

TODAY'S FRESH START CHARTER SCHOOL – ADAMS HYDE PARK

CHARTER PETITION

**SUBMITTED TO LOS ANGELES UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

FOR THE TERM JULY 1, 2015 THROUGH JUNE 30, 2020

**Administrative Offices
4514 CRENSHAW BLVD., LOS ANGELES, CA 90043
TEL: 323.293.9826
FAX: 323.293.0266**

EMAIL: TODAYSFRESHSTART@AOL.COM

DATE OF SUBMISSION JUNE 30, 2015

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ASSURANCES and AFFIRMATIONS

The Today's Fresh Start Charter School Adams Hyde Park (also referred to herein as "TFSCS" and "Charter School") shall:

- Be nonsectarian in its programs, admission policies, employment practices, and all other operations. California Education Code (hereinafter "Ed. Code") § 47605(d)(1).
- Not charge tuition. Ed. Code § 47605(d)(1).
- Not discriminate against any pupil on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in section 422.55 of the Penal Code. Ed. Code § 47605(d)(1).
- Except as provided in Ed. Code section 47605(d)(2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that school. Ed. Code § 47605(d)(1).
- Admit all pupils who wish to attend the school. Ed. Code § 47605(d)(2)(A).
- Except for existing students of the charter school, determine attendance by a public random drawing if the number of pupils who wish to attend the charter school exceeds the school's capacity. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the Los Angeles Unified School District (also referred to herein as "LAUSD" and "District"). Ed. Code § 47605(d)(2)(B).
- If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school 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. Ed. Code § 47605(d)(3).
- Meet all statewide standards and conduct the pupil assessments required pursuant to Ed. Code sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. Ed. Code § 47605(c)(1).
- Consult, on a regular basis, with the charter school's parents, legal guardians, and teachers regarding the school's educational programs. Ed. Code § 47605(c)(2).

NOTE: This charter contains specific "District Required Language" (DRL), including the Assurances and Affirmations above. The DRL should be highlighted in gray within each element or section. The

charter includes a consolidated addendum of the DRL. This intentional redundancy facilitates efficient charter petition review while ensuring ready access to the DRL for any given section of the charter. To the extent that any inconsistency should exist between any provision contained within the body of the charter and the DRL contained in the addendum, the provisions of the DRL addendum shall control.

INTRODUCTION

Program

Today's Fresh Start Charter School Adams Hyde Park is WASC (Western Association of School and Colleges Accreditation) accredited since 2012. We are asked repeatedly, "How do you get those test scores (API) so high?" Our response is, "We really work hard here at Today's Fresh Start Charter School Adams Hyde Park to have increased our API scores from 719 to 833 (111 points) during the years 2010-2013!" All Charter School staff work together as a team collaboratively and everyone is dedicated to the Charter School's mission, "*To teach every child to become his/her personal best, academically, socially and emotionally.*" TFSCS's student subgroups have demonstrated API growth scores over 760 for the last three years. In 2013, all subgroups scored above 800 on the API. Three of four subgroups have also scored high enough that they have not been assigned a growth target and are noted to have met their growth target for the next year.

But, it's more than working hard, it's working to target the need for knowledge of each and every child's level of functioning! In addition to that, every effort is made to *motivate with "love," a caring and inspirational school environment motivating to learn.* And, we give our staff a pleasant work environment. At TFSCS "love" is defined as treating our families with care and respect, which is critical to gaining trust in the education process. We ensure that each individual knows that TFSCS is there for them with a willingness to help. If a student requires additional assistance, we provide it. We know teachers need intense professional development, we provide it. If a parent requires resources, we provide any resources that are available to TFSCS. Our staff, parents and teachers know they are not alone. TFSCS teachers know what their students know and what they do not know each and every day. The previous day's work is reviewed to help the child and the teacher know what they know and what they do not know. Each child has sufficient working materials and supplies to complete their work. Each student is assessed on a weekly basis based on what he or she has been taught during the week. The students are kept abreast of their own needs in learning and taking responsibility for their learning and progress. Students are taught *each* standard. After each student's assessment is checked, for the child who did not master a standard, the teacher goes into re-teach mode. Teachers teach and re-teach what the student did not master. There is a constant check and balance system to know what each child needs in the way of moving toward proficient, advanced and beyond. Each child is encouraged to achieve his or her *personal best*.

Intervention Team

Today's Fresh Start Charter School Adams Hyde Park has an intervention team, which consists of Resource Specialists, Special Education Staff, Counseling staff, psychological staff and behavior staff. The purpose of the intervention team is to track and monitor student progress by visiting the classrooms unobtrusively while students are observed. There are several considerations made which may be contributors to a student not achieving his/her personal best. Those considerations may be behavior, diet, lack of sleep, attendance issues or other situations which may be domestically related. Teachers learn through professional development or through their own strategies what strategies to use which best encourage each child toward his/her

personal best. Every child is observed by an intervention team member and /or site administrator so that we know how each child will learn and what context; whether it is verbally, visually, auditory or whatever method will work for that child. Perhaps if the child needs manipulatives or using other teaching techniques to achieve highest performance might be a consideration.

Professional Development

For the past five years, TFSCS has maintained a collaborative team relationship with UC San Diego. This professional development allows for teachers who have Preliminary Multiple Subject Credentials to work on clearing their credentials. This is a wonderful program and benefit for teachers.

Professional development is held every Tuesday, which is early release day. The wealth of intelligence and resources are used from our own staff. Teachers share what techniques they have used which bring great success to the students’ learning. All teachers are encouraged to conduct professional development along with consultants and instructional coaching as funding is available.

Parent Involvement

Parents are always welcome! Teachers and administration have regular parent meetings wherein the subject matter to be discussed (*such as bullying, taunting and teasing*) is uniform in all classrooms. We have found this is the best way to increase parents’ involvement when the teacher can inform parents of their classroom what their child is being taught and bring new information to the parents as well.

College Bound Component

All TFSCS students are *Young Scholars College Bound* starting from *Transitional Kindergarten through sixth grades*. Each student is a scholar.

Students are taught,

*“We’re Excited to Learn!”
“We’re going to finish college!”*

Summary of Academic Performance

Over the past four years, TFSCS had the following API scores:

2010-2014 API Scores					
Year	API Statewide Ranking	API Similar Schools Ranking	API Growth Scores	API Growth Target (Actual Growth)	Met School Growth Target?

2013-2014 and 2014-15	State-mandated testing suspended in 2013-14; API data not calculated or reported				
	3-Year Weighted Average API: 808				
	2013 Statewide Rank: 7				
	2013 Similar Schools Rank: 10				
2012-2013	5	9	833	A (+25)	Yes
2011-2012	4	9	805	5 (+22)	Yes
2010-2011	2	6	783	5 (+64)	Yes
<p>“A” means the school or student groups scored at or above the statewide performance target of 800. (Source: CDE DataQuest, accessed July 25, 2014.)</p>					

From 2011 through 2013, TFSCS had four numerically significant student subgroups – Black or African American, Hispanic or Latino, Socioeconomically Disadvantaged, and English Learners. Numerically significant student subgroup API performance data is demonstrated in the tables below:

2012-2013 API Growth Scores: Significant Student Subgroups				
Subgroup	Numerically Significant in Both Years?	2013 API Growth	API Growth Target (Actual Growth)	Met Student Group’s Growth Target?
Black or African American	Yes	809	5 (+20)	Yes
Hispanic or Latino	Yes	867	A (+29)	Yes
Socioeconomically Disadvantaged	Yes	831	A (+23)	Yes
English Learners	Yes	844	A (+21)	Yes
<p>"A" means the school or student groups scored at or above the statewide performance target of 800 in the 2012 Base. (Source: CDE DataQuest, accessed July 25, 2014.)</p>				

2011-2012 API Growth Scores: Significant Student Subgroups				
Subgroup	Numerically Significant in Both Years?	2012 API Growth	API Growth Target (Actual Growth)	Met Student Group’s Growth Target?
Black or African American	Yes	786	5 (+25)	Yes
Hispanic or Latino	Yes	834	A (+19)	Yes
Socioeconomically Disadvantaged	Yes	804	5 (+17)	Yes

English Learners	Yes	840	A (+22)	Yes
"A" means the school or student groups scored at or above the statewide performance target of 800 in 2011. (Source: CDE DataQuest, accessed July 25, 2014.)				

2010-2011 API Growth Scores: Significant Student Subgroups				
Subgroup	Numerically Significant in Both Years?	2011 API Growth	API Growth Target (Actual Growth)	Met Student Group's Growth Target?
Black or African American	Yes	761	6 (+73)	Yes
Hispanic or Latino	Yes	815	5 (+42)	Yes
Socioeconomically Disadvantaged	Yes	787	5 (+70)	Yes
English Learners	Yes	818	5 (+38)	Yes
(Source: CDE DataQuest, accessed July 25, 2014.)				

ELEMENT 1: EDUCATIONAL PROGRAM

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

“A description, for the charter school, of annual goals, for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.” Ed. Code § 47605(b)(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.” Ed. Code § 47605(b)(5)(A)(iii).

LOCAL CONTROL FUNDING FORMULA (LCFF) AND LOCAL CONTROL AND ACCOUNTABILITY PLAN (LCAP)

Charter School acknowledges and agrees that it must comply with all applicable laws and regulations related to AB 97 (Local Control Funding Formula), as they may be amended from time to time, which include the requirement that Charter School shall annually submit a Local Control and Accountability Plan (LCAP) or LCAP update, as appropriate, to the Charter Schools Division and the Los Angeles County Superintendent of Schools on or before July 1. In accordance with Ed. Code sections 47604.33 and 47606.5, Charter School shall annually update its goals and annual actions to achieve those goals identified in the charter pursuant to Ed. Code section 47605(b)(5)(A)(ii), using the Local Control and Accountability Plan template adopted by the State Board of Education, as it may be changed from time to time. Charter School shall comply with all requirements of Ed. Code section 47606.5, including but not limited to the requirement that Charter School “shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the annual update.” Ed. Code § 47606.5(e).

<u>GENERAL INFORMATION</u>	
• The contact person for Charter School is:	Dr. Jeanette Parker
• The contact address for Charter School is:	4514 Crenshaw Blvd. Los Angeles , CA 90043
• The contact phone number for Charter School is:	323.293.9826
• The proposed address or target community of Charter	• Hyde Park Site: 6422

School is:	Crenshaw Blvd., , CA 90043 • Adams Site: 2255-57 West Adams Blvd., Los Angeles, CA 90018
• This location is in LAUSD Board District:	1
• This location is in LAUSD Educational Service Center:	West
• The grade configuration of Charter School is:	TK-6
• The number of students in the first year will be:	[217]
• The grade level(s) of the students in the first year will be:	TK-6
• The scheduled opening date of Charter School is:	September 8, 2015
• The enrollment capacity is: (Enrollment capacity is defined as all students who are enrolled in Charter School regardless of student residency).	[281]
• The type of instructional calendar (e.g. traditional/year-round, single track/multi-track, extended day/year) will be:	Traditional
• The bell schedule for Charter School will be:	Traditional Schedule
• The term of this charter shall be from:	July 1, 2015 to June 30, 2020

Community Need for Proposed Charter School

Whom the Charter School is Attempting to Educate – Target Student Population

TFSCS is an independent, public and site-based TK-6 charter school. Offering a traditional school calendar, TFSCS addresses the unique educational needs of an *increasingly at risk school aged population*.

TFSCS implements the original intent of the Charter Schools Act and the legislature by serving socio-economically disadvantaged students who otherwise may not have access to an equitable education because this population of students necessitate more individualized instruction.

The mission of TFSCS rests with a *commitment to excellence in educating at risk students*. First we must answer the question: “*at-risk*” of what? We believe our students are *at risk* of not having the same opportunities to quality education with educated and interested teachers, access to proven educational curriculums and exciting learning alternatives, therefore creating a challenging environment to reach their fullest potential. We believe *parents are at risk* of not recognizing the impact they have on the shape and development of their children’s lives. We believe *teachers are at risk* of not believing all students can learn and are willing to provide instructional techniques to ensure students succeed in the classroom. Understanding what is *at risk* has enabled us to provide students, teachers and parents with an educational alternative built on clearly outlined personal and educational expectations and a proven, research based curriculum.

Today’s Fresh Start Charter School Adams Hyde Park’s student population includes up to 95% of students who are eligible for free and reduced price meals, and therefore are socio-economically disadvantaged. Most new enrollees have attended underperforming schools in the geographic area and are educationally disadvantaged. Due to these disadvantages, many of these elementary aged students are deemed at risk of failing and not succeeding in the skills of lifelong learning. By providing an educational alternative, qualified teachers and a diverse learning environment offers the goal of ensuring *no child is left behind*. The early detection of each child’s potential for success is a priority. Students have a rigorous, hands-on, comprehensive and performance based learning environment. The TFSCS curriculum is strongly reinforced with intervention and enrichment studies including after school tutoring, small group instruction, Saturday enrichment studies and two weeks concentrated study prior to the start of school for students who need more academic help (as funds are available). These sessions form a bridge for students to achieve academic excellence, linking them to current study needs and a jumpstart prior to starting the school year. All students who are transitional kindergarten through sixth grades have use of technology distributed to them personally. Second grade through grade sixth will have their personal laptop for school use. Students in lower grades, transitional kindergarten, kindergarten and first grade use other types of technology aside from laptops, such as tablets.

TFSCS uses a site-based model of instruction. Many of the public schools located in the area place in the bottom three deciles of both the statewide and similar schools Academic Performance Index (“API”). Approximately 96% of current TFSCS students are participants in the free and reduced price meal program. The following Surrounding Schools Data Chart demonstrates the academic performance of TFSCS students compared with the traditional public schools located nearest to TFSCS:

SURROUNDING SCHOOLS DEMOGRAPHIC AND PERFORMANCE DATA														
LAUSD Schools	# of Students 2014-15	% Students Eligible for Free/Reduced Lunch	% of Special Ed. Students	% of English Learners	% Major Ethnicity #1	% Major Ethnicity #2	% Major Ethnicity #3	2013 Growth API	Met Schoolwide Growth Target?	Met Subgroup Growth Targets?	2011-2013 API 3 Year Average	2013 API Statewide Rank	2013 API Similar Schools Rank	2013-14 School Performance Framework Classification (SPF)
**YES Academy	626	100%	13%	37%	52% Hispanic/Latino	41% African American	0.5% 2 or More Races	670	No	No	677	1	1	Focus
***59 th Street Elem.	375	86%	.08%	35%	59% Hispanic/Latino	39% African American	2.0% 2 or More Races	709	Yes	No	720	1	5	Watch
Charter Schools														
***Crown Preparatory Academy	427	97%	.07%	21%	82% Hispanic/Latino	15% African American	3% 2 or More Races	776	No	No	784	5	10	No Data
**View Park Preparatory Accelerate	560	96%	0%	0%	93% African American	7% 2 or More Races		816	Yes	Yes	843	6	9	Service & Support

d Charter																
TFSCS	836	94%	11%	31%	58% African American	39% Hispanic	1.9% American Indian	833	Yes	Yes	808	7	10	Service & Support		

* Source: CDE DataQuest, accessed June 8, 2015.

**Center Point – 6422 Crenshaw Blvd., Los Angeles CA 90043

*** Center Point – 2255 W. Adams Blvd., Los Angeles, CA 90018

The Charter School will provide all students with opportunities to achieve academic mastery and experience the meaning of personal excellence. TFSCS anticipates the following projected enrollment for the next charter term:

Student Population To Be Served

The charter school (TFSCS) will serve a diverse population of students African American and Latino as well as other students who enroll. Our current population of students are up 100% on free and reduced meals. Grade levels are transitional kindergarten through sixth grades. The student interests are varied. Some students are artistically inclined, some are musically inclined and some academically inclined. Their challenges are mainly because most of our students are from single family homes; or both parents are working, some students are foster youth. These family background characteristics lend to the need to learn each child's needs individually.

Five Year Enrollment Roll-Out Plan

Grade	Year 1 2015-16	Year 2 2016-17	Year 3 2017-18	Year 4 2018-19	Year 5 2019-20
TK/ K	20	10	20	25	30
First	30	20	15	20	25
Second	20	30	20	15	20
Third	20	20	30	20	15
Fourth	20	20	20	30	20
Fifth	20	20	20	20	30
Sixth	7	20	20	20	20
Adams Totals	137	140	145	150	160

Grade	Year 1 2015-16	Year 2 2016-17	Year 3 2017-18	Year 4 2018-19	Year 5 2019-20
TK/ K	10	10	11	25	24
First	20	10	10	11	25
Second	20	20	10	10	11
Third	15	20	20	10	10
Fourth	15	15	20	20	10
Fifth		15	15	20	20
Sixth			15	15	20
Hyde Park Totals	80	90	101	111	121

Goals and Philosophy

Mission Statement

The Charter School's Mission is to educate each child individually and personally to the goal of each child's highest level of academic achievement, social and emotional growth enrichment.

Vision Statement

The Charter School envisions to progress along the continuum of the Mission to the goal of the Charter School's highest level of achievement in the various aspects of the Charter School's development. TFSCS envisions the lofty goal of preparing each child who attends the Charter School from Kindergarten through sixth grades (with parent participation and involvement) to be successful in high school and not only enroll in college, but finish college with a Bachelor's and post graduate degrees. The Charter School envisions preparing its students to become successful, productive members of society. TFSCS students will volunteer to assist their home school at TFSCS and others in society as they continue their successful achievement and growth by being lifelong learners.

What It Means To Be An Educated Person in the 21st Century

*The goal of TFSCS is that each student become an enthusiastic learner for a lifetime and therefore, **a life long learner**.* An educated person in the 21st Century and beyond will have a large arsenal of knowledge to draw upon for success in a highly competitive, educated, technical and sophisticated society. TFSCS is teaching all students from kindergarten through sixth grades that they are going to finish college. Teachers explore their own personal college education with the students by posting a banner from the school they attended. When possible students visit universities to further their understanding of what college life means. Using the Common Core State Standards ("CCSS"), core knowledge in the subjects of language arts, math, science, social studies, geography, and history, is essential. However, such knowledge must be coupled with an appreciation and relevancy in their environment. This combined knowledge allows individuals to work cooperatively and understand and respect people from diverse cultural and social backgrounds. An educated person, to his/her fullest potential, will become a self-motivated, competent and productive citizen in the global economy of the 21st Century.

How Learning Best Occurs

Learning best occurs when several elements are effectively integrated. A successful educational model for the students TFSCS is attempting to educate includes:

- Educational goals that are clear and concise
- State approved programs such as McGraw Hill, and/or any other CCSS aligned materials provide a full range of subjects completely correlated with California Common Core State Standards
- Mutual respect
- Integrity
- Opportunities for leadership and service
- Well planned teacher training instruction
- Oral and written competence
- Responsible citizenship in an ethically and culturally diverse society

- Academic excellence
- Integrated real time technology
- An approach in the development of the whole child
- Experiential opportunities with a global perspective
- Small class sizes
- Student-centered collaborative learning groups to enhance learning opportunities
- Flexible grouping
- Business and Community Partnerships
- Meaningful, on-going parent involvement
- Qualified, energetic, creative and committed teaching staff
- Computer and hands-on professional development in the CCSS, student centered, and authentic assessment
- Teaching and Learning best practices that engage students in the learning process
- Leadership skills may be developed as a non-academic tool
- Citizenship is emphasized
- Conflict resolution through non-violent approaches

Every attempt is made to observe students individually to determine how each child learns and is motivated. Observations of students are under the supervision of the teachers and those who work with the teachers. Teachers are involved in professional development to teach motivational techniques for the students. It is TFSCS's objective to enable students to become self-motivated, competent lifelong learners. TFSCS does this by creating a school environment wherein every student learns the specific knowledge and skills to advance to the next grade level, essentially creating the foundation for which knowledge can build upon knowledge. Every student strives toward proficiency and advance status in studies.

TRANSITIONAL KINDERGARTEN

Charter School shall comply with all applicable requirements regarding transitional kindergarten.

WASC ACCREDITATION

If Charter School serves students in grades 9-12, Charter School shall obtain Western Association of Schools and Colleges (WASC) accreditation before Charter School graduates its first class of students.

STUDENTS WITH DISABILITIES

Federal Law Compliance

Charter School 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 Education Improvement Act of 2004.

Special Education Program

Charter schools must ensure that no student otherwise eligible to enroll in their charter school will be denied enrollment due to a disability or to the charter school's inability to provide necessary services. Policies and procedures are in place to ensure the recruitment, enrollment and retention of students with disabilities at charter schools.

Prior to LAUSD Board of Education approval, Charter School will execute a Memorandum of Understanding ("MOU") by and between LAUSD and Charter School regarding the provision and funding of special education services consistent with the requirements of the LAUSD Special Education Local Plan Area ("SELPA") Local Plan for Special Education.

SELPA Reorganization

The Los Angeles Unified School District is approved to operate as a single-District SELPA under the provisions of Ed. Code § 56195.1(a) and intends to continue operating as a single-District SELPA as in the current structure but has created two school sections (District-operated Programs and Charter-operated Programs) under the administration of one single Administrative Unit pursuant to a reorganization plan approved by the Board of Education on January 4, 2011 (149/10-11). Full implementation of the reorganized LAUSD SELPA commenced in the 2013-2014 school year requiring all District-authorized charter schools to elect one of the three options available under the LAUSD SELPA. Prior to an Option election, all District-authorized charter schools were required to participate as a school of the District under the District-Operated Programs Unit. Prior to the beginning of the 2013-2014 school year, all District-authorized charter schools, other than those that had previously executed an Option 3 Memorandum of Understanding ("MOU"), were required to execute a new MOU setting forth the LAUSD SELPA option election for the remainder of the charter petition term. The Charter-operated Program schools do not have LEA status but will function in a similar role in that each charter school will be responsible for all special education issues including services, placement, due process, related services, special education classes, and special education supports. Charter schools may apply for membership in the Charter-operated Program section of the SELPA. These schools will receive support from a Special Education Director for the Charter-operated Programs.

Modified Consent Decree Requirements

All charter schools approved by the LAUSD Board of Education are bound by and must adhere to the terms, conditions and requirements of the *Chanda Smith* Modified Consent Decree ("MCD") and other court orders imposed upon the District pertaining to special education. The MCD is a consent decree entered in a federal court class action lawsuit initially brought on behalf of students with disabilities in LAUSD. It is an agreement of the parties approved by the federal court and monitored by a court-appointed independent monitor. The MCD includes nineteen statistically measureable outcomes and facilities obligations that the District has to achieve to disengage from the MCD and federal court oversight. All charter schools are required to use the District's Special Education Policies and Procedures Manual and Welligent, the District-wide web-based software system used for online Individualized Education Programs ("IEPs") and tracking of related services provided to students during the course of their education.

As part of fulfilling the District's obligations under the MCD, student level data requests from District-operated and Charter-operated schools are made on a regular basis. The requested data must be submitted in the Office of the Independent Monitor's ("OIM") required format in accordance with the OIM's required timelines and as follows:

- **End of Year Suspension**

District ID, CSIS ID, last name, first name, date of birth, gender, grade, date of suspension, number of days suspended, and reason for suspension.

- **Statewide Assessment Data (Including Charter Schools)**

The usual file including District ID.

- **Norm day**

District ID, CSIS ID, last name, first name, date of birth, gender, grade, location code, school name and local district for all students enrolled on norm day.

- **CBEDS (Including Charter Schools)**

- **All Students enrolled as of December 1 of each school year**

District ID, CSIS ID, last name, first name, date of birth, gender, grade, location code, school name and local district for all students enrolled on norm day.

- **Dropout (Including Charter Schools)**

District ID, CSIS ID, last name, first name, middle name, date of birth, grade, last location, school name and local district

- **Monthly SESAC and Suspension data (Including Charter Schools)**

- **Graduation roster from all LAUSD schools (Including Charter Schools) with 12th grade SWD**

The MCD requires charter schools to implement the District's integrated student information system which is referred to as My Integrated Student Information System (MiSiS). MiSiS is a suite of applications which is designed to capture all District student data. All charter schools are required to utilize MiSiS beginning August 1, 2014 upon the release of Milestone 8 which includes the final set of functionalities required to comply with the MCD. Upon charter school full utilization of MiSiS, the list of required data above will automatically be captured within MiSiS.

INSTRUCTIONAL DESIGN

TFSCS will present an innovative educational alternative for improving student outcomes in academic achievement.

The overall instructional design includes staffing with California Qualified credentialed teachers and as funding allows, supplemental instructors and classroom helpers to assist teachers in the

classroom for the purpose of enhancing student achievement and creativity. Much of Today's Fresh Start's program is based on actual school level practice over the past 13 years. Over this period of time, TFSCS has learned from experience based practice how to reach students on a more individual basis. In addition, textbooks and other materials are utilized which may be approved by California or may be additional materials available proven to assist our population of students.

Educational Program: Curriculum and Instructional Methods

TRANSITIONAL KINDERGARTEN

In keeping with the mission of TFSCS each transitional kindergartner will be tracked and monitored in their academic progress to support each child in the individual progress in the charter school's program design.

All students who are transitional kindergarten have use of technology distributed to them personally. Technology is integrated into the instructional program. transitional kindergartners may be provided with Kindles, laptops, tablets or other technology to enhance their academic achievement and growth in preparation for advanced learning. Transitional Kindergartners will also have access to books and other reading materials.

TFSCS transitional kindergartners classes have a student to teacher ratio of up to 20 to 1 or the prevailing requirements legally required.

Transitional Kindergarten serves as a bridge to help close the gap for students who need it between preschool and traditional kindergarten, providing students with the time to develop the needed required skills for a school setting. Transitional kindergarten gives the students a "jumpstart" in preparation for kindergarten. Curriculum is modified for the transitional kindergarten level. The Today's Fresh Start Houghton Mifflin program and McGraw Hill are guides teachers use to customize the student program according to their Individual Learning Plan (ILP). TFSCS provides rigor modified to teach early learners.

TFSCS provides a strong academic experience for all students by making good use of what others have already found successful. California State Approved Programs adapted to CCSS, such as McGraw Hill and McDougall Littell form the foundation of our total curriculum. The California State Approved Programs such as McGraw Hill and McDougall Littell offer an intervention reading program, core subjects of reading and literature, language arts, mathematics, social studies, science, technology and professional development. These programs provide a comprehensive, powerful curriculum approved by the State of California and bears a perfect correlation to the Common Core State Standards.

The Core Curriculum

TFSCS utilizes CCSS based approved curricula for its core curricula such as McGraw Hill and/or McDougall Littell. Among other materials appropriate for English Learners, we will utilize these publishers' English Learner embedded component and other English Learner standards based curricula. CCSS-based Intervention materials are also to be utilized and

intertwined to capture the individual strategy of teaching and enhance *lifelong learning*. English language arts and mathematics *supplementary reading component* for intervention strategies encompassing additional reading materials will be utilized. Consultants, in collaboration with other TSFCS education staff, practice intervention reading and math strategies to help improve individual students in the core curricula.

The core content educational program for all grades TK-6 is detailed in the TSFCS Core Content Pacing Plans, which have been developed based on the CCSS for each content area for all grades. Teachers use the Blueprints Standards Pacing Plans developed monthly and customized to student needs and teaching needs to map the year's instruction on a monthly basis.

Teachers create Blueprints Standards Pacing Plans from McGraw Hill and other core content curriculum materials. These pacing plans are created by grade level teams every four weeks. Teachers use the Blueprints Standards Pacing Plans to plan lessons daily, weekly, and monthly. Grade levels adjust pacing according to student mastery of CCSS. Examples of Blueprints Standards Pacing Plans and Weekly Lesson Plans are available upon request.

The Learning Environment

The instructional model of Today's Fresh Start Charter School Adams Hyde Park is based on the concept of teachers as facilitators of students' learning and acquisition of knowledge. Administration and teachers work as a collaborative team to design differentiated learning experiences and equal access to the curriculum for all students and all subgroups: African American, Latino, Socioeconomically Disadvantaged, English Learners and special needs. As a means of ensuring teachers are prepared to implement strategies aligned with students' individual needs, teachers attend an intensive professional development just prior to the start of each school year, usually in August (dependent on the date of the new start day of school). The length of the intensive professional development is based on available funding, up to ten days. On-going weekly professional development is held throughout the school year. TSFCS transitional Kindergartners, Kindergartners and first through third grade classes have a student to teacher ratio of up to 20 to 1 or the prevailing requirements legally required; and grades four through six are up to 25 to 1 student to teacher ratios or the allowed teacher to student ration required by law. These ratios are subject to change based on the prevailing State required minimum and maximum teacher to student ratios and as available funding for Class Size Reduction and Local Control Funding Formula (LCFF) funding allowances. The current student to teacher ratio is designed to create an environment conducive to student achievement to the individual child's "*personal best*" through a variety of instructional groupings. With the additional support of paraprofessionals other support staff, the student to adult ratio is reduced, providing opportunities for increased student instructional support and individualized instruction. Again, this additional instructional assistance is as funding allows. Transitional Kindergarten serves as a bridge to help close the gap for students who need it between preschool and traditional kindergarten, providing students with the time to develop the needed required skills for a school setting. Transitional kindergarten gives the students a "jumpstart" in preparation for kindergarten. Curriculum is modified for the transitional kindergarten level. The Today's Fresh Start Houghton Mifflin program and McGraw Hill are guides teachers use to customize the

student program according to their Individual Learning Plan (ILP). TFSCS provides rigor modified to teach early learners.

Instruction

Technology (Non-Core)

Technology is integrated into the instructional program. All students, transitional kindergarten through grade six will have access to their own individual technology through Kindles, tablets, laptops and other technology. Each teacher has his/her own laptop purchased by TFSCS for school instructional use. Some teachers use Smartboards as an integral part of the education delivery. Proper use of technology can best be accomplished as a direct result of effective academic instruction. Programs such as Study Island may be used to determine student reading levels to generate assessments in math and language arts and science. As students research, investigate and explore a variety of technology tools that have been made accessible in some classrooms, the goal is for all students to become proficient, technology friendly and confident in the use of technology. As such, instruction in technology will continue to be integrated into academic content instruction. Students are expected to demonstrate skills in data and information retrieval and computer based instruction. These skills are acquired through the use of educational games and drills, and as technology is infused into core subject matter.

Teachers

TFSCS teachers are credentialed by the California Commission on Teacher Credentialing. Teacher assistants, paraprofessionals and behavior support staff are hired to aid the classroom teacher in providing individualized student support, have earned a minimum of high school diploma or 45 units from an accredited institution of higher education or may possess California Credentials. The extra help is available as funding allows.

History/Social Science: (Core)

TK/K-5 – Houghton Mifflin textbooks

Topics covered grades K-5:

- a) TK/K- My World
- b) 1st grade – School and Family
- c) 2nd grade - Neighborhoods
- d) 3rd grade - Communities
- e) 4th grade – California Studies
- f) In addition, 4th grade studies, learns and does a Mission Project
- g) 5th grade - US History: The Early Years

6th – McDougal Littell textbooks

- a) 6th - World History: Ancient Civilizations

The lesson plan format used by each grade with regard to History/ Social Science is one that encompasses ELA, as well as Math. Our lesson plans span across all subjects and are intertwined so that all students at TFSCS will experience a full and rich curriculum.

Science: (Core)

K-5- Houghton Mifflin/Foss Delta Education

Topics covered grades K-5: NGSS

a) K-5- Discovery Works

6th – McDougal Littell

a) 6th – Earth Science

At TFSCS, we have adapted our Science program to integrate the NGSS. In each grade level the work with regard to the topic covered becomes not only more intricate, but there are more project based activities for the student to contend with during their coursework of the year. A major factor that starts in Kindergarten, and continues throughout all the grades, is the Engineering Design. A student starts a project and learns throughout the grades how to build upon that project until they have reached a final project.

We also have a Science Fair each year in which all grades not only participate, but vie for recognition as best in grade.

English Language Arts and Mathematics: (Core)

Instruction has been aligned to meet the demands of the pedagogical shifts in English Language Arts (ELA)/Literacy and Mathematics which are required in order to successfully implement the Common Core State Standards.

ELA/Literacy Pedagogical Shifts:

1. Balancing Informational and Literary Text
2. Reading Comprehension
3. Vocabulary Development
4. Knowledge in the Disciplines
5. Staircase of Complexity
6. Text-Based Answers
7. Writing from Sources
8. Academic Vocabulary

Mathematics Pedagogical Shifts:

1. Focus
2. Coherence
3. Fluency
4. Deep Understanding
5. Application

6. Dual Intensity

A variety of instructional groupings are employed by TFSCS teachers and administration to include whole and small group instruction. While whole group instruction is delivered to the entire class, small group instruction is delivered to smaller groups of students during a session. Students participating in small groups are identified for re-teach instruction based on assessments indicating the student has not attained mastery of a concept or standard.

During whole group instruction, teachers:

- Engage whole class in themes containing CCSS
- Model appropriate cognitive strategies to meet the objectives of lessons/projects
- Elicit appropriate cognitive strategies from the students
- Teach students to take responsibility for their learning
- Building Intrinsic Self Worth
- Provide specific feedback to students regarding their progress
- Offer students opportunities to work independently, with partners or groups
- Assess each student's progress in applying knowledge

During small group instruction teachers:

- Create flexible ability groupings
- Provide responsive pacing
- Scaffold lessons
- Offer extended time for completion of activity, project or task

The lesson plan format used by TFSCS has been designed using the CCSS as the basis for construction. Lessons and learning experiences are crafted with particular attention to data from assessments available, which may include: weekly, benchmark, interim, cumulative and summative assessments, whichever may be utilized. Lessons are designed to provide students of different reading levels access to concepts and content with particular attention to providing accessible materials based on students' individual needs.

Assessments

In accordance with CCSS, TFSCS defines what each student should know at each grade level and monitors student progress through varied assessments such as: adopted curriculum publisher-developed assessments (McGraw Hill, McDougal Littell and other curriculum suited to the individual needs of the students), teacher created assessments, Data Director, Study Island, NorthWest Evaluation Association ("NWEA"), and State-Mandated testing. TFSCS is not limited to these curriculum resources for instruction. Other curriculum and materials may be used.

TFSCS provides relevant learning experiences for students that are best measured through assessments. Such assessments require students to read both informational text and literature, write for genuine purpose and participate in meaningful projects. Student achievement in

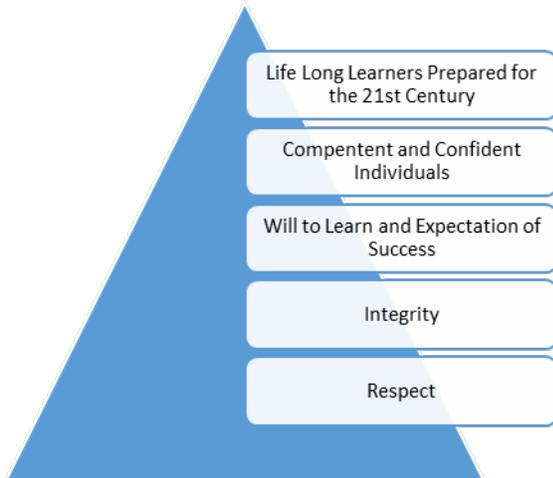
developing conceptual thinking, problem solving and deep understanding of content is assessed using multiple assessments, such as, but may or may not include: initial, Weekly, Benchmarks, Smarter Balanced and Summative assessments. With new developments in State requirements, TFSCS will seriously look into other effective means of developing individual achievement. Closely monitoring and tracking (TMAAT) individual student progress allows TFSCS to utilize intervention programs and provide additional support (as funding allows) to meet each child's needs. State-mandated testing is aligned with the California Assessment of Student Performance and Progress (CAASPP) calendar.

1st Trimester	2nd Trimester	3rd Trimester
<ul style="list-style-type: none"> • Initial <ul style="list-style-type: none"> • Administered within the first two weeks of school. • DIBELS <ul style="list-style-type: none"> • Administered within the first two weeks of school. • CELDT <ul style="list-style-type: none"> • Administered within the first thirty days of school. • Friday Assessments <ul style="list-style-type: none"> • Administered at the end of each week. • Benchmarks <ul style="list-style-type: none"> • Administered at the end of September and October. • Interim <ul style="list-style-type: none"> • Administered at the end of the 1st trimester 	<ul style="list-style-type: none"> • DIBELS <ul style="list-style-type: none"> • Administered mid-January. • Friday Assessments <ul style="list-style-type: none"> • Administered at the end of each week. • Benchmarks <ul style="list-style-type: none"> • Administered mid-January and the end of February. • Interim <ul style="list-style-type: none"> • Administered at the end of the 2nd trimester. 	<ul style="list-style-type: none"> • DIBELS <ul style="list-style-type: none"> • Administered in the beginning of June. • Friday Assessments <ul style="list-style-type: none"> • Administered at the end of each week. • Benchmark <ul style="list-style-type: none"> • Administered at the end of April. • Smarter Balanced Assessment <ul style="list-style-type: none"> • Administered 3 weeks in May. • Summative <ul style="list-style-type: none"> • Administered mid-June.

TFSCS observes and monitors factors which may influence academic achievement and growth such as teacher efficacy and instructional practice, professional development, parental involvement and student conduct.

Research/Philosophy In Support Of Educational Program

Creating a sense of mutual respect for every student and teacher, TFSCS practices a building block belief system that fosters high expectations for success. Strong character is developed through expressions of respect for individuals, environment fostering continual personal growth and integrity. Students utilize these elements to build a staircase to lifelong learning and personal excellence. Our building block belief system continually builds, one on top of another.



TFSCS adheres to the curriculum frameworks for all subject areas set forth by the California State Board of Education, ensuring equal access to curriculum through the utilization of the TFSCS pacing guides which integrate subject areas at each grade level. TFSCS’ Scope and Sequence, blueprints and monthly pacing guides are developed by grade level teams. Pacing guides inform weekly lesson planning.



Instructional strategies designed to meet the pedagogical shifts of the CCSS are utilized by TFSCS teachers in their daily lesson plans to ensure that students have opportunities for improvement and success in all content areas. TFSCS is committed to relevant curriculum through community based learning as well as building and maintaining relationships with businesses and organizations as a means of narrowing the achievement gap. TFSCS addresses the needs of at-risk children by providing responsive teaching strategies such as small group instructional settings and full inclusion.

TFSCS believes in a building block belief system that will create a sense of mutual respect for every student and teacher with a high expectation for success. Strong character is built through the receipt and giving of respect to all individuals, appreciation for environment, continual and ongoing personal growth, and integrity. Students utilize all these elements to build a bridge to lifelong academic and personal excellence. Our building block belief system continually builds one element on top of another – respect builds integrity, integrity builds a will to know and expect success, success leads to competent and confident individuals who develop intrinsic value as they become more and more competent and confident individuals leading to lifelong learners prepared for a diverse and changing 21st Century and beyond.

INTERVENTION TEAM STRATEGIES

The TFSCS program is “*evidence based.*” That is, through collaborative partnerships of TFSCS’ families, teachers, administration, professional staff (such as Intervention Team –which remains in place as long as funding allows) develops strategies to enhance student learning. This allows an opportunity for personal student success so that the student achieves at his/her “personal best.” Students are viewed, respected and responded to as important persons in society and future leaders. Students are *not* viewed as *outcasts by repetitively suspending and expelling them from class, school and activities.* We are committed to narrowing the gap between the achiever and the underachiever according to today’s learning standards. TFSCS does not provide a “one size fits all” educational strategy. *The goal of TFSCS is to offer a customized, tailored individualized teaching at every opportunity so that instruction is based on the students’ needs through small group settings and inclusion methods.* The role of *the intervention team* (which will remain in place as funding allows) works with parent involvement to assist in strategies to help the child. Students are observed in their classrooms and on the playground. If a student has a “difficult time during the school day,” the student is first given a brief lecture on his or her behavior. This “talking to” may be done by the, the school counselor, the counselor intern, special education staff, the behavior coach, or the Superintendent or any staff member who can reach the child. *At TFSCS we surround the students with support.* Parents and intervention team members meet to determine the nature of the problem and to resolve conflict. This may be done in what we call “Family and Friends Conflict Resolution.” The team participates in collaborating with the family members for the well-being of student’s future.

ACADEMIC CALENDAR- INSTRUCTIONAL MINUTES CALCULATOR-DAILY SCHEDULES

Charter School shall offer, at a minimum, the number of minutes of instruction set forth in Ed. Code section 47612.5, and the number of school days required by California Code of Regulations, title 5, section 11960.

TK-Kindergarten through 6th grades will meet the minimum instructional minutes required by Education Code Section 47612.5. An example of the TFSCS Academic Calendar and Instructional Minute Daily Schedules are as follows and may change each year.

Instructional Days and Minutes Calculator

Grades	Grades Offered (Y/N)	Number of Regular Day	Number of Instr. Minutes Per Regular Day	Number of Early Dismissal Days	Number of Instr. Minutes Per Early Dismissal Days	Number of Minimum Days	Number of Instr. Minutes Per Minimum Days	Number of (other) Days	Number of Instr. Minutes Per (Other) Days	Total Number of Instr. Days	Minutes Reg'd Per State Law	Total Number of Instr. Minutes	Number of Instr. Minutes Above/Below State Req'd
TK/K	Y	144	285	36	260					180	36000	50400	+14400
1	Y	144	380	36	260					180	50400	64080	+13680
2	Y	144	380	36	260					180	50400	64080	+13680
3	Y	144	380	36	260					180	50400	64080	+13680
4	Y	144	380	36	260					180	54000	64080	+10080
5	Y	144	390	36	260					180	54000	65520	+11520
6	Y	144	390	36	260					180	54000	65520	+11520

Today's Fresh Start Charter School Adams Hyde Park

2015-2016

Academic Calendar Calendario Académico



September/Septiembre 2015					
M	T	W	TH	F	
	1	2	3	4	
7	8	9	10	11	
14	15	16	17	18	
21	22	23	24	25	
28	29	30			

October/Octubre 2015					
M	T	W	TH	F	
			1	2	
5	6	7	8	9	
12	13	14	15	16	
19	20	21	22	23	
26	27	28	29	30	

November/Noviembre 2015					
M	T	W	TH	F	
2	3	4	5	6	
9	10	11	12	13	
16	17	18	19	20	
23	24	25	26	27	
30					

December/Diciembre 2015					
M	T	W	TH	F	
	1	2	3	4	
7	8	9	10	11	
14	15	16	17	18	
21	22	23	24	25	
28	29	30	31		

January/Enero 2016					
M	T	W	TH	F	
				1	
4	5	6	7	8	
11	12	13	14	15	
18	19	20	21	22	
25	26	27	28	29	

February/Febrero 2016					
M	T	W	TH	F	
1	2	3	4	5	
8	9	10	11	12	
15	16	17	18	19	
22	23	24	25	26	
29					1

March/Marzo 2016					
M	T	W	TH	F	
	1	2	3	4	
7	8	9	10	11	
14	15	16	17	18	
21	22	23	24	25	
28	29	30	31		

April/Abril 2016					
M	T	W	TH	F	
				1	
4	5	6	7	8	
11	12	13	14	15	
18	19	20	21	22	
25	26	27	28	29	

May/Mayo 2016					
M	T	W	TH	F	
2	3	4	5	6	
9	10	11	12	13	
16	17	18	19	20	
23	24	25	26	27	
30	31				

June/Junio 2016					
M	T	W	TH	F	
		1	2	3	
6	7	8	9	10	
13	14	15	16	17	
22	23	24	25	26	
29	30				

Important Dates

<p><u>School Opens/First Day of Classes</u></p> <p>Veteran's Day Thanksgiving Holiday Return to Class Winter Break Return to Classes Martin Luther King Day Presidents' Day Cesar Chavez Day Spring Break Return to Classes Memorial Day</p> <p><u>Last Day of Classes</u></p>	<p><u>September 8, 2015</u></p> <p>November 11, 2015 November 23-27, 2015 November 30, 2015</p> <p>December 21, 2015-January 1, 2016 January 4, 2016 January 18, 2016 February 15 & 22, 2016 March 25, 2016 March 28-April 1, 2016 April 4, 2016 May 30, 2016</p> <p><u>June 23, 2016</u></p>
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**10 MONTH (180 days)
Instructional Year
09/08 /2015– 6/23/2016**

Legend:

	School Opens/First Day of School
	Winter/Spring Break/Legal Holidays

TODAY'S FRESH START CHARTER SCHOOL Adams Hyde Park

Transitional/Kindergarten Instructional Minutes Daily Schedule by Subjects 2015 -2016

Monday, Wednesday, Thursday & Friday

TIME	MINUTES	ACTIVITIES
7:30 – 8:00	30	Breakfast
8:00 – 8:10	10	Character Education
8:10 – 9:30	80	Language Arts / Reading
9:30 – 9:45	15	Recess
9:45 – 10:30	45	Language Arts / Writing
10:30 – 11:00	30	Language Arts / ELD
11:00 – 11:30	30	Lunch
11:30 – 12:30	60	Mathematics
12:30 – 1:00	30	Science / Social Studies
1:00 – 1:30	30	PE

285 Instructional Minutes
36,000 minutes/year state required
50,400 minutes – Actual TFSCS

Tuesday

TIME	MINUTES	ACTIVITIES
7:30 – 8:00	30	Breakfast
8:00 – 8:10	10	Character Education
8:10 – 9:30	80	Language Arts/ Reading
9:30 – 9:45	15	Recess
9:45 – 10:30	45	Language Arts/Writing
10:30 – 11:00	30	Language Arts/ELD
11:00 – 11:30	30	Lunch
11:30 – 12:30	60	Mathematics
12:30 – 1:05	35	Science / Social Studies

260 Instructional Minutes
36,000 minutes/year state required
50,400 minutes – Actual TFSCS

TODAY'S FRESH START CHARTER SCHOOL Adams Hyde Park

1st Grade Instructional Minutes Daily Schedule by Subjects 2015-2016

Monday, Wednesday, Thursday & Friday

TIME	MINUTES	ACTIVITIES
7:30 – 8:00	30	Breakfast
8:00 – 8:10	10	Character Education
8:10 – 9:45	95	Language Arts/ Reading
9:45 – 10:00	15	Recess
10:00 – 10:45	45	Language Arts /Writing
10:45 – 11:15	30	Language Arts / ELD
11:15 – 11:45	30	Lunch
11:45 – 12:45	60	Mathematics
12:45 -1:45	60	Science / Social Studies
1:45 – 2:15	30	PE/Music/Arts/Drama
2:15 – 3:05	50	Intervention / Enrichment

380 Instructional Minutes
50,400 minutes/year state required
64,080 minutes – Actual TFSCS

Tuesday

TIME	MINUTES	ACTIVITIES
7:30 – 8:00	30	Breakfast
8:00 – 8:10	10	Character Education
8:10 – 9:45	95	Language Arts / Reading
9:45 – 10:00	15	Recess
10:00 – 10:45	45	Language Arts /Writing
10:45 – 11:15	30	Language Arts / ELD
11:15 – 11:45	30	Lunch
11:45 – 12:45	60	Mathematics
12:45 – 1:05	20	Science / Social Studies

260 Instructional Minutes
50,400 minutes/year state required
64,080 minutes – Actual TFSCS

TODAY'S FRESH START CHARTER SCHOOL Adams Hyde Park

2nd Grade Instructional Minutes Daily Schedule by Subjects 2015 - 2016

Monday, Wednesday, Thursday & Friday

TIME	MINUTES	ACTIVITIES
7:30 – 8:00	30	Breakfast
8:00 – 8:10	10	Citizenship/Character Development
8:10 – 10:00	110	Language Arts / Reading
10:00 – 10:15	15	Recess
10:15 – 11:00	45	Language Arts / Writing
11:00 – 11:30	30	Language Arts / ELD
11:30 – 12:00	30	Lunch
12:00 – 1:00	60	Mathematics
1:00 – 2:00	60	Science / Social Studies
2:00 – 2:30	30	PE
2:30 – 3:05	35	Music/Arts/Drama

380 Instructional Minutes
50,400 minutes/year state required
64,080 minutes – Actual TFSCS

Tuesday

TIME	MINUTES	ACTIVITIES
7:30 – 8:00	30	Breakfast
8:00 – 8:10	10	Character Education
8:10 – 10:00	110	Language Arts /Reading
10:00 – 10:15	15	Recess
10:15 – 11:00	45	Language Arts / Writing
11:00 – 11:30	30	Language Arts / ELD
11:30 – 12:00	30	Lunch
12:00 – 1:05	65	Mathematics

260 Instructional Minutes
50,400 minutes/year state required
64.080 minutes – Actual TFSCS

TODAY'S FRESH START CHARTER SCHOOL Adams Hyde Park

3rd Grade Instructional Minutes Daily Schedule by Subjects 2015 - 2016

Monday, Wednesday, Thursday & Friday

TIME	MINUTES	ACTIVITIES
7:30 – 8:00	30	Breakfast
8:00 – 8:10	10	Citizenship/Character Development
8:10 – 10:15	125	Language Arts / Reading
10:15 – 10:30	15	Recess
10:30 – 11:15	45	Language Arts / Writing
11:15 – 11:45	30	Language Arts / ELD
11:45 – 12:15	30	Lunch
12:15 – 1:15	60	Mathematics
1:15 – 2:15	60	Science / Social Studies
2:15 – 2:45	30	PE/Music/Arts/Drama
2:45 – 3:05	20	Intervention / Small Group

380 Instructional Minutes
50,400 minutes/year state required
64,080 minutes – Actual TFSCS

Tuesday

TIME	MINUTES	ACTIVITIES
7:30 – 8:00	30	Breakfast
8:00 – 8:10	10	Character Education
8:10 – 10:15	125	Language Arts/ Reading
10:15 – 10:30	15	Recess
10:30 – 11:15	45	Language Arts / Writing
11:15 – 11:45	30	Language Arts / ELD
11:45 – 12:15	30	Lunch
12:15 – 1:05	50	Mathematics

260 Instructional Minutes
50,400 minutes/year state required
64,080 minutes – Actual TFSCS

TODAY'S FRESH START CHARTER SCHOOL Adams Hyde Park

4th Grade Instructional Minutes Daily Schedule by Subjects 2015 - 2016

Monday, Wednesday, Thursday & Friday

TIME	MINUTES	ACTIVITIES
7:30 – 8:00	30	Breakfast
8:00 – 8:10	10	Citizenship/Character Development
8:10 – 10:00	110	Language Arts /Reading
10:00 – 10:30	30	Language Arts / ELD
10:30 – 10:45	15	Recess
10:45 – 12:00	75	Language Arts / Writing
12:00 – 12:30	30	Lunch
12:30 – 1:30	60	Mathematics
1:30 – 2:30	60	Science / Social Studies
2:30 – 3:05	35	PE/ Music/Arts/ Drama

380 Instructional Minutes
54,000 minutes/year state required
64,080 minutes – Actual TFSCS

Tuesday

TIME	MINUTES	ACTIVITIES
7:30 – 8:00	30	Breakfast
8:00 – 8:10	10	Character Education
8:10 – 9:30	80	Language Arts / Reading
9:30 – 10:30	60	Language Arts / Writing/ELD
10:30 – 10:45	15	Recess
10:45 – 12:00	75	Mathematics
12:00 – 12:30	30	Lunch
12:30 – 1:05	35	Science/Social Studies

260 Instructional Minutes
54,000 minutes/year state required
64,080 minutes – Actual TFSCS

TODAY'S FRESH START CHARTER SCHOOL Adams Hyde Park

5th Grade Instructional Minutes Daily Schedule by Subjects 2015 - 2016

Monday, Wednesday, Thursday & Friday

TIME	MINUTES	ACTIVITIES
7:30 – 8:00	30	Breakfast
8:00 – 8:10	10	Citizenship/Character Development
8:10 – 9:30	80	Language Arts / Reading
9:30 – 10:15	45	Language Arts / Writing
10:15 – 10:45	30	Language Arts / ELD
10:45 – 11:00	15	Recess
11:00 – 12:15	75	Mathematics
12:15 – 12:45	30	Lunch
12:45 – 1:45	60	Science
1:45 – 2:25	40	Social Studies
2:25 – 3:15	50	Music/Arts/Drama/ PE

390 Instructional Minutes

54,000 minutes/year state required

65,520 minutes – Actual TFSCS

Tuesday

TIME	MINUTES	ACTIVITIES
7:30 – 8:00	30	Breakfast
8:00 – 8:10	10	Charter Education
8:10 – 9:30	80	Language Arts / Reading
9:30 – 10:15	45	Language Arts / Writing
10:15 – 10:45	30	Language Arts / ELD
10:45 – 11:00	15	Recess
11:00 – 12:15	75	Mathematics
12:15 – 12:45	30	Lunch
12:45 – 1:05	20	Science

260 Instructional Minutes

54,000 minutes/year state required

65,520 minutes – Actual TFSCS

TODAY'S FRESH START CHARTER SCHOOL Adams Hyde Park

6th Grade Instructional Minutes Daily Schedule by Subject 2015 - 2016

Monday, Wednesday, Thursday & Friday

TIME	MINUTES	ACTIVITIES
7:30 - 8:00	30	Breakfast
8:00 - 8:10	10	Character Education
8:10 - 10:00	110	English Language Arts
10:00 - 10:15	15	Recess
10:15 - 11:15	60	Mathematics
11:15 - 11:45	30	Lunch
11:45 - 12:45	60	Science
12:45 - 1:45	60	Social Studies
1:45 - 2:45	60	Physical Education
2:45 - 3:15	30	Elective

390 Instructional Minutes
54,000 minutes/year state required
65,520 minutes – Actual TFSCS

Tuesday

TIME	MINUTES	ACTIVITIES
7:30 - 8:00	30	Breakfast
8:00 - 8:10	10	Character Education
8:10 - 10:00	110	English Language Arts
10:00 - 10:15	15	Recess
10:15 - 11:15	60	Mathematics
11:15 - 11:45	30	Lunch
11:45 - 12:45	60	Science
12:45 - 1:05	20	Social Studies

260 Instructional Minutes
54,000 minutes/year state required
65,520 minutes -(or more) – Actual TFSCS

Extended School Day/Intervention and Co-curricular Programs

Afterschool Education and Safety Program (“ASES”)

TFSCS does not have a formal afterschool program, such as ASES or Beyond the Bell. Although, based on the socioeconomic base of the students, it is most certainly needed. TFSCS provides afterschool tutoring until 4pm for all students who need extra help in their studies. That may include technology, tutoring education and recreation components and other subjects. Each student has access to Kindles and laptops. These working family members and the high (95%) free and reduced costs food programs have need of a formalized afterschool program until 6pm. TFSCS is hopeful that an afterschool grant, such as ASES will be awarded.

Extended School Day

Our extended school day programs provide enrichment and intervention academics which offer learning opportunities and cultural experiences. Other school programs may be held by teachers after school dismissal time, depending on the grade level. These extended programs may also be held on periodic Saturdays, and during the summer as funds are available. Students who have been identified as requiring additional academic support in reading/language arts, math or general homework needs, will be expected to attend extended school day tutoring and receive help with subjects where the students have not achieved proficiency.

Community Service (Non-Core)

Community service is an essential component of the curriculum and Charter School philosophy. The promotion of social, political, and moral understanding and respect for others is fundamental to a student’s maturity. Students need to be made aware of problems and needs outside of their personal world. Exposure to such issues will help students to become contributing members, of their community. Community service activities may include, but are not limited to:

- School and/or neighborhood beautification
- Collecting food and clothes for the local needy population
- Performing in informational health programs for the community. Our goal is to put on a Health Fair.

Civics and Government Studies (Non-Core)

All grade levels will focus on community and government structures through Career Day and other resources. Concepts such as community involvement, social justice, and government participation are the central focus of this program. Visits to City Council meetings, International Consuls Offices and pursuing the involvement of Government and community leaders will be involved in this program by sharing their experiences with the students. Students will experience the law making process by visiting local, state, and federal government offices and bodies. Our goal is for our fifth graders to participate in Project LEAD sponsored by the Los Angeles County District Attorney’s Office; Safe On Line Surfing Internet Challenge (FBI-SOS) for third through

sixth grades; Kid's Zone at www.CIA.gov/kids/page (Central Intelligence Agency) for parents, teachers, and explore games for Kindergarten through sixth grades. A sense of civic duty is enhanced by pursuing actual experiences with local government and history will come alive through amazing educational possibilities which local organizations provide. We will pursue virtual and traditional field trips to various notable locations such as, City Hall, The Central Library, Olvera Street, and the County Hall of Administration to be implemented in the support of local and nation history and social studies curriculum.

Human Development (Non-Core)

The human development program will encompass several broad areas, possibly including attendance, conflict resolution, social skills group, anti-bullying and anti-taunting, hygiene, nutrition, the human body and its systems, decision-making, families, dealing with loss, child abuse and neglect, drug and alcohol awareness, and abuse. These topics are addressed by classroom teachers and specialists via lessons, activities, discussions, simulations, and role-playing. TFSCS also brings in a nurse to talk with students and staff (during professional development) about diabetes.

Environmental Program (Non-Core)

Our environmental program teaches children the value of respect for themselves, their parents, teachers and others in authority and how important it is to respect each living organism. Partnerships provide field trips to educate the students with a hands-on approach. Utilizing the Gardening Project through business collaborations with companies such as Home Depot, we may provide an on-site horticultural experience for each classroom. This experience will not only teach about science, but also institutes responsibility, pride and ownership in each student. Personal responsibility and achievements will build self-esteem and lay out the course for excellence in other academic areas.

Physical Education (Core)

The physical education program provides a balance between physical fitness and body development. There are units on dance, basic body conditioning, body health and nutrition. Traditional sports with parent participation may be offered in an effort to teach skills, sportsmanship, participation and team competition.

Arts (Non-Core)

The arts, including visual, performing, and musical, are a central part of each student's education. The arts are taught during the school week, such as music, and will focus on the academics of art as well as hands on development. TFSCS is actively pursuing collaborations with a wide range of organizations and individuals such as outside educators, student teachers, docents, and staff from local businesses and agencies. TFSCS takes full advantage of existing programs for students at local libraries, mentoring programs with businesses in the community and other non profits, which have already been established that are age appropriate for students. The Los Angeles County Museum of Science, Los Angeles County Museum of Art, Getty

Center, Philharmonic, City of Los Angeles Cultural Affairs Programs for Latinos and African Americans and The Museum of Contemporary Art offers an in-depth program that teaches art and culture to elementary students through the Contemporary Art Start Program. The Dorothy Chandler Music Center, Disney Concert Hall, Los Angeles Opera Association, the African American Museum, and Los Angeles Philharmonic all have music programs in which students can be involved.

TFSCS continues to pursue the goal of immersing students into the rich multicultural and historical institutions of Los Angeles through regular visits to the Latino Museum of History, Art and Culture, Japanese American National Museum, El Pueblo Historic Park, and Chinese Cultural Center, which all offer wonderful educational opportunities.

Community And Business Collaborations

TFSCS will continue to build strong ties to local community organizations and businesses through career day and other resources. These meetings will provide a communication and support network to align services with identified student needs. Parents and community members will have representation on the design of the collaborative team as part of the planning process. This representation will offer insight and resource information beneficial to enhancing the learning environment, which will foster a broad approach to the development of the whole child. These partnerships may serve as a connection between classroom learning, real-life situations and relevancy; enabling students to gain a broader awareness of and appreciation for cultural diversity and heritage. In pursuit of stronger partnerships, we will strengthen our relationship with local universities and colleges to focus on mentoring for students and providing business strategies and advice.

In addition to the strong emphasis on the core subjects, students are involved in hands on learning. This extension of learning may be provided by Junior Achievement which educates and inspires school children to value free enterprise, and to understand business and economics to improve the quality of their lives. Seven program themes are used to teach students to assume roles as individuals, consumers, and workers in an expanding cultural environment that extends from the self and family to global relations. For example, programs such as Junior Achievement for elementary school and other programs appropriate for middle grades.

Professional Development

Staff development encompassing respect and true collaboration benefits the whole community. The commitment to staff development is a key to success and must be executed with quality and detail. Teachers and Administrators are provided relevant and ongoing professional development focused on CCSS, and the new ELA/ELD and math and science framework. Special emphasis should be placed on teaching mathematics using the Concrete-to-Representational-to-Abstract Instruction (CRA) progression and the importance of providing students with oral and written practice during lessons. Professional development will be provided for TK-6, Intervention team members and other staff focused on instructional strategies and knowledge that are most effective with students who are having difficulty learning mathematical concepts, skills,

procedures and problem solving. Teachers and administrators will attend webinars and conferences focused on the implementation of CCSS and CAASPP.

An annual one-week or two-week professional development for faculty may be held prior to the opening of each new school year. Faculty retreats are held prior to school opening as funds allow. The faculty, staff and parents are engaged in comprehensive hands-on training sessions on CCSS, research strategies and methods expected for instructional delivery implementation. Resource materials are provided for teachers to develop their professional libraries. Faculty and staff are oriented to the overall mission and vision of the Charter School. Curriculum training provides professional development on the implementation of the curriculum. An Educational Consultant maybe used to provide on-site professional development. New teachers may be coached by a seasoned staff member or consultant in classroom management and instruction.

The plan for Staff Development provides for training sessions, conference attendance and professional development opportunities for continued competence of the instructional staff to assure the quality and nature of the instructional program in the alignment with student outcomes and goals.

Ongoing Staff Development is incorporated into the school year to include, but not limited to:

- Implementation of CCSS in ELA/ELD or other identified needs
- Staff Development for the new school year 2014-2015, professional development began with four days of teaching on the CCSS, including subjects as: Transitioning to Common Core State Standards; Focus on background and Content of CCSS, Focus on mathematics CCSS, all grades; Focus on strategies and Math & ELA;
- Ongoing professional development focused on CCSS and the new ELA/ELD and math framework
- Classroom Management Techniques using Professional Coaching
- Mastery (fluency of use) of a variety of instructional strategies that reflect deep understanding of how students learn Mastery and consistent implementation of instructional strategies that will be used school-wide.-Effective planning and instruction for all students using formative and summative assessments:
 - English learners
 - African Americans
 - Special educations students
 - Students with weak or low foundational skills in reading and mathematics
- Increasing each teacher's personal growth that results from intentional or deliberate practice. Teachers will become agents of their own development and expertise.
- Developing a professional learning community that is characterized by:
 - Interacting positively with colleagues, students and parents
 - Seeking support in areas of weakness
 - Mentoring or supporting other teachers by freely sharing ideas and strategies
- There is an ongoing pursuit to perfect intervention strategies to bridge the academic gap, including head sets, practice drills, visual and auditory techniques to discover how each child learns best and therefore capture that child's interest and inspiring life-long learning

- Providing professional development for teachers prior to the beginning of the school year.

Collaboration affords the staff access to leading research to prepare students for the increasing challenges of the competitive marketplace and the global society of the 21st Century. TFSCS has a partnership with UC San Diego which has been developed over the past five years. This partnership has provided enhanced, in-depth training in reform and research strategies to improve student achievement.

Teachers and staff are trained to administer the CELDT for English Learners.

Annual Goals and Actions in the State Priorities

The Local Control and Accountability Plan (“LCAP”), describes the Charter School’s annual goals and actions in the state priorities, schoolwide and in all pupil subgroups. TFSCS addresses these requirements in Elements 2/3 of the charter petition. The LCAP and any revisions necessary to implement the LCAP, including outcomes and methods of measurement shall not be considered a material revision to the charter, and shall be maintained by the Charter School at the school site.

ENGLISH LEARNERS

Charter School is required to timely identify potential English Learners (ELs) and provide them with an effective English language acquisition program that affords meaningful access to the school’s academic core curriculum. Instructional plans for English Learners must be (1) based on sound educational theory; (2) adequately supported with trained teachers and appropriate materials and resources; and (3) periodically evaluated to make sure the program is successful and modified when the program is not successful.

On an annual basis (on or about October 1), Charter School shall submit a certification to the LAUSD Charter Schools Division (CSD) that certifies that Charter School will either adopt and implement LAUSD’s English Learner Master Plan *or* implement Charter School’s own English Learner Master Plan. If Charter School chooses to implement its own EL plan, the plan shall include, but is not limited to, the following:

- How English Learners’ needs will be identified
- What services will be offered
- How, where, and by whom the services will be provided
- How the school will evaluate its EL program each year, and how the results of this evaluation will be used to improve the program, including the provision of EL services

Each year, Charter School shall provide to the CSD a report on its annual EL program assessment. Upon request, Charter School shall provide a copy of its current EL Master Plan to the CSD.

Charter School shall administer the CELDT/ELPAC annually in accordance with federal and state requirements.

Charter School shall reclassify English Learners in accordance with federal and state requirements.

Charter School shall ensure that it will provide parent outreach services and meaningfully inform parents with limited English proficiency of important information regarding school matters to the same extent as other parents.

English Language Development/English as a Second Language (Core)

English Language Learners (ELL) are students who require specialized or modified instruction because they are considered *English Learners*, *limited English proficient students*, *non-native English speakers*, or *bilingual students*. They are students who are unable to communicate in English effectively or learn effectively in English. They often come from non-English speaking homes or backgrounds. The Charter School will meet all applicable legal requirements for English Learners (“ELL”) as it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding English learners and the rights of students and parents. TFSCS has always adhered to a strict EL program to support the needs of EL, RFEP and LTEL students. We administer the CELDT within the first 30 days of school. Our English learners are then identified. They obtain extra help as needed through small group activities, after school tutoring, as well as designated time in our instructional minutes set aside for English learner instruction.

Home Language Survey

The Charter School uses the home language survey upon a student’s initial enrollment into the Charter School (on enrollment forms). The purpose of the home language survey is to determine if a language other than English is used in the student’s home.

CELDT Testing

All students who indicate that their home language is other than English will be California English Language Development Test (“CELDT”) tested within thirty days of initial enrollment¹ and at least annually thereafter between July 1 and October 31 until re-designated as fluent English proficient.

The Charter School will notify all parents of its responsibility for CELDT testing and of CELDT results within thirty days of receiving results from publisher. The CELDT shall be used to fulfill the requirements under the Elementary and Secondary Education Act for annual English proficiency testing.

¹ The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been CELDT tested. All other students who have indicated a home language other than English will continue with annual CELDT testing based upon the date last tested at the prior school of enrollment.

Reclassification Procedures

Reclassification procedures utilize multiple criteria in determining whether to classify a pupil as proficient in English including, but not limited to, all of the following:

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the CELDT.
- Participation of the pupil’s classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil’s curriculum mastery.
- Student Oral Language Observation Matrix (SOLOM) is a scale that is based on teacher observation in the following categories: comprehension, fluency, vocabulary, pronunciation, and grammar. This is based on a scale from 1 – 5. These numeric values stand for the following criteria: 1-Beginning, 2-Early Intermediate, 3-Intermediate, 4-Early Advanced, and 5-Advanced.
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents’ opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process. Once a year, TFSCS provides a parent involvement meeting where staff talks about ELAC process.
- Combined with CELDT and SOLOM results, a committee votes if a student has acquired sufficient English language fluency and sufficient academic skills to succeed in an English only program.
- Comparison of the pupil’s performance in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

Meeting the Needs of All Students

Strategies: English Learner Instruction-Intervention

Extra teaching time is provided for English Learners using McGraw-Hill Integrated Differentiated EL Support for Math and English Language Development for all grades embedded into the McGraw texts. We follow those texts. TFSCS’ re-teaching strategies are relevant and critical to students’ advanced achievement. Our methods are “*evidenced based.*” However, TFSCS pursues excellence and improvement for all students to their “personal best.”

In accordance with the new standards for EL's, we at TFSCS, used our educational minutes in our instructional day to promote oral proficiency, vocabulary acquisition, and fluency in reading and writing. Monitoring of our English Learners takes place during classroom instruction. The following list is how our students are measured for achievement: classroom participation, weekly standard exams, homework, classroom observations, small group instruction, and after school tutoring.

Professional development sessions are held which focus on English Language Development. Teachers and administrators attend webinars, conferences and workshops focused on the implementation of CCSS in ELA/ELD or other identified needs.

Classes are structured on a Mainstream English model and use specially designed materials from state approved programs and other English Learner programs to teach English Learners. The McGraw-Hill curriculum is intertwined (imbedded) with an English Learner's component and teacher guidelines, which guide the teacher with appropriate EL activities.

It is the goal of TFSCS to move all English Learners to proficiency in English. ELs are taught using the CCSS. The annual growth target is set at gaining one proficiency level annually using the CELDT levels until an EL student reaches English language proficiency. Once they reach English language proficiency they are expected to remain at that level until they are re-designated or show proficiency to move to the next level based on CELDT test results.

The student Progress Report includes English Language Development ("ELD") progress. CELDT scores indicate limited-English proficient students' achievement towards the state ELD standards in reading, writing, listening and speaking. Quarterly or more frequent assessments may be held to determine the student's level of progress at each of the levels below:

Beginning, Early Intermediate, Intermediate, Early Advanced, or Advanced. Students who are re-designated are monitored according to ELA/ELD standards for the State of California and/or Federal Statutes and Charter School law.

Student portfolios are maintained and utilized to track student progress, along with other means of assessment, such as Teacher observation, Daily Work, tests, and home assignments.

At the end of the year, the CELDT coordinators meet to discuss how to improve testing and instruction for the next school year. They discuss any changes which need to be approved or implemented based on the past year test results and observations.

Serving Academically Low-Achieving Students

All students are administered beginning of the year assessments (following enrollment) and middle of the school year to determine reading and math levels. Students may be identified through "search and serve" techniques also. Students at risk of developing reading difficulty or math deficiencies receive supplemental or intensive services in addition to core instruction. Supplemental instruction is provided in individual or small groups for 20–40 minutes 3–4 times per week and English Learners' instruction is also mainstreamed throughout the classes for a set

aside time. Supplemental instruction provides explicit instruction in phonemic awareness, comprehension, fluency, phonics, vocabulary, problem solving, numeracy, and basic skills (computation, multi-digit multiplication with regrouping, converting numbers to percentages and solving equations).

Student progress is monitored using student data on a weekly and/or monthly basis to determine the effectiveness of the intervention (re-teach) or whether additional support is necessary. Instruction is differentiated by varying time, content and degree of scaffolding—based on students’ needs.

School-wide structures (core instruction) will be the first step in meeting the needs of students performing below or above grade level, but additional supports will be introduced for any student who:

- Is performing more than one level below or more than one level above his/her actual grade level in language arts and/or mathematics
- Earning below 70% in one or more core subjects and therefore in danger of failing the grade
- Earning below 2 on rubrics of core content learning standards
- Is not on track to make at least one grade level of growth in reading, writing, and math
- Does meet the criteria above but has persistent challenges with the Charter School’s academic or behavioral expectations

Teachers observe and document the student activities to determine if the Student Study Team (SST) should be convened for a student. The process by which students are identified for specific additional supports and the need for individualized plans are created for each student based on his or her needs. The SST will review the data provided by the teacher and intervention team to discuss additional instructional supports, a timeline for implementation, goals for the student, and means for assessments. All SSTs will be held with parents, students, teacher(s), and Site Administrator or Administrative Designee. The SST is a systematic, individual, solution-oriented approach to assist students with factors that are interfering with academic success. The SST clarifies problems and concerns, develops strategies, organizes resources, provides a system for school accountability, and serves to assist and counsel the parent, teacher and student.

Teachers are trained by professionals with proven track records of using research-based interventions and strategies. Teachers and support staff are taught how to monitor student progress, differentiate instruction, provide explicit teaching in reading and mathematics, utilize culturally relevant instructional strategies and other strategies to meet the needs of struggling students.

Serving Academically High-Achieving Students (Gifted/Talented Students)

Gifted/Talented students who have outstanding abilities will be considered for Gifted/Talented Programs.

A curriculum for Gifted/Talented students in this subgroup will be identified and grouped with a teacher who is addressing the needs of Gifted/Talented students.

The progress of students in the Gifted/Talented subgroups will be monitored with a specific teacher addressing their needs. Support will also be provided Gifted/Talented subgroup of students.

While we anticipate that most students' needs will be met by the wide variety of school-wide supports already in place, TFSCS is committed to working with students who are performing above grade level to help them achieve at their "personal best" and expected levels.

Academically high-achieving students will be identified and referred for a SST if they meet the following criteria:

1. Performing more than one level above his/her actual grade level
2. Earning 4 on rubrics of content learning standards in core content learning

It is important to continually strive to push our students toward success. For students achieving above grade level, an SST format will be used to document goals and objectives to accelerate our academically high achieving students. While the SST process for students achieving above grade level will be similar to students receiving remediation support, the strategies will be specific to the needs of academically high achieving students.

Strategies

Our student supports allow us to customize instruction for the needs of individual students by placing high achieving students in a differentiated instruction or appropriate flexible ability group which will accelerate the pace and amount of instruction the student receives. In addition, we will customize a student's individual work folder with assignments, materials and activities that accelerate their learning and address the goals and objectives in the SST (if needed). If students are present after school, an individual program will be assembled for high achieving students to accelerate their learning, as well as customizing homework to meet student SST objectives, and communicating progress with students, teachers, and parents.

Serving Socioeconomically Disadvantaged Students

We provide all students including our socio-economically disadvantaged/ low income students with the same quality instruction. All students have the opportunity to receive small group instruction throughout the day for Language Arts and Math with their teacher. Small group instruction consists of approximately 5 students, as staffing allows. During this time, students meet with their teacher and are retaught concepts they did not grasp in a previous lesson or did not attain proficiency in on their Friday assessment. Socio-economically disadvantaged/ low income students are also provided support in the classroom, assisting students through different teaching strategies. TFSCS also provides students with After School Tutoring on Monday's, Wednesday's, Thursday's and Friday's. After School Tutoring provides students the opportunity to ask their teacher for help if they did not grasp the concept in the day's lesson. Our goal is for

all students to become Life Long Learners and we give our students many opportunities to succeed and go to college.

TFSCS monitors the progress of these students based on many assessments we conduct throughout the year. For example, every Friday we administer assessments in Language Arts and Math. Students take the test and teachers grade the tests and analyze the data. All grades are sent home to the parents so they know exactly how their child is performing in school. Teachers also gather every Tuesday for Professional Development. During Professional Development, teachers are grouped by grade level and discuss next steps to ensure all students reach proficiency. This process is guided by the TMATT (Tracking and Monitoring Accountability Team) sheets. This process focuses the discussion of which standards need to be retaught as well as what standards were successfully taught.

Students in Other Subgroups

Families of foster youth may be identified through the enrollment process. All families prepare annual the Free and Reduced Price Application which facilitates the identification of foster youth. A school designee will also assist identifying families. The school designee will attend trainings and/or seminars to ensure knowledge is obtained where the school may be of more assistance in meeting the needs of this subgroup.

“A Typical Day”

A Typical day at Today’s Fresh Start Charter School Adams Hyde Park is as follows:

When students walk into the classroom they are greeted by their teacher. Students are directed to grab their breakfast and sit and eat it. Instructional time starts at 8:00am. The teacher takes roll while students begin their morning routine (ex: journal writing, morning review sheets, or silent reading).

During Math, Language Arts, Science, Social Studies, and Writing, the teacher teaches the lesson. The teacher will teach first while students watch the teacher use manipulatives and other resources. Once, the teacher is finished teaching the lesson, students are directed to copy notes from the board either on their laptops or in their notebooks. All notes students take help them retain information for their classwork, homework, and even tests. Once note taking is complete students will receive a worksheet. The teacher will do one question. The students and teacher will do the next two questions together making sure everyone understands the concept. The teacher answers any questions students might have. Once, they complete a few questions together students complete their worksheet themselves. When students are finished they bring their work to the teacher to be graded. While those students are completing their worksheets, selected students meet with their teacher for small group instruction. This is the time in which the teacher works with no more than 5 students in a group. Guided by the teacher, students work on a lesson they did not grasp the day before or during a Friday assessment. Lastly, all students take a quiz from what they just learned. Students who score below Basic will participate in small groups the next day.

Recess and outdoor play are important times for the students to interact. It gives them the opportunity to gain valuable social skills and learn how to get along with each other without fighting and arguing. The students learn about acceptable social expression.

The last part of the day is directed to Physical Education, Art, and Music. Teachers teach students the fundamentals of these subjects. All subjects throughout the day are followed by the California Common Core Standards.

The end of the day is 1:30pm for Kindergartners, 3:05pm for 1st- 3rd graders and 3:15pm for 4th- 6th graders.

ELEMENT 2: MEASURABLE PUPIL OUTCOMES

AND

**ELEMENT 3: METHOD BY WHICH PUPIL PROGRESS TOWARD OUTCOMES
WILL BE MEASURED**

“The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school.” Ed. Code § 47605(b)(5)(B).

“The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.” Ed. Code § 47605(b)(5)(C).

MEASURABLE GOALS OF THE EDUCATIONAL PROGRAM

Charter School shall meet all statewide content and performance standards and targets. Ed. Code §§ 47605(c)(1), 60605.

Charter School shall comply with all applicable laws and regulations related to AB 97 (Local Control Funding Formula) and AB 484, as they may be amended from time to time, including all requirements pertaining to pupil outcomes.

STANDARDIZED TESTING

Charter School agrees to comply with and adhere to state requirements for participation and administration of all state-mandated tests. If Charter School does not test with the District, Charter School hereby grants authority to the State of California to provide a copy of all test results directly to the District as well as Charter School.

TFSCS affirms that to the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

Student Outcomes Aligned with the Eight State Priorities

State Priority	Measurable Outcomes	Goals	Methods of Measurement (Assessment Tools)
<p><u>STATE PRIORITY #1— BASIC SERVICES</u> <i>The degree to which teachers are appropriately assigned (E.C. §44258.9) and fully credentialed, and every pupil has sufficient access to standards-aligned instructional materials (E.C. § 60119), and school facilities are maintained in good repair (E.C. §17002(d))</i></p>	<p>100% of core teachers will hold a valid CA Teaching Credential with appropriate English learner authorization as defined by the CA Commission on Teaching Credentialing.</p>	<p>All classrooms are staffed by highly effective, qualified, and appropriately assigned credentialed teachers for each subject area and/or grade levels.</p>	<p>Initial and annual verification of teacher credential as reported by the CA Commission on Teacher Credentialing; CALPADS Report 3.5</p>
	<p>100% of the students will have access to standards-aligned materials.</p>	<p>Students will have access to standards-aligned instructional materials.</p>	<p>All instructional materials purchased will be standards-aligned.</p>
	<p>Annual inspections indicate facilities are well maintained and in compliance.</p>	<p>All school facilities are well maintained in good repair, in a manner that assures that the learning environment is clean, safe, and functional.</p>	<p>Annual inspections records.</p>

State Priority	Measurable Outcomes	Goals	Methods of Measurement (Assessment Tools)
<p><u>STATE PRIORITY #2—IMPLEMENTATION OF COMMON CORE STATE STANDARDS</u> <i>Implementation of Common Core State Standards, including how EL students will be enabled to gain academic content knowledge and English language proficiency</i></p>	<p>100% of teachers will participate in professional development, webinars, conferences and workshops.</p>	<p>Teachers and administrative staff attend webinars, or conferences and workshops focused on the implementation of Common Core State Standards in the applicable subjects. Teachers, supplemental instructors, and administrative staff receive ongoing professional development.</p>	<p>Teacher sign in sheets from professional development sessions.</p>
	<p>Annually increase the percentage of students who demonstrate proficient or advanced mastery of content and performance standards</p>	<p>Increase English Learner students' academic content knowledge with the implementation of Common Core State Standards in ELA/ELD.</p>	<p>Methods of measurement include: CAASPP, and may include Study Island, or other Curriculum Based Assessments.</p>
	<p>Increase percentage of all students scoring proficient and advanced based on CAASPP and Study Island/NWEAMAP. Decrease the difference in percentage of students scoring proficient and advanced as measured by the CAASPP, Study Island /NWEA MAP</p>	<p>Increase the percentage of students that demonstrate proficient or advanced mastery of content and performance standards in ELA/ELD and at the same time close the achievement gap between African American, Latino and English Learners in ELA/ELD.</p>	<p>CAASPP as well as may include, such as local measures Study Island/NWEA</p>
<p><u>STATE PRIORITY #3— PARENTAL INVOLVEMENT</u> <i>Parental involvement, including efforts to seek parent input for making</i></p>	<ul style="list-style-type: none"> • Propose to pursue 80% or more of parent surveys agree or strongly agree that: • The Charter School's climate is welcoming and positive. • The Charter School 	<p>The school environment, programs and activities encourage the participation of all families in all aspects of the Charter School.</p>	<p>Parent surveys</p>

State Priority	Measurable Outcomes	Goals	Methods of Measurement (Assessment Tools)
<i>decisions for schools, and how the school will promote parent participation</i>	<p>communicates effectively about student achievement</p> <ul style="list-style-type: none"> • There are many varied opportunities for their participation in programs and activities • There are adequate instructional resources for learning. • There are numerous varied activities that interest students. • Propose to pursue 80% or more of parents evaluate meetings and workshops as effective in meeting their needs. • Propose to pursue 95% or more of parents attend parent and student conferences. • Propose an annual increase in parent participation (i.e. volunteering). • All parents/students sign the parent compact. 		
	Participation of parents with children in special events/programs will increase by 5% each year until 90% are involved.	Activities and events are held throughout the school year to promote family literacy and math.	Records of parent meetings and workshops including attendance, agendas, documents disseminated and participant evaluations.
<u>STATE PRIORITY #4— STUDENT ACHIEVEMENT</u> <i>Pupil achievement, as measured by all</i>	Study Island and Northwest Evaluation Association partner to drive student success to offer a fully integrated solution that uses a	TFSCS will pursue an increase from the baseline in the percentage of students below proficient and that demonstrate proficient or	Various methods of measurement will be used such as CAASPP, Study Island/NWEA, and may include other

State Priority	Measurable Outcomes	Goals	Methods of Measurement (Assessment Tools)
<p><i>of the following, as applicable:</i> <i>California Assessment of Student Performance and Progress (CAASPP) statewide assessment</i> <i>The Academic Performance Index (API)</i> <i>Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education</i> <i>Percentage of ELs who make progress toward English language proficiency as measured by the California English Language Development Test (CELDT) and/or English Language Proficiency Assessment for California (ELPAC)</i> <i>EL reclassification rate</i></p>	<p>student's MAP assessment. Study Island/NWEA and CAASPP assessments to pursue an increase in students scoring proficient and advanced.</p>	<p>advanced mastery of content and performance standards in ELA/ELD and Math and at the same time teaching the use of new technology techniques and simultaneously pursue closing the achievement gap between African American, Latino and English Learners in ELA/ELD. Students will need sufficient time to learn the necessity of using technology (laptops) and learning new CCSS at the same time.</p>	<p>curriculum based assessments.</p>

State Priority	Measurable Outcomes	Goals	Methods of Measurement (Assessment Tools)
<p><i>Percentage of pupils who have passed an AP exam with a score of 3 or higher</i></p> <p><i>Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 et seq.) or any subsequent assessment of college preparedness</i></p>			
	<p>Increase percent scoring proficient and advanced based on CAASPP and Study Island/ NWEA MAP assessments</p> <p>Decrease the difference between the performance of students scoring proficient and advanced</p>	<p>Propose to pursue an increase of students, including all student subgroups, to meet the annual API Growth Target, or equivalent, as mandated by the State Board of Education.</p>	<p>Measured by the CAASPP, Study Island/NWEA MAP</p>
	<p>The Charter School meets the Title III AMAOs for all Cohorts including those in the 5 Years or More Cohort.</p>	<p>Meet or exceed the Title III Annual Measurable Achievement Objectives as measured by the CELDT.</p>	<p>Assessment of language proficiency using an objective assessment instrument including, but not limited to, the CELDT.</p>
	<p>Student reclassification and performance rates, as measured by Title III Accountability Report and CELDT</p>	<p>Propose to pursue reclassification of EL students as Fluent English Proficient annually, and TFSCS will pursue an increase in the reclassification rate,</p>	<p>Assessment of language proficiency using an objective assessment instrument including, but not limited to, the CELDT and Title III</p>

State Priority	Measurable Outcomes	Goals	Methods of Measurement (Assessment Tools)
		as measured by the CELDT (or English Language Proficiency Assessments, when developed and implemented).	Accountability Report.
<p><u>STATE PRIORITY #5— STUDENT ENGAGEMENT</u> <i>Pupil engagement, as measured by all of the following, as applicable:</i> <i>School attendance rates</i> <i>Chronic absenteeism rates</i> <i>Middle school dropout rates (EC §52052.1(a)(3))</i> <i>High school dropout rates</i> <i>High school graduation rates</i></p>	Pursue 95% or higher Attendance rate.	Maintain an attendance rate of 95%.	Attendance as reported on P1, P2, and annual.
<p><u>STATE PRIORITY #6— SCHOOL CLIMATE</u> <i>School climate, as measured by all of the following, as applicable:</i> <i>Pupil suspension rates</i> <i>Pupil expulsion rates</i> <i>Other local measures, including surveys of pupils, parents,</i></p>	Pursue a 3% or lower suspension rate.	Continue to use alternative intervention methods to avoid and or decrease student suspensions.	<ul style="list-style-type: none"> • Office referrals for behavior that disrupt teaching and learning. • CARS

State Priority	Measurable Outcomes	Goals	Methods of Measurement (Assessment Tools)
<i>and teachers on the sense of safety and school connectedness</i>			
	Pursue a 0% expulsion rate.	Continue to use alternative interventions to avoid/decrease expulsions.	<ul style="list-style-type: none"> • Office referrals for behavior that disrupts teaching and learning. • CARS
	<p>Pursue 90% or more of parent surveys agree or strongly agree that:</p> <p>The Charter School’s climate is welcoming and positive.</p> <p>The Charter School communicates effectively about student achievement</p> <p>There are many varied opportunities for parent participation in programs and activities.</p> <p>There are adequate instructional resources for learning.</p> <p>There are numerous and varied activities that interest students.</p> <p>Agendas and sign-in sheets of parent meetings workshops sign in kept for each meeting.</p> <p>Propose 80% or more of parents evaluate meetings and workshops as effective in meeting their needs.</p> <p>Propose to pursue 95% or more of parents attend parent and student</p>	The school environment, programs and activities encourage the participation of all families in all aspects of the Charter School	<ul style="list-style-type: none"> • Records of parent meetings and workshops including attendance, agendas, documents disseminated and participant evaluations. • Signed parent/student/school compacts. • Parent Family Student Handbook containing information about school policies • Attendance at parent and student conferences. • Parent surveys assessing school climate, academic program, and opportunities for participation. • Parental obligation for volunteer hours or other types of participation.

State Priority	Measurable Outcomes	Goals	Methods of Measurement (Assessment Tools)
	conferences		
<p><u>STATE PRIORITY #7— COURSE ACCESS</u> <i>The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster youth; E.C. §42238.02) and students with exceptional needs. Broad course of study” includes the following, as applicable: <u>Grades 1-6:</u> English, mathematics, social sciences, science, visual and performing arts, health, physical education, and other as prescribed by the governing board. (E.C. §51210) <u>Grades 7-12:</u> English, social</i></p>	<p>Propose to pursue an Increase percent of students who meet the Federal and local fitness standards for their grade level. Propose to pursue an increase percent of students who are proficient and advanced on the Study Island/NWEA MAP assessments and Next Generation Science Standards. Propose to pursue an increase percent of students who are proficient and advanced on the CAASPP assessments of NGSS and art standards. Each student may complete at least- 2 or more project based tasks that integrates content, skills and activities from the sciences, history and math. All students may complete 2 or more projects and tasks integrating literature, math, social studies, etc. requiring the use performing arts. All students may participate in 2 or more rehearsed musical, dramatic, or dance performances within the classroom, for the grade</p>	<p>All students are provided with a comprehensive and broad course of study that includes standards aligned content in science, social studies, health, physical education, and the arts.</p>	<p>Federal and local fitness test; Study Island/NWEA Map Assessments; CAASPP; and NGSS and arts standards</p>

State Priority	Measurable Outcomes	Goals	Methods of Measurement (Assessment Tools)
<i>sciences, foreign language(s), physical education, science, mathematics, visual and performing arts, applied arts, and career technical education. (E.C. §51220(a)-(i))</i>	level or before the school community. All students receive Physical Education instruction that equals or exceeds the required minutes.		

Measuring Pupil Progress Toward Outcomes: Formative Assessment

Student achievement in developing grade level content mastery in specific knowledge and critical thinking skills is assessed using a variety of assessment measures. Such assessments are necessary to map the Charter School’s strengths and weaknesses and to hold students, parents, administrators and teachers accountable for student progress. TFSCS has clearly defined what students should know in each subject in each grade level for the CAASPP and CCSS. These assessments are based on a tracking and monitoring system of student progress.

The assessment program is aligned with the CCSS and CAASPP, Smarter Balanced Field Tests for evaluating student progress. Weekly assessments using computerized assessment programs such as McGraw-Hill and Study Island may be utilized. Results of assessment data are analyzed and disaggregated by the Charter School’s subgroups to determine students’ strengths and areas for improvement. Performance Assignments (curriculum embedded) are used to measure on-going progress of students’ mastery of skills and standards. Assessment forms the basis of our evaluation program to measure student progress and goals.

All instructional programs and educational plans are reviewed and analyzed to identify needs in order to meet educational goals and student outcomes. Trimester assessments of grade level core/basic skills are conducted through pre/post assessment and the assessment schedule.

Assessment Schedule

ASSESSMENT FRAMEWORK	DESCRIPTION OF ASSESSMENT TOOL	DATE
ANNUAL	REQUIRED CALIFORNIA STATE TESTING & REPORTING SYSTEM	APPROXIMATELY MAY
BI-ANNUAL	ASSESSMENT (PRE/POST)	SEPT/JAN
ON-GOING	PARENT CONFERENCES	SEPTEMBER -JUNE

ON-GOING	TEACHER MADE ASSESSMENTS IMBEDDED IN PROGRAM, UNIT TESTS ALIGNED WITH COMMON CORE AND STATE STANDARDS	SEPTEMBER TO JUNE
QUARTERLY	PROGRESS REPORTS ARE ALIGNED WITH COMMON CORE STATE STANDARDS PARENT EXPECTED TO CONFERENCE WITH TEACHERS	DECEMBER* MARCH* JUNE

TFSCS will track and analyze factors, which influence academic achievement and growth.

Data Analysis and Reporting

TFSCS collects data from Beginning of the Year assessments, Data Director, Summative and Trimester assessments, as well as weekly assessments pertaining to individual standards being taught that week. The teachers at TFSCS use the data collected on a weekly basis to create small group lessons for those students not performing at a proficient level. These students are then retested on these standards for proficiency. The role and use of data to monitor and improve the charter school’s educational program and operations. The data is used to monitor the students on a weekly basis to ensure instruction is differentiated to meet the needs of each student so that all students have to opportunity to reach proficiency. Stakeholders are informed of student progress at meetings.

Grading, Progress Reporting, and Promotion/Retention

Students are graded on a scale of A-FBB, according to a numeric rubric, in which an A is advanced, P is proficient, B is basic, BB is below basic, and FBB is Far Below Basic. The numeric scale is as follows: A= 100-90, P=89-80, B= 79-70, BB= 69-60, FBB= 59-0. TFSCS reports student progress to parents on a weekly basis. Formal reports are provided to the parents throughout the course of the school year and consist of three benchmark and three Trimester reports.

Promotion/retention is based on several assessment measures which determine grade-level competency. The assessment measures may include school designated tests and performance assignments, state- mandated standardized tests, publisher-developed assignments, teacher assignments and assessments, portfolios, student conduct/behavior records, program audits, stakeholder surveys. Students who fail to reach the performance threshold determined by the rubric may be retained after careful review of all elements. The student’s academic performance will be reassessed at the end of the school year, and the decision to retain or promote the student will be reevaluated at that time and during the end of the school year.

TFSCS has learned that patience and perseverance with each and every student cannot be replaced. Each student is different and has to be treated according to their own learning style and the best approach to take in developing their social and academic potential.

ELEMENT 4: GOVERNANCE

“The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.” Ed. Code § 47605(b)(5)(D).

GENERAL PROVISIONS

As an independent charter school, Charter School, operated as or by its nonprofit public benefit corporation, is a separate legal entity and shall be solely responsible for the debts and obligations of Charter School.

Charter School shall comply with the Brown Act and the Public Records Act.

All employees and representatives of Charter School, including members of Charter School’s governing board, members of school or governing board committees or councils, school administrators, and managers, shall comply with federal and state laws, nonprofit integrity standards, and LAUSD’s charter school policies, regarding ethics and conflicts of interest.

Charter School shall ensure that, at all times throughout the term of the Charter, the bylaws of its governing board and/or nonprofit corporation are and remain consistent with the provisions of this Charter. In the event that the governing board and/or nonprofit corporation operating Charter School amends the bylaws, Charter School shall provide a copy of the amended bylaws to CSD within 30 days of adoption.

Charter School shall send to the CSD copies of all governing board meeting agendas at the same time that they are posted in accordance with the Brown Act. Charter School shall also send to the CSD copies of all board meeting minutes within one week of governing board approval of the minutes. Timely posting of agendas and minutes on the school website will satisfy this requirement.

The District reserves the right to appoint a single representative to the Charter School governing board pursuant to Ed. Code section 47604(b).

TITLE IX, SECTION 504, AND UNIFORM COMPLAINT PROCEDURES

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

Charter School shall adopt and publish complaint procedures providing for prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by Title IX or Section 504.

Charter School shall adopt and implement specific and continuing procedures for notifying applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with Charter School, that Charter School does not discriminate on the basis of sex or mental or physical disability in the educational programs or activities which it operates, and that it is required by Title IX and Section 504 not to discriminate on any such basis.

Charter School shall establish and provide a uniform complaint procedure in accordance with applicable federal and state laws and regulations, including all applicable requirements of California Code of Regulations, title 5, sections 4600 et seq.

Charter School shall adhere to all applicable federal and state laws and regulations regarding pupil fees, including Ed. Code sections 49010 – 49013, and extend its uniform complaint procedure to complaints filed pursuant to Ed. Code section 49013.

Charter School shall extend its uniform complaint procedure to complaints pursuant to the local control funding formula. Ed. Code § 52075.

LEGAL AND POLICY COMPLIANCE

Charter School shall comply with all applicable federal, state, and local laws and regulations, and District policy as it relates to charter schools, as they may be amended from time to time.

Charter School shall comply with all applicable federal and state reporting requirements, including but not limited to the requirements of CBEDS, CALPADS, the Public Schools Accountability Act of 1999, and Ed. Code section 47604.33.

RESPONDING TO INQUIRIES

Charter School, including its nonprofit corporation, shall promptly respond to all inquiries, including but not limited to inquiries regarding financial records from the District, and shall cooperate with the District regarding any inquiries. Charter School, including its nonprofit corporation, acknowledges that it is subject to audit by LAUSD, including, without limitation, audit by the District Office of the Inspector General. Charter School shall provide the District with current and accurate contact information for the school, school administrators, and Board members.

If an allegation or other evidence of waste, fraud, abuse, or other material violation of law related to Charter School's operations, or breach of charter, is received or discovered by the District, Charter School shall cooperate with any resulting investigation undertaken by the District and/or the Office of the Inspector General Investigations Unit.

NOTIFICATION OF THE DISTRICT

Charter School shall notify the Charter Schools Division in writing of any citations or notices of workplace hazards, investigations by outside regulatory or investigative agencies, lawsuits, changes in corporate or legal status (e.g. loss of IRS 501(c)(3) status), or other formal complaints or notices, within one week of receipt of such notices by Charter School. Unless prohibited by law, Charter School shall notify the CSD in writing of any internal investigations within one week of commencing investigation.

STUDENT RECORDS

When a student transfers for any reason from Charter School to any other school, Charter School shall transfer a copy of the student's complete cumulative record within 10 school days of receiving a records request from the receiving school. In the event Charter School closes, Charter School shall comply with the student records transfer provisions in Element 16. Charter School shall comply with the requirements of Ed. Code section 49060 et seq., regarding rights to access student records and transfer of records for youth in foster care.

TFSCS is governed by the Board of Directors, which has the overall responsibility for the educational and fiscal oversight of the Charter School, approving all major educational and operational policies, approving all major contracts, annual budgets, and evaluating the Superintendent. The Board also helps ensure effective organizational planning by approving long-range goals and annual objectives, monitoring the general policies such as health and safety, use and maintenance of facilities, and overseeing that school resources are managed effectively.

The authorized number of Directors shall be not less than three (3) Directors or more than seven (7) Directors unless changed by amendment of the Bylaws. The terms of the Board members are staggered, with each Director holding office for the term of two (2) years and until a successor Director has been elected and qualified. The Board of Directors will include at least one parent.

California Nonprofit Public Benefit Corporation

TFSCS will exist as a legally and operationally independent nonprofit entity. As such, TFSCS is incorporated as an independent California Nonprofit Public Benefit Corporation with its own Board of Directors. The affairs of the non-profit corporation are managed and its powers exercised under the Board's ultimate jurisdiction.

The Charter School will operate 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 the Charter School. Pursuant to California Education Code Section 47604(c), the District shall not be liable for the debts and obligations of the Charter School, operated as a California non-profit public benefit corporation, or for claims arising from the performance of acts, errors, or omissions by the Charter School as long as the District has complied with all oversight responsibilities required by law.

Board Meetings and Duties

The TFSCS Board of Directors will hold quarterly regular meetings, and special meetings as needed and in accordance with the Brown Act. The Board of Directors shall establish the annual calendar for Board meetings prior to the start of the school year. Board meeting agendas shall be posted in accordance with the Brown Act at the school's main office and on the TFSCS website at least 72 hours in advance prior to a regular meeting and 24 hours prior to a special meeting. Meeting minutes will be maintained in a binder at TFSCS' main office for public inspection.

A majority of the current number of Directors constitutes a quorum of the Board of Directors for the transaction of business, except as may be provided in the bylaws.

The Board of Directors is responsible for the operation, fiscal affairs and policy making of the Charter School with staff input, including but not limited to the following:

- Hire, supervise, evaluate, discipline, and dismissal of the Site Administrator of the Charter School
- Hire, supervise, evaluate, discipline, and dismissal of the Superintendent of the Charter School
- Approve and monitor the implementation of general policies of the Charter School
- Approve and monitor the Charter School's annual budget and budget revisions
- Approve annual independent fiscal audit
- Contract with an external independent auditor to produce an annual financial audit according to generally accepted accounting practices
- Act as a fiscal agent. This includes but is not limited to the receipt of funds for the operation of the Charter School in accordance with applicable laws and the receipt of grants and donations consistent with the mission of the Charter School
- Approve the school calendar and schedule of Board meetings
- Participate in the dispute resolution procedure and complaint procedures when necessary
- Approve charter amendments as necessary and submit requests for material revisions as necessary to the Authorizer for consideration
- Appoint an administrative panel or act as a hearing body and take action on recommended student expulsions

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

The Charter School shall comply with the Brown Act, Political Reform Act, and Board-adopted Policy.

The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee of the Charter School 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.

Business And Operations Management

TFSCS may contract from time to time with outside vendors, to the extent possible to provide necessary non-educational and education related services. This will enable the staff to focus their energies in areas of their expertise, allowing sufficient time for reflection on instructional and curricular issues. There is an on-site business department and outside contractors provide services such as budgeting/forecasting, accounts set-up (insurance/benefits/attendance tracking), payroll, compliance/required reporting.

Parent / Student Involvement Plan

One of the primary predictors of student success is parent involvement. Parents are encouraged and expected to participate in the educational process of their child(ren). Parents may participate in school governance, support students' educational development and other school activities. TFSCS has convened a School Site Council which contains parent representatives.

Parents and students at TFSCS are required to sign a non-binding parent/student Pledge. Parents, as partners, agree to sign a compact, confirming the commitment parents/ guardians will make to enhance the academic success of their child, which includes:

- Volunteering at the school campus and/or community activities;
- Working with the child at home with homework, projects, etc.;
- Maintaining positive and effective communication with the teacher and staff to the educational benefit of the child;
- Ensuring that their child attends school daily and on time;
- Enforcing the Charter School's Parent/Student Compact in the Parent Family Handbook signed by parents with their child;
- Attending at least two parent workshops during the school year.

Students are expected to sign the conduct compact accepting personal responsibility for their own education and the ongoing improvement of their academic performance. The student agrees to:

- Attend school daily and on time.
- Complete homework assignments thoroughly as the teacher requires.
- Participate in support programs (mentoring) as needed and as funds are available.
- Complete community service hours.

- Follow the Charter School Code of Conduct, including wearing clothing compatible with the Charter School’s education guidelines; at all times while in school or attending school functions.
- Students are required to come to school prepared to learn and in a state of readiness.

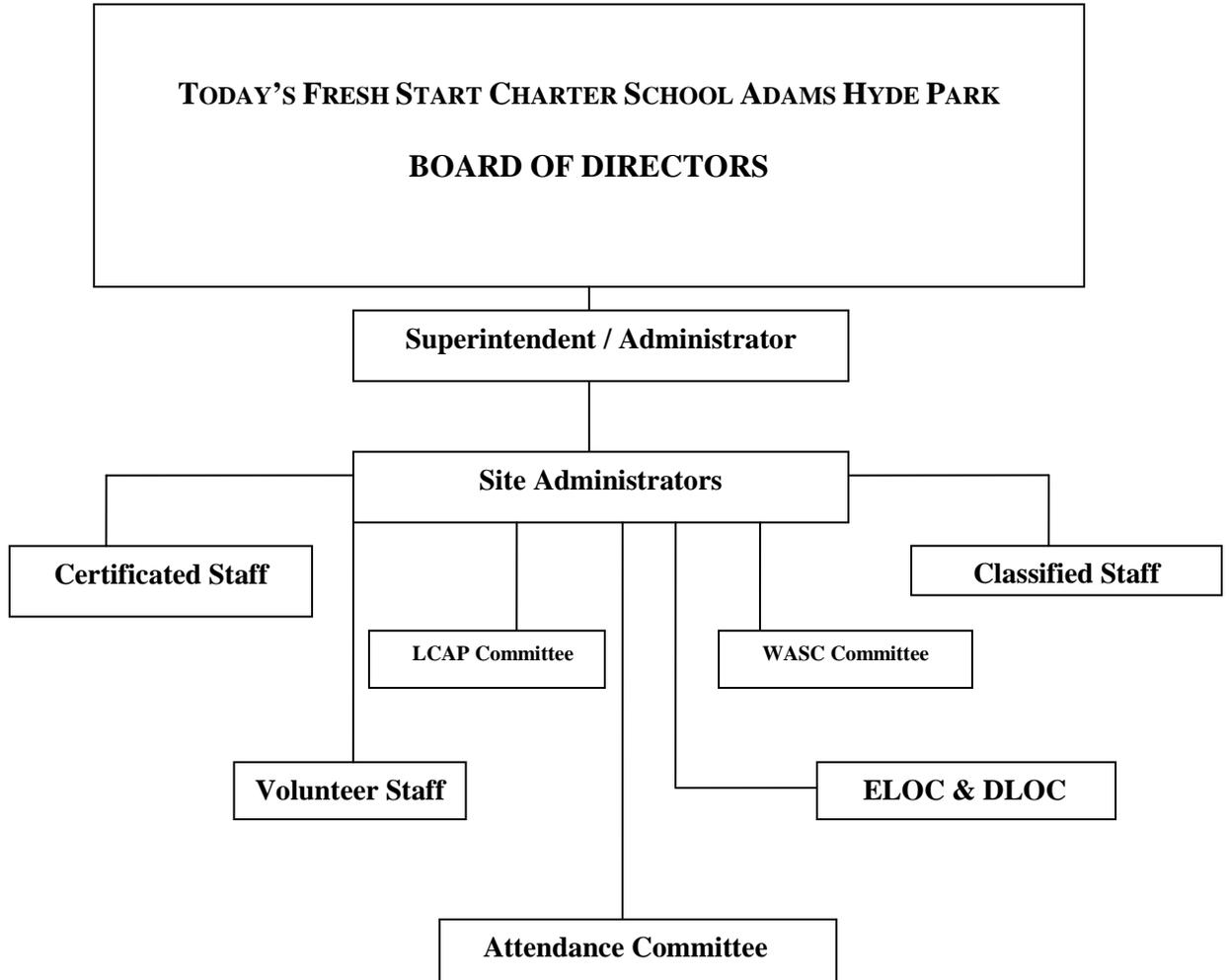
Additional activities for parent involvement include, but not limited to:

Meetings At The Individual Classroom Level (Back To School Night And Open House)

Classroom teachers will meet with parents to discuss grade level goals, expectations, classroom rules, and assessment tools. During these meetings, examples of student work and lessons will be presented to the parent (e.g. through slides, displays of work, portfolios, or other means, etc.). The parent involvement meetings will take place at various times convenient for the families with advance notification to best ensure their participation. Parent involvement is further encouraged through math and literacy family nights, back to school nights, awards assemblies, class visits and performing arts program events. Additional examples of parent involvement include:

- **Individual Parent-Teacher Conferences.** Conferences will be held during the year with student’s parent/guardian to inform them of the educational progress of their child and family need for participation. Other needed parent teacher conferences may be held, if necessary.
- **Hands-On Workshops.** “Learning by doing” such as, literacy and math nights will help parents and staff members acquire techniques with a strong educational potential.
- **Cultural Holidays And Celebrations.** Activities where children, their families, and members of the community come together to celebrate different cultures. Sometimes all families of the same grade level may be involved and at other times a particular class or grade level.
- **Community Events.** The Charter School will participate in community events and host events to invite the community at large, such as career day, health fairs, and arts events.

Organizational Chart



ELEMENT 5: EMPLOYEE QUALIFICATIONS

“The qualifications to be met by individuals to be employed by the school.” Ed. Code § 47605(b)(5)(E).

EQUAL EMPLOYMENT OPPORTUNITY

Charter School acknowledges and agrees that all persons are entitled to equal employment opportunity. Charter School shall not discriminate against applicants or employees on the basis of race, color, religion, sex, gender, gender expression, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, genetic information, military and veteran status, or any other characteristic protected by California or federal law. Equal employment opportunity shall be extended to all aspects of the employer-employee relationship, including recruitment, selection, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and dismissal from employment.

ESEA/NCLB AND CREDENTIALING REQUIREMENTS

Charter School shall adhere to all requirements of the Elementary and Secondary Education Act (ESEA, also known as No Child Left Behind (NCLB)) that are applicable to teachers and paraprofessional employees. Charter School shall ensure that all teachers and paraprofessionals meet the requirements for employment set forth in Ed. Code section 47605(1). Teachers of core and/or college preparatory subjects, and special education teachers, must hold and maintain 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 in the same assignment, including English Learner authorization. Charter School shall maintain current copies of all teacher credentials and make them readily available for inspection.

Qualifications for All Employees

All employees must furnish or be able to provide:

- Tuberculosis (“TB”) testing.
- Fingerprinting and the service fee to the Department of Justice for criminal record check. Applicants will be required to provide a full disclosure regarding prior criminal record.
- Documents establishing legal work status.

TFSCS adheres to the existing state of California laws regarding fingerprinting and TB testing of employees. TFSCS adheres to school policy pertaining to the safety and health of all employees and students. Prior to the first day of work for every employee, TFSCS processes all background checks through LiveScan, administered by the Department of Justice.

All personnel must commit to the mission and vision of TFSCS. Employees’ job descriptions and work schedules are reviewed and modified as necessary to meet the needs of the Charter

School and its students. The job descriptions are based on the duties and work basis as outlined in the charter. All employees are required to read and acknowledge receipt of the TFSCS Employee Handbook.

Qualifications and Duties for Core Teachers

Teachers meet the requirements for employment as stipulated by Education Code Section 47605(1). Teachers of core subjects (English language arts, math, science, and history/social science) must hold a Commission on Teacher Credential, certificate, permit, or other document equivalent to that they would be required to hold in other public schools. These documents shall be maintained on file at the Charter School and are subject to periodic inspection by the District. The Charter School shall be given flexibility with regard to teacher credentialing requirements for noncore, noncollege preparatory courses pursuant to Education Code Section 47605(1).

The Site Administrators, Superintendent and/or Administrative designee or other specified personnel, through an application and interview process, select all teachers. Selection of core teachers is based on teaching experience, the necessity of having a valid California Teaching Credential, the degree of subject matter expertise, and their ability to demonstrate classroom management and instructional capabilities.

Teachers are responsible for providing quality instruction of subject matter in a self contained or single subject matter specific classroom setting, where appropriate, including math, language arts, science, social studies, art, music, physical education, character education, and computer skills. Teachers are required to use a variety of teaching methods and strategies to engage students with different learning styles, abilities, and maturity levels. Additional responsibilities include helping develop students' learning skills, study skills, problem solving skills, critical thinking and social skills, collaborating with Administration, paraprofessionals, education coordinators, tutors and other personnel who are an integral part of the student's achievement. The qualifications of core teachers are listed above.

Teacher Duties and Responsibilities

- Participate in in-depth training and in-services of school curriculum
- Provide quality, enriched, and powerful, creative curriculum, which is focused and CCSS based on high achievement to the best of students' capabilities
- Provide and maintain an effective classroom environment that reflects and facilitates the academic program
- Continually evaluate classroom performance to meet the needs of each and every individual student
- Monitor students' academic progress, some of which may include: assessment tools including rubrics, benchmarks, technology resource based assessments, work samples (portfolios), tests, quizzes, computerized assessment programs such as Study Island, EduSoft, and other resources suitable to guide students' progress toward achieving grade level competency
- Maintain running records: such as, assessments, technology based monitoring, checking for understanding which may be daily, weekly, monthly, and/or trimester progress

- Actively strive for continuous, collaborative communication with Administration, other staff, parents and community
- Participate in faculty meetings, school committees, common planning, weekly professional development and beginning of the year professional development and other as may become necessary
- Participate in Individual Education Plan meetings when applicable
- Continue to work on individual knowledge of teaching delivery (e.g. through internet access) to enhance student progress

There are fundamental requirements for proficient teaching some of which are: liberal arts, sciences; knowledge of core-relevant subject matter content; ability to research, develop and adapt specific teaching strategies to the students' needs, using skills in effectively teaching students from racially, ethnically, and socioeconomically diverse backgrounds; and the skills and capacity to employ their knowledge wisely in the interest of students learning; knowledge of general and subject-specific methods for teaching and for evaluating student learning; knowledge of students and human development; Teachers are committed to students and their learning. They know the subjects they teach and how to teach those subjects to students being responsible for classroom management and classroom behavior management and monitoring student learning. Teachers will meet the regulation requirements of the ESEA Federal and State Requirements.

Qualifications for Superintendent

The Superintendent will be the leader of the Charter School. The Superintendent reports directly to the TFSCS Board of Directors, and s/he is responsible for the daily operations of the Charter School.

The Superintendent shall perform assigned tasks as directed by the TFSCS Board of Directors and shall be required to undertake some or all of the tasks detailed below. These tasks may include but are not limited to the following:

- Ensure the Charter School enacts its mission
- Communicate and report to the Charter School Board of Directors
- Oversee school finances to ensure financial stability
- Identify the staffing needs of the Charter School, including: interviewing prospective employees; hiring, promotion, discipline, and/or dismissal; ensuring appropriate evaluation techniques for staff
- Ensure compliance with all applicable state and federal laws and help secure local grants
- Establish and maintain a system to handle organizational tasks such as student records and weekly attendance roll sheets
- Promote positive image of the Charter School in the community
- Attend Authorizer administrative meetings (as necessary) by the Authorizer and stay in direct contact with the Authorizer
- Ensure the development of the Local Control and Accountability Plan

- Present independent fiscal audit to the Charter School Board of Directors and, after Board of Directors review, submit audit to the District, State Board of Education, County Superintendent of Schools, State Controller and the California Department of Education;
- Participates, as necessary, in the suspension, expulsion and dismissal process
- Participate in IEP meetings, as necessary or appoint administrative designee

The Superintendent is responsible for the overall fiscal, business and academic decisions for TFSCS School. The Superintendent reports directly to the Board of Directors.

Qualifications: The Superintendent must have a Master's and/or Doctorate degree with five or more years of experience in school administration with knowledge of school finance, budget, program and school law.

Qualifications for Site Administrator

The Site Administrator is selected by the Superintendent on an application and interview basis. Selection of the Site Administrator is based on experience in classroom and other educational leadership, demonstrated ability in program implementation and/or development, and commitment to educational reform; must have demonstrated sensitivity to developing a learning environment that supports cultural diversity in a multi-ethnic student population; held directly accountable for student progress and the implementation of the educational program. Priority is given to applicants with direct experience with the Today's Fresh Start Charter School program and operations. The Site Administrator may be appointed by the Superintendent. Selection of the Site Administrator is based on experience in classroom and other educational leadership, demonstrated ability in program implementation and/or development, and commitment to educational reform; must have demonstrated sensitivity to developing a learning environment that supports cultural diversity in a multi-ethnic student population; held directly accountable for student progress and the implementation of the educational program.

Qualifications: The Site Administrator must hold minimally a current Clear California Teaching Credential or a higher degree and have knowledge and a background of experience in curriculum and instruction. The Site Administrator is directly responsible to the Superintendent.

The Site Administrator's tasks may include but are not limited to the following:

- Ensure the Charter School enacts its mission
- Collaborate with the Superintendent as needed in the interview process for employee hiring, promotion, discipline, and/or dismissal
- Ensure compliance with designated state and federal laws in connection with grants, and help secure local grants
- Communicate with parents and assure families of academic growth
- Take responsible steps to secure daily attendance of the students enrolled in the Charter School
- Complete and submit required documents by the charter and/or Charter School Board of Directors and/or the Authorizer
- Identify the staffing needs of the Charter School in collaboration with the Superintendent
- Ensure that appropriate evaluation techniques are used for both students and staff

- Establish and maintain a system to handle organizational tasks such as student records, teacher records, teacher credentialing information and attendance logs
- Hire qualified substitute teachers as needed
- Ensure the security of the school buildings
- Promote the Charter School in the community
- Support teacher professional development
- Attend Authorizer administrative meetings (as necessary)
- Participate in development of the LCAP
- Manage student discipline, and as necessary participate in the suspension and expulsion process
- Participate in IEP meetings as necessary

Other Certificated Staff Qualifications

Day-to-day substitutes are established and qualified substitutes are maintained. All substitute teachers hold California Teaching Credentials qualifying them to teach the grade/class for which they are substituting.

Office Personnel Qualifications and Duties

Qualifications are based on the ability to perform the prescribed duties; high school education, at least one year of previous office and clerical experience; bilingual in English and Spanish, telephone etiquette, computer skills, and general overall knowledge of handling parents and others with whom they may come into contact.

Office Personnel is selected by the Superintendent and/or Administrative designee on an application and interview basis. Selection is based on the ability to perform the job duties for that position. Office personnel duties may include, but not limited to:

- Answering telephones
- Filing reports
- Enrolling students
- Managing/monitoring office operations
- Ordering and purchasing office and classroom supplies and vendor management
- Developing and implementing clerical and administrative procedures for daily school operations
- Preparing correspondence, reports, bulletins, files, forms, memorandums, and performing other clerical and administrative duties as assigned
- Bilingual translation and communication with parents and community

Non-Certificated Instructional Personnel

Non-certificated instructional personnel are selected by the Superintendent and/or Site Administrator on an application and interview basis. Selection is based on the ability to perform the job duties for that position. Non-certificated personnel perform duties suitable for their job positions.

Qualifications: Minimally, TFSCS classroom helpers may possess college credits and/or are required to have at least one year experience working with grades transitional kindergarten through sixth grades. TFSCS will adhere to applicable requirements for Paraprofessionals as set forth in the ESEA Regulations, as they are applicable to TFSCS. A Paraprofessional/Instructional Aide must minimally hold a high school diploma and may have earned as many as 45 units from a Regionally Accredited Institution or higher.

Recruitment

A contract agreement, if needed, will be entered into with a staff recruitment company. TFSCS utilizes all means of conventional recruitment available, newspaper advertisement such as Los Angeles Times, media, internet sources such as Ed-Join Staff Recruitment Website, Indeed Staff Recruitment Website and referrals.

ELEMENT 6: HEALTH AND SAFETY PROCEDURES

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

Health, Safety and Emergency Plan

Charter School shall have a comprehensive site-specific Health, Safety and Emergency Plan, including but not limited to the acquisition and maintenance of adequate onsite emergency supplies, in place prior to beginning operation of the charter school each school year. Charter School shall ensure that all staff members receive annual training on Charter School’s health, safety, and emergency procedures, including but not limited to training on child abuse awareness and reporting and bloodborne pathogens awareness, and shall maintain a calendar for, and conduct, emergency response drills for students and staff. Charter School shall periodically review, and update and/or modify as necessary, its Health, Safety and Emergency Plan, and keep it readily available for use and review upon CSD request.

Family Educational Rights and Privacy Act (FERPA)

Charter School, including its employees and officers, shall comply with the Family Educational Rights and Privacy Act (FERPA) and Ed. Code § 49060 et seq. at all times.

Criminal Background Checks and Fingerprinting

Charter School shall require the following persons to submit to criminal background checks and fingerprinting in accordance with state law: (1) all employees of Charter School, (2) any employees of vendors or independent contractors providing schoolsite services who may have contact with students, and (3) all volunteers who will be performing services that are not under the direct supervision of a Charter School employee. Charter School shall maintain on file and available for inspection evidence that (1) Charter School has performed criminal background checks and cleared for employment all employees prior to employment, and (2) Charter School has obtained certification that independent contractors and vendors have conducted required criminal background checks for their employees prior to any contact with students. Charter School shall also ensure that it requests and receives subsequent arrest notifications from the California Department of Justice to ensure the ongoing safety of its students. Upon request, Charter School shall provide a copy of Department of Justice confirmation of Custodian of Records status for each Custodian of Records.

Immunization and Health Screening Requirements

Charter School shall require its employees, and any volunteer, vendor, or independent contractor who may have frequent or prolonged contact with students, to be examined and determined to be free of active tuberculosis as described in Ed. Code section 49406. Charter School shall maintain

TB clearance records on file.

Charter School shall provide for the immunization and health screening of its students, including but not limited to screening for vision, hearing, and scoliosis, to the same extent as would be required if the students were attending a non-charter public school. Charter School shall maintain immunization records on file.

Safe Place to Learn Act

Charter School shall comply with all applicable requirements of the Safe Place to Learn Act, Ed. Code section 234 et seq.

TFSCS shall adopt and implement a comprehensive set of health, safety, and risk management policies. The policies shall be developed in consultation with the Charter School's insurance carriers and incorporated as appropriate into the Charter School's Parent-Family-Student and staff handbooks. The policies shall be reviewed on an ongoing basis in the Charter School's staff development efforts and governing board policies. A comprehensive set of policies shall be maintained at the school site.

The following is a summary of the health and safety policies of the Charter School:

Custodian of Records

The Executive Assistant to the Superintendent and/or designee will serve as the TFSCS Custodian of Records per California Department of Justice ("DOJ") requirements. As such, the Executive Assistant to the Superintendent and/or designee will be responsible for the security, storage, dissemination and destruction of criminal records furnished to the DOJ, serve as the primary contact for the DOJ, and comply with all other requirements of the DOJ.

Role of Staff as Mandated Child Abuse Reporters

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

Immunizations

All enrolled students and staff will be 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. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster and TDAP.

Medication in School

The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school.

Diabetes

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

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

Emergency Preparedness

The Charter School shall adhere to an Emergency Preparedness Handbook drafted specifically to the needs of the school site in conjunction with law enforcement and the Fire Marshall. This handbook shall include, but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations.

Blood borne Pathogens

The Charter School shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the work place. The Board shall establish a written infectious control plan designed to protect employees and students from possible infection due to contact with blood borne viruses, including human immunodeficiency virus (“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.

Drug-, Alcohol-, and Smoke-Free Environment

The Charter School shall function as a drug-, alcohol-, and smoke-free environment.

Facility Safety

The Charter School 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. The Charter School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all

times. The Charter School shall conduct fire drills as required under Education Code Section 32001.

Comprehensive Discrimination and Harassment Policies and Procedures

The Charter School is committed to providing a school that is free from discrimination and sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, gender, gender identity, gender expression, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. The Charter School shall develop a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at the Charter School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with the Charter School's discrimination and harassment policies.

Student Health and Wellness

TFSCS recognizes the link between student health and academic achievement. It is the goal of TFSCS to promote the health of its students by supporting wellness, good nutrition and regular physical activity as vital components of the complete learning environment. In furtherance of this goal, the TFSCS Board of Directors shall adopt a School Wellness Policy that addresses the following:

- Involvement of school and community stakeholders through a School Wellness Committee
- Standards to address nutritional quality of foods and beverages sold and served on campus, as applicable
- Nutrition and physical activity education and promotion
- Daily physical education and integrating physical activity in the classroom

ELEMENT 7: MEANS TO ACHIEVE RACIAL AND ETHNIC BALANCE

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

Court-ordered Integration

Charter School shall comply with all requirements of the Crawford v. Board of Education, City of Los Angeles court order and the LAUSD Integration Policy adopted and maintained, pursuant to the Crawford court order, by the District’s Student Integration Services (collectively the “Court-ordered Integration Program”). The Court-ordered Integration Program applies to all schools within or chartered through LAUSD.

Charter School has set forth below its initial plan for achieving and maintaining the LAUSD’s Racial and Ethnic Balance goal of a 70:30 or 60:40 ratio. (*Ratio represents the percentage of Predominantly Hispanic Black Asian Other (PHBAO) compared to Other White (OW)*). The written plan lists specific dates and locations of recruitment activities that Charter School will undertake in order to achieve the District’s Racial and Ethnic Balance goal. Charter School shall monitor the implementation and outcomes of the initial plan, and modify it as necessary to achieve the District’s goal. Upon request, Charter School shall provide the District with a copy of its current written plan.

The District receives neither average daily attendance allocations nor Court-ordered Integration Program cost reimbursements for charter school students. Instead, the District now receives the Targeted Instructional Improvement Block Grant (TIIBG) for its Court-ordered Integration Program. The District retains sole discretion over the allocation of TIIBG funding, where available, and cannot guarantee the availability of this funding.

Federal Program Compliance

As a recipient of federal funds, including federal Title I, Part A funds, Charter School has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the Elementary and Secondary Education Act (ESEA, also known as No Child Left Behind (NCLB)) and other applicable federal grant programs. Charter School understands that it is a local educational agency (LEA) for purposes of federal compliance and reporting purposes. Charter School agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of NCLB and other applicable federal programs, including, but not limited to, documentation related to funding, required parental notifications, appropriate credentialing of teaching and paraprofessional staff, the implementation of Public School Choice and Supplemental Educational Services, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB, Title I, Part A include, but are not limited to, the following:

- Notify all parents at the beginning of each school year of their “right to know” the professional qualifications of their child’s classroom teacher

- Notify each individual parent, in a timely manner, that the parent’s child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified
- Develop jointly with, and distribute to, parents of participating children, a school-parent compact
- Hold an annual Title I meeting for parents of participating Title I students
- Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy
- Submit biannual Consolidated Application to California Department of Education (CDE) requesting federal funds
- Complete and submit Local Education Agency (LEA) Plan to CDE
- Complete reform planning process with stakeholders and submit to CDE all appropriate documents for Title I Schoolwide Program eligibility and status, if applicable; otherwise, identify and maintain roster of eligible students for the Title I Targeted Assistance School Program
- Maintain inventory of equipment purchased with categorical funds, where applicable
- Maintain appropriate time-reporting documentation, including semi-annual certification and personnel activity report, for staff funded with categorical resources, where applicable
- Participate in any applicable federal program monitoring conducted by the California Department of Education
- Conduct an annual evaluation of the effectiveness of funds allocated through the Consolidated Application

Charter School also acknowledges that, as part of its oversight of Charter School, the District may conduct program review for federal as well as state compliance.

Since the school’s beginning of the original Charter in 2003, at which time with approximately 90:10 ethnic balance, but currently has approximately 60:40 ethnic balance ratio. This ethnic integration has been achieved from parent referrals, school identification banner, flyers, radio advertising and newspaper advertising. TFSCS will make every effort to recruit students of various racial and ethnic groups (regardless of immigration status) so as to achieve a balance that is reflective of the general population residing within the territorial jurisdiction of the District. TFSCS enrollment process is on-going year round. The Charter School’s re-enrollment period for returning students begins in March and lasts until September, when school begins. Recruitment efforts will include, but not necessarily limited to:

- Development of promotional materials (i.e. a school brochure, flyers, door hangers, website, and advertisements for local media) that is transmittable to the populations, such as various racial and ethnic groups generally populated by the Charter School (and others)
- Outreach meetings in several areas to reach prospective students and parents. Outreach meetings may be held in collaboration with other community meetings in the District and surrounding cities during the year and summer months
- Hosting open houses, new parent orientations
- Publicizing the instructional program (in both Spanish and English)
- Promoting referrals from existing families

ELEMENT 8: ADMISSION REQUIREMENTS

“Admission requirements, if applicable.” Ed. Code § 47605(b)(5)(H).

McKinney-Vento Homeless Assistance Act

Charter School shall adhere to the provisions of the McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths. Charter School shall provide specific information, in its outreach materials, websites, at community meetings, open forums, and regional center meetings, that notifies parents that the school is open to enroll and provide services for all students, and provides a District standard contact number for access to additional information regarding enrollment.

Non-Discrimination

Charter School shall not require a parent/legal guardian/student to provide information regarding a student’s disability, gender, gender identity, gender expression, nationality, legal or economic status, primary language or English Learner status, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in section 422.55 of the Penal Code, or any other information that would violate federal or state law, prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment. Charter School may request, at the time of, and as part of, conducting its lottery process, the provision of information necessary to apply specific admissions preferences set forth in this Charter.

Charter School shall not request or require submission of a student’s IEP, 504 Plan, or any other record or related information prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment.

The Charter School will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition nor discriminate against any student based upon any of the characteristics listed in Education Code Section 220.

The Charter School shall admit all pupils who wish to attend the Charter School. No test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School. The Charter School will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Admission, except in the case of a public random drawing, shall not be determined by the place of residence of the pupil or his or her parent or legal guardian within the state.

The Charter School shall require students who wish to attend the Charter School to complete an application form. After admission, students will be required to submit an enrollment packet, which shall include the following:

1. Student enrollment form
2. Proof of Immunization
3. Home Language Survey
4. Completion of Emergency Medical Information Form
5. Proof of minimum age requirements, e.g. birth certificate
6. Release of records

Interested parents of prospective students are required to adhere to the application and admission requirements and are strongly encouraged to visit the Charter School and meet with a staff member to learn more about Today's Fresh Start Charter School Adams Hyde Park's goals and philosophy. A designated staff member will explain the program model to prospective parents, provide a tour of selected classrooms (upon parent request) and deliver an overall orientation of expectations. Once a student has been enrolled in Today's Fresh Start Charter School Adams Hyde Park, a parent and /or guardian will be encouraged to sign a Parent Compact, which requests that parents:

1. Work with staff to provide an optimal learning environment at home and school
2. Encourage parents to contribute a minimum of 40 hours per school year in a volunteer capacity

The intent of the Parent Compact is to create a strong relationship between families of TFSCS students and Charter School personnel. Parents of students enrolled in TFSCS will be encouraged to consider the benefits of strong parental support to their children's education. Opportunities to meet the commitments of the Parent Compact will be to provide for school parent-family cooperation.

Public Random Drawing

Applications will be accepted during a publicly advertised open enrollment period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, the Charter School will hold a public random drawing to determine admission for the impacted grade level, with the exception of existing students, who are guaranteed admission in the following school year. Admission preferences in the public random drawing are extended to students in the following order:

1. Students currently attending TFSCS (in the first year of operation, this will mean students attending the TFSCS countywide benefit charter school approved by the State Board of Education in 2010)
2. Siblings of TFSCS students
3. Students who reside in the Los Angeles Unified School District

Each student will be assigned a number, drawn randomly from a box (or similar) in public at a published date, time, and location. Grade levels will be filled in the random order drawn. The parent and the student will be advised of their acceptance at or shortly after the drawing.

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a wait list according to their draw in the lottery. This wait list will allow students the option of enrollment in the case of an opening during the current school year. In no circumstance will await list carry over to the following school year.

Public Random Drawing Procedures

EDUCATION CODE SECTION 47605(d)

- (2) (A) A charter school shall admit all pupils who wish to attend the school.
- (B) If the number of pupils who wish to attend the charter school exceeds the school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the district except as provided for in Section 47614.5. Other preferences may be permitted by the chartering authority on an individual school basis and only if consistent with the law.
- (C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and in no event shall take any action to impede the charter school from expanding enrollment to meet pupil demand.

Public random drawing rules, deadlines, dates and times will be communicated in the application form and on the Charter School's website. Public notice for the date and time of the public random drawing will also be posted once the application deadline has passed. The Charter School will also inform parents of all applicants and all interested parties of the rules to be followed during the public random drawing process via mail or email at least two weeks prior to the lottery date.

1. The Charter School will conduct the lottery during the spring for enrollment in fall of that year.
2. The drawing will take place within 30 days of closing the open enrollment period.
3. The drawing will take place on the TFSCS site in a facility large enough to allow all interested parties to observe the drawing, or at another public venue near TFSCS large enough to accommodate all interested parties.
4. The drawing will take place on a weekday, evening or other times when most interested parties who wish to attend may do so.
5. All interested parties will know, prior to the holding of the drawing, how many openings are available per grade level at TFSCS.
6. Names of students shall be drawn from pools of ballots differentiated by grade level.
7. Beginning with the lowest grade, the ballots shall be drawn by a neutral third party.

8. The drawing shall continue until all names for that grade level are drawn.
9. Preference will be given to siblings of families at difference grade levels, if that condition exists. Preference will also be given to their extended family members.
10. Those students 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.
11. Potential students on the waiting list shall provide contact information to be used in the event space becomes available, on their application forms.
12. Students drawn in the lottery or promoted off of the waiting list shall be informed by telephone and in writing and shall have a maximum of four (4) business days to respond. In addition, TFSCS shall attempt on at least two separate occasions to contact the parents/guardians of promoted students by telephone. Those families not responding within the maximum response period will forfeit their right to enroll their student in TFSCS for that school year. Students who do not attend the first day of school may lose their reserved seat and the next student who is on the waiting list will be informed of an opening.
13. Existing students who wish to return must notify TFSCS of their intent to return during the open enrollment period.
14. Applicants need not be present at the drawing to enroll their student in TFSCS, and will be notified via phone call and in writing of their status.
15. Applications received after the close of open enrollment will be added to the waiting list after the drawing, in order received, and will be contacted for enrollment when the drawing waiting list is exhausted.
16. TFSCS will document and maintain information evidencing the fair execution of the lottery and waitlist procedures.

ELEMENT 9: ANNUAL FINANCIAL AUDITS

“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.” Ed. Code § 47605(b)(5)(I).

The annual audit shall be conducted in compliance with Ed. Code section 47605(b)(5)(I) as it is amended from time to time.

The following reports will be submitted to LAUSD, in the required format and within timelines to be specified by LAUSD, each year:

- a. Provisional Budget – Spring prior to operating fiscal year
- b. Final Budget – July of the budget fiscal year
- c. First Interim Projections – November of operating fiscal year
- d. Second Interim Projections – February of operating fiscal year
- e. Unaudited Actuals – July following the end of the fiscal year
- f. Audited Actuals – December 15 following the end of the fiscal year
- g. Classification Report – monthly according to school’s Calendar
- h. Statistical Report – monthly according to school’s Calendar of Reports

In addition:

- P1, first week of January
 - P2, first week of April
- i. Instructional Calendar – annually five weeks prior to first day of instruction
 - j. Other reports as requested by the District

An annual independent financial audit of the books and records of the Charter School will be conducted as required by Education Code Sections 47605(b)(5)(I) and 47605(m). The books and records of the Charter School will be kept in accordance with generally accepted accounting principles, and as required by applicable law, the audit will employ generally accepted accounting principles applicable to the Charter School. 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.

TFSCS will select an independent auditor. The fiscal consultant and back office team at the charter school is responsible for working with the auditor to complete the audit. The audit firm will be approved 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.

The annual audit will be completed and forwarded to the District, the Los Angeles County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The TFSCS Superintendent’s designee shall be responsible for ensuring that the auditor sends the completed audit to the required agencies by the statutory deadline. The Superintendent, along with the audit committee, if any, will review any audit exceptions or deficiencies and report to the Charter School Board of Directors with recommendations on how to resolve them.

The Board will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District along with an anticipated timeline for the same.

The independent financial audit of the Charter School is public record to be provided to the public upon request.

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

ELEMENT 10: SUSPENSION AND EXPULSION PROCEDURES

“The procedures by which pupils can be suspended or expelled.” Ed. Code § 47605(b)(5)(J).

General Provisions

Charter School shall provide due process for all students, including adequate and timely notice to parents/guardians and students of the grounds for all suspension and expulsion recommendations and decisions and their due process rights regarding suspension and expulsion, including rights of appeal.

Charter School shall ensure that its policies and procedures regarding suspension and expulsion will be periodically reviewed, and modified as necessary, in order to conform to changes in state law.

Charter School shall ensure that its staff is knowledgeable about and complies with the District’s Discipline Foundation Policy and/or current equivalent policy, as required by the Modified Consent Decree. Charter School shall comply with the terms of the School Discipline Policy and School Climate Bill of Rights resolution adopted by the LAUSD Board of Education on May 6, 2013.

Charter School shall be responsible for the appropriate interim placement of students during and pending the completion of Charter School’s student expulsion process and shall facilitate the post-expulsion placement of expelled students.

Charter School shall document and implement the alternatives to suspension and expulsion that Charter School utilizes in response to attendance-related concerns, e.g. truancy or excessive tardiness.

Students with Disabilities

Charter School shall implement operational and procedural guidelines ensuring compliance with federal and state laws and regulations regarding the discipline of students with disabilities. If a student is recommended for expulsion and the student receives or is eligible for special education, Charter School shall identify and provide special education programs and services at an appropriate interim educational placement, pending the completion of the expulsion process, to be coordinated with the LAUSD Special Education Service Center.

In the case of a student who has an Individualized Education Program (“IEP”), or a student who has a 504 Plan, Charter School shall ensure that it follows correct disciplinary procedures to comply with the mandates of state and federal laws, including IDEA and Section 504 of the Rehabilitation Plan of 1973. As set forth in the MOU regarding special education between the District and Charter School, an IEP team will meet to conduct a manifestation determination and to discuss alternative placement utilizing the District’s Special Education Policies and Procedures Manual. Prior to recommending expulsion for a student with a 504 Plan, Charter School’s administrator will convene a Link Determination meeting to ask the following two

questions:

- A. Was the misconduct caused by, or directly and substantially related to the student's disability?
- B. Was the misconduct a direct result of the Charter School's failure to implement 504?

Notification of the District

Upon expelling any student, Charter School shall notify the Charter Schools Division by submitting an expulsion packet to the CSD immediately or as soon as practicable, which shall contain:

- Completed "Notification of Charter School Expulsion" [form available from the CSD website or office], including attachments as required on the form
- Documentation of the expulsion proceeding, including statement of specific facts supporting the expulsion and documentation that Charter School's policies and procedures were followed
- Copy of parental notice of expulsion hearing
- Copy of expulsion notice provided to parent stating reason for expulsion, term of expulsion, rehabilitation plan, reinstatement notice with eligibility date and instructions for providing proof of student's compliance for reinstatement, appeal process, and options for enrollment
- If the student is eligible for Special Education, documentation related to expulsion in compliance with IDEA and the MCD, including the Expulsion Analysis page of the pre-expulsion IEP
- If the student is eligible for Section 504 accommodations, documentation that Charter School conducted a Link Determination meeting to address two questions:

- A. Was the misconduct caused by, or directly and substantially related to the student's disability?
- B. Was the misconduct a direct result of Charter School's failure to implement 504 Plan?

Notwithstanding the documentation sent to the Charter Schools Division as indicated above, if the student is a resident of a school district other than LAUSD, Charter School must notify the superintendent of the student's district of residence within 30 days of the expulsion. Additionally, upon request of the receiving school district, Charter School shall forward student records no later than 10 school days from the date of the request as stated in Ed. Code section 49068 (a) and (b).

Outcome Data

Charter School shall gather and maintain all data related to placement, tracking, and monitoring of student suspensions, expulsions, and reinstatements, and make such outcome data readily available to the District upon request.

Rehabilitation Plans

Pupils who are expelled from Charter School shall be given a rehabilitation plan upon expulsion as developed by Charter School's governing 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. Terms of expulsion should be reasonable and fair with the weight of the expelling offense taken into consideration when determining the length of expulsion. Therefore, the rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the pupil may apply to Charter School for readmission. Charter School shall inform parents in writing of its processes for reinstatement and applying for expungement of the expulsion record.

Readmission

Charter School's governing board shall adopt rules establishing a procedure for the filing and processing of requests for readmission and the process for the required review of all expelled pupils for readmission. Upon completion of the readmission process, Charter School's governing board shall readmit the pupil, unless Charter School's governing board makes a finding that the pupil has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety. A description of the procedure shall be made available to the pupil and the pupil's parent or guardian at the time the expulsion order is entered and the decision of the governing board, including any related findings, must be provided to the pupil and the pupil's parent/guardian within a reasonable time.

Reinstatement

Charter School's governing board shall adopt rules establishing a procedure for processing reinstatements, including the review of documents regarding the rehabilitation plan. Charter School is responsible for reinstating the student upon the conclusion of the expulsion period in a timely manner.

Gun-Free Schools Act

Charter School shall comply with the federal Gun-Free Schools Act.

TFSCS has developed a comprehensive set of discipline policies that assures a safe and study oriented learning environment. The Charter School policies frame a set of Student Behavior Expectations, Parental/Guardian Obligations and General School Rules. To know and to obey these discipline policies is the duty of each student, parent/guardian and school personnel. School staff reviews the discipline policies and procedures with students and parents prior to a student's admission to TFSCS.

TFSCS personalizes discipline with a consistent, predictable, fair and productive structure and imposes discipline only when other means of correction fail to bring about proper conduct. Students who do not adhere to their responsibilities and who violate school rules may expect consequences for their behavior.

The TFSCS discipline policy conforms with the LAUSD Discipline Foundation Policy in that it is based on a school-wide positive behavior intervention and support system that provides the foundation to prevent misbehavior from occurring. This system is reviewed regularly to reflect applicable changes in the law or district policy.

The Intervention Team utilizes both academic and individual counseling as alternatives to suspension for misconduct. Parent/Family Conferences are convened to address behavior issues and consistent/poor attendance.

Weekly Professional Development training is the primary vehicle through which teacher and support staff are apprised of current discipline policy and regulations. They are also given strategies that can be applied in the classroom or playground to minimize or prevent misbehavior.

Suspension and Expulsion Procedures

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

When the policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as TFSCS' 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. TFSCS staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This policy and its procedures will be printed and distributed as part of the student handbook and will clearly describe discipline expectations. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The TFSCS 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. Grounds for Suspension and Expulsion of Students

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

B. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:
 - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force of violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
 - e) Committed or attempted to commit robbery or extortion.
 - f) Caused or attempted to cause damage to school property or private property.
 - g) Stole or attempted to steal school property or private property.
 - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
 - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
 - k) Knowingly received stolen school property or private property.
 - l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
 - m) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
 - n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.

- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- q) Made terrorist threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- s) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students

that has or can be reasonably predicted to have the effect of one or more of the following:

- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2) "Electronic Act" means the creation and transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- i. A message, text, sound, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

- v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
 - w) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the 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) Knowingly received stolen school property or private property.
- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- q) Made terrorist threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- s) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- t) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
 - u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
- 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2) “Electronic Act” means the creation and transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- i. A message, text, sound, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would

reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).

w) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the 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.

If it is determined by the Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994.

The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

The term "destructive device" means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge

of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses.

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Superintendent or designee with the student and his or her parent and, whenever practical, the teacher, supervisor or TFSCS 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 TFSCS 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 TFSCS 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 TFSCS 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 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. The student will have the opportunity, at the discretion of the Executive Director and/or the classroom teacher, to complete instructional activities missed due to his or her suspension and will be able to communicate with designated school staff for any questions and for evaluation of work.

D. Authority to Expel

A student may be expelled by an Administrative Panel following a hearing before it, and preceded by recommendation from the Superintendent. The Administrative Panel shall consist of at least three members who are certificated employees and neither a teacher of the pupil or a Board member of the Charter School's governing board. The Charter School's Board will appoint an Administrative Panel. The Administrative Panel may expel any student found to have committed an expellable offense.

A student and his or her parents may appeal an expulsion decision by the Administrative Panel to the Charter School's Board, which will make the final determination.

E. Expulsion Procedures

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

The Administrative Panel will hold a hearing on the case, and will make a determination 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 TFSCS'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 TFSCS to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

TFSCS 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 TFSCS 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. TFSCS must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished

that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.

7. If one or both of the support persons is also a witness, TFSCS must present evidence that the witness' presence is both desired by the witness and will be helpful to TFSCS. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

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

H. Presentation of Evidence

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

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

The decision of the Administrative Panel shall be in the form of written findings of fact.

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

I. Written Notice to Expel

The Superintendent or designee following a decision of the Administrative Panel to expel, shall send written notice of the decision to expel, including the Administrative Panel'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 TFSCS.

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

J. Disciplinary Records

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

K. Right to Appeal

The pupil shall have the right to appeal an expulsion decision from the Administrative Panel to the TFSCS Board of Directors. The TFSCS Board's decision to expel shall be final.

L. Expelled Pupils/Alternative Education

Pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. TFSCS shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

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

1. Notification of District

TFSCS shall immediately notify the District and coordinate the procedures in this policy with the District of the discipline of any student with a disability or student who TFSCS or the 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 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, TFSCS, 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 TFSCS, 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 TFSCS, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:

- a. Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that the TFSCS 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 TFSCS agree to a change of placement as part of the modification of the behavioral intervention plan.

If TFSCS, 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 TFSCS 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 TFSCS 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 TFSCS, 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 TFSCS agree otherwise.

5. Special Circumstances

TFSCS 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. Serving Students Under IDEIA 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 TFSCS' disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if TFSCS had knowledge that the student was disabled before the behavior occurred.

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

If TFSCS 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 TFSCS had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. TFSCS shall conduct an expedited evaluation if

requested by the parents; however the student shall remain in the education placement determined by TFSCS pending the results of the evaluation.

TFSCS 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 11: EMPLOYEE RETIREMENT SYSTEMS

“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.” Ed. Code § 47605(b)(5)(K).

All employee retirement is funded through their participation in the Federal Social Security program. The TFSCS is responsible for ensuring that appropriate arrangements for retirement coverage have been made for all employees.

ELEMENT 12: PUBLIC SCHOOL ATTENDANCE ALTERNATIVES

“The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.” Ed. Code § 47605(b)(5)(L).

Pupils who choose not to attend Charter School may choose to attend other public schools in their district of residence or pursue inter-district transfers in accordance with existing enrollment and transfer policies of the District.

TFSCS is a school of choice. No student may be required to attend the Charter School. Students who reside within the District who do not desire to attend the Charter School may attend school within their district of residence according to that school district’s policy or at another school district or school within the district of residence through that school district’s intra- and inter-district transfer policies.

TFSCS shall inform parents on admissions forms that a pupil has no right to admission in a particular school of any LEA (or program of any LEA) as a consequence of enrollment in TFSCS, except to the extent that such a right is extended by the LEA.

ELEMENT 13: RIGHTS OF DISTRICT EMPLOYEES

“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.” Ed. Code § 47605(b)(5)(M).

Employees of the District who choose to leave the employment of the District to work at Charter School shall have no automatic rights of return to the District after employment at Charter School unless specifically granted by the District through a leave of absence or other agreement or policy of the District as aligned with the collective bargaining agreements of the District. Leave and return rights for District union-represented employees and former employees who accept employment with Charter School will be administered in accordance with applicable collective bargaining agreements and any applicable judicial rulings.

No public school district employee shall be required to work at the Charter School. Charter School employees shall have any right upon leaving the District to work in the Charter School that the District may specify, any rights of return to employment in a school district after employment in the Charter School that the District may specify, and any other rights upon leaving employment to work in the Charter School that the District determines to be reasonable and not in conflict with any law.

All employees of the Charter School will be considered the exclusive employees of the Charter School and not of the District. Sick or vacation leave or years of service credit at the District or any other school district will not be transferred to the Charter School. Employment by the Charter School provides no rights of employment at any other entity, including any rights in the case of closure of the Charter School.

ELEMENT 14: MANDATORY DISPUTE RESOLUTION

“The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.” Ed. Code § 47605(b)(5)(N).

The staff and governing board members of Charter School agree to resolve any claim, controversy or dispute arising out of or relating to the Charter agreement between the District and Charter School, except any controversy or claim that is in any way related to revocation of this Charter (“Dispute”), pursuant to the terms of this Element 14.

Any Dispute between the District and Charter School shall be resolved in accordance with the procedures set forth below:

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

All Written Notifications to the District and Charter School shall be addressed respectively as follows:

Director
Charter Schools Division
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017

Superintendent
Today’s Fresh Start Charter School
4514 Crenshaw Boulevard
Los Angeles, California 90043

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

- 3) If the Dispute cannot be resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Each party shall bear its own attorneys' fees, costs and expenses associated with the mediation. The mediator's fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 120 days from the date of either party's request for mediation following the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the Dispute. The mediator may be selected from the approved list of mediators prepared by the American Arbitration Association. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.
- 4) If the mediation is not successful, then the parties agree to resolve the Dispute by binding arbitration conducted by a single arbitrator. Unless the parties mutually agree otherwise, arbitration proceedings shall be administered in accordance with the commercial arbitration rules of the American Arbitration Association. The arbitrator must be an active member of the State Bar of California or a retired judge of the state or federal judiciary of California. Each party shall bear its own attorney's fees, costs and expenses associated with the arbitration. The arbitrator's fees and the administrative fees of the arbitration shall be shared equally among the parties. However, any party who fails or refuses to submit to arbitration as set forth herein shall bear all attorney's fees, costs and expenses incurred by such other party in compelling arbitration of any controversy or claim.

Disputes Arising Within TFSCS

Disputes arising from within TFSCS, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and the TFSCS Board of Directors, will be resolved pursuant to policies and processes developed by TFSCS. Complaints will be handled in the following order:

1. Site Administrator or designee
2. Intervention/student services Specialist
3. If not settled, then handled by the Superintendent
4. Finally, if necessary, given to the Board of Directors

ELEMENT 15: EXCLUSIVE PUBLIC SCHOOL EMPLOYER

“A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.” Ed. Code § 47605(b)(5)(O).

Charter School is deemed the exclusive public school employer of all employees of the charter school for collective bargaining purposes. As such, Charter School shall comply with all provisions of the Educational Employment Relations Act (“EERA”), and shall act independently from LAUSD for collective bargaining purposes. In accordance with the EERA, employees may join and be represented by an organization of their choice for collective bargaining purposes.

ELEMENT 16: CHARTER SCHOOL CLOSURE PROCEDURES

“A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.” Ed. Code § 47605(b)(5)(P).

REVOCACTION OF THE CHARTER

The District may revoke the Charter if Charter School commits a breach of any provision set forth in a policy related to charter schools adopted by the District Board of Education and/or any provisions set forth in the Charter Schools Act of 1992. The District may revoke the charter of Charter School if the District finds, through a showing of substantial evidence, that Charter School did any of the following:

- Charter School committed a material violation of any of the conditions, standards, or procedures set forth in the Charter.
- Charter School failed to meet or pursue any of the pupil outcomes identified in the Charter.
- Charter School failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
- Charter School violated any provision of law.

Prior to revocation, and in accordance with Ed. Code section 47607(d) and state regulations, the LAUSD Board of Education will notify Charter School in writing of the specific violation, and give Charter School a reasonable opportunity to cure the violation, unless the LAUSD Board of Education determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils. Revocation proceedings are not subject to the dispute resolution clause set forth in this Charter.

Pursuant to AB 97, charter schools may be identified for assistance based on state evaluation rubrics and be subject to revocation pursuant to Ed. Code section 47607.3.

CLOSURE ACTION

The decision to close Charter School, either by the governing board of Charter School or by the LAUSD Board of Education, must be documented in a “Closure Action”. A Closure Action shall be deemed to have been automatically taken when any of the following occur: the Charter is revoked or non-renewed by the LAUSD Board of Education; the governing board of Charter School votes to close Charter School; or the Charter lapses.

CLOSURE PROCEDURES

The procedures for charter school closure set forth below are guided by Ed. Code sections 47604.32, 47605, and 47607 as well as California Code of Regulations, title 5, sections 11962

and 11962.1, and are based on “Charter School Closure Requirements and Recommendations (Revised 08/2009)” posted on the California Department of Education website. All references to “Charter School” apply to Charter School, including its nonprofit corporation and governing board.

Designation of Responsible Person(s) and Funding of Closure

Upon the taking of a Closure Action by either the governing board of Charter School or the LAUSD Board of Education, the governing board of Charter School shall immediately designate a person or persons responsible for conducting all closure-related procedures and activities, and determine how Charter School will fund these activities.

Notification of Closure Action

Upon the taking of a Closure Action, Charter School shall send written notice of its closure to:

1. The LAUSD Charter Schools Division (CSD), if the Closing Action is an act of Charter School. Charter School shall provide CSD with a copy of the governing board resolution or minutes that documents its Closure Action. Note: If the Closure Action is a revocation or nonrenewal by the LAUSD Board of Education, the charter school does not need to send separate written notice of its closure to the CSD.
2. Parents/guardians of all students, and all majority age and emancipated minor students, currently enrolled in Charter School within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of the written parent notification to the CSD.
3. Los Angeles County Office of Education (LACOE). Charter School shall send written notification of the Closure Action to LACOE by registered mail within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of this notification to the CSD.
4. The Special Education Local Plan Area (SELPA) in which the school participates. Charter School shall send written notification of the Closure Action to the SELPA in which Charter School participates by registered mail within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of this notification to the CSD.
5. The retirement systems in which the school’s employees participate. Within fourteen (14) calendar days of the Closure Action, Charter School shall notify, as applicable, the State Teachers Retirement System (STRS), Public Employees Retirement System (PERS), the Social Security Administration, and the Los Angeles County Office of Education of the Closure Action, and follow their respective procedures for dissolving contracts and reporting. Charter School shall provide a copy of this notification and correspondence to the CSD.
6. The California Department of Education (CDE). Charter School shall send written notification of the Closure Action to the CDE by registered mail within 72 hours of the Closure Action. Charter School shall provide a copy of this notification to the CSD.
7. Any school district that may be responsible for providing education services to the former students of Charter School. Charter School shall send written notification of the Closure

Action within 72 hours of the Closure Action. This notice must include a list of potentially returning students and their home schools based on student residence. Charter School shall provide a copy of these notifications, if any, to the CSD.

8. All school employees and vendors within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of the written employee and vendor notification to the CSD.

Notification of all the parties above, with the exception of employees and vendors, must include but is not limited to the following information:

1. The effective date of the school closure
2. The name(s) and contact information for the person(s) handling inquiries regarding the closure
3. The students' school districts of residence
4. How parents/guardians of all students, and all majority age and emancipated minor students, may obtain copies of student records and transcripts, including specific information on completed courses and credits that meet graduation requirements

In addition to the four required items above, notification of the CDE shall also include:

1. A description of the circumstances of the closure
2. The location of student and personnel records

In addition to the four required items above, notification of parents/guardians of all students, and all majority age and emancipated minor students, shall also include:

1. Information on how to enroll or transfer the student to an appropriate school
2. A certified packet of student information that includes closure notice, a copy of the student's cumulative record, which will include grade reports, discipline records, immunization records, completed coursework, credits that meet graduation requirements, a transcript, and state testing results
3. Information on student completion of college entrance requirements, for all high school students affected by the closure

Notification of employees and vendors shall include:

1. The effective date of the school closure

2. The name(s) and contact information for the person(s) handling inquiries regarding the closure
3. The date and manner, which shall be no later than 30 days from the effective date of school closure, by which Charter School shall provide employees with written verification of employment

Within 30 days of the effective date of closure, Charter School shall provide all employees with written verification of employment. Charter School shall send copies of such letters to the CSD.

School and Student Records Retention and Transfer

Charter School shall adhere to the following requirements regarding the transfer and maintenance of school and student records:

1. Charter School shall provide the District with original student cumulative files and behavior records pursuant to District policy and applicable handbook(s) regarding cumulative records for secondary and elementary schools for all students both active and inactive, of Charter School. Transfer of the complete and organized original student records to the District, in accordance with District procedures applicable at the time of closure, shall occur within seven (7) calendar days of the effective date of closure.
2. Charter School's process for transferring student records to the receiving schools shall be in accordance with LAUSD procedures for students moving from one school to another.
3. Charter School shall prepare and provide an electronic master list of all students to the Charter Schools Division in accordance with the District procedures applicable at the time of closure. This list shall include the student's identification number, Statewide Student Identifier (SSID), birthdate, grade, full name, address, home school/school district, enrollment date, exit code, exit date, parent/guardian name(s), and phone number(s). If the Charter School closure occurs before the end of the school year, the list also shall indicate the name of the school to which each student is transferring, if known. This electronic master list shall be delivered to the CSD in the form of a CD or otherwise in accordance with District procedures.
4. Charter School must organize the original cumulative files for delivery to the District in two categories: active students and inactive students. Charter School will coordinate with the CSD for the delivery and/or pickup of the student records.
5. Charter School must update all student records in the California Longitudinal Pupil Achievement Data System (CALPADS) prior to closing.
6. Charter School must provide to the CSD a copy of student attendance records, teacher gradebooks, school payroll and personnel records, and Title I records (if applicable). Personnel records must include any and all employee records including, but not limited to, records related to performance and grievance.

7. Charter School shall ensure that all records are boxed and clearly labeled by classification of documents and the required duration of storage in accordance with District procedures.
8. Charter School shall provide to the responsible person(s) designated by the governing board of Charter School to conduct all closure-related activities a list of students in each grade level and, for each student, a list of classes completed and the student's district of residence.

Financial Close-Out

After receiving notification of closure, the CDE will notify the charter school and the authorizing entity of any liabilities the charter school owes the state, which may include overpayment of apportionments, unpaid revolving fund loans or grants, and/or similar liabilities. The CDE may ask the county office of education to conduct an audit of the charter school if it has reason to believe that the school received state funding for which it was not eligible.

Charter School shall ensure completion of an independent final audit within six months after the closure of the school that includes:

1. An accounting of all financial assets. These may include cash and accounts receivable and an inventory of property, equipment, and other items of material value.
2. An accounting of all liabilities. These may include accounts payable or reduction in apportionments due to loans, unpaid staff compensation, audit findings, or other investigations.
3. An assessment of the disposition of any restricted funds received by or due to the charter school.

This audit may serve as the school's annual audit.

Charter School shall pay for the financial closeout audit of Charter School. This audit will be conducted by a neutral, independent licensed CPA who will employ generally accepted accounting principles. Any liability or debt incurred by Charter School will be the responsibility of Charter School and not LAUSD. Charter School understands and acknowledges that Charter School will cover the outstanding debts or liabilities of Charter School. Any unused monies at the time of the audit will be returned to the appropriate funding source. Charter School understands and acknowledges that only unrestricted funds will be used to pay creditors. Any unused AB 602 funds will be returned to the District SELPA or the SELPA in which Charter School participates, and other categorical funds will be returned to the source of funds.

Charter School shall ensure the completion and filing of any annual reports required. These reports include but are not necessarily limited to:

1. Preliminary budgets
2. Interim financial reports
3. Second interim financial reports
4. Final unaudited reports

These reports must be submitted to the CDE and the authorizing entity in the form required. If Charter School chooses to submit this information before the forms and software are available for the fiscal year, alternative forms can be used if they are approved in advance by the CDE. These reports should be submitted as soon as possible after the Closure Action, but no later than the required deadline for reporting for the fiscal year.

For apportionment of categorical programs, the CDE will count the prior year average daily attendance (ADA) or enrollment data of the closed charter school with the data of the authorizing entity. This practice will occur in the first year after the closure and will continue until CDE data collection processes reflect ADA or enrollment adjustments for all affected LEAs due to the charter closure.

Disposition of Liabilities and Assets

The closeout audit must identify the disposition of all liabilities of the charter school. Charter school closure procedures must also ensure appropriate disposal, in accordance with Charter School's bylaws, fiscal procedures, and any other applicable laws and regulations, of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed. Such disposal includes, but is not limited to:

1. Charter School, at its cost and expense, shall return to the District any and all property, furniture, equipment, supplies, and other assets provided to Charter School by or on behalf of the District. The District discloses that the California Education Code sets forth the requirements for the disposition of the District's personal property and Charter School shall bear responsibility and liability for any disposition in violation of statutory requirements.
2. The return of any donated materials and property in accordance with any terms and conditions set when the donations were accepted.
3. The return of any grant and restricted categorical funds to their sources according to the terms of the grant or state and federal law.
4. The submission of final expenditure reports for any entitlement grants and the filing of Final Expenditure Reports and Final Performance Reports, as appropriate.

If Charter School is operated by a nonprofit corporation, and if the corporation does not have any functions other than operation of Charter School, the corporation shall be dissolved according to its bylaws.

Charter School shall retain sufficient staff, as deemed appropriate by the Charter School governing board to complete all necessary tasks and procedures required to close the school and transfer records in accordance with these closure procedures.

Charter School's governing board shall adopt a plan for wind-up of the school and, if necessary, the corporation, in accordance with the requirements of the Corporations Code.

Charter School shall provide LAUSD within fourteen (14) calendar days of the Closure Action with written notice of any outstanding payments due to staff and the time frame and method by which the school will make the payments.

Prior to final close-out, Charter School shall complete all actions required by applicable law, including but not limited to the following:

- a. File all final federal, state, and local employer payroll tax returns and issue final W-2s and Form 1099s by the statutory deadlines.
- b. File a Federal Notice of Discontinuance with the Department of Treasury (Treasury Form 63).
- c. Make final federal tax payments (employee taxes, etc.)
- d. File its final withholding tax return (Treasury Form 165).
- e. File its final return with the IRS (Form 990 and Schedule).

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

ADDITIONAL PROVISIONS

FACILITIES

District-Owned Facilities

If Charter School is using District facilities as of the date of the submittal of this charter petition or takes occupancy of District facilities prior to the approval of this charter petition, Charter School shall execute an agreement provided by the District for the use of the District facilities as a condition of the approval of the charter petition. If at any time after the approval of this charter petition Charter School will occupy and use any District facilities, Charter School shall execute an agreement provided by the District for the use of the District facilities prior to occupancy and commencing use.

Notwithstanding any provision of any existing agreement for the use of District facilities, no agreement for the use of District facilities shall automatically renew or extend its term with the renewal of the charter petition. The circumstances of Charter School's occupancy of District facilities may change over time such as, but not limited to, enrollment, programs, and the conditions of facilities, and the District has a vested interest in having an agreement that is appropriate for the situation.

Prop. 39 Single Year Co-Location Use Agreement shall be limited to one (1) school year and expire on the date stated in said instrument. There is no automatic renewal.

For the Sole Occupant Agreement or any other use agreement that is not a lease issued through the Notice of Intent and bid process, the term shall not exceed five (5) years or shall be co-terminus with the charter petition, whichever is shorter. Charter School and the District shall negotiate any modifications of the agreement with the goal of such amendment or new agreement being considered by the LAUSD Board of Education with the renewal of the charter petition. If Charter School and the District cannot execute an agreement in time for such to be considered by the Board of Education with the renewal of the charter petition, the approval of the renewal of the charter petition shall be conditioned upon Charter School and the District executing an amendment to the existing use agreement or a new agreement no later than May 1st or within nine (9) months of the date of the Board of Education's approval of the renewal of the charter petition. During such time period Charter School shall be permitted to remain in occupancy of the District facilities under the terms and conditions of the immediately preceding, executed use agreement; provided, that if Charter School and the District cannot agree upon and execute an amendment or new use agreement by said deadline, Charter School shall vacate the District facilities on or before June 30th of said school year.

Charter School agrees that occupancy and use of District facilities shall be in compliance with applicable laws and District policies for the operation and maintenance of District facilities and furnishings and equipment. All District facilities (i.e. schools) will remain subject to those laws applicable to public schools.

In the event of an emergency, all District facilities (i.e. schools) are available for use by the American Red Cross and public agencies as emergency locations, which may disrupt or prevent Charter School from conducting its educational programs. If Charter School will share the use of

District facilities with other District user groups, Charter School agrees it will participate in and observe all District safety policies (e.g., emergency chain of information and participation in safety drills).

The use agreements provided by the District for District facilities shall contain terms and conditions addressing issues such as, but not limited to, the following:

- Use: Charter School will be restricted to using the District facilities for the operation of a public school providing educational instruction to public school students consistent with the terms of the Charter and incidental related uses. The District shall have the right to inspect District facilities upon reasonable notice to Charter School.
- Furnishings and Equipment: The District shall retain ownership of any furnishings and equipment, including technology, (“F&E”) that it provides to Charter School for use. Charter School, at its sole cost and expense, shall provide maintenance and other services for the good and safe operation of the F&E.
- Leasing; Licensing: Use of the District facilities by any person or entity other than Charter School shall be administered by the District. The parties may agree to an alternative arrangement in the use agreement.
- Programs, Services, and Activities Outside Instructional Program; Third Party Vendors
 - (i) Any program, service, or activity provided outside the instructional program shall be subject to the terms and provisions of the use agreement, and, additionally, may require a license, permit, or additional agreement issued by the District. The term “instructional program” is defined, per Ed. Code 47612 and 5 CCR § 11960, as those required educational activities that generate funding based on “average daily attendance” and includes those extracurricular programs, services, and/or activities that students are required to participate in and do not require the payment of any consideration or fee.
 - (ii) Any program, service, or activity requiring the payment of any consideration or fee or provided by a third party vendor (defined as any person or entity other than Charter School), whether paid or volunteer and regardless of whether such may be within the instructional program, shall be subject to the terms and provisions of the use agreement and such third party vendor shall be required to obtain a license, permit, or additional agreement from the District.
- Minimum Payments or Charges to be Paid to District Arising From the Facilities:
 - (i) Pro Rata Share: The District shall collect and Charter School shall pay a Pro Rata Share for facilities costs as provided in the Charter Schools Act of 1992 and its regulations. The parties may agree to an alternative arrangement regarding facilities costs in the use agreement; and
 - (ii) Taxes; Assessments: Generally, Charter School shall pay any assessment or fee imposed upon or levied on the LAUSD facilities that it is occupying or Charter School’s legal or equitable interest created by the use agreement.

- **Maintenance & Operations Services:** In the event the District agrees to allow Charter School to perform any of the operation and maintenance services, the District shall have the right to inspect the District facilities, and the costs incurred in such inspection shall be paid by Charter School.
 - (i) **Co-Location:** If Charter School is co-locating or sharing the District facilities with another user, the District shall provide the operations and maintenance services for the District facilities and Charter School shall pay the Pro Rata Share. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such in the use agreement.
 - (ii) **Sole Occupant:** If Charter School is a sole occupant of District facilities, the District shall allow Charter School, at its sole cost and expense, to provide some operations and maintenance services for the District facilities in accordance with applicable laws and LAUSD’s policies on operations and maintenance services for facilities and F&E. NOTWITHSTANDING THE FOREGOING, the District shall provide all services for regulatory inspections which as the owner of the real property it is required to submit, and deferred maintenance, and Charter School shall pay LAUSD for the cost and expense of providing those services. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such services in the use agreement.
- **Real Property Insurance:** Prior to occupancy, Charter School shall satisfy requirements to participate in LAUSD’s property insurance or, if Charter School is the sole occupant of LAUSD facilities, obtain and maintain separate property insurance for the LAUSD facilities. Charter School shall **not** have the option of obtaining and maintaining separate property insurance for the LAUSD facility IF Charter School is co-locating or sharing the LAUSD facility with another user.

Non-District-Owned Facilities

Occupancy and Use of the Site: Prior to occupancy or use of any school site or facility, Charter School shall provide the CSD with a current Certificate of Occupancy or equivalent document issued by the applicable permitting agency that allows Charter School to use and occupy the site as a charter school. Charter School shall not exceed the operating capacity of the site and shall operate within any limitations or requirements provided by the Certificate of Occupancy and any applicable permit. Charter School may not open or operate without providing a copy of an appropriate Certificate of Occupancy to the CSD. If Charter School intends to move or expand to another facility during the term of this Charter, Charter School shall adhere to any and all District policies and procedures regarding charter material revision and non-material amendment. Prior to occupancy or use of any such additional or changed school site, Charter School shall provide an appropriate Certificate of Occupancy to the CSD for such facility. Notwithstanding any language to the contrary in this Charter, the interpretation, application, and enforcement of this provision are not subject to the Dispute Resolution Process outlined in Element 14.

Facility Compliance: Prior to occupancy or use of any school site or facility, Charter School shall provide adequate documentation to the CSD that the charter school facility complies with all applicable building codes, standards and regulations adopted by the city and/or county agencies responsible for building and safety standards for the city in which Charter School is to be located, federal and state accessibility requirements (including the Americans with Disabilities Act (ADA) and Section 504), and all other applicable fire, health, and structural safety and access requirements. This requirement shall also apply to the construction, reconstruction, alteration of or addition to the charter school facility. Charter School shall resolve in a timely manner any and all corrective actions, orders to comply, or notices issued by the authorized building and safety agency or the District. Charter School cannot exempt itself from applicable building and zoning codes, ordinances, and ADA/Section 504 requirements. Charter School shall maintain on file readily accessible records that document facilities compliance and provide such documentation to the CSD upon request..

Pest Management: Charter School shall comply with the Healthy Schools Act, Ed. Code section 17608, which details pest management requirements for schools.

Asbestos Management: Charter School shall comply with the asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40 C.F.R. part 763. AHERA requires that any building leased or acquired that is to be used as a school or administrative building shall maintain an asbestos management plan.

INSURANCE

Insurance Requirements

No coverage shall be provided to Charter School by the District under any of the District's self-insured programs or commercial insurance policies. Charter School shall secure and maintain, at a minimum, insurance as set forth below with insurance companies acceptable to the District [A.M. Best A-, VII or better] to protect Charter School from claims which may arise from its operations. Each Charter School location shall meet the below insurance requirements individually.

It shall be Charter School's responsibility, not the District's, to monitor its vendors, contractors, partners, and/or sponsors for compliance with the insurance requirements.

The following insurance policies are required:

1. Commercial General Liability, including Fire Legal Liability, coverage of \$5,000,000 per Occurrence and in the Aggregate. The policy shall be endorsed to name the Los Angeles Unified School District and the Board of Education of the City of Los Angeles ("Board of Education") as named additional insureds and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and Charter School's insurance shall be primary despite any conflicting provisions in Charter School's policy. Coverage shall be maintained with no Self-Insured

Retention above \$15,000 without the prior written approval of the Division of Risk Management and Insurance Services for the LAUSD.

2. Workers' Compensation Insurance in accordance with provisions of the California Labor Code adequate to protect Charter School from claims that may arise from its operations pursuant to the Workers' Compensation Act (Statutory Coverage). The Workers' Compensation Insurance coverage must also include Employers Liability coverage with limits of \$1,000,000/\$1,000,000/\$1,000,000.
3. Commercial Auto Liability, including Owned, Leased, Hired, and Non-owned, coverage with limits of \$1,000,000 Combined Single Limit per Occurrence if Charter School does not operate a student bus service. If Charter School provides student bus services, the required coverage limit is \$5,000,000 Combined Single Limit per Occurrence.
4. Crime Insurance or Fidelity Bond coverage shall be maintained by Charter School to cover all Charter School employees who handle, process or otherwise have responsibility for Charter School funds, supplies, equipment or other assets. Minimum amount of coverage shall be \$50,000 per occurrence, with no self-insured retention.
5. Professional Educators Errors and Omissions liability coverage with minimum limits of \$3,000,000 per occurrence and \$3,000,000 general aggregate.
6. Sexual Molestation and Abuse coverage with minimum limits of \$3,000,000 per occurrence and \$3,000,000 general aggregate. Coverage may be held as a separate policy or included by endorsement in the Commercial General Liability or the Errors and Omissions Policy.
7. Employment Practices Legal Liability coverage with limits of \$3,000,000 per occurrence and \$3,000,000 general aggregate.
8. Excess/umbrella insurance with limits of not less than \$10,000,000 is required of all high schools and any other school that participates in competitive interscholastic or intramural sports programs.

Coverages and limits of insurance may be accomplished through individual primary policies or through a combination of primary and excess policies. *The policy shall be endorsed to name the Los Angeles Unified School District and Its Board of Education as named additional insureds and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and Charter School's insurance shall be primary despite any conflicting provisions in Charter School's policy.*

Evidence of Insurance

Charter School shall furnish to the District's Division of Risk Management and Insurance Services located at 333 S. Beaudry Ave, 28th Floor, Los Angeles CA 90017 within 30 days of all new policies inception, renewals or changes, certificates or such insurance signed by authorized representatives of the insurance carrier. Certificates shall be endorsed as follows:

“Charter school shall be required to provide LAUSD with 30 days prior written notice by certified mail, return receipt requested, if the insurance afforded by this policy shall be suspended, cancelled, reduced in coverage limits or non-renewed.”

Facsimile or reproduced signatures may be acceptable upon review by the Division of Risk Management and Insurance Services. However, the District reserves the right to require certified copies of any required insurance policies.

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

Hold Harmless/Indemnification Provision

To the fullest extent permitted by law, Charter School does hereby agree, at its own expense, to indemnify, defend and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorneys’ fees, brought by any person or entity whatsoever, arising out of, or relating to, this Charter agreement. Charter School further agrees to the fullest extent permitted by law, at its own expense, to indemnify, defend, and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorneys’ fees, brought by any person or entity whatsoever for claims, damages, losses and expenses arising from or relating to acts or omission of acts committed by Charter School and/or its officers, directors, employees or volunteers. Moreover, Charter School agrees to indemnify, defend and hold harmless “the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers, for any contractual liability resulting from third party contracts with Charter School’s vendors, contractors, partners or sponsors.

FISCAL MATTERS

District Oversight Costs

The District may charge for the actual costs of oversight of Charter School not to exceed 1% of Charter School’s revenue, or the District may charge for the actual costs of oversight of Charter School not to exceed 3% if Charter School is able to obtain substantially rent free facilities from the District. Notwithstanding the foregoing, the District may charge the maximum oversight fee allowed under the law as it may change from time to time. The oversight fee provided herein is separate and distinct from the charges arising under charter school facilities use agreements.

Cash Reserves

Charter School acknowledges that the recommended cash reserve is 5% of expenditures, as provided in section 15450, title 5 of the California Code of Regulations.

Special Education Revenue Adjustment/Payment for Services

In the event that Charter School owes funds to the District for the provision of agreed upon or fee for service or special education services or as a result of the State's adjustment to allocation of special education revenues from Charter School, Charter School authorizes the District to deduct any and all of the in lieu property taxes that Charter School otherwise would be eligible to receive under section 47635 of the Ed. Code to cover such owed amounts. Charter School further understands and agrees that the District shall make appropriate deductions from the in lieu property tax amounts otherwise owed to Charter School. Should this revenue stream be insufficient in any fiscal year to cover any such costs, Charter School agrees that it will reimburse the District for the additional costs within forty-five (45) business days of being notified of the amounts owed.

Audit and Inspection of Records

Charter School agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining its charter authorization:

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

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

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

Charter School shall cooperate fully with such audits and shall make available any and all records necessary for the performance of the audit upon 30 days notice to Charter School. When 30 days notice may defeat the purpose of the audit, the District may conduct the audit upon 24-hours notice.

Internal Fiscal Controls

Charter School will develop and maintain sound internal fiscal control policies governing all financial activities.

Apportionment Eligibility for Students Over 19 Years of Age

Charter School acknowledges that, in order for a pupil over nineteen (19) years of age to remain eligible for generating charter school apportionment, the pupil shall be continuously enrolled in public school and make satisfactory progress toward award of a high school diploma. Ed. Code § 47612(b).

Local Control and Accountability Plan

In accordance with California Education Code sections 47604.33 and 47606.5, Charter School shall include in its annual update a “listing and description of the expenditures for the fiscal year implementing the specific actions included in the charter as a result of the reviews and assessment required by paragraph (1)” of section 47606.5(a). These expenditures shall be “classified using the California School Accounting Manual pursuant to Section 41010.” Ed. Code § 47606.5(b).

Budget and Financial Reporting

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

The Charter School shall provide reports to the District and County Superintendent of Schools as follows, and may provide additional fiscal reports as requested by the District:

1. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code Section 47605(g) will satisfy this requirement.
2. By July 1, an annual update (LCAP) required pursuant to Education Code Section 47606.5.
3. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School’s annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, California Department of Education and County Superintendent of Schools.
4. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
5. By September 15, a final unaudited report for the full prior year. The report submitted to the District shall include an annual statement of all the Charter School’s receipts and expenditures for the preceding fiscal year.

Administrative Services

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

The Charter School will provide or procure most of its own administrative services including, but not limited to, financial management, personnel, and instructional program development either through its own staff or through an appropriately qualified third-party contractor.

Facilities

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

TFSCS is located at two sites:

1. Hyde Park Site: 6422 Crenshaw Blvd., Los Angeles, CA 90043
2. Adams Site: 2255-57 West Adams Blvd., Los Angeles, CA 90018

In addition, TFSCS maintains Administrative Offices located at 4514 Crenshaw Boulevard, Los Angeles, CA 90043.

All facilities comply with all building code standards and regulations adopted by the local Departments of Building and Safety and local Fire Departments. All facilities will hold Certificate of Occupancy as determined by the local Department of Building and Safety.

Potential Civil Liability Effects

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

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

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

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

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

Transportation

Transportation is the parental responsibility for families who choose to attend the charter school. TFSCS will not provide transportation for students to and from school, except in instances of compliance with an IEP or as otherwise required by law. For extracurricular activities, such as field trips, transportation will be contracted with a licensed contractor.