels will be gauged against peers across the country using the nationally normed NWEA MAP. Students will take the NWEA MAP three times per year (beginning, middle, and end of year) in reading and math. The student scores on MAP will provide a normative measure of their performance against other students as well as a longitudinal measure within each year and across years.

### **International Assessments**

AEA's IB courses will be using both IB curriculum and assessments.

### **National Assessments**

PSAT performance data will also be used to target growth areas.

### **California State Assessments**

AEA will conduct California state pupil assessments in all subject areas given, including the following:

- California Assessment of Student Performance and Progress (CAASPP) tests,
- California Modified Assessments (CMA) or California Alternative Performance Assessment (CAPA) to special education students as indicated in their IEPs
- English Language Proficiency Assessment for California (ELPAC) to measure progress of English learners towards proficiency annually

- FITNESSGRAM as the physical fitness test (PFT), the goal of which is to assist students in establishing lifetime habits of regular physical activity.

## **AEA Assessments**

AEA believes that assessments must support and encourage effective teaching and learning in the classroom. It is through this lens that AEA has developed an assessment policy that serves to reflect our focus and firm commitment to academic success for all students. It is our goal to provide a high quality education that readies our students for advanced study in middle school, high school, college/university. AEA will use both formative and summative assessments to ultimately help guide the learning community to act, evaluate, and reflect upon our own successes toward achieving this goal.

AEA's formative assessments monitor student understanding in a timely manner to allow for adjustments needed in the process of teaching and learning. These assessments are informative for both the teacher and student and help both to determine the next steps needed to understand units of inquiry that will allow for success in the summative tasks. Ultimately, formative assessments are used to help design how learning best occurs.

AEA's summative assessments are used to evaluate a student's learning progress and achievement at the conclusion of a specific period of instruction. Summative assessments occur at the conclusion of a project, unit, course, semester, program, or school year.

At AEA, our assessments aim to consistently:

- Provide families with clear, timely feedback of student progress
- Focus on the whole child
- Address critical and higher-order thinking skills
- Encourage student improvement and achievement
- Promote and further self-initiated student inquiry and learning
- Serve as a catalyst for reflection and re-evaluation of teaching practices
- Inform curriculum review
- Differentiate instruction
- Be authentic, research-based, and meaningful
- Provide multiple measures
- Serve as a collaborative process allowing opportunity for teacher, peer, and self-reflection
- Communicate with all stakeholders in a positive and supportive manner

AEA will use curriculum, publisher and school designed tests derived from State standards to measure student skills at the beginning, in the middle and end of every academic year, including the Northwest Evaluation Association's (NWEA) Measures of Academic Progress (MAP), which measures literacy and mathematics skills for each student from K-12. AEA will also use commercial pre-tests, unit tests and post-tests, as well as teacher-created pre, post and unit tests.

## Use and Reporting of Data

AEA collects and analyzes data on student achievement on a regular basis and provides student achievement data to staff, parents, and guardians along with SDUSD in the following manner:

- AEA reviews CAASPP results to identify strengths and weaknesses at AEA as a whole and on the departmental levels. New performance targets will be set for AEA and departmental levels. Reviews and progress toward outcomes using the methods of measurement described herein, both school wide and within reportable subgroups.
- Staff is provided with performance data in a format that is easily interpreted.
- A data plan is developed with an annual timeline for gathering and analyzing various student achievement data.
- Parents/Guardians receive data on student achievement through parent/student/teacher conferences, report cards, and results on CAASPP. Students' classroom grades are available to parents/guardians and students on the grade portal. The School Accountability Report Card ("SARC") is published annually prior to the April deadline.
- AEA will make available a traditional transcript for each student in order to ease transfer of credits to other schools and to better communicate with parents.
- AEA will maintain contemporaneous written records that document student attendance and shall make these records available for audit and inspection.

## **ELEMENT FOUR: SCHOOL GOVERNANCE STRUCTURE**

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

### **Legal Status**

The governance structure at AEA is organized to meet the educational needs of all students. Each level of governance has been designed to support and advance the mission, vision and purpose of this charter.

### **Nonprofit Public Benefit Corporation**

AEA is a directly funded, independent charter school and is operated by a California nonprofit public benefit corporation, Albert Einstein Academies, pursuant to California law.

AEA operates autonomously from the District, with the exception of the supervisory oversight as required by statute and other contracted services as negotiated between the District and AEA. Pursuant to Education Code Section 47604(d), the District shall not be liable for the debts and obligations of AEA, or for claims arising from the performance of acts, errors, or omissions by AEA as long as the District has complied with all oversight responsibilities required by law. In accordance with Education Code Section 47613(a), the District may charge for the actual costs of supervisory oversight of AEA not to exceed one (1) percent of the revenue of AEA. The District may charge up to three (3) percent of the revenue of AEA if the School is able to obtain substantially rent free facilities from the District. Pursuant to Education Code Section 47613(f), “revenue of the charter school” is defined as the amount received in the current fiscal year from the local control funding formula calculated pursuant to Education Code Section 42238.02, as implemented by Education Code Section 42238.03.

Albert Einstein Academies will follow the Attorney General's Opinion, dated December 28, 2018, and SB 126 requirements. AEA shall comply with the Government Code section 1090, the Brown Act and the Public Records Act. As such, AEA's governing board will file statements of economic interest according to the Political Reform Act; will have governing board policies that ensure that board members will not be financially interested in any decision made by the governing body; and will comply with the California Public Records Act and with the Brown Act.

Attached, as Appendix C, D, and E; please find the Albert Einstein Academies Articles of Incorporation, Bylaws, and Conflict of Interest Code.

### **Conflict of Interest**

Albert Einstein Academies has adopted a Conflict of Interest Code that complies with the Political Reform Act, Government Code Section 1090, et seq., as set forth in Education Code Section 47604.1, Corporations Code conflicts of interest rules, and which shall be updated with any charter school specific conflicts of interest laws or regulations.



As noted above, the Conflict of Interest Code is attached in Appendix E.

### **Board of Trustees**

As provided for in the California Corporations Code, Albert Einstein Academies is governed by a Board of Trustees (“Board”), whose members have a fiduciary responsibility for the operation and well-being of AEA. The Board shall be governed in accordance with its corporate bylaws that shall be consistent with the Charter.

The Board, based on governance best practices, will consist of five to seven members, will strive to maintain an odd number of trustees for voting purposes, and will function in accordance with its bylaws and this Charter. This number of trustees allows for sufficient expertise and the population of committees, while also ensuring the size is manageable for making strategic decisions.

The Board of Trustees is fully responsible for the operation and fiscal affairs of Albert Einstein Academies including, but not limited to, the following:

- Hiring and evaluating the Superintendent
- Fundraising, promotion, and implementation of the mission and vision of AEA.
- Overseeing the implementation of the AEA charter.
- Providing notice and conducting meetings in compliance with the Brown Act.
- Creating external or sub-committees as needed, including but not limited to a Finance Committee.
- Ensuring compliance with applicable law such as the Public Records Act and policies such as Conflict of Interest.
- Approving and monitoring the implementation of fiscal, legal, and governmental functions of the organization.

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

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

## **Board Meetings**

All Board meetings are streamed live in English and Spanish and archived for later viewing. The Board currently meets once a month unless otherwise necessary. Staff, parent and community involvement in the governance of AEA is assured by virtue of their participation with the Board. All relevant documents, agendas, minutes, and other information is available on BoardDocs at <https://go.boarddocs.com/ca/aeacs/Board.nsf/Public>.

## **English Learners Advisory Council**

AEA will form an English Learner Advisory Committee (“ELAC”) in conformance with the principles behind Education Code Section 52176. The ELAC will serve as an advisory body to the Board of Directors in the four areas enumerated in Education Code Section 52176(c). AEA will work with parents of both English Learners and English-speaking students in developing and adopting parent involvement strategies and policies. ELAC meetings shall comply with the Brown Act.

## **ELEMENT FIVE: EMPLOYEE QUALIFICATIONS**

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

AEA will recruit professional, effective and qualified personnel for all administrative, instructional, instructional support, and non-instructional support capacities who believe in the AEA vision and are in touch with the needs of the community. AEA shall be nonsectarian in its employment practices and all other operations. AEA shall not discriminate on the basis of gender, sex, race, ethnicity, national origin, religion, political beliefs, sexual orientation, or disability. All employees should possess the personal characteristics, knowledge base and/or relevant experiences in the responsibilities and qualifications identified in the posted job description as determined by AEA. All employees shall be fingerprinted and receive a background clearance in accordance with Education Code Section 44237 prior to commencing employment with AEA.

### **General Qualifications**

AEA will ensure that all legal qualification requirements will be met for teachers, staff, paraprofessionals and other administrative employees. Each certificated AEA employee will meet the state licensing requirements for the position that he/she holds. No state licensing requirements exist for most non-certificated positions. For all positions, certificated and non-certificated, the employee, at minimum, needs to satisfactorily meet the performance specifications required for the position and must possess the qualifications required to perform the essential functions of the position, as determined by the AEA Board. The number, type, mix and salary levels of employees are outlined in the financial plan, attached. All persons working on campus or when students are present must submit to a criminal background check pursuant to Education Code 45125 and must have a current TB test on file. AEA staff will ideally have a wide range of skills and leadership qualities, teaching and administrative experience, cultural and ethnic backgrounds, and be as reflective of the SDUSD community and the student body as possible.

### **Administration Qualifications – Superintendent and Principal/Vice Principal**

AEA shall seek administrators who possess strong leadership skills, the ability to understand and implement the educational vision of AEA, a desire to facilitate communication and effective participation amongst teachers, students, staff, the Board and the community at large.

Superintendent functions include, but are not limited to, financial responsibility, Board relations, fundraising, upholding the mission and vision of AEA, District relations, ensuring District, State and Federal compliance. (See Superintendent job description in appendices)

Principal and Vice Principal functions include, but are not limited to, overseeing and evaluation of instructional staff, professional development, student achievement, student discipline and daily classroom support. (See Principal and Vice Principal job descriptions in appendices)

## **Teachers and Teacher Credentialing Requirements**

AEA will adhere to the Every Student Succeeds Act (ESSA) requirements with respect to teachers and paraprofessional employees. Teachers will meet the requirements for employment as stipulated by the California Education Code section 47605(l). Teachers of core, college preparatory subjects (i.e. English language arts, math, science, history/social science, special education) will hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in a non-charter public school would be required to hold.

AEA shall seek highly qualified teachers who are committed to education and the AEA mission and vision. Teachers are expected to exhibit critical thinking and communication skills, effective teaching strategies, subject matter expertise, and a willingness to work collaboratively and take responsibility and exercise leadership for AEA as a whole.

## **ELEMENT SIX: HEALTH AND SAFETY**

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

In order to provide safety for all students and staff, AEA has adopted and implemented full health and safety procedures and risk management policies in consultation with its insurance carriers and risk management experts. AEA has a Comprehensive School Safety Plan, which includes emergency procedures that deal with disasters and criminal acts that may threaten the safety of students and staff. AEA will maintain on hand a readily available crisis response box and renew the Safety Plan annually. The Board of Trustees will annually review its safety plan.

### **Procedures for Campus Visitors**

No outsider shall enter or remain on school grounds during school hours without having registered with the principal or designee, except to proceed expeditiously to the office of the principal or designee for the purpose of registering. If signs posted in accordance with Section 627.6 restrict the entrance or route that outsiders may use to reach the office of the principal or designee, an outsider shall comply with such signs (Penal Code Section 627).

### **Procedures for Background Checks**

Employees and contractors of AEA are required to submit to a criminal background check and furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. AEA administration shall monitor compliance with this policy. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

### **Role of Staff as Mandated Child Abuse Reporters**

All non-certificated and certificated staff are mandated child abuse reporters and will follow all applicable reporting laws.

### **Tuberculosis Risk Assessment and Examination**

AEA faculty, staff and any volunteer or vendor/contracting entity employee who may have frequent or prolonged contact with students will be assessed and examined for tuberculosis prior to commencing employment/providing service, and working with students, and at least once every four years thereafter as required by Education Code Section 49406. Records of TB clearance and certifications will be maintained.

## **Immunizations**

All staff and enrolled students are required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075.

## **Medication in School**

AEA adheres to Education Code Section 49423 regarding administration of medication in school and Education Code Section 49414 regarding emergency epinephrine auto-injectors and training for staff members.

## **Vision, Hearing, and Scoliosis**

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

## **Bloodborne Pathogens**

AEA shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. The AEA Board of Trustees shall establish a written infectious control plan designed to protect employees and students from possible infection due to contact with blood borne viruses, including human immunodeficiency virus (“HIV”) and hepatitis B virus (“HBV”). Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

## **Access to Mental Health Services**

AEA shall notify students and parents/guardians no less than twice during the school year on how to initiate access to mental health services on campus or in the community per AB 2022.

## **Drug Free/Alcohol Free/Smoke Free Environment**

AEA will function as a drug, alcohol and smoke and tobacco free workplace.

## **Family Educational Rights and Privacy Act, FERPA**

AEA, its employees and officers, will comply with the Family Educational Rights and Privacy Act (FERPA) at all times.

## **Comprehensive Anti-Discrimination and Harassment Policies and Procedures**

AEA is committed to providing a charter school that is free from discrimination and sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color,

gender, gender identity, gender expression, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. AEA has developed a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment (including employee to employee, employee to student, and student to employee misconduct).

### **Facilities Safety**

AEA shall comply with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the California Building Standards Code. AEA agrees to test sprinkler systems, fire extinguishers, and fire alarms at its facilities annually to ensure that they are maintained in an operable condition at all times.

### **Emergency Preparedness**

AEA has adopted and adhered to an Emergency Preparedness Plan drafted specifically for the needs of the school facility. This plan includes, but is not limited to, the following responses: fire, flood, earthquake, terrorist threats, and hostage situations. All staff shall receive training in emergency response, including appropriate “first responder” training or its equivalent. AEA will maintain a calendar of and conduct emergency response drills for students and staff. The plan shall be kept on file for review. AEA has formed a Safety Committee made up of various staff members for input on emergency planning.

### **Interscholastic Athletic Program**

AEA, should it offer an interscholastic athletic program, will develop and put in place a written emergency action plan and acquire at least one AED for the charter school per California Assembly Bill 2009.

## **ELEMENT SEVEN: RACIAL AND ETHNIC BALANCE**

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

AEA has an outreach plan that includes, but is not limited to, the following elements or strategies which focus on achieving and maintaining a racial and ethnic balance among students that is reflective of the general population residing within the territorial jurisdiction of the SDUSD:

- Enrollment process is scheduled to include a timeline that allows for a broad-based application process.
- Hold presentations, information sessions at libraries and community centers (English and Spanish).
- Host information meetings and schedule campus tours (English and Spanish).
- Distribute brochures and application materials at community centers, shopping malls and other places of broad public access in languages represented by prospective student population

AEA conducts an open enrollment period of at least 30 days.

AEA maintains an accurate accounting of ethnic and racial balance of students enrolled in the school. Such data is reviewed by the Administration Team and Board of Trustees at least annually, whereby modifications to the recruitment and outreach efforts described above may be made.



## ELEMENT EIGHT: ADMISSIONS

*Governing Law: Admission requirements, if applicable. – California Education Code Section 47605(c)(5)(H)*

AEA is nonsectarian in its programs, admission policies, employment practices, and all other operations. AEA will admit all students, on a space-available basis, will not charge tuition and will not discriminate against any pupil on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any 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). AEA complies with applicable state laws pertaining to student admission and enrollment including California Education Code Sections 47605(b) and 47605(d).

AEA strives to reflect the ethnic and racial balance of the general population residing within the territorial jurisdiction of SDUSD. There is no District residency requirement for the student or for the student's parent or guardian.

AEA is open to all students including those with special education needs and will support the administration of Special Education services.

### **Public Random Drawing**

Should AEA receive a number of completed applications from potential students exceeding the number of spaces available within the school, the school will conduct a public random drawing/lottery, designed to establish a diverse student population. The following rules and procedures will be used, which will be communicated to all interested parties at least 30 days prior to holding the drawing:

The school will enlist the services of an outside agency or auditor to monitor and verify the fair execution of all activities related to holding the lottery.

1. The lottery will take place within 30 days of closing *each* open enrollment period, which will be at least 60 days long.
2. The lottery will take place on an AEA campus in a facility large enough to allow all interested parties to observe the drawing, or at another public venue near AEA that is large enough to accommodate all interested parties.
3. The lottery will take place on a weekday at a time when most interested parties who wish to attend may do so.
4. All interested parties will know, prior to the holding of the lottery, how many openings are available in the school at the time of the lottery, and in the different grades served by the school.
5. The lottery may be conducted through the use of a software program created for this purpose. In this case the lottery would still be conducted in a public manner as established in 2-4 above.

6. The following preferences will be extended to potential students:
  - Children of employees will receive a guarantee of admission, up to a maximum of 10%.
  - Students enrolled in AEACES (K-5) who have been promoted to the sixth grade will receive a guarantee of admission to AEACMS and students enrolled in AEACMS (6-8) who have been promoted to the ninth grade will receive a guarantee of admission to AEACHS.
  - Siblings of students presently enrolled in AEA will be guaranteed admission, as space is available.
  - Operating multiple school sites within a single LEA, AEA defines enrollment preferences for its language programs as follows:
    - For the AEACES language immersion model in grades k-5, a 25% priority enrollment will be given to fluent German-speaking students as determined by formal German language assessment in grades k-5 during the lottery process. This structure allows fluent German speakers to support language learning among their peers.
    - No priority enrollment will be given for the AEACMS/AEACHS language acquisition model in grades 6-12, where German and Spanish are offered as electives.
  - Siblings of students who have their names drawn during the lottery shall receive a guarantee of admission unless the sibling is to enroll in a grade that has all of its spaces already filled in the drawing. The sibling would then be put on the waiting list for admission to that grade, ahead of all others.
  - Students residing within the attendance boundaries of Sherman Elementary School (for admission to AEACMS).
  - Students residing within the San Diego Unified School District will have priority over students residing outside of the District.
7. The lottery shall draw names from a single pool of ballots.
8. The ballots shall be drawn by a representative of the outside agency or organization confirming the results of the lottery.
9. The drawing shall continue until all names are drawn. Individuals whose names are drawn after all spaces have been filled will be placed on the waiting list in the order drawn, except if the preferences described above require otherwise.
10. Potential students on the waiting list shall provide contact information to be used in the event that space becomes available. Students promoted to AEACMS or AEACHS from the waiting list shall be informed in writing and shall have 10 business days from the date of postage to respond. In addition, the school shall attempt on at least two separate occasions to contact the parents/guardians of promoted students by telephone or e-mail. Those families that do not respond within the 10-day period will forfeit their right to enroll their student in the school for that school year. When positions come available in each grade, waiting list parents will have the first right of refusal for those positions.
11. The outside organization or agency verifying the fair execution of the lottery shall confirm in writing that the lottery was conducted fairly, and the school shall keep on record copies of that confirmation.

## ELEMENT NINE: FINANCIAL AUDITS

*Governing Law: The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority. — California Education Code Section 47605(c)(5)(I)*

An annual independent fiscal audit of the books and records of AEA will be conducted as required under Charter Schools Act, Education Code Sections 47605(c)(5)(I) and 47605(m).

The books and records of AEA will be kept in accordance with generally accepted accounting principles, and as required by applicable law and the audit will employ generally accepted accounting procedures. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller's K-12 Audit Guide.

An audit committee will select an independent auditor through a request for proposal format. The auditor will have, at a minimum, a CPA and educational institution audit experience and be listed by the State Controller on its published list as an educational audit provider. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars. It is anticipated that the annual audit will be completed within four months of the close of the fiscal year and that a copy of the auditor's findings will be forwarded to the SDUSD, the County Superintendent of Schools, the State Controller, and the CDE by the 15th of December of each year.

The Superintendent, along with the audit committee, will review any audit exceptions or deficiencies and report to the AEA Board of Trustees with recommendations on how to resolve them. The Board will submit a report to SDUSD describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of SDUSD along with an anticipated timeline for the same. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process described herein.

The independent fiscal audit of AEA is a public record to be provided to the public upon request.

## ELEMENT TEN: SCHOOL EXPULSION/SUSPENSION POLICY

*Governing Law: The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:*

*(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story.*

*(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:*

*(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.*

*(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.*

*(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five school days before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform him or her of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii). Education Code Section 47605(c)(5)(J).*

As part of the educational mission of AEA, administrators, faculty, and staff are responsible to ensure that AEA is a safe and secure environment. Consequently, administrators, faculty, and staff are tasked with watching out for the health, safety, and emotional welfare of all students.

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at AEA. In creating this policy, AEA has reviewed Education Code Section 48900 *et seq.* which describes AEA's list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* AEA is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

On rare occasions, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as AEA'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.

AEA staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff, or other persons or to prevent damage to school property.

AEA administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedures are available on request at the Superintendent's office.

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

A student identified as an individual with disabilities or for whom AEA has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures.

AEA will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom AEA has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

### **Grounds for Suspension and Expulsion of Students**

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at any time including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

### **Enumerated Offenses**

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:
  - a. Caused, attempted to cause, or threatened to cause physical injury to another person.

- b. Willfully used force of violence upon the person of another, except self-defense.
- c. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e. Committed or attempted to commit robbery or extortion.
- f. Caused or attempted to cause damage to school property or private property.
- g. Stole or attempted to steal school property or private property.
- h. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l. Knowingly received stolen school property or private property.
- m. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q. Engaged in or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or 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.
  - i. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including acts one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
  - ii. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
  - iii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
  - iv. Causing a reasonable student to experience substantial interference with his or her academic performance.
  - v. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by AEA.

- vi. “Electronic Act” means the transmission by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
  - 1. A message, text, sound, or image.
  - 2. A post on a social network Internet Website including, but not limited to:
    - a. Posting to or creating a burn page. A “burn page” means an Internet Website created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
    - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
    - c. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
  - 3. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- 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 aide and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- x. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Superintendent or designee’s concurrence.
- 2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:
  - a. Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Superintendent or designee’s concurrence.
- 3. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:



- a. Caused, attempted to cause, or threatened to cause physical injury to another person.
- b. Willfully used force of violence upon the person of another, except self-defense.
- c. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e. Committed or attempted to commit robbery or extortion.
- f. Caused or attempted to cause damage to school property or private property.
- g. Stole or attempted to steal school property or private property.
- h. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l. Knowingly received stolen school property or private property.
- m. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q. Engaged in or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or 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.
  - i. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including acts one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
    1. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
    2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
    3. Causing a reasonable student to experience substantial interference with his or her academic performance.

4. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by AEA.
  5. “Electronic Act” means the transmission by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
    - a. A message, text, sound, or image.
    - b. A post on a social network Internet Web site including, but not limited to:
      - i. Posting to or creating a burn page. A “burn page” means an Internet Website created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
      - ii. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
      - iii. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
    - c. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
  - w. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
  - x. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Superintendent or designee’s concurrence.
4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:

- a. Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Superintendent or designee's concurrence.

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.

### **Suspension Procedure**

Suspensions shall be initiated according to the following procedures:

#### **1. Conference**

A principal or designee (hereafter principal/designee) may order formal suspension from school. Suspension shall be preceded, if possible, by a conference conducted by the Superintendent or the Superintendent's designee with the student and his or her parent and, whenever practical, the teacher, supervisor, or AEA employee who referred the student to the Superintendent or designee.

The conference may be omitted if the Superintendent 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 AEA 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 AEA officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

#### **2. Notice to Parents/Guardians**

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If AEA 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 Superintendent or Superintendent'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 Superintendent or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

### **Authority to Expel**

A student may be expelled following a hearing before the AEA Expulsion Review Panel to be assigned by the Board as needed.

The AEA Expulsion Review Panel consists of at least three charter school certificated staff members (including retired), such as counselors, teachers, vice principals, or principals, who are not employed at AEA.

### **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 Superintendent or designee determines that the Pupil has committed an expellable offense.

In the event an AEA Expulsion Review Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the Pupil makes a written request for a public hearing three (3) days prior to the hearing.

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten (10) calendar days before the date of the hearing. Upon mailing the notice, it shall be deemed served upon the pupil. The notice shall include:

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges, and offenses upon which the proposed expulsion is based;
3. A copy of AEA's disciplinary rules which relate to the alleged violation;
4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at AEA to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

### **The Stipulation Process**

A stipulated agreement is made when a student's parent or guardian agrees that the student did commit an act included in the grounds for suspension and expulsion and is being recommended for expulsion. As part of reaching a stipulated agreement, the student and a parent or guardian will meet with the Principal or Superintendent to review the evidence gathered in the investigation of the incident leading to the expulsion recommendation. At that time, if the parent or guardian agrees to a stipulated decision, the student, parent or guardian, and the Principal or Superintendent must all initial and agree upon the following:

1. They have been informed of and understand the right to due process with regard to the expulsion recommendation.
2. They have had the opportunity to review the reasons for the recommendation for expulsion and to discuss them with AEA personnel.
3. They agree to the facts as stated in the expulsion recommendation.

As part of a stipulated agreement, the student's parent or guardian waives a number of rights:

1. The right to an expulsion hearing.
2. All notices and timelines required by policy or law.
3. The right to be represented by an attorney at the expulsion hearing.
4. The right to inspect and have copies of the documents which would have been used at the hearing.
5. The right to confront and question all witnesses who would have testified at the hearing.
6. The right to question all written evidence presented.
7. The right to present witnesses and evidence on the student's behalf.
8. The right to appeal to the Board of Trustees if the stipulated expulsion is approved by the Board of Trustees as agreed upon.

A student's parent or guardian may consult with an attorney about the stipulated expulsion process. The Board of Trustees must still vote to approve a stipulated expulsion agreement.



## **Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses**

AEA may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm.

Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by AEA or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. AEA must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, AEA must present evidence that the witness's presence is both desired by the witness and will be helpful to AEA. 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 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.

### **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 AEA Expulsion Review Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing.

While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board or AEA Expulsion Review Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Board who will make a final determination regarding the expulsion. The final decision by the Board shall be made within ten (10) school days following the conclusion of the hearing. The Decision of the Board is final.



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

### **Written Notice to Expel**

The Superintendent 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: (a) Notice of the specific offense committed by the student; and (b) Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with AEA.

The Superintendent or designee shall send a copy of the written notice of the decision to expel to the authorizer. This notice shall include the following: (a) The student's name; and (b) The specific expellable offense committed by the student.

### **Disciplinary Records**

AEA shall maintain records of all student suspensions and expulsions at AEA. Such records shall be made available to the authorizer 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. AEA shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

### **Rehabilitation Plans**

Students who are expelled from AEA 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 AEA for readmission.

### **Readmission**

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or AEA shall be in the sole discretion of the Board following a meeting with the Superintendent or designee and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Superintendent or designee shall make a recommendation to the Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon AEA's capacity at the time the student seeks readmission.

## **Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities**

### **1. Notification of SELPA**

AEA shall immediately notify the SELPA and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student who AEA or SELPA would be deemed to have knowledge that the student had a disability.

### **2. Services during Suspension**

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum.

Although, in another setting, and to progress toward meeting the goals set out in the child's IEP/504 Plan; 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.

### **3. Procedural Safeguards/Manifestation Determination**

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, AEA, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

- a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b. If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.

If AEA, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

If AEA, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:

- a. Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that AEA had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;

- b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed, unless the parent and AEA agree to a change of placement as part of the modification of the behavioral intervention plan.

If AEA, the parent, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP/504 Plan, then AEA may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

#### 4. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or AEA believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or AEA, 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 AEA agree otherwise.

#### 5. Special Circumstances

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

- a. Carries or possesses a weapon, as defined in 18 USC 930, to or at school, on school premises, or to or at a school function;
  - b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function;
- or

- c. Has inflicted serious bodily injury, as defined by 20 USC 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

## 6. Interim Alternative Educational Setting

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

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

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

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

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

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

AEA shall not be deemed to have knowledge of that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

## **ELEMENT ELEVEN: RETIREMENT SYSTEMS**

*Governing Law: The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security. — California Education Code Section 47605(c)(5)(K)*

Teachers in AEA participate in the California State Teachers' Retirement System ("CalSTRS").

All eligible classified staff will participate in the federal social security program ("SSI") as well as the California Public Employees' Retirement System ("CalPERS"). In addition all eligible employees have the option of participating in another retirement plan established by an independent or government agency, such as 403(b), flexible spending account ("FSA"), health saving accounts ("HSA").

## **ELEMENT TWELVE: PUBLIC SCHOOL ATTENDANCE ALTERNATIVES**

*Governing Law: The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools. – California Education Code Section 47605(c)(5)(L)*

AEA will be a charter school of choice and no student shall be required to attend. Students who reside within the District who choose not to attend may attend the school within SDUSD according to District policy or at another school district or school within SDUSD through the District's intra and inter-district policies. Parents and guardians of students enrolled in AEA will be informed on admissions forms that the student has no right to admission in a particular school of a local education agency as a consequence of enrollment in AEA, except to the extent that such a right is extended by the local education agency.

## **ELEMENT THIRTEEN: DISTRICT EMPLOYEE RIGHTS**

*Governing Law: A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school. – California Education Code Section 47605(c)(5)(M)*

No public school district employee shall be required to work at AEA. Employees of the District who choose to leave the employment of the District to work at AEA shall have no automatic rights of return to the District after employment at AEA unless specifically granted by the District through a leave of absence or other. AEA employees shall have any right upon leaving the District to work at AEA that the District may specify, any rights of return to employment in a school district after employment in AEA that the school district may specify, and any other rights upon leaving employment to work AEA that the District determines to be reasonable and not in conflict with any law.

All employees of AEA will be considered the exclusive employees of Albert Einstein Academies and not of the District, unless otherwise mutually agreed in writing. Employment by AEA provides no rights of employment at any other entity, including any rights in the case of closure of AEA.

## **ELEMENT FOURTEEN: DISPUTE RESOLUTION**

*Governing Law: The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter. – California Education Code Section 47605(c)(5)(N)*

AEA recognizes that it cannot bind the District to a dispute resolution procedure to which the District does not agree. The policy below is intended as a starting point for a discussion of dispute resolution procedures. AEA is willing to consider changes to the process outline below as suggested by the District.

AEA and SDUSD will be encouraged to attempt to resolve any disputes with the District amicably and reasonably without resorting to formal procedures.

In the event of a dispute between AEA and SDUSD, the following describes the procedure for resolving disputes. Both parties agree to first frame the issue in written format (“dispute statement”) and refer the issue to the Superintendent of SDUSD and the Superintendent of AEA.

In the event that the District’s Board of Trustees believes that the dispute relates to an issue that could lead to revocation of the charter in accordance with Education Code Section 47607, AEA requests that such be noted in the written dispute statement, but recognizes that the District is not legally required to do so. However, participation in the dispute resolution procedures outlined in this section shall not be interpreted to impede or act as a prerequisite to the District’s ability to proceed with revocation in accordance with Education Code Section 47607.

The Superintendent of AEA and the Superintendent of SDUSD, or their respective designee, shall informally meet and confer in a timely fashion to attempt to resolve the dispute. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two Board members from their respective boards who shall jointly meet with the Superintendent or designee of SDUSD and the Superintendent of AEA and attempt to resolve the dispute within fifteen (15) business days from receipt of the dispute statement.

If this joint meeting fails to resolve the dispute, the District representative and the Superintendent of AEA shall meet to jointly identify a neutral third party mediator to engage the parties in a mediation session designed to facilitate resolution of the dispute. The format of the mediation session shall be developed jointly by the District representative and the Superintendent of AEA. Mediation shall be held within sixty (60) business days of receipt of the dispute statement.

The costs of the mediator shall be split equally between the SDUSD and AEA. If mediation does not resolve the dispute either party may pursue any other remedy available under the law. All timelines in this section may be revised upon mutual written agreement.

### **Internal Disputes**

AEA will maintain an environment of open communication where students, staff, and



parents are comfortable to discuss current concerns and problems as they develop with the organization, the administration or the Superintendent and/or his or her designees. In the event the needs of the student, staff, and parents are not met, all internal disputes will be brought to the attention of administration to seek resolution pursuant to Board-adopted policies.

AEA maintains an internal dispute resolution process to be used for all internal disputes related to its operations. AEA also maintains a Uniform Complaint Policy and Procedures (Appendix F), as required by state law. Parents, students, Board members, volunteers, and staff shall be provided with a copy of AEA policies and internal dispute resolution process. The District shall promptly refer all disputes not related to a possible violation of the charter or law to the AEA Superintendent or designee.

## **ELEMENT FIFTEEN: CLOSURE PROTOCOL**

*Governing Law: The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records. – California Education Code Section 47605(c)(5)(O).*

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

The Board of Trustees will promptly notify parents and students, the District, the San Diego County Office of Education, the SELPA, the retirement systems in which AEA'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 districts of residence; and the manner in which parents/guardians may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

The Board will ensure that the notification to the parents and students of AEA of the closure provides information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly following the Board's decision to close AEA.

The Board will also develop a list of pupils in each grade level and the classes they have completed, together with information on the pupils' districts of residence, which they will provide to the entity responsible for closure-related activities.

As applicable, AEA will provide parents, students, and the District with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. AEA will ask the District to store original records of the students. All records of AEA shall be transferred to the District upon AEA's closure. If the District will not or cannot store the records, AEA shall work with the County Office of Education to determine a suitable alternative location for storage.

All state assessment results, special education records, and personnel records will be transferred to and maintained by the entity responsible for closure-related activities in accordance with applicable law.

As soon as reasonably practicable, AEA will prepare final financial records. AEA will also have an independent audit completed within six months after closure. AEA will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by AEA and will be provided to the District promptly upon its completion. The final audit will include an

accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to AEA.

AEA will complete and file any annual reports required pursuant to Education Code section 47604.33.

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

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

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

As specified by the Budget in Appendix G AEA will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

## MISCELLANEOUS CHARTER PROVISIONS

*Governing Law: The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the charter school, including, but not limited to, the facilities to be used by the charter school, the manner in which administrative services of the charter school are to be provided, and potential civil liability effects, if any, upon the charter school and upon the school district. The description of the facilities to be used by the charter school shall specify where the charter school intends to locate. The petitioner or petitioners also shall be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation. If the school is to be operated by, or as, a nonprofit public benefit corporation, the petitioner shall provide the names and relevant qualifications of all persons whom the petitioner nominates to serve on the governing body of the charter school. Education Code Section 47605(h).*

### **Budgets and Financial Reporting**

Albert Einstein Academies is a fiscally independent, directly funded charter school. Attached please find, as Appendix G, the following documents:

- Current AEA financials
- A three-year operational budget
- Cash flow and projections

These documents are based upon the best data available to AEA at this time.

In accordance with Education Code Section 47604.33, AEA will provide reports to the District and County Superintendent of Schools as follows, and shall provide additional fiscal reports as requested by the District:

1. By July 1, a preliminary budget for the current fiscal year.
2. By July 1, an annual update (LCAP) required pursuant to Education Code Section 47606.5.
3. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of AEA's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, California Department of Education, and County Superintendent of Schools.
4. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
5. By September 15, a final unaudited report for the full prior year. The report submitted to the District shall include an annual statement of all AEA's receipts and expenditures for the preceding fiscal year.
6. Any additional financial or other reporting requirements will be agreed upon mutually by AEA and the District annually, on or before July 1.

AEA agrees to and submits to the right of the District to make random visits and inspections in order to carry out its statutorily required oversight in accordance with Education Code Sections 47604.32 and 47607.

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

### **Administrative Services**

AEA will procure its own administrative services including, but not limited to, financial management, accounts payable/receivable, payroll, human resources, and instructional program development either through its own staff or through an appropriately qualified third-party contractor. AEA contracts with a reputable back-office provider.

At any time, AEA may discuss the possibility of purchasing administrative services from the District. If the District is interested, the specific terms and cost for these services will be the subject of a memorandum of understanding between AEA and the District and subject to District availability and willingness to provide such services.

### **Insurance**

AEA shall acquire and finance general liability, workers' compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance. Coverage amounts will be based on the recommendations provided by AEA's insurer. The District's Board of Education shall be named as an additional insured on all policies of the School.

### **Transportation**

AEA will not be providing transportation to and from school, except as required by law.

### **Attendance Accounting**

AEA will implement an attendance recording and accounting system, to ensure contemporaneous record keeping, which complies with state law.

### **Potential Civil Liability Effects and Impact on Authorizer**

AEA shall be operated by a California non-profit public benefit corporation. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701(d).

Pursuant to Education Code Section 47604(d), an authority that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or

omissions by the charter school if the authority has complied with all oversight responsibilities required by law. Further, the charter school shall indemnify the District for the actions or inactions of the charter school under this charter.

AEA's corporate bylaws shall provide for indemnification of the School's Board of Trustees, officers, agents, and employees. AEA will purchase general liability insurance, Board of Directors and Officers insurance, and fidelity bonding to secure against financial risks.

As stated above, insurance amounts will be determined by the recommendation of AEA's insurance company for schools of similar size, location, and student population. The District shall be named as an additional insured on the general liability insurance. The AEA Board of Trustees will institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

### **Facilities**

AEA is currently located in two separate sites, one for the AEA Charter Elementary School and one for the AEA Charter Middle School. The AEACES site is a District-owned site at 3035 Ash St., San Diego, 92102 that services grades K-5. The AEACMS is a privately financed building located at 458 26<sup>th</sup> St, San Diego, 92102, that services grades 6-8. AEA is currently in discussions to locate its high school at 446 26<sup>th</sup> St, San Diego, 92102, to service grades 9-12. AEA was awarded a facilities planning grant through the District's Charter School Facility Committee and approved by the District's Board to begin the process of eventually utilizing this property for AEA's high school. Additionally, AEA leases administrative office space at 845 15th Street, San Diego, CA 92101.

### **Oversight**

Pursuant to California law, the District will be required to provide oversight and performance monitoring services, including monitoring school and student performance data, reviewing the school's audit reports, performing annual site visits, engaging in any necessary dispute resolution processes, and considering charter amendment and renewal requests. In accordance with Education Code Section 47613(a), the District may charge for the actual costs of supervisorial oversight of AEA not to exceed one (1) percent of the revenue of AEA. The District may charge up to three (3) percent of the revenue of AEA if it is able to obtain substantially rent free facilities from the District. Pursuant to Education Code Section 47613(f), "revenue of the charter school" is defined as the amount received in the current fiscal year from the local control funding formula calculated pursuant to Education Code Section 42238.02, as implemented by Education Code Section 42238.03.

### **Conclusion**

Albert Einstein Academies respectfully submits this Charter for the District's consideration for approval. We wish to continue a fully transparent, mutually beneficial relationship with the District and expect to be held accountable to the terms described herein. We would welcome the

opportunity to discuss and clarify this document and the vision of our organization at your earliest convenience.