

Charter Renewal Petition

For

**Community Learning Center Schools, Inc.
(CLCS)
(A Non-profit Public Benefit Corporation)**

To the

Alameda Unified School District

For the Operation of the

Nea Community Learning Center (Nea)

October 1, 2013

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Introduction

This document is a petition to the Alameda Unified School District Board of Education for consideration and approval of Nea Community Learning Center's charter renewal, pursuant to the timelines and processes outlined in the Charter Schools Act.

The document and petition requests that the Alameda Unified School District Board of Education schedule and conduct the required hearings, and make a granting or denial decision within the 30- and 60-day timeline allowed by law.

California Charter Schools Act

In accordance with California Charter Schools Act, the Community Learning Center Schools, Inc., (hereafter referred to as "CLCS"), a 501c(3) tax exempt non-profit public benefit corporation, petitions the Alameda Unified School District Board of Education (hereafter referred to as "AUSD" ¹) to grant a renewal of the charter for Nea Community Learning Center, K-12.

The Charter Schools Act of 1992 states that:

It is the intent of the Legislature...to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish all of the following:

(a) Improve pupil learning.

(b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achievement.

(c) Encourage the use of different and innovative teaching methods.

(d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.

(e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.

(f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.

(g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools. Ed. Code §47601(a)-(g).

In considering this petition, AUSD is to be guided by this intent:

In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be

¹ Throughout, the term "AUSD" refers to the AUSD Board of Education unless specifically noted.

encouraged. A school district governing board shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

(1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.

(2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

(3) The petition does not contain the number of signatures required by subdivision (a).

(4) The petition does not contain an affirmation of each of the conditions described in subdivision (d).

(5) The petition does not contain reasonably comprehensive descriptions of all of the following:

Ed. Code § 47605(b).

The elements of the charter petition to be reasonably comprehensively described are individually stated and discussed below.

By amendment, the legislature further limited the bases for denial in 2000:

A petition for the establishment of a charter school shall not be denied based on the actual or potential costs of serving individuals with exceptional needs, as that term is defined pursuant to Section 56026. Ed. Code §47605.7(a).

Why does Community Learning Center Schools, Inc., seek to renew its K-12 charter school in Alameda?

CLCS seeks to renew its K-12 charter school in Alameda for all of the reasons outlined in the Charter School Law.

(a) Improve pupil learning.

Nea has a proven track record of academic success, with its first graduates having been accepted to highly competitive colleges and universities. Our curriculum prepares learners to be successful in the modern work world and to be active members of a democratic society.

(b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.

The educational model implemented at Nea has consistently increased learning opportunities for all, with special emphasis on expanded learning experiences for those who are identified as academically low achieving.

The school has been designed to offer learners who come from traditional and historically academically low achieving groups expanded learning experiences as compared to surrounding traditional schools. The school actively markets in Alameda and neighboring communities to attract a diverse learner population, reflective of Alameda's demographics for African Americans, Filipinos, and Hispanics. The school resides in the geographic West End of Alameda where most of these learners live.

(c) Encourage the use of different and innovative teaching methods.

The school uses the innovative teaching methods that were developed at ACLC over the last 17 years. The innovative and successful teaching methods have been adapted and used in the K-5 part of the program successfully.

(d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.

The school uses the "Facilitator Empowerment" model pioneered at ACLC of involving facilitators at many levels of decision-making and has created opportunities for facilitators to be responsible for the learning program at the school site.

(e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.

The school has created expanded choices in the type of educational opportunities that are available within the AUSD public school system. The school created 249 new 6-12 spaces in four years in Alameda and created 264 new opportunities in grades K-5 for education using the Nea educational model.

(f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.

Being a charter school, Nea is accountable to the public via its chartering agency using a performance-based accountability system.

(g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.

The school has provided vigorous competition within the public school system to stimulate improvements in all public schools.

What is the target population served by this school?

Nea seeks to serve all Alamedans who desire its 21st Century educational model. Nea seeks to serve an ethnically diverse community that exceeds the AUSD's ethnicity percentages for African Americans (13%). Nea is located on the west end of Alameda and seeks to serve families who live near the school.

AFFIRMATIONS/ASSURANCES

As the authorized CLCS Executive Director, I, **Patti Wilczek**, hereby certify that the information submitted in this charter petition for a California public charter school

named the *Nea Community Learning Center*, and located within the boundaries of the **Alameda Unified School District** is true to the best of my knowledge and belief; I also certify that this petition does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded a charter renewal, the Charter School:

- Shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- Shall be deemed the exclusive public school employer of the employees of the *Nea Community Learning Center* for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605 (b)(5)(O)]
- Shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- Shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- Shall admit all students who wish to attend the *Nea Community Learning Center*, and who submit a timely application, unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random lottery process.
- Shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]
- Shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.
- Shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- Shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute,

flexibility will be given to non-core, non-college preparatory teachers. [Ref. California Education Code Section 47605(l)]

- Shall at all times maintain all necessary and appropriate insurance coverage.
- Shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- 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. [Ref. California Education Code Section 47605(d)(3)]
- Will follow any and all other federal, state, and local laws and regulations that apply to the *Nea Community Learning Center* including but not limited to:
 - The *Nea Community Learning Center* shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection.
 - The *Nea Community Learning Center* shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs.
 - The *Nea Community Learning Center* shall comply with any jurisdictional limitations to locations of its facilities.
 - The *Nea Community Learning Center* shall comply with all laws establishing the minimum and maximum age for public school enrollment.
 - The *Nea Community Learning Center* shall comply with all applicable portions of the No Child Left Behind Act.
 - The *Nea Community Learning Center* shall comply with the Public Records Act.
 - The *Nea Community Learning Center* shall comply with the Family Educational Rights and Privacy Act.
 - The *Nea Community Learning Center* shall meet or exceed the legally required minimum of school days.

Patti Wilczek, CLCS Executive Director

Date

A. Description of the Educational Program

Community Learning Center Schools, Inc. (CLCS) a Nonprofit Public Benefit Corporation, has operated the Nea Community Learning Center (Nea), a K-12 program located in the City of Alameda for four years. For the first four school years, Nea has achieved an API rating of over 800 (currently 838), the state standard for excellence. Nea is WASC accredited through 2014.

This charter renewal petition is for the continued operation of a K-12 school through 2019. The school has been planned and executed to serve at its full enrollment of approximately 580 learners interested in an alternative educational experience that encourages educational equity, experiential and collaborative learning, and a technology-rich environment. The program serves Alameda residents and residents of neighboring communities. There is a preference in enrollment given to AUSD residents as required by law. The school seeks a diverse population of learners that roughly represents the ethnic and socioeconomic diversity of the AUSD. The program enrolls learners from all geographic areas of Alameda and surrounding communities in grades K - 12, keeping with our vision of serving learners in all thirteen-grade levels.

The Nine Nea Principles

The Core Values and Expected Learning Outcomes (ELOs) of Nea Graduates, Facilitators, Staff, Families and the extended Nea Community

We will use Curiosity to:

- help clarify problems, ideas, and situations
- actively explore the environment, ask questions and investigate possibilities
- demonstrate deep understanding beyond surface knowledge and *learn more* because of the desire to *know more*.

We will use Organization to:

- be able to select and apply appropriate technology to task
- effectively use technology to critically gather information
- choose appropriate technology to communicate ideas
- participate in decisions that effect the learning experience
- effectively organize and manage time and tasks

We will use Persistence to:

- demonstrate the ability to maintain action regardless of challenges in reaching goals.
- Engage in effective self-reflection, assessment and revision of actions and products

We will use Compassion to:

- develop and apply keen awareness of the interdependence of all things
- exercise leadership and work with diversity
- help others learn
- give back to the community and recognize the needs of others

We will use Problem Solving to:

- overcome obstacles and find a solution that best resolves the problem
- organize knowledge and develop strategies to correctly solve a problem
- evaluate the results to determine if it is the best possible solution to the problem.

We will use Courage to:

- Exceed AUSD graduation standards
- Generate new ideas and dreams and plan for the future
- Successfully meet college entrance and/or career path requirements

We will use Teamwork to:

- function in various group roles
- contribute cooperatively to a group effort
- take ownership and responsibility for the well-being of the community
- participate in the democratic process, including judicial and governance structures

We will use Integrity to:

- demonstrate consistency of actions, values, methods, measures, principles, expectations, and outcomes.
- demonstrate honesty, truthfulness and accuracy in our actions
- take ownership and responsibility for the well-being of the community and ourselves

We will use Accountability to:

- Achieve subject matter competency
- Succeed on traditional assessment measures
- Produce high quality group projects for a variety of audiences

Nea Mission Statement

The Nea Community Learning Center is an educational model that empowers all youth to take ownership of their educational experience, to celebrate their diverse community, and to actively participate as members in a democratic society.

To achieve this mission:

The Nea Community Learning Center (hereafter referred to as Nea) is an educational model that seeks to create a dynamic learning community by embodying the best practices of teaching and learning in a noncompetitive manner that supports individuals to actively discover their own potential, recognize their own value and worth, and practice responsibility to the community. Nea believes in the importance of a participatory governance model to empower learners, parents, and facilitators to create a great educational program. Nea is dedicated to a self-directed project-based learning model to achieve its educational goals. To this end, Nea provides a safe, connected, and flexible learning community. The program places emphasis on: developing reading, writing, and speaking skills to enhance understanding and effective communication; using the tools of math and science to become aware of how the universe works; and developing an understanding of how government, economics and the social sciences impact individual and global interactions. Based on their knowledge and developmental level, learners design their own goals and life plans, including responsibility to others and active citizenship. We embrace the idea that this is an on-going process of continual change and improvement.

We believe that an approach that empowers learners, provides them individualized support (from adults, older learners, and peers), and sets the highest academic, social, and ethical expectations is by far more likely to achieve this goal than traditional educational practice. We provide all learners with a rigorous, standards-based curriculum that promotes the practice and mastery of California state standards by offering self-directed, project-based learning opportunities that address multiple interdisciplinary standards.

At Nea, teachers are referred to as *facilitators* and students are referred to as *learners*. We believe that this terminology change is essential to creating motivated learners who will acquire the skills for becoming lifelong learners. Changing the terminology is essential to creating empowered learners who understand the need to take ownership of their educational experience. All community members will be on a first name basis in respect for the equity of their various roles within the community.

Nea provides a rigorous, relevant, culturally sensitive, accessible education program for all students (including high and low achievers, English learners, and special education students). The program utilizes a standards-based curriculum, instructional strategies, materials, and technology aimed at the targeted population, that is founded on research-based educational practices and is compliant with all laws and regulations applicable to California's charter schools.

- **Modes and methods of instruction**

Nea uses Common Core Standards-aligned curriculum, instructional materials, resources, and textbooks where applicable for all courses in grades K-12. Nea aligns its courses to meet all California course and grade level standards.

At Nea, learners prepare to be successful citizens for the 21st Century by becoming self-motivated, competent and self-directed lifelong learners. They do this by spending years immersed in the “Community Learning Center” educational model.

Nea has developed its educational strategies over the past four years. During this period there has been a consistent vision and evolving practice of that vision. The vision is to transform the learning environment from a teacher-directed system to a self-directed learning environment in which teachers are “facilitators and learners” and students are “learners and facilitators”.

In looking at the latest research in brain development, management, and education, several salient tenets emerge:

- Human beings are designed to learn. Educational best practices support and nurture this innate love of learning.
- Stakeholder voice is critical to the self-renewing organization, whether it is a company or a school. Unless learners understand that their voice is honored and their ideas and feelings valued, educational renewal will not occur.
- Interaction is the basis of learning from the earliest periods of child development through the most sophisticated, technological workplaces.
- Ownership of learning must reside with the learner, not the teacher. Only when the learner eagerly reaches forward for knowledge, insight, and wisdom does real learning occur.
- Collaboration and teamwork is the environment of the successful organizational culture.
- Technology is the toolkit of the information age. To be literate in the 21st Century learners must have access to and be proficient in the use of state-of-the-art technology.
- In order to pursue active learning, learners must have the flexibility to work as teams, move outside the “box” of the school facility (both physically and electronically), and engage in inquiry that is both “free” and subjected to critical evaluation by peers and adults who are highly proficient in their fields.
- Multi-age grouping supports a learner’s knowledge acquisition through natural scaffolding, allowing them to move quickly in areas of talent, and more slowly and with more individual support in areas that are more difficult.
- Learning is made relevant and engages the learner through purposeful work.

This research on brain development and learning provides the philosophical basis for the design of our school day. For the development of the K-5 program we identified a few additional areas that we feel are important to consider with younger learners. They are:

- Language is used to express meaning. Facilitation of language skill acquisition occurs in contexts that are meaningful to the learners. When learners are engaged in authentic language use, three things happen simultaneously: they learn language, they use language to learn, and they learn about language.
- Learners are provided choices in what and how they learn within the structure of a studio and/or laboratory setting provided by facilitators and older learners.
- K-5 facilitators are *Multi-talented Generalists* in the lower grades, and content-specific experts in the upper grades, who collaboratively engage in reflective practices and ongoing professional development, which serves as a model for learners.

This educational model is in action with a group of learners in grades 6-12 at Nea. Visitors to Nea start by entering the community room, an essential component of our educational program. They see 80-100 learners (30% of learners in the school) of mixed ages working either independently or in teams during their scheduled project time within the school day. In this technology rich space with over 60 Internet-accessible individual computers, self-directed learners perform research for projects, access online programs to improve their skills, communicate with facilitators and other learners via email, write essays and research papers, use spreadsheets to analyze data, and create electronic music and digital art and video. These learning activities happen within a modern workplace setting where the learners are free to move about and interact with each other and facilitators in a very personal way. All learners and facilitators are on a first name basis and everyone in the school knows everyone else. Visitors also see facilitators and paraprofessionals tutoring individuals and groups of learners, as well as many small learner study groups where learners teach each other and work on team projects for their seminars. Learners might be working on building roller coasters for a physics seminar, creating element brochures for a chemistry class, creating power point presentations for a social studies class, or word processing English essays.

Beyond the community room, the school's eight classrooms are home to our academic seminars. In the 6-12 program, learners spend anywhere from 60-80% of their school day in seminars depending upon their chosen curriculum. The rest of their day is spent on project time in the community room. Learners receive individual grades in these seminars that are recorded on their transcripts just like traditional schools. Seminars are offered in courses required for graduation – including science, mathematics, language arts, foreign language, and social studies, with an emphasis on a language rich environment that includes the visual and performing arts for K-5.

- In the science classrooms, facilitators deliver direct instruction on the science curriculum, oversee traditional science laboratory activities, or prepare learners for a group or individual project to be done during their project time.
- In our math seminars, facilitators use a combination of direct instruction, group projects and individual skill building using computers.
- In our humanities seminars, facilitators give writing instruction and learners discuss the books they are reading.
- Social studies seminars involve learners giving presentations about history and current events.
- With our computer technology, learners create visual art and electronic music. We also offer a traditional art seminar, where facilitators and skilled older learners work with learners to explore painting and drawing.

- In another classroom, we offer foreign language instruction.
- In our leadership class, learners debate and propose solutions to various school issues. The leadership class is charged with creating community within our school, organizing and maintaining the community space, and organizing community events. The leadership class is run in a very democratic tradition.
- An element of Nea most visitors find interesting is our “Judicial Committee,” where learners (under the direction of a facilitator) review rules violations by learners and assign disciplinary consequences.

A Day in the Life of the K-5 Nea Community Learning Center

Nea Community Learning Center’s learners participate in the democratic model. We recognize that these younger learners need more structure and guidance from one primary adult or facilitator than their older counterparts. Therefore, the elementary learners have a homeroom facilitator and a set space that is home base. These younger learners are in multiage groups similar to the older learners, when appropriate. Because of the openness of the curriculum, the low learner-to-facilitator ratio and the commitment to success for all learners by the entire Nea community, learners have flexibility to work at their own pace within the appropriate development markers.

There is a strong focus on developing a joy of reading and writing. We emphasize comprehension and critical thinking in a variety of genres as well as across the other subject areas – math, science, social science and, the arts. We achieve this through the school wide implementation of Reading and Writing Workshop developed by Columbia University’s Teacher College and Lucy Calkins, which has been used and refined by educators over the last 30 years. In this model, learners gain ownership over their learning because they have choice in book selection and writing topics, learning is meaningful and purposeful because learners read and write for real audiences and purposes and, authentic assessment is used to further learning and inform instruction. Instruction is differentiated across subjects, to meet the needs of the individual learner so that learners can work at their own pace at their appropriate level.

As important as developing literacy is in elementary school, we also recognize the need for an integrated, activity based and hands-on math and science program. In the last decade these subjects have become textbook subjects that emphasize drill and memorization over application and understanding. Elementary learners must have authentic, meaningful experiences in order to truly understand abstract scientific and mathematical concepts. We use real materials in an activity-based program to teach these concepts so learners truly comprehend what happens in regrouping or the water cycle instead of rote memorization of a series of steps. Finally, we embrace all of the arts: not only as a parent run program and with exposure through assemblies but as a thorough, hands-on, integrated program.

Sample School Schedules for Kindergarten, 2nd Grade, and 5th Grade

Kindergarten

8:00 – 8:30 Circle

8:30 – 9:45 ELA/Social Studies
9:45 – 10:15 Recess
10:15 – 11:15 Math/Science
11:15 – 12:15 Lunch
12:15 – 1:20 Technology/Art
1:20 – 1:40 Recess
1:40 – 2:30 Music/PE
2:30 – 3:00 Circle

2nd Grade

8:00 – 8:30 Circle
8:30 – 9:45 ELA/Social Studies
9:45 – 10:15 Recess
10:15 – 11:15 Math/Science
11:15 – 12:15 Lunch
12:15 – 1:20 2nd Grades Puzzles/Art
1:20 – 1:40 Recess
1:40 – 2:30 Choice/Music/PE
2:30 – 3:00 Circle

5th Grade Rotation (SJS)

8:00 – 8:15 Circle
8:15 – 9:15 Science/Social Studies
9:20 – 10:20 Math
10:20 – 10:40 Recess
10:40 – 11:40 ELA
11:45 – 12:30 Lunch
12:30 – 1:20 Art/PE
1:20 – 1:40 Recess
1:40 – 2:30 Elective/Technology
2:30 – 3:00 Circle

Before and After School Choices (scholarships and need-based aid available)

7:30 – 8:00 Before School Care (no cost)

3:00 – 6:00 After School Care (\$5 an hour, organized activities and free play, snack included)
After School Enrichment classes organized through Alameda Education Foundation (AEF) held on and offsite

Our curriculum vision for the charter is the same vision that has persisted throughout the last 300 years of U.S. education. Nea will teach the Basic Academic Skills in reading, writing, math, science, history, civics, and geography. The school will teach critical thinking and problem solving, the social skills, citizenship, physical health, emotional health, the arts and literature. So what will make our Charter School different from any other school within the district?

- I. Our first goal is to provide a **balanced curriculum** - not only concerned with WHAT we teach, but HOW we teach children.
 - a. Powerful teaching is **responsive teaching** that is based on the learning styles and cultural backgrounds of the learners.
 - b. We will use **evidence based instruction** (using the research and practice developed out of Columbia University's Teacher's College - which is being used throughout the country)
 1. Reading, writing, and thinking will be demonstrated for the learners so they have explicit models to follow
 2. Learners will have the independence to select reading material at their level and will be able to engage in self-selected writing topics
 3. We will employ the reading/writing connection to improve comprehension
 4. Learners will write for real audiences and purposes
 5. Reading and writing will not be limited as a subject, but used across content area subjects as well
- II. Our second goal would be to **broaden literacy instruction across the curriculum** to include not only conventional reading and writing, but digital, visual, and critical thinking literacy. We believe for a child to be successful in the 21st century, she must know how to use these literacy skills successfully.
 - a. Literacy instruction in mathematics incorporates the work of Marilyn Burns utilizing:
 1. "Math Talks" that help learners build mental math and computation strategies
 2. Technology as a tool for understanding changing mathematics in a technological world
 3. Creativity as an element in learning math
- III. We use project-based approach to learning science and social studies, building upon the Project-Based Learning (PBL) resources disseminated by The Buck Institute for Education (BIE)
- IV. We will **expand** our use of **assessment**:
 - a. We use traditional, technological and performance-based measurement tools for accountability
 - b. We use data that derives from an observational (both qualitative and quantitative) context to evaluating the learners' individual process and products.

The Common Core Standards will be used as the framework for K-5 learning and will be made explicit and transparent to the K-5 learners and their families. To meet and exceed the Common Core Standards, K-5 learners are provided with multiple means to discover how they learn and to accelerate their learning. The facilitators, working with learners, design units of study based on the learners' performance and the content standards. These units of study are project and constructivist based, designed for both individual work and teamwork. The brain-based principle that new knowledge and understanding is built on learners' prior knowledge and understanding drives this work.

K-5 students have specific classrooms for direct teaching and for support that is provided by their classroom facilitator. These rooms are small labs, rich in learning materials that provide a

developmentally appropriate environment for the K-5. Here they keep their personal things, their work journals, and their archived work. They personalize these rooms to reflect who they are and what they are learning. They see themselves and their learning in the displays and the materials in these spaces. The classrooms as work areas are individual hubs of the community and are used by individual learners and by teams to construct understanding of and make connections across the Common Core Standards and social development norms. Classrooms are hubs for teamwork, large projects and relationship-building.

There is also a flexible community gathering space called the “Nest”. The Nest is the center for the development of the democratic community. Here, the whole K-5 school gathers at least every other week, for Contemporary Community Citizenship (CCC) where community announcements and performances occur, and which is facilitated by learners themselves. Learners then break up into smaller multi-age CCC groups which are facilitated by the 5th graders, focusing on the “learning to learn skills” and the needs of the community.

The facilitators for the K-2 classes are generalists with specific competencies in literacy, mathematics, science, history, democracy, art/design, individualization, and learning to learn skills. The two upper-elementary rotations have facilitators that are experts in their specific subjects:

Grades 3 - 5 SOCIAL JUSTICE AND SUSTAINABILITY Rotation

The single 3rd, 4th and 5th grade classes rotate through three separate core seminars with three different facilitators. They also rotate homerooms throughout the three years within the house. The rotation allows for learners to engage with facilitators with core expertise in English/Language Arts, Math and Science/Social Studies with an emphasis on social justice and sustainability.

Grades 3 - 5 STEaM Rotation

The other 3rd, 4th and 5th grade classes rotate through three separate core seminars with three different facilitators. The rotation allows for learners to engage with facilitators with core expertise in Math/Science and Humanities (ELA/Social Studies) with an emphasis on STEaM (Science, Technology, Engineering, Arts and Humanities, and Math).

There is a mentor facilitator in each of the K – 2nd and 3rd – 5th grades.

Learners from grades 6-12, under the guidance and direction of the adult facilitators, enhance their own skills as well as those of the younger learners by engaging as facilitators for the K-5 learners in the spring through the Boa Me program. Derived from the Adinkra Symbol representing cooperation and interdependence, the phrase associated with the symbol reads, "Boa me na me mmoa wo" which translates to "Help me and let me help you". In this cross-age tutoring and mentoring program, learners from Upper Village spend time with K - 5 learners during their seminars. Whether they work with a small group of 1st graders with their reading or organize a game of kickball at recess, the older learners gain an invaluable experience while serving the school community as a positive influence.

In addition to the core academics, all learners receive rich curriculum in developmentally appropriate “Learning to Learn” skills that has been created by the current school. (Rubrics for assessing these skills are located in Appendix 6) These include:

-
- Teaching others
- Democratic Leadership
- Ownership of Community (Democracy and Leadership)
- Judicial System Interaction (Democracy and Leadership)
- Personal Visioning
- Technology Skills
- Systems Thinking

Each learner in the K - 5 Village has the opportunity to choose two electives per trimester to explore unique experiences. Past and current offerings include: Dance, Puppet Theater, Green Team (Promoting sustainable living), Origami, Chess, Art History, Drawing, Yoga, Art, Aerodynamics (paper airplane making), Kickboxing, Lego Robotics, Judicial Committee, Computer Building, Creative Music, and more. We focus on a variety of skills at Nea that go beyond typical academics. Electives are multi-grade across K – 2nd and 3rd – 5th grades.

Learners in grades 6 – 8 also receive semester electives in Visual Communications, Electronic Music, Digital Video Studio, Builder’s Workshop, Lego Robotics, Creative Writing, Musical Theater, Art, BioSTEM, Maker Studio, and Pioneers in Education Robotics.

Learners in grades 9 – 12 have access to electives in art, creative writing, digital video, electronic music, and Spanish. Through the use of innovative programs such as Creative Learning Systems and UC approved online courses, Nea offers courses outside of the classroom. Nea high school learners attend local community colleges for access to advanced courses and other electives that are UC and/or CSU transferable.

- **Broad overall program goals**

The most comprehensive and individualized goals are that all learners in Nea meet the Graduate Profile and Nea Graduation requirements. This profile specifies the outcomes for all learners across a range of domains. All Nea programs and strategies are held up to this standard to determine their worth and efficacy. An example of a current Graduate Profile and Graduation requirements may be found in Appendices 1, 2 and 7.

- **Philosophical, Theoretical and Research Base for the Vision**

The philosophical basis for Nea model originates from a 1992 community-wide visioning process conducted by the AUSD leadership. This visioning process resulted in the AUSD Vision, the AUSD Graduate Profile, and was the seed of Alameda Community Learning Center, and the foundation upon which Nea has been created. Nea has implemented strategies to produce effective lifelong learners, looking at research in socio-psycholinguistic learning, education, brain development, organizational development, and community development to determine best practices. This information has been distilled from the book *Learning to Learn: A Conceptual Framework for the School of the Future*, from which the following paragraph is taken:

“The evolution occurring in corporate organizational development parallels the shift in cognitive science from “behaviorism” (learning through control and conditioning) towards “constructivism” (learning through discovery and meaning making). If accelerating change is forcing organizations to learn, then individuals too, must become lifelong learners. Moreover, individuals must learn how to learn.”

To this end, Nea utilizes the following instructional/learning strategies:

- Learners, in collaboration with their facilitators, establish their own individualized goals and life plans at a developmentally appropriate level. (Grades 6-12)
- Learners work toward mastery in their studies through goal setting. Learners who progress rapidly can move on to new material that would not be traditionally taught at their age level. Learners who are experiencing difficulty achieving mastery may take longer than usual to complete specific subject matter. To the greatest extent possible, these learners will be supported and encouraged by peers and facilitators. Learning differences are universal, and all Nea participants are aware that no two people learn things in precisely the same manner or timeframe.
- Subject matter is addressed from multiple perspectives – utilizing learning teams, project-based approaches, presentation requirements (artistic, technological, oral, kinesthetic), and will be subjected to supportive but critical review by the learning community.
- Learners are expected to conduct developmentally appropriate, original inquiry into scientific, social, artistic, and literary topics – often gathering information from primary and secondary sources to develop and test personal or group hypotheses. This inquiry may include original research into local social, ecological, economic, and cultural phenomena that are of relevance to our community.
- The participatory governance of the Nea Community Learning Center is a part of the learning experience itself – managing legislative, judicial and executive functions of the school in a collaborative and accountable manner.
- Nea promotes effective communication between parents and facilitators, the Lead Facilitator, and counselors by involving parents in Learner Led Conferences. Nea learners have Learner Led Conferences semi-annually, presenting and demonstrating growth in the Learning to Learn skills to other learners, families, as well as their own family. Facilitators formally evaluate these conferences on the basis of quality of portfolio/project work, quality of presentation, and the learner’s sense of competence in making presentations. Facilitators and learners utilize a standardized rubric to assess the effectiveness of the Family Conferences regarding content, presentation, and original thought.

Learners and facilitators are engaged in authentic language use and this takes place in context, making meaning in a language rich environment. All learners are valued for their contributions to the learning community, regardless of their intellectual or linguistic abilities, and regardless of

their socio-cultural or ethnic backgrounds. Learners take control of their lives to become active, contributing, critical thinkers in society.

Curriculum Description

The Nea Graduate Profile and the Nea Graduation Standards define the outcomes needed to graduate from Nea. Curricular emphasis is placed on Learning to Learn Skills as a necessity in a world where knowledge increases exponentially. These skills are acquired through the existing elementary, middle school, high school and college-level curricula. A detailed description of the Nea curriculum is provided as a separate volume, accompanying the charter application. The Nea K-12 curriculum binder provides the grade level and course level details of our academic curriculum.

Nea Elementary Requirements (K-5)

The elementary portfolio demonstrates the young learner's ability to meet the state standards and the performance standards as established by the Nea learning community. Each year, learners create have a compilation of their best work and projects, demonstrating mastery of Common Core Standards.

Nea Graduation Requirements (6-12)

Coursework required for graduation is aligned to Common Core Standards. The Graduate Profile, along with the Learning to Learn skills and specific Nea requirements (Senior Portfolio, Senior Project, Community Service) are outlined in the Nea Planner, which is provided to all learners, and about which all guardians are informed. All Nea graduates meet all State standards, including passing the CAHSEE.

K-5 Coursework

Multiple-subject credentialed facilitators teach Nea's courses. Coursework includes reading and writing workshops, inquiry based projects in math, science and social studies and the arts. Facilitators assess for mastery of concepts. Projects range in scope from individual to small group collaborative to whole school. The arts are directly taught, as well as used as a means to demonstrate understanding across content areas. K-5 coursework involves hypothesis forming, experimentation, evaluation, documentation and presentation, and the classroom environment promotes social-emotional awareness and responsibility. All K-5 coursework is aligned to the Common Core Standards. (See Nea K-12 Curriculum Binder.)

6-12 Coursework

Courses in mathematics include 6th grade math, Pre-Algebra, Algebra (in one or two years), Geometry, Algebra II and Pre-Calculus. Learners have the opportunity to take Statistics, Calculus, and other advanced math courses through the College of Alameda. Courses in English/Language Arts and U.S/World History are integrated as Humanities and taught as a two-year cycle for grades 7 and 8. In grade 9, Language Arts is combined with Current Life; grades

10 and 11 are multi-age courses that alternate on a two-year cycle; and a combined English/Senior Seminar course is provided in grade 12. In grades 10 and 11, learners take Modern World History and U.S. History, respectively, followed by Government and Economics at grade 12. Science course offerings include, for grade 6 through 8, Earth, Life and Physical Science programs, in addition to technology, robotics and STEM. As part of the Nea graduation requirements, all learners take Chemistry, Biology and Physics. Honors level courses are offered, as needed, based upon learner interest and the feasibility of offering small classes.

All students participate in a course called Contemporary Community Citizenship (“CCC”), which is the decision-making forum of the school’s democratic community. Student leadership, another course offering that trains students in democratic processes, acts as the coordinating body for the CCC’s proposals, Judicial Committee work, and implementation of community decisions.

With the support of a Nea facilitator, older, experienced learners may help design and facilitate courses. These learners also run learner study hall tutorials for the general learner community.

Embedded in the work of each course are the aforementioned “Learning to Learn” skills, necessary for the continuous learning that is crucial to success in the 21st Century by people of all ages.

School Year and School Day (6-12)

For the 2013-14 school year, Nea will have 180 instructional days totaling 63,740 instructional minutes in grades 6-12. All state minimum attendance requirements will be met. (See Appendix 8.)

In addition, Nea will be open from 7:30 a.m. to 4:00 p.m., Monday through Friday, to allow learners additional time to study, access technology, meet in group work teams, and receive additional tutoring from facilitator staff. These extra hours provide learners an additional 15,380 minutes per year of a safe place to be before and after school, and participation is not mandatory. Nea will also be open in the evenings for special projects, as necessary.

School Year and School Day (K-5)

For the 2013-14 school year, Nea will provide 180 instructional days totaling 62,220 instructional minutes for Kindergarten, 54,080 instructional minutes for grades 1-2, and 57,785 instructional minutes for 3-5. All State minimum attendance requirements will be met. (See Appendix 8.)

In addition, Nea will be open from 7:30 a.m. to 6:00 p.m., providing before and after school care. This allows flexibility for families with unique schedules, providing learners supervision in an engaging environment.

Nea Serving High School Students

Nea has provisional WASC accreditation and UC course approval. Nea courses are approved by UC to meet the a-g requirements. Nea graduates, therefore, meet the UC a-g requirements as a

result of meeting the school's Graduation Standards. Our WASC accreditation ensures that Nea courses are fully transferable to other high school. Learners from the graduating class of 2013 are currently attending prestigious California universities such as the University of California at Berkeley, and Mills College.

Learners and their families are informed about the transferability of Nea courses to other public high schools, and the eligibility of courses to meet college entrance requirements at our annual "Back to School Night" and annual "Mandatory Parent Orientation" meeting, during individual counseling sessions with our counselor, and in course description binders. Nea shall conduct exit interviews with all learners that leave during the school year, and if appropriate, counsel them about their educational alternatives.

Responsibility for Special Education Services and Funding

Nea complies with all applicable State and Federal Laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act ("Section 504"), the Americans with Disabilities Act ("ADA") and the Individuals with Disabilities in Education Improvement Act ("IDEIA"). Nea uses federal dollars for special education as designated by law.

For purposes of special education, Nea is its own LEA pursuant to Education Code Section 47641(a) and is a member of the El Dorado County Charter School SELPA. Nea complies with all State and federal laws related to the provision of special education instruction and related services, and all SELPA policies and procedures; and utilizes appropriate SELPA forms.

As a participant in the El Dorado County Charter SELPA, Nea performs the following and is exclusively responsible for all costs, charges, claims and demands arising out of or related to its own learners and its respective programs operated by the LEA:

- A. Select, compensate and determine the duties of the special education facilitators, instructional aides, and other personnel as required to conduct the program specified in the Local Plan, and in compliance with State and federal mandates, Charter Schools may contract for these services;
- B. Conduct and/or contract those programs operated by the LEA in conformance with the Local Plan and the State and federal mandates;
- C. Organize and administer the activities of the IEP Teams, including the selection of the LEA staff and who will serve as members of the IEP Team in conformance with the Education Code Section 56341 and in compliance with the Local Plan;
- D. Organize and maintain the activities of the Resource Specialist Program in conformance with Education Code Section 56362; the Designated Instruction and Service in conformance with Education Code Section 56363; and Special Classes and Centers in conformance with Education Code Section 56364.1 and 56364.2; and in compliance with the Local Plan;

- E. Provide facilities as required to house the programs conducted by the LEA;
- F. Provide for the acquisition and distribution of the supplies and equipment for programs conducted by the LEA;
- G. Provide and/or arrange for such transportation services as may be required to provide the special education programs specified that are conducted by the LEA;
- H. Cooperate in the development of curricula for the classes and the development of program objectives with the SELPA. Cooperate in the evaluation of the programs as specified in the Local Plan, with the SELPA;
- I. Cooperate in the development of the procedures and methods for communicating with the parents and/or legal guardians of the individuals served in conformance with the provisions of the Local Plan with the SELPA;
- J. Provide for the documentation and reporting of assessment procedures used for the placement of individuals and the security thereof. Provide for the continuous review of placements and the assessment procedures employed to insure their effectiveness and applicability, and insure the continued implementation and compliance with eligibility criteria;
- K. Provide for the integration of individuals educated under this agreement into the general education school programs and provide for evaluating the results of such integration according to specifications of the Local Plan;
- L. Conduct the review of individual placements requested by the parents and/or legal guardians of the individual in accordance with the Local Plan;
- M. Prepare and submit all required reports, including reports on student enrollment, program expenditures, and program evaluation;
- N. Designate a person to represent the LEA on the Charter Special Education Steering Committee to monitor the implementation of the Plan and make necessary recommendations for changes and/or modifications;
- O. Designate a representative for the LEA to serve on the Special Education Community Advisory Committee, in accordance with Education Code Section 56192-56193 and pursuant to the procedures established in the Local Plan;
- P. Designate the LEA lead facilitator to represent the LEA on the Charter Operations Council to supervise and direct the implementation of the Plan;
- Q. Receive special education funding from El Dorado County in accordance with the Charter Consortium Allocation and Budget Plan.

ASSURANCES

Nea, as a participant in the El Dorado County Charter SELPA, makes the following assurances with regard to the special education services for learners:

1. FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

It is the policy that a free appropriate public education is available to all children attending Nea, between the ages of birth and 21 inclusive, including children with disabilities, who have been suspended or expelled from school. Appropriate education is that combination of educational and related service(s) as determined on an Individualized Education Plan (IEP) that meets the unique needs of each individual in order to benefit from his/her access to educational opportunities.

2. FULL EDUCATIONAL OPPORTUNITY

It is the policy of Nea that all pupils with disabilities have access to the variety of educational programs and services available to no-disabled pupils including nonacademic and extra-curricular services and activities.

3. CHILD FIND

It is the policy of Nea that all children with disabilities, including children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services are identified, located and evaluated.

4. INDIVIDUALIZED EDUCATIONAL PROGRAM (IEP)

It is the policy of Nea that an Individualized Educational Program (IEP) is developed, reviewed and revised for each child with a disability who requires special education and related services in order to benefit from his/her individualized education program.

5. LEAST RESTRICTIVE ENVIRONMENT

It is the policy of Nea that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of the child is such that education in regular classes with the use of supplemental aids and services cannot be achieved satisfactorily.

6. PROCEDURAL SAFEGUARDS

It is the policy of Nea that children with disabilities and their parents shall be provided with safeguards throughout the identification, evaluation, and placement processes, and in the provision of a free appropriate public education to the child.

7. ANNUAL/TRIENNIAL REASSESSMENT

It is the policy of Nea that a review will be conducted on at least an annual basis to review the child's progress. This review shall include, but is not limited to, the achievement of annual goals, the appropriateness of placement, and/or make any necessary revisions.

Nea conducts a reassessment of each child with a disability at least once every three years, or more frequently if conditions warrant a reassessment, or if the child's parent or teacher requests a reassessment, and a new Individualized Education Plan (IEP) to be developed.

8. CONFIDENTIALITY

It is the policy of Nea that the confidentiality of personally identifiable data information as records maintained by the LEA relating to children with disabilities and their parents and families shall be protected at collection, storage, disclosure, and destruction.

9. PART C, TRANSITION

It is the policy of Nea that children participating in Early Intervention Programs, (IDEA, Part C) and who will participate in preschool programs (IDEA, Part B) experience a smooth and effective transition between these programs.

10. PRIVATE SCHOOLS

It is the policy of Nea to assure that children with disabilities voluntarily enrolled by their parents in private school shall receive special education and related services in accordance with local procedures. The required proportion of federal funds received will be allocated for the purpose of providing special education services to children with disabilities voluntarily enrolled in private school by their parents.

11. COMPLIANCE ASSURANCES

It is the policy of Nea that the local plan shall be adopted by the appropriate local board(s) (district/county) and is the basis for the operation and administration of special education programs; and 2) that the agency(ies) herein represented will meet all applicable requirements of state and federal laws and regulations, including compliance with the Individuals with Disabilities Education Act, Section 504 of Public Law and the provisions of the California Education Code, Part 30.

12.-13. GOVERNANCE

It is the policy of Nea to support and comply with the provisions of the governance structure and any necessary administrative support to implement the plan.

14. COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT (CSPD)

It is the policy of Nea that it will support and assist the state's efforts and activities to ensure an adequate supply of qualified special education, general education, and related services personnel.

15. PERSONNEL STANDARDS

It is the policy of Nea to make an ongoing, good faith effort to recruit and hire appropriately and adequately trained personnel, as defined by state standards to provide special education and related services to children with disabilities. Where there is a shortage of such personnel, the most qualified individuals available who are making satisfactory progress toward completing applicable coursework necessary to meet state standards, shall be assigned.

16. PERFORMANCE GOALS & INDICATORS

It is the policy of Nea to comply with the requirements of the performance goals and indicators developed by the state and provide data as required by the state.

17. PARTICIPATION IN ASSESSMENTS

It is the policy of Nea that students with disabilities are included in general state and district-wide assessment programs, with appropriate accommodations, where necessary. For those children with disabilities who cannot participate, alternate assessment will be conducted.

18. SUPPLEMENTATION OF STATE/FEDERAL FUNDS

It is the policy of Nea to include this information in the Annual Budget Plan submitted annually to the state.

19. MAINTENANCE OF EFFORT

It is the policy of Nea to provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA; will be used to supplement state, local and other federal funds and not to supplant those funds; and will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities except as provided in federal law and regulations.

20. PUBLIC PARTICIPATION

It is the policy of Nea that prior to its adoption of policies and procedures, the LEA shall make the policies and procedures available to the general public, hold public hearings and provide an opportunity for comment by the general public.

21. SUSPENSION/EXPULSION

It is the policy of Nea that data on suspension and expulsion rates will be provided in a manner prescribed by the State.

22. PART C

It is the policy of Nea to submit the Part C (infant/toddler) Local Interagency Agreements to the state as part of the Annual Service Plan.

Section 504 of the Rehabilitation Act

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

Nea recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of Nea. Any student, who has an objectively identified disability that substantially limits a major life activity including but not limited to learning, is eligible for accommodation by the School.

A 504 team will be assembled by the Lead Facilitator and counselor and will include the parent/guardian, the learner (where appropriate) and other qualified persons knowledgeable about the learner, the meaning of the evaluation data, placement options, and accommodations. The 504 team will review the learner's existing records; including academic, social and behavioral records, and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the learner has already been evaluated under the IDEIA but found ineligible for special education instruction or related services under the IDEIA, those evaluations may be used to help determine eligibility under Section 504. The learner evaluation is carried out by the 504 team, which evaluates the nature of the learner's disability and the impact upon the learner's education. The evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- Tests and other evaluation materials including those tailored to assess specific areas of educational need, and not merely those designed to provide a single general intelligent quotient.
- Tests selected and administered to ensure that when a test is administered to a learner with impaired sensory, manual or speaking skills, the test results accurately reflect the learner's aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the learner's impaired sensory, manual or speaking skills.

The final determination of whether the learner will or will not be identified as a person with a disability is made by the 504 team in writing, and notice is given in writing to the parent or guardian of the learner in their primary language, along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the learner for special education per the IDEIA, a referral for assessment under the IDEIA will be made by the 504 team.

If the learner is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations or services are needed to ensure

that the learner receives the free and appropriate public education (“FAPE”). In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the learner, drawing upon a variety of sources, including, but not limited to, assessments conducted by the School’s professional staff.

The 504 Plan shall describe the Section 504 disability and any program accommodations, modifications or services that may be necessary.

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

Identification and Instructional Strategies for Special Populations

Nea does everything necessary to comply with the Individuals with Disabilities in Education Improvement Act, Education Code requirements, and applicable policies and practices of the El Dorado County SELPA (attached to this charter as Appendix Q).

Nea complies with SELPA protocol as to the delineation of duties between the SELPA and the local school site in providing special education instruction and related services to identified pupils. Nea requests an annual meeting between Nea and the SELPA to review special education policies, procedures, protocols, and forms of the SELPA and SELPA protocol, to ensure that the Nea and the SELPA have an ongoing mutual understanding of District protocol and to facilitate ongoing compliance.

Nea conducts “Child Find Activities” as prescribed by federal law and has a “Special Education Process” in place that meets all applicable laws related to special education. Nea follows all procedures for identification including “Student Study Teams,” assessments and IEPs.

Special needs learners are supported by a Resource Specialist(s). Both the Nea K-5 and 6-12 communities have access to a Resource Specialist. The specialist(s) and a full-time counselor meet for one hour weekly with all Nea facilitators to consider ways to address learner needs. All facilitators participate in the creation and implementation of IEP and Section 504 plans, and there are ongoing efforts to find new ways to carry out specialized learning plans to meet individual needs. Learners with IEPs receive appropriate accommodations and modifications in formal and informal testing situations, as well as in the completion of daily class work. The Resource Specialist(s) and the Counselor are fully integrated facilitators in the community.

Weekly facilitator meetings also serve as Student Study Team meetings, which consider facilitator referrals for learners in needs of additional support. Nea’s small school community enhances facilitators’ ability to identify and address individual needs, and the school’s

philosophy and structure greatly support unique learning styles and needs. In particular, each K-5 facilitator receives training in and makes use of the Schools Attuned protocol for understanding how each K-5 learner learns. Learning is then designed to make full use of each learner's strengths and support growth in areas of weakness. Each young person learns differently and Nea supports that reality.

Nea Special Education Overview

Parents of learners with disabilities in the Alameda community seek placement at Nea based on word-of-mouth recommendations from other parents of learners with disabilities, and because of our small school environment and because their children will be full members of the Nea community.

- All learners at Nea with disabilities are fully included in all aspects of the general education curriculum.
- Services that remediate academic challenges are incorporated into the general education program, including learners without disabilities.
- All learners at Nea with and without disabilities are expected to participate in leadership roles in the community.
- Referrals for assessment for special education services are generated by facilitators, Student Study Teams and parents. Assessments are conducted within the legal timeframe. Nea collaborates with El Dorado County Charter School SELPA, School Psychologists, Speech and Language Therapists, Vision and Mobility Specialists, Adaptive Physical Education Teachers and Special Day Class teachers to provide appropriate educational services to our learners.
- Nea uses 21st century educational technology, providing more access to learning opportunities for learners with disabilities (i.e. online learning, computer assisted learning, independent learning programs, peer tutoring, project based learning).

Resource Specialist/Full Inclusion Specialist Duties

Starred sections are federally and/or state mandated duties. Duties of the RS/FI Specialist at Nea include but are not limited to:

Special Education Testing, IEP Development and Collaboration

- Identify learners with learning disabilities or other disabilities (physical/neurological, cognitive, and emotional) that affect learning in the general education environment.*
- Administer standardized academic achievement tests, interpreting results to determine learners' strengths and areas of need for initial assessments and triennial assessments.*

- Provide alternative accommodations and/or modifications to learners with disabilities for assignments and testing in the general education curriculum.*
- Consult with School Psychologist, Vision and Hearing Specialist, Speech Specialist, Occupational Therapist and other specialists on testing and writing formal initial and triennial assessment reports.*
- Collaborate with parents, learners, facilitators, advocates and specialists to develop and implement Individual Education Plans for learners with disabilities including the development and improvement of accommodations/modifications to create greater access to education for learners with disabilities.*
- Maintain timelines as prescribed by federal law under IDEA (Individuals with Disabilities in Education Act, 1997) and IDEIA (Individuals with Disabilities in Education Improvement Act, 2004) and State of California Education Code.*
- Generate required paperwork documenting meeting attendance, eligibility, program placement and goals/objectives in compliance special education law.*
- Administer State testing (STAR and CAHSEE) to learners with accommodations and modifications and preparing testing materials in compliance with State regulations.*
- Report to site administrator (NCLC Lead Facilitator), El Dorado County Charter SELPA Program Specialist and El Dorado County Charter SELPA Special Education Director on RS/FI program status, caseload and other issues. Negotiate with El Dorado County Charter SELPA managers for access to El Dorado County Charter SELPA general and special education programs on behalf of learners with disabilities.*
- Increase access to the educational system for parents and learners with disabilities by providing resources for advocacy within the educational system and community and providing `information and referrals to support learners' success.*

Curriculum Accommodations and Modifications

- Collaborate with general educators to implement and adjust accommodations and modifications as per IEPs including informing general educators about the effect of disabilities on access to education and the educational needs of learners with disabilities.*
- Teach or co-teach Humanities Lab or Learning Lab in coordination with NCLC staff for learner with disabilities requiring additional one-to-one support.*
- Develop alternative assignments and activities and independent study opportunities to fulfill course standards for learners with disabilities.*
- Implement, provide educational materials, tutor and grade alternative educational coursework for learners with disabilities.*

- Create Behavior Support Plans in coordination with the IEP team and general educators to improve behavioral outcomes for learners with disabilities.*
- Provide educational home visits to learners with health impairments that limit their physical access to education.
- Create and implement Behavior Intervention Plans (for learners with disabilities), including conducting functional analysis assessment as needed (see BICM certification).
- Advocate for learners with disabilities in disciplinary proceedings (including Judicial Committee, parent conferences and Governing Board) at NCLC and other proceedings within the AUSD.*
- Coordinate Manifestation Determinations for learners with disabilities who reach a critical level of disciplinary interventions at NCLC.*

Collaboration with and Referral to Outside Agencies

- Assist learners with disabilities in accessing community resources for education such as El Dorado County Charter SELPA alternative educational services, community college and counseling.
- Provide documentation for continuing special education services to community colleges.*
- Provide documentation of disability to testing agencies such as the College Board to request testing accommodations for learners taking the SAT or ACT exams.
- Provide reports and legal documentation of disability as determined by the AUSD to outside agencies that provide auxiliary services to learners with disabilities (County mental health agencies, Regional Services, County social services agencies).*

Professional Development

- Attend professional meetings, educational conferences, and teacher training workshops to maintain and improve professional competence.
- Maintain certification for Behavior Intervention Case Manager and Crisis Prevention Intervention certification.
- Attend El Dorado County Charter SELPA Special Education meetings, Special Education Staff Development and Job-Alike meetings (for Resource Specialist and Full Inclusion Specialists).*

Paraprofessional Supervision

- Supervise paraprofessional serving learners in the Resource Specialist Program and Full Inclusion Program.*
- Create push-in, small group and tutoring schedule with paraprofessional.

- Provide training to paraprofessional on behavior management techniques, teaching methods and materials and approaches.
- Provide input for El Dorado County Charter SELPA annual evaluation of paraprofessional according to CSEA guidelines in coordination with Personnel Committee and Lead Facilitator.

English Language Learners

English language learners (EL) receive placement and ongoing assessment. EL learners participate in mainstream classrooms led by facilitators who are CLAD certified and provide a wide variety of differentiated instruction. Our small size enables us to work very closely with EL learners to meet their unique needs; in many cases, this includes such accommodations as 1-to-1 reading support, or working with a learner to create an assessment that demonstrates his/her content knowledge in a manner that isn't inhibited by language gaps. We firmly believe that this targeted assistance, as well as the language-rich environment of the Nea (e.g., unrestricted access to the Internet, frequent participation in group projects, large number of oral presentations) is a key factor in most EL learners being re-designated R-FEP by the time they graduate.

English language learners in the Nea community are supported not only by the availability of traditional language development classes, but by the self-directed, hands-on approach of our program, which is accessible to all learning modalities. Within all seminars, learning is “sheltered” to enable every learner to access information and formulate new knowledge based on prior learning and experience.

The needs of Nea's English language learners are identified using the same methods employed by the AUSD. Upon enrollment in Nea, parents of the child are given the Home Language Survey. If a language other than English was noted on the Home Language Survey or enrollment forms, Nea assesses the English and primary language proficiency of the child using the CELDT within 30 days of enrollment. Depending upon the learner's CELDT level, s/he is appropriately placed. EL learners are also administered a primary language assessment in their native language within 90 days of enrollment.

Elementary English Language Learners (ELLs) are identified through the Home Language Survey. If a language other than English is noted on the Home Language Survey or enrollment form, Nea assesses the English and primary language proficiency of the child using the CELDT within 30 days of enrollment. ELLs are placed in classrooms with students of similar proficiency levels and/or in SDAIE or ELD Cluster classrooms, receiving instruction utilizing sheltered methodologies, strategies, and techniques in all of their academic areas throughout the course of the day to assist in ensuring that any existing academic deficits are addressed. In addition, ELLs receive differentiated English Language Development instruction from the facilitator(s), based on their own English Language Proficiency Level for 30 - 40 minutes daily. The differentiated instruction may be integrated into the daily Reading and Writing Workshops, providing individualized (one-on-one) conferences to the English Language Learner(s). As the need arises, differentiated ELD instruction is provided to the English Language Learners in small groups with similar proficiencies in English at a designated time during the day. The English Language Learners continue to be supported by Nea's self-directed, hands-on approach.

Learners whose CELDT Proficiency Level is Beginning, Early Intermediate, or Intermediate are placed in a Grade 6-12 SEI: English Language Development, Sheltered English, and Sheltered Content Area Classes. Structured English Immersion (SEI) provides instruction in English and includes a sequential ELD program including language arts and sheltered English content with primary language support as needed. Learners are held to State ELD standards as they progress toward mastery of the grade level standards. These courses are available for Nea learners at Nea. Nea's content area classes are taught by qualified SDAIE facilitators who use strategies such as the use of more visuals, active/physical responses, graphic organizers, leveled reading materials, multimedia presentation and equipment, computer programs, peer tutors, and cooperative learning.

Early Elementary ELLs (K-3) are placed in SDAIE classes with no fewer than 6 ELLs. If there are fewer than 6 ELLs in a grade or study group the class is identified as an "ELD Cluster". For grades 4-5, there are no fewer than 10 ELLs in a SDAIE classroom or study group before a second class at the same grade level or study group will have ELLs. Elementary ELLs are also held to the State ELD standards as they progress toward the grade level standards. Those learners whose first language is not English receive "dedicated time" from a facilitator who provides language lessons that are designed for their levels of proficiency. The facilitator provides "comprehensible input" which consists of instruction in the second language made understandable to the English Language Learner through TPR, games, skits, small group attention, individualized instruction and conferences. Nea uses the CELDT to determine when learners are redesignated/reclassified as fluent English proficient (FEP).

Learners whose CELDT Proficiency Level is Early Advanced, Advanced, or Proficient are placed in a Grade 6-12 ELM: English mainstream classes with daily differentiated English Language Development instruction, until redesignation as Fluent English Proficient. English Language Mainstream (ELM) provides instruction in English and is based on grade-level State standards. Learners continue to receive additional and appropriate instruction in English Language Development (ELD) at Nea, in order to meet the requirements to be redesignated/reclassified as fluent English proficient (FEP). Content area classes at Nea are taught by qualified SDAIE facilitators who use strategies such as the use of more visuals, active/physical responses, graphic organizers, leveled reading materials, multimedia presentation and equipment, computer programs, peer tutors, and cooperative learning.

The goals of all programs are for the learners to learn English and meet age appropriate academic achievement standards for grade promotion and graduation. Learners are retested yearly using the CELDT to determine if they are eligible for reclassification (using the additional AUSD standards for reclassification), and to ensure they are making progress. All costs associated with ELL services are the responsibility of Nea.

High Achieving Learners

The Nea is an ideal environment for high achieving learners. Learners are welcome and encouraged to reach beyond the Nea curriculum to pursue their own interests and learn at their own pace.

Within the Nea program, learners are not constrained by grade level. With facilitator and parent approval, learners may take seminars above their grade level if they can demonstrate that they've already met the learning outcomes for their own grade.

Within the Nea curriculum, our self-directed, project-based approach allows exceptional flexibility for high achieving learners to approach learning according to their unique skills, abilities and talents. The multi-aged setting of the K-5 facility allows learners to learn at their own rate. Additionally, our facilitators actively guide learners to extracurricular education and enrichment programs. Learners at Nea access programs such as Stanford's Summer College Program, UC Berkeley's Young Entrepreneurs at Haas, the National Book Awards Summer Writing Program, and Coursera's online learning community. Due to its close proximity, older learners are encouraged to take additional evening and summer electives not provided by the Nea at the College of Alameda.

Strategies for Low Achieving Learners: Nea's Safety Net

All learners at Nea are supported by small class size and a school structure and philosophy that provide increased learner access to facilitator assistance, as well as more focused time for facilitators to meet and address individual learner needs. It is in weekly facilitator meetings devoted to learner issues that those who are struggling are initially identified, and strategies for support discussed and implemented by the facilitator team. Following identification, diagnostic testing, and evaluation of learner work, the Safety Net process is implemented by the Student Study Teams consisting of facilitators, counselors, and resource specialists, and may be utilized to determine which strategies will best assist the learner in meeting his/her learning outcomes.

Student Study Teams (SST) meetings take place at least weekly at Nea and focus on learners who have been referred by facilitators based on assessments and/or observations. Problems are identified and learners are referred for formal SPED testing, if appropriate. Often, learners are referred to the SST because the facilitator suspects learning, language or emotional issues might be resulting in underachievement. The learner, his or her facilitators and parents, the Nea counselor, and the Nea Resource Specialist attend SSTs. The team uses both quantitative (e.g., academic grades, classroom assessments, standardized testing data, academic transcripts) and anecdotal data to establish an educational plan to help the learner achieve proficiency. In some cases, placement in support classes such as Reading Lab, Math Lab and Humanities Lab is recommended to help a learner improve his/her skills. While attending these classes, regular assessment of learning within the support class (Reading Lab) as well as improved classroom grades (Math Lab, Humanities Lab) are used to determine if the support should be continued or modified.

One outcome of the SST may be referral for special education testing, but the purpose of an SST is to first establish, implement and monitor supports and classroom interventions to see if progress is made. Nea is a highly supportive environment for learners with disabilities, and uses a full-inclusion model for learners. Facilitators work closely with the Resource Specialist to develop, implement and monitor accommodations.

The curriculum design of the Nea program, and our philosophical belief that learning occurs at different rates and in a variety of ways for each individual, gives Nea learners the option of repeating courses. Learners may take additional time as needed to meet the standards.

B. Measurable Learner Outcomes

Nea will have measurable outcomes for all learners including high and low achievers, special education, and English learners.

The specific measurable educational objectives of Nea are as follows:

- Nea K-12 learners will make improvements on California standardized testing requirements for a majority of subgroups, including special education learners, English language learners, and low achieving learners for most years.
- Nea 6-12 learners will demonstrate achievement of the Graduate Profile as measured by senior electronic portfolios that are assessed by the Nea Governing Board. Meeting the Graduate Profile expectations is a requirement for receiving the Nea diploma.
- Nea Learners shall meet the UC a-g requirements as part of the Nea Graduation Standards.
- Nea Learners shall meet the Nea standard of having a 2.0 cumulative GPA for graduation.
- Nea will meet a majority of its annual growth and performance targets for API and AYP.

C. Method of Measuring Learner Outcomes

The specific methods of measurement of the educational objectives of Nea are as follows:

1. Objective:

- Nea K-12 learners will make improvements on California standardized testing requirements for a majority of subgroups including special education learners, English language learners, and low achieving learners for most years.

Measure:

- Nea will utilize disaggregated state data from CST-STAR tests (or their equivalent) to inform improvement trends.

2. Objective:

- Nea 6-12 learners will demonstrate achievement of the Graduate Profile as measured by senior electronic portfolios that are assessed by the Nea Governing Board. Meeting the Graduate Profile expectations is a requirement for receiving the Nea diploma.

Measure:

- Nea Governing Board members will assess senior portfolios with a rigorous performance rubric that generates a rating on a scale of 0–5, where 0 = non-compliant and 5 = exemplifies standard. This shall be done at the Board’s May meeting.

3. Objective:

- Nea Learners shall meet the UC a-g requirements as part of the Nea Graduation Standards.

Measure:

- An evaluation summary of learner transcripts by the school counselor at the start and conclusion of each year in grades 9 – 12 informs whether a learner is on a successful track for graduation from Nea.

4. Objective:

- Nea Learners shall meet the Nea standard of having a 2.0 cumulative GPA for graduation.

Measure:

- An evaluation summary of learner transcripts by the school counselor at the start and conclusion of each year in grades 9 – 12 confirms that a learner is on a successful track for graduation from Nea.

5. Objective:

- Nea will meet a majority of its annual growth and performance targets for API and AYP.
Measure:
- Nea will utilize disaggregated state data from CST-STAR tests (or their equivalent) to inform performance target trends.

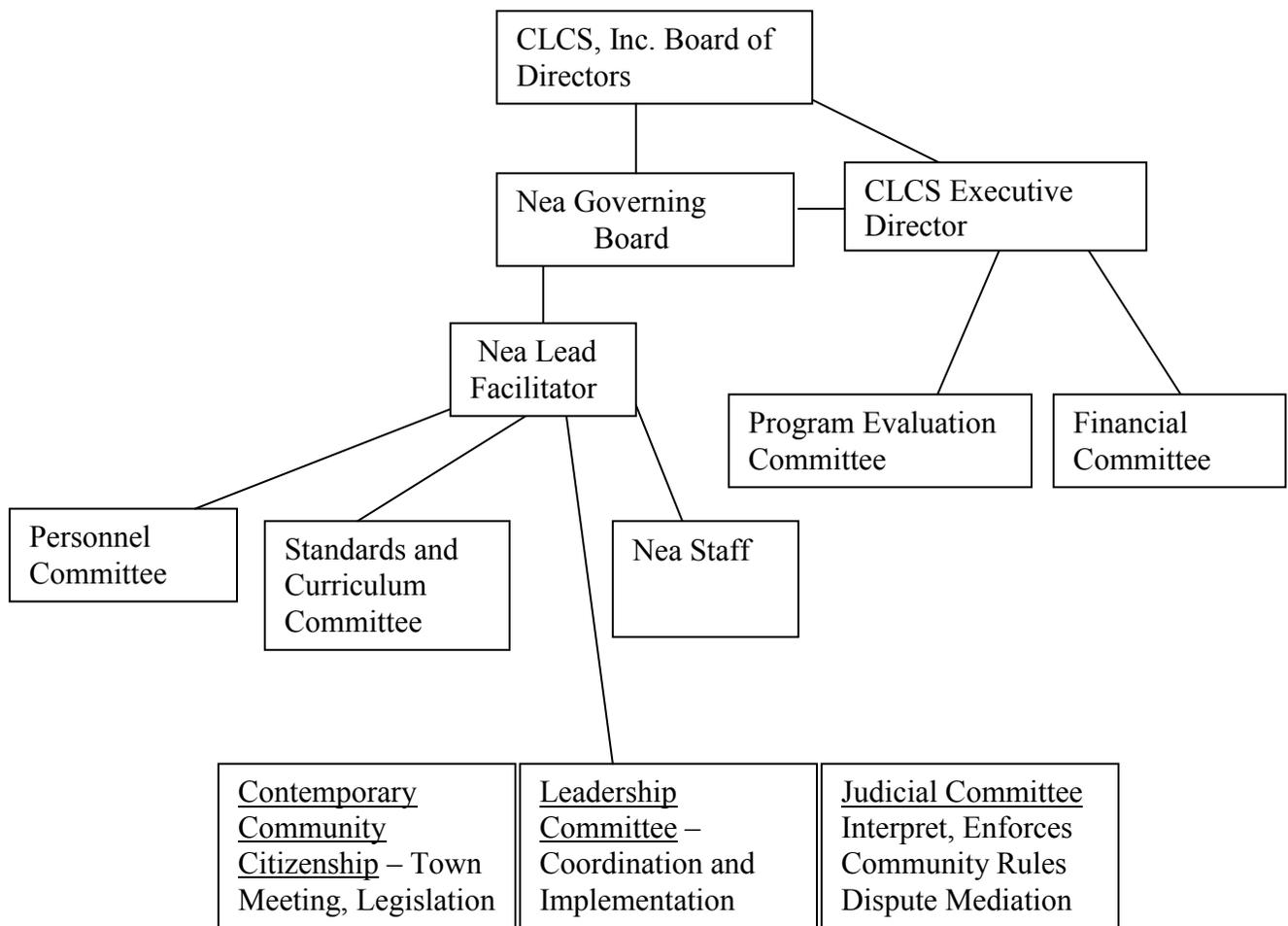
The school will comply with all testing requirements under the Public School Accountability Act (PSAA), Academic Performance Index and California High School Exit Exam Program. Learners will be assessed to ensure that they are meeting state standards in required subject areas.

Nea’s school counselor is responsible for administering State assessments

D. Governance Structure

CLCS has found that structuring governance so that community members actively participate develops learners and engages parents, resulting in a stronger community. The following structure maintains overall control, while delegating segment responsibility to people involved in the respective activities.

Nea Charter School Governance Structure



The Nea Community Learning Center complies with the District policy related to charter schools to the extent it aligns with and does not exceed the law applicable to charter schools, as it may be changed from time to time as long as the charter school has been given written notice of the policy change.”

The Community Learning Center Schools (CLCS) Board of Directors is the senior governing authority for the Nea charter school. The CLCS Board of Directors has the following responsibilities:

- To ensure alignment of the Nea Community Learning Center with its mission and vision.
- To monitor student performance.
- To approve the strategic and long-term plans for Nea.
- To approve all policies.
- To ensure that all internal controls are effective.
- To provide fiduciary oversight, including receipt of ongoing financial reports.
- To approve budget and contracts (including MOU, charter revisions, etc.).
- To supervise the audit process and secure audit report approval.
- To serve as the final authority on expulsions, personnel firing decisions, and legal actions.
- To serve as the appeal board for any Nea Governing Board recommended expulsions.
- To be responsible for any official interactions with AUSD / charter granting agencies, county and State, including the approval of funding applications and reports.
- To serve as the employer of all Nea staff and to approve employee contracts, pay schedules, benefits, and other employee financial transactions.
- To serve as a review board, as approved by board policy, related to employee dismissal.

Nea Community Learning Center charter school is operated by CLCS, Inc., a non-profit public benefit corporation with 501(c)3 status that was granted in 2006. With the creation of Nea, CLCS created a Board of Directors and bylaws that allow it to govern both Nea and ACLC. The CLCS Board of Directors for the corporation draws from community business leaders who helped create the original ACLC and Nea. The CLCS Board of Directors oversees the work of both the Nea and ACLC Governing Boards. A Nea Governing Board has been seated according to this charter. The school is operated as an independent charter school and is directly funded. CLCS is a “separate legal entity” for the purposes of liability for the debts and obligations of the charter school. Current CLCS Board of Directors biographies and qualifications are available on our website (www.clcschools.org) along with all board policies related to “Conflict of Interest”.

The Nea charter school’s method of governance substantially incorporates the learners, families and facilitators in a broad array of organizational functions – legislative, judicial and executive. This approach is totally congruent with the Nea philosophy that the learning is experiential, incorporatinb not only the content but the process of the learning environment, as well.

The Nea Governing Board

Nea's Governing Board operates under the authority granted to it by the CLCS Board of Directors. Parents, learners and facilitators are all empowered at every level of Nea governance as members of the governing board, and all of the major committees (i.e., Finance, Personnel, Curriculum and Standards, and Program Evaluation).

Nea Governing Board

Voting Members

- 2 Alameda Community Members
- 3 Facilitators (including the Nea Lead Facilitator)
- 2 Learners
- 2 Parents.

Nea's Governing Board acts as a governing body of Nea Community Learning Center, and is composed of nine voting members. It is charged with development and oversight of policy, budget, organizational development, strategic planning, standards and curriculum, program evaluation, and maintaining Nea's vision and mission. All of this is reviewed and subject to CLCS Board of Directors' approval. The Governing Board is comprised of three facilitators (the Lead Facilitator and two other facilitators determined by the Nea facilitator staff), two elected learners from the whole body of learners (serving one year terms), two parents, appointed by the learners and facilitators, who are elected to the following year's Board, and serve alternating two year terms. Two members from the community, who each serve two year terms (with the possibility of renewal), are appointed by the learners and facilitators who are elected to the next year's Board. The CLCS Executive Director attends the meetings and acts as the communications link between the CLCS Board of Directors, the Nea Governing Board, and the AUSD Board of Education. All decisions of the Governing Board are made by a majority vote of its members unless otherwise specified by this Charter or in bylaws adopted by CLCS. The CLCS Board of Directors and the Nea Governing Board conduct its business in compliance with the Brown Act and the Public Records Act, and both have a standard Conflict of Interest Policy in the respective bylaws. No learner Board members are in attendance at closed session meetings, where personal or confidential information is discussed related to school personnel or other learners.

The Nea Governing Board is carefully designed to empower all stakeholders, parents, learners, facilitators, and community members, but the distribution of voting members is such that no individual group can create policy for the school without other groups supporting the policy. Facilitator members (i.e., paid staff) have only 3/9 of the votes. The Nea Governing Board restricts facilitators from voting on any issues related to their compensation or working conditions.

Nea promotes effective communication between parents and the facilitators, Lead Facilitator, and counselors by involving parents at all levels of the school's governance. Two parent representatives serve on the Nea Governing Board, which is responsible for all major policy

decisions related to the school. Parents also serve on the Financial, Program Evaluation, Curriculum and Standards, and Personnel Committees.

Governing Board Scope of Authority and Responsibility

The Nea Governing Board meets monthly, or more often as needed, and is charged with overall policy-making affecting all areas of Nea Community Learning Center. The CLCS Board delegates to the Governing Board decisions related to the following issues:

- Graduation Standards, as long as they meet minimum AUSD standards
- Budget proposals subject to CLCS approval
- Strategic planning for Nea academic program subject to CLCS approval
- Day to day facilities issues

Parents, facilitators, learners, and community members all play a role in representing their respective stakeholder groups on major school policies, but they are also required by law to always vote in the best interest of the school. The Governing Board uses school data to establish, evaluate, and improve the educational program and school policies. Data includes, but is not limited to, test scores and parent, learner, and facilitator satisfaction surveys.

The Lead Facilitator works with the Leadership Committee Facilitator to oversee the three learner bodies that are charged with the primary functions of governance: legislation (Contemporary Community Citizenship); judicial (Judicial Committee); and executive (Leadership). These bodies are vested with authority, and provide the venue for youth empowerment and leadership within the school.

Nea Committees Overseen by Lead Facilitator and CLCS Executive Director

Each year, the CLCS Executive Director convenes and chairs a Nea Financial Committee whose membership includes parents, facilitators and learners. The committee assists in developing Nea's budget, and monitors the budget, as well as other financial activities, under the direction of the Executive Director. Each month, the Financial Committee reports to the CLCS Board of Directors and Nea's Governing Board, and makes financial recommendations, as necessary. The Executive Director has created a purchase order system for all purchases with EdTec, Nea's business services management organization. Internal financial controls have been established. Purchase order requests to EdTec require two signatures, from any of the following three people: Nea Lead Facilitator, CLCS Executive Director, or CLCS CFO. Any purchases greater than \$1,000 that are not designated in the Governing Board's approved Nea budget, requires CLCS Executive Director and Nea's Lead Facilitator approval.

Each year, the CLCS Executive Director consults with facilitators, and appoints a facilitator to chair Nea's Program Evaluation Committee and supervise the committee's work. The Program Evaluation committee is constructed such that there are parent, learner, and facilitator representatives. The committee works to develop the Annual Report and WASC accreditation report, and conducts the annual parent and learner survey processes. Each month the Program Evaluation Committee reports progress to the Governing Board, making recommendations as necessary.

Each year, the Lead Facilitator convenes and chairs the Personnel Committee, whose membership includes parent, learner, and facilitator representatives. The Personnel Committee oversees the annual learner survey process involving staff evaluations, the results of which are considered during yearly facilitator evaluations. Under the direction of the Lead Facilitator, the Personnel Committee conducts new personnel hiring interviews as determined by CLCS Board policy.

Each year, the Lead Facilitator consults with the facilitators and appoints a facilitator to chair the Curriculum and Standards Committee, supervising work of this group. The Curriculum and Standards Committee includes parent, learner, and facilitator representatives. The committee collects and documents all course outlines required for California State University standards and UC a-g requirements. They also actively complete WASC-related work, evaluating new courses before submission to the Board for approval. Each month the Curriculum and Standards Committee reports to the Governing Board and makes recommendations, as necessary.

The Financial, Personnel, Curriculum and Standards, and Program Evaluation Committees all operate under the oversight of the Lead Facilitator and CLCS Executive Director. The committees make recommendations regarding policy. The policy recommendations are subsequently reviewed and approved by the Governing Board.

Day-to-Day Operational Governance

The Nea Lead Facilitator is responsible for the day-to-day operation of the school, and makes all decisions necessary to provide a safe and constructive learning environment. As an educational leader, the Lead Facilitator seeks to empower learners to take control of their educational experience through the Contemporary Community Citizenship class, the Leadership class, and the Judicial Committee.

Nea's governance structure is designed to maximize learners' self-management and governance at the 6-12 level, and to introduce these ideas at the K-5 level. Learners are deeply involved in governance. Nea is comprised of adolescents who are at the time in their lives that self-determination within a guiding system of law and community relationships is much more important to learning than a system that is devised and imposed by adults – whether they be parents or educators. However, because no community has full self-determination, and must be subjected to the laws of the broader community – whether that be state, national or international law – we make sure that our learners understand that their self-determination, while real, is limited by the regulations and laws that govern the larger community of which we are part.

Contemporary Community Citizenship (CCC)

The CCC is comprised of the entire community of learners. The CCC elects the two learners to the Nea Governing Board. Learners at Nea are not passive bystanders; they are integrated into the highest levels of decision-making.

The Nea CCC consists of a K-5 and a 6-12 group. Each group meets weekly and is charged with being the primary communication matrix of the school. This means that the entire group of learners is regularly presented with, and provided an opportunity to discuss ongoing issues of importance to the school – from issues as mundane as noise levels and cleanliness to issues as complex and compelling as sexual harassment or community relations. In addition to these communication and process issues, the CCC is responsible for legislative action – that is, for

creating, discussing and voting on formal proposals that relate to the daily operations of the school. This includes the creation and amendment of the Rule Book, the document that clarifies the rules and code of conduct for the entire Nea Charter School community, including learners, facilitators, parents, and community visitors. Many of these actions may be within the purview of the CCC and will not require any review or approval by the Governing Board. However, issues which reflect a change in basic mission and/or philosophy, or that relate to budget and/or personnel matters will require review and approval by the CLCS Board of Directors before they take effect.

It is important to note that although some actions of the CCC may require the approval of other bodies, the bulk of the decision-making processes related to self-management is in the hands of the community of learners. In this way, Nea's learners are empowered to establish the operational rules of their learning community, and to make decisions about the use of some resources (e.g., purchase of specific equipment, use of funding for field trips) that are within the purview of the learning community. The CCC also conducts annual surveys that evaluate the facilitators, the academic program, the Leadership Committee and the operation of the school, and makes recommendations for change in operational practices. The CCC is the focus for the annual Learner Convention, an opportunity for the entire community to review the operations of the year and make changes to Nea's Rule Book.

The K-5 community collaboratively develops its own version of an age appropriate CCC. This includes community meetings to disseminate information, and fun activities to build community between the learners of different grades. Appropriate extra curricular activities and clubs are formed during the weekly CCC meeting time. The K-5 community of learners does not have representatives on the Governing Board.

Judicial Committee (Learner Disciplinary Policies)

The Judicial Committee (JC) for students in grades 6-12 is comprised of five learners who are elected by the learners, and one facilitator elected by his/her peers. The JC meets four times each week to consider issues related to infringement of rules codified in the Rule Book. The Rule Book, originally developed by ACLC's CCC over the course of more than a decade, is revised and updated on a regular basis by Nea's CCC. The K-5 portion of the school follows the Nea Rule Book and runs its own Judicial Committee under the direction of the Lead Facilitator. The K-5 JC consists of five learner-elected learners, and meets at least weekly.

The Judicial Committee is responsible for enforcing the school's rules by hearing cases submitted by learners and facilitators, and deciding on appropriate consequences to specific actions. The JC also mediates disputes, and assists parties engaged in some type of conflict to find common ground, allowing them to move forward in a cooperative manner. The JC is, therefore, a particularly important part of the school's governance, placing the responsibility for self-management clearly with the learners.

Leadership Committee

The Leadership Committee is a class in which grade 6-12 learners may enroll. Taking on the executive functions of the community of learners, 25 Nea learners are involved in the Leadership Committee each year.

Leadership meets three times each week and works very closely with the leadership facilitator, who is appointed by the Nea Lead Facilitator. Leadership is primarily charged with implementing proposals passed by the CCC. Proposals may include codifying recommended changes in the Rule Book, promulgating and enforcing rules in the community, coordinating center activities, supporting the smooth operation of day-to-day affairs of the community, and coordinating and facilitating the annual Learner Convention. Many functions such as coordinating field trips, CCC meetings, notification of scheduling changes, and other facilitative and communication roles are best accomplished by Leadership because they provide opportunities for students to engage in self-management and organization of their own learning community.

In many ways, Leadership gives learners extensive experience in management and facilitation of operations, and mitigates the necessity of hiring support staff to perform these functions. This maintains operations of the school on a cost-effective basis and provides meaningful roles and experience for learners, and represents one of the many ways Nea uses its resources to better accomplish learning objectives and empower learners.

The K-5 community has developed its own version of an age appropriate Leadership Committee. Involving learners in grades 4 and 5 who become the school leaders for the K-5, learners have input in designing appropriate school-wide activities and fieldtrips for the younger grades, creating rules for the K-5 community room, making suggestions for the purchase of educational software programs, and are responsible for creating the culture of the school.

Decision-making Process

Nea works to achieve consensus in making decisions. However, if consensus is not attainable within a reasonable timeframe, the various decision-making groups vote and a simple majority rules, unless otherwise specified by this Charter or through Bylaws adopted by the CLCS Governing Board.

Parent Participation

Nea promotes effective communication between parents and facilitators, the Lead Facilitator, and counselors by involving parents in a Nea parent-driven PTSA. Also, parents serve on the school's Governing Board and school committees overseen by the Lead Facilitator and Executive Director. The PTSA was formed as a means of organizing parents to provide leadership for lunch programs, new parent mentoring, volunteer tutoring, for planning the graduation event, supporting sports teams and other extra-curricular activities and field trip programs. Parents also serve on the WASC Focus on Learning Committees.

Parents convene regularly in both formal and informal meetings to share information and discuss their learners' progress toward achieving Nea's vision.

Nea Community Learning Center acknowledges that pursuant to Article XVI section 8.5(e) of the California Constitution, sections 2(e), 6, and 8 of Proposition 98, and sections 33126.1(b), 35256(c), and 35258 of the Education Code require schools, including Nea Community Learning Center to provide certain information in certain formats in certain ways to the general public and specifically to parents of students at Nea Community Learning Center and of the District. Nea Community Learning Center further acknowledges that it has the obligation to provide all of such information to the District that is required by these referenced authorities in a timely

manner so that the District may meet its obligations under those authorities as well. To the extent that there is information that the District has, but that Nea Community Learning Center does not have that Nea Community Learning Center needs in order to meet its obligations, the District shall provide the same to Nea Community Learning Center in a reasonably timely manner upon request.

Nea Community Learning Center, in accordance with Education Code Section 47604.3, shall promptly respond to all reasonable inquiries, including but not limited to, inquiries regarding financial records, from the District and shall consult with the District regarding any such inquiries. Nea Community Learning Center acknowledges that it is subject to audit by AUSD if AUSD seeks an audit of Nea Community Learning Center, it shall assume all costs of such audit. This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by Nea Community Learning Center by law or charter provisions.

E. Employment Qualifications

Nea has a comprehensive plan for faculty recruitment, hiring and retention of highly qualified teachers with subject area knowledge, that will support learner achievement and collaborative learning for all learners.

Hiring Plan

Nea has hired highly qualified, fully credentialed facilitators in our core subject areas, in addition to instructional support staff who possess subject matter expertise and qualifications necessary to help our program succeed. Instructional support staff include a full-time counselor, a full-time school psychologist, and 2 resource specialists. In addition to attracting talented personnel in the immediate Alameda area, Nea contacts regional graduate schools of education (e.g., UC Berkeley, Stanford, Mills College) to publicize Nea among new and experienced educators. We also seek staff through Alameda County teacher recruitment fairs, EdJoin, local newspapers, through our website, and by advertising to local Alameda teachers and teachers in neighboring communities.

Under the direction of the Lead Facilitator, the Personnel Committee conducts personnel interviews according to the CLCS Board hiring policy. Facilitators are certificated teachers for the purposes of teaching the core, college preparatory curriculum of Nea. The Nea Personnel Committee also seeks to recruit facilitators that share the values and educational philosophy of the Nea community. The Nea Personnel Committee recommends for hire facilitators who meet NCLB requirements, and assists non-NCLB compliant facilitators who are not the lead facilitators on any core subject with professional development opportunities to become NCLB compliant. The Nea Personnel Committee recommends for hire facilitators holding CLAD or SB 395 certification and will assist non-compliant facilitators with professional development opportunities to become CLAD or SB 395 compliant. The CLCS Executive Director has authority in all personnel decisions, subject to final approval by the CLCS Board of Directors as needed.

On an annual basis, learners evaluate all regular staff with whom they have seminars. The results of these evaluations are factored into the decision-making process when the school

considers staffing for the next school year. While these data are advisory, the Personnel Committee and the Governing Board considers this information seriously in making final employment recommendations.

On an annual basis, the facilitators, CLCS Board members, and Nea parents and learners if they desire, fill out evaluations of the Nea Lead Facilitator. The results of these evaluations are tabulated and reported to the CLCS Board of Directors as part of the Lead Facilitator's annual evaluation.

Teachers / Facilitators

CLCS employs a facilitator staff holding appropriate California teaching certificates, permits, or other documents issued by the Commission on Teacher Credentialing. These facilitators teach the "core" academic and college preparatory classes of mathematics, language arts, science, history /social studies. These facilitators are responsible for overseeing the learners' academic progress and for monitoring grading and matriculation decisions as specified in the school's operation policies.

The school provides access to new facilitator support towards obtaining professional clear credentials, if necessary. The Chief Operating Officer is responsible for handling credential checking and other personnel matters. No other charter school staff (e.g., counselors, librarians, administrators, nurses and others) are required to hold credentials.

All employees, even if not public, are subject to state and federal employment laws. Pursuant to the teacher qualification requirements under the No Child Left Behind Act (NCLB), all Nea teachers/facilitators teaching core subjects are "highly qualified" as that term is defined under NCLB and further defined by California state regulations implementing the NCLB requirements, as applicable to charter schools such as Nea. As required by NCLB, Nea notifies parents/guardians of students at the school if a teacher teaching a core subject does not meet these requirements. Applicants to teach in our program will be evaluated based on the following qualifications:

- Demonstrated expertise in subject area and the ability to communicate the appropriate knowledge to each student.
- Possession of a CLAD credential.
- Knowledge and experience with standards-based instruction: ability to align curriculum and standards and willingness to adopt grading practices that can be used in standards-based grading.
- Knowledge of assessment strategies and the ability to use data to drive their teaching and ensure continuous improvement of student learning.
- Ability to effectively use a broad range of instructional strategies, including providing a guaranteed curriculum, challenging goals and effective feedback, differentiated instruction, and back mapping, among others.
- Demonstrated competence using advanced technology as a learning tool: willing and able to integrate technology into teaching and student learning.

- Outstanding classroom management skills.
- Belief in our mission that all students will learn and successfully master the content and skills necessary for advanced post-secondary education.
- Willingness to work as a vital part of the Nea team to ensure continuous improvement for students, staff and Nea community as a whole.
- Willingness and ability to work with students and parents on an ongoing basis to ensure student success.
- Love of students, enthusiasm for teaching, the belief that each student can and will succeed and the willingness to do what it takes to make that happen.
- Desire and ability to engage in continuing education, staff development and skill upgrading.
- Positive references from most recent employment and/or college or graduate school.

CLCS may also employ or retain non-certificated instructional support staff in any case where a prospective staff member has an appropriate mix of subject matter expertise, professional experience, and the capacity to work successfully in an instructional capacity. Instructional support staff will not assign grades or approve student work assignments without the approval of a teacher/facilitator unless they are instructing non-core or non-college preparatory courses and activities.

General Requirements, Hiring and Performance Review

All requirements for employment set forth in applicable provisions of law will be met, including, but not limited to credentials, as necessary. All employees of the school (administrative, instructional, instructional support, non-instructional support) shall meet CLCS's fingerprinting and TB qualifications for employment to ensure the health, and safety of the school's faculty, staff, and pupils. Prior to employment and within thirty (30) days of hiring, each employee will submit to a criminal background check as required by Education Code §44237. CLCS will adhere to California laws including fingerprinting and prohibitions regarding the employment of persons who have been convicted of a violent or serious felony. CLCS will comply with the provisions of the No Child Left Behind (NCLB) Act as they apply to certificated personnel and paraprofessionals. Each employee must furnish proof of tuberculosis (TB) testing, as well as documents establishing legal employment status. The Executive Director and/or administrative designee will be responsible for monitoring and maintaining documentation of criminal investigation clearances, as required by California and federal laws. Those employees that require a criminal background check and do not have a current background check will be required to undergo a check through such services as a LiveScan fingerprint process. CLCS will pay for LiveScan services on behalf of its prospective employees. These services will occur where the LiveScan service is offered, which may be located at district, county or local college facilities.

The Lead Facilitator has the authority to create formal job descriptions for each position, recruit and interview candidates along with the Personnel Committee members, and make recommendations to the Executive Director for hiring facilitators, according to CLCS Board Policy. The Lead Facilitator has the responsibility of evaluating the performance of the facilitators, counselors, and office manager on a yearly basis. The CLCS board has the right, if it so chooses, to review these performance evaluations before they are delivered to the staff

members. The Lead Facilitator, with input from the CLCS Governing Board, determines the criteria by which to judge the performance of these employees. The Executive Director creates the job descriptions and conducts the performance review of the Lead Facilitator. The CLCS Governing Board creates the job description and reviews the performance of the Executive Director, both on a year-end basis.

F. Procedures to Ensure the Health and Safety of Pupils and Staff

Nea has its own Safe School Plan for fire, earthquake, and harmful intruders (lockdown drills) that is filed with the district. Nea staff receives training in emergency and first aid response, in accordance with state standards and training programs.

There are a number of areas of school operation that are germane to ensuring the health and safety of the learning community, including staff. These areas are:

- Behavioral rules, compliance and enforcement procedures.
- Plant safety including hygiene, fire safety, physical obstacles, and chemical, electrical or other risks due to the instructional program activities.
- Risks to learners due to extensive community, workplace, and other off-site activities pursuant to individual learning objectives.
- Risks to learners due to harassment of a sexual or discriminatory nature based on race, ethnicity, national origin, disability, religion, gender, sexual orientation, or other protected classification.
- Immunization and medical screening requirements to reduce health risks.
- Criminal record checks for all regular volunteers.

- The Chief Operating Officer of CLCS conducts criminal background checks on employee candidates, as required by Education Code 44830.1 and 45122.1, and ensures that the Nea does not hire any person who has been convicted of a violent or serious felony.
- There are health checks for all employees pursuant to state law and district personnel policies, where applicable, such as tuberculosis.
- Nea's facilities meets state and local building codes, except where exempt.
- Nea's facilities meet federal requirements, including the Americans with Disabilities Act.
- Nea complies with all state and federal laws regarding food safety and environmental protection.
- Nea complies with all state and federal laws designed to protect children, including, but not limited to, the proper administration of medication to students in schools and the reporting of child abuse.

Behavioral Issues

Nea is a self-governing, learner-operated community with respect to learner behavior. In many ways this constitutes a strength that supports student safety, since the learners establish the rules of the community and are, therefore, very conscious of the impact of their behavior on the entire community. Certainly, facilitators, as the adults responsible for overall safety of the program, take strong action as necessary in the case of an emergency or unsafe situation. However, the learner community and facilitators have created the Nea Rule Book, and share the responsibility for creating and maintaining a safe community through the Judicial Committee.

Nea has zero tolerance for the use of drugs, alcohol, and tobacco. Learners who constitute a risk to themselves or others are referred to appropriate mental health or police jurisdictions according to the presenting problems, and may be removed from the Nea environment as necessary. Learners found by the Nea Judicial Committee to have committed acts calling for a suspension under the terms of the California Education Code, are referred to the Lead Facilitator for possible suspension. As noted earlier in this document, no Nea learner will be made privy to any personal or confidential information regarding another Nea learner.

Plant Safety

The learning community is also partially self-regulating with respect to physical safety issues. Both campuses are subject to the regular inspection of the local fire marshal and will be maintained in compliance with Educational Code and Health and Safety Code.

Beyond these basic safeguards, the internal furnishings, equipment and risk management is the responsibility of the entire learning community as represented by the CCC and, ultimately, the Governing Board. Learners and facilitators are responsible for identifying any obstacles or other risk factors that should be addressed to reduce hazardous conditions in the learning environment. Leadership is then responsible to ensure that corrective measures are implemented in a timely manner to mitigate risks.

Nea Community Learning Center occupies facilities that comply with the Asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40CFR 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.

If Nea Community Learning Center fails to submit a certificate of occupancy or other valid documentation to the District verifying that the intended facility in which the school will operate complies with Education Code Section 47610, not less than 30 days before the school is scheduled to begin operation pursuant to the first year of this renewal term, it may not commence operations unless an exception is made by the Director of Educational Options and/or the local planning department or equivalent agency. If Nea moves or expands to another facility during the term of this charter, Nea Community Learning Center shall provide a certificate of occupancy or other valid documentation to the District verifying that the intended facility in which the school will operate complies with Education Code Section 47610, to the District for each facility at least 30 days before school is scheduled to begin operations in the facility or facilities. Nea Community Learning Center shall not begin operation in any location for which it has failed to timely provide a certificate of occupancy to the District, unless an exception is made by the Director of Educational Options and/or the local planning department or equivalent agency. 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.

Community Risk

By the nature of the educational program at Nea, learners are engaged in a wide array of activities outside the confines of the physical location of the school. Learners attend community college, engage in work-based learning opportunities, meet with mentors, conduct action research projects in the community settings, and take field trips to museums, courts, governmental offices, and many other locations. In the course of this process, learners are exposed to risks that are not typically associated with school operations where learners are largely contained on a school campus.

In order to minimize these risks, the following procedures are strictly enforced:

- The administrative staff carefully screens volunteers and mentors prior to being authorized for student engagement. Volunteers and mentors are fingerprinted and go through a formal screening process. However, one-time, on-campus volunteers who are engaged to speak to groups of students about a particular topic, and who are not alone with students at any time during such a visit, will be exempted from this screening.
- Work-based learning opportunities are carefully reviewed to ensure that learners are safe. Parent permission is required before learners are allowed to engage in off-site contact with adults, unless it is a one-time only visit, conducted in a group and supervised by facilitators.
- Field trips are reviewed and approved by Nea's Lead Facilitator. Parents must provide permission for field trip participation.

Sexual Harassment and Discrimination

Nea learners and staff are protected from harassment and discrimination (Appendix 3) based on all protected classes. Nea does not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). This protection is guaranteed in the Nea Rule Book. (Appendix 4). We believe this learner-led approach makes Nea safer for students than the ambient environment of the high school in which enforcement is the responsibility of adults. At Nea the learners create, review, revise, and enforce these rules to the extent that there is true learner buy-in.

Health

All Nea learners are subjected to the health screening requirements of the State of California. Learners are not admitted to the school without meeting immunization or screening requirements. Nea requires immunization of learners as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school.

Nea provides learner screening for vision, hearing and scoliosis, to the same extent as would be required if the learners attended a non-charter public school.

In addition to these basic requirements, the learning community is provided health information that relates to issues of adolescent health such as drug and alcohol use, tobacco use, sexuality and pregnancy prevention, sexually transmitted disease, exercise and nutrition, and a variety of other factors.

All Nea facilities are non-smoking areas.

The examination of faculty and staff for tuberculosis as described in *EC* Section 49406 takes place regularly as per state law.

G. Method for Achieving Racial and Ethnic Balance

Nea has achieved a racial and ethnic balance that exceeds the Alameda Unified's ethnicity percentages for African Americans (13%). Nea's African American learner population is 19.3%.

In seeking to attract an ethnically diverse population exceeding the AUSD's ethnicity percentages for African Americans, Nea has chosen Maafi Gueye, an African American woman, to be the lead facilitator for its school. Maafi has over 26 years of experience working with a diverse group of learners of many ages in a variety of public school settings. The school has also chosen an African American name Nea. (From the West African Adrinka symbol meaning Learning to Learn and the Lifelong Quest for Knowledge.)

In order to ensure a fair enrollment policy and a demographically diverse student body reflective of Alameda Unified's diversity (with the exception of Asians), Nea has developed an aggressive outreach and marketing plan that has been implemented and will continue to be implemented prior to a random lottery for admission to the school shortly after the approval of its charter petition.

Nea regularly conducts the following outreach to attract an ethnically diverse group of applicants:

1. Runs newspapers ads in in both the Alameda Journal and the Alameda Sun to advertise its next information night.
2. Conduct information nights to answer questions and inform parents and learners about the school.
3. Mails postcards to over 10,000 targeted families identified as having school age children.

Nea monitors and adjusts its outreach plan each year, if the ethnicity goal is not met. If necessary, it hires a community consultant to provide advice on how to improve its outreach

plan, to achieve the ethnicity goals of exceeding the percentages of AUSD for African Americans.

H. Admission Requirements

Statement of Nondiscrimination Acceptance Policy:

The Nea Community Learning Center does not discriminate against applicants on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, and mental or physical disability. The admissions requirements are consistent with laws regarding nondiscrimination.

Nea is open to all students in California who are eligible to be enrolled in grades K through 12. Admission requirements are as follows:

- Prior to the first day of instruction, learners will have met the immunization requirements of state law.
- Learners must apply for admission within the time frames established by the school. (Nea will annually hold parent/learner information nights in December and January and accept applications until the end of January. If a lottery is necessary, it will be conducted on the first Monday in February.)
- Learners may not be under current expulsion from the chartering district or another school or school district.
- Learners may not be currently placed in a school as a consequence of a disciplinary action.

By October 1 of each year, Nea notifies the District in writing of the application deadline and proposed lottery date. Nea ensures that all application materials reference these dates as well as provide complete information regarding application procedures, key dates, and admissions preferences and requirements consistent with approved charter.

If the number of learners requesting admission to a particular grade exceeds the number of spaces available for a given grade level for admission in that year or any other year, preference

will be given to the groups or classes of students listed below, and actual admission will be determined via a public random lottery. The following two preferences are listed in order of priority:

1. Children of full-time staff members working for CLCS schools and volunteer community board members serving on the CLCS, ACLC or Nea Governing Boards are given automatic admission to any Community Learning Center School (currently ACLC and Nea).
2. Preference is given to learners applying from within AUSD enrollment boundaries over those applying from outside the district.

All students, regardless of disability, are eligible to participate in the school. For special education students, specific assistance dictated by an Individualized Education Plan will be provided through the Special Education Agreement.

Method for conducting random lottery after application deadline:

- The lottery will take place with authorizing agency compliance officer present.
- All applications will be sorted by grade level.
- Grade level applicants will be sorted into two groups: Alameda residents and non-residents.
- Applicants will be randomly assigned a lottery number by residency status for each grade level.
- Openings by grade level are filled first by residents, then non-residents.
- Wait lists for each grade level will be maintained, and the admissions officer will determine if wait list applicants wish to remain on the wait list for future openings.

I. Annual, Independent Financial Audits and Insurance

The CLCS Governing Board, will select an independent auditor through a request for proposal format. The auditor will have, at a minimum, a CPA and educational institution audit experience, and 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 audit will employ generally accepted accounting procedures and shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controllers K-12 Audit Guide.

The Executive Director of CLCS will oversee the audit and direct the auditor. The annual audit will be completed by December 15th of each year and a copy of the auditor's findings will be forwarded to AUSD, the California Controller, the ACOE Superintendent of Schools, State Board of Education, California Department of Education, or other agency as the State Board of Education may direct. The auditor will be hired by CLCS. The audit committee and the Executive Director of CLCS will review any audit exceptions or deficiencies and report to the CLCS Governing Board with recommendations on how to resolve them within 30 days. The

CLCS Governing 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. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process referenced in this Charter.

The audit, and a report on the manner in which exceptions and deficiencies are resolved, will be provided to AUSD and the chartering agency within 30 days of the audit's completion. Nea will then provide the chartering agency with regular updates on progress towards resolving exceptions and deficiencies.

A business plan has been developed to ensure that the new Nea will be financially viable. The plan rests on state revenue limit and categorical funding sources that are ensured through state laws and regulations governing charter school funding.

The school and granting agency will jointly develop an annual site visitation process and protocol to enable the grantor to gather information needed to confirm the school's performance and compliance with the terms of this charter.

Nea will abide by the required timelines for the budget:

- On or before July 1st, a final budget
- On or before December 15th, an interim financial report which reflects changes to the final budget through October 31st
- On or before March 15th, a second interim financial report which reflects changes to the final budget through January 31st
- On or before September 15th, a final unaudited financial report for the prior full fiscal year
-

In order to ensure the necessary oversight and review of mandated reports for which the authorizer must determine fiscal health and sustainability, the following schedule of reporting deadline to the District will apply each year of the term of this charter;

- September 1 – Final Unaudited Financial Report for Prior Year
- December 1 – Final Audited Financial Report for Prior Year
- December 1 – First Interim Financial Report for Current Year
- March 1 – Second Interim Financial Report for Current Year
- June 15 – Preliminary Budget for Subsequent Year

Nea Community Learning Center agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining their charter authorization:

- Nea Community Learning Center is subject to District oversight.
- The District's statutory oversight responsibility continues throughout the life of the charter and requires that it, among other things, monitor the fiscal condition of Nea Community Learning Center.

- The District is authorized to revoke this charter for, among other reasons, the failure of Nea Community Learning Center to meet generally accepted accounting principles or if it engages in fiscal mismanagement in accordance with Education Code Section 47607.

Accordingly, the District hereby reserves the right, at District cost, pursuant to its oversight responsibility, to audit Nea Community Learning Center books, records, data, processes and procedures through the Director of Educational Options or other means. The audit may include, but is not limited to, the following areas:

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

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

In addition, if an allegation of waste, fraud or abuse related to Nea Community Learning Center operations is received by the District, the Nea Community Learning Center shall be expected to cooperate with any investigation undertaken by the Director of Educational Options, at District cost. This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by Nea Community Learning Center by law or charter provisions.

The Nea Financial Committee will annually develop the Nea budget and present it to the Nea Governing Board and the CLCS Board of Directors for approval by May 15. It is then forwarded to the chartering agency financial department. The Nea Financial Committee (with support from our CFO) monthly monitors the expenditures of Nea, reviews budget assumptions, and makes adjustments as necessary. Nea's Financial Committee makes monthly reports to the Nea Governing Board. The Financial Committee monitors CSDC (Charter Schools Development Center) analysis of charter school projected revenues to carry out financial planning. The Nea Financial Committee yearly reports on its financial situation in its annual report to the community and the chartering agency.

The chartering agency shall not be required to provide coverage to Nea under any of the agency's self-insured programs or commercial insurance policies. Nea shall secure and maintain, as a minimum, insurance as set forth below to protect Nea from claims which may arise from its operations. The following insurance policies are required:

1. Workers' Compensation Insurance in accordance with provisions of the California Labor Code, adequate to protect Nea from claims under Workers' Compensation Acts, which may arise from its operations.
2. General Liability, Comprehensive Bodily Injury and Property Damage Liability for combined single limit coverage of not less than \$2,000,000 for each occurrence. The policy shall be endorsed to name the AUSD and the AUSD Board of Education as additional insureds.
3. Fidelity Bond coverage shall be maintained by Nea 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.

Insurance Certificates

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

Optional Insurance

Should Nea 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 chartering agency and its purchase shall be the responsibility of the charter school.

Indemnification

With respect to its operations under this charter, Nea shall, to the fullest extent permitted by law, hold harmless, indemnify, and defend the chartering agency, its officers, directors, and employees from and against any and all claims, demands, actions, suits, losses, liability expenses and costs including, without limitation, attorneys' fees and costs arising out of injury to any persons, including death or damage to any property caused by, connected with, or attributable to the willful misconduct, negligent acts, errors or omissions of Nea or its officers, employees, agents and consultants, excepting only those claims, demands, actions, suits, losses, liability expenses and costs caused by the negligence or willful misconduct of the chartering agency, its officers, directors and employees. The chartering agency shall be named as an additional insured under all insurance carried on behalf of Nea as outlined above.

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

employees, agents and consultants, excepting only those claims, demands, actions, suits, losses, liability expenses and costs caused by the negligence or willful misconduct of Nea, its officers, directors and employees.

To the extent that Nea Community Learning Center is a recipient of federal funds, including federal Title I, Part A funds, Nea Community Learning Center has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the No Child Left Behind Act and other applicable federal grant programs. Nea Community Learning Center agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of the No Child Left Behind Act and other applicable federal programs, including, but not limited to, documentation related to required parental notifications, appropriate credentialing of teaching and paraprofessional staff, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB include, but are not limited to, the following:

- Notify parents at the beginning of each school year of their “right to know” the professional qualifications of their child’s classroom teacher including a timely notice to each individual parent that the parent’s child has been assigned to, 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 upon, and distribute to, parents of participating children a written parent involvement policy.

Nea Community Learning Center also understands that as part of its oversight of the school, the Director of Educational Options may conduct program review of federal and state compliance issues.

J. Disciplinary Procedures including Suspension and Expulsion

The Judicial Committee is charged with administering the rules of Nea and for establishing consequences for inappropriate behavior in all but the most serious situations. The Lead Facilitator or Judicial Committee Facilitator oversees all aspects of the Judicial Committee. In cases that involve risks to the safety and well being of learners, any facilitator may be required to take action immediately and independent of any Committee to protect the entire school community. This may take the form of immediate suspension by the Lead Facilitator.

Learners who are found by the Nea Judicial Committee or Lead Facilitator, when circumstances warrant an immediate determination, to have committed acts calling for a mandatory recommendation for expulsion under the terms of the California Education Code (see Section 48915) will be referred to the Nea Governing Board for possible expulsion from Nea. Expulsion proceedings for Nea learners will be conducted in accord with state and federal law. AUSD Student Services and AUSD Board of Education will be notified of any expulsions from Nea. Acts which fall into this category include, but are not limited to: causing serious injury to another person; sexual assault; possession of a firearm, knife, explosive or dangerous object; possessing or selling a controlled substance; robbery; assault of a school employee. As noted earlier in this

document, no Nea learner will be made privy to any personal or confidential information regarding another Nea learner.

In all other matters that do not constitute an immediate threat to health and safety, the issue will be referred to the Judicial Committee. The JC operates based on the body of regulations that has been developed in the Nea Rule Book. The Nea Rule Book was developed and approved by the learner body and facilitators within the first month of the new school's opening. The Rule Book is updated and revised by the CCC on a yearly basis. These matters will be decided by a group of peers, and learners will be obligated to the entire learning community to fulfill any consequences imposed by the JC.

Protections of Constitutional Rights of Learners Related to Suspension and Removal from Program

As a public charter school, Nea is subject to protecting the federal and state constitutional rights of all learners and parents, including the rights of the disabled and other protected classes. Nea has an approved resource specialist available for consultation on special classes of students and their rights. Nea uses the same procedure for suspension of learners from the program for 1-5 days, as does AUSD. The Lead Facilitator or Assistant Lead Facilitator hears the learner's side of the suspendable incident, talks to and meets with parents, and only suspends learners for the offenses that are listed as legal on page 64 of this document. The administrative representatives of Nea balance the learners' rights to due process with the responsibility to maintain a safe learning environment. Suspension reports are cataloged as part of our annual report.

This policy and its rules and procedures have been established in order to promote learning and protect the safety and well being of all students. When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction.

Staff enforce disciplinary rules and procedures fairly and consistently amongst all students and accord all students with similar rights to due process. These disciplinary rules and procedures are printed and distributed as part of the Student Handbook Planner and clearly describe discipline expectations. In addition to these suspension and expulsion policies required for this charter, Nea has developed a complete set of student discipline policies and procedures that are distributed to each student/parent as part of the Student Handbook Planner. Discipline policies are located at the end of the Learner Rule Book. (Appendix 4)

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

Nea's Lead Facilitator ensures that students and parents/guardians are notified in writing of all discipline policies, rules, and procedures and given an opportunity to provide input and feedback on discipline policies and procedures. Transfer students and their parents/guardian are also

advised upon enrollment. The notice states that these disciplinary rules and procedures are available on request at Nea's school office.

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

A student identified as an individual with disabilities pursuant to the Individual with Disabilities Education Act is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except to the extent that federal and state law or the student's Individualized Educational Plan (IEP) mandates additional or different procedures for that student. Nea follows all federal and state law when imposing any form of discipline on a student identified as an individual with disabilities and according due process to such students.

In the case of a special education student, or a student who receives 504 accommodations, Nea ensures that it makes the necessary adjustments to comply with the mandates of State and federal laws, including the IDEA and Section 504 of the Rehabilitation Plan of 1973, regarding the discipline of students with disabilities. Prior to recommending expulsion for a Section 504 student or special education student, the Lead Facilitator convenes a review committee to determine 1) if the conduct in question was caused by, or had a direct and substantial relationship to the child's disability; or 2) if the conduct in question was the direct result of the LEA's failure to implement the 504 plan or IEP. If it is determined that the student's misconduct was not caused by or had direct and substantial relationship to the child's disability or the conduct in question was not a direct result of the LEA's failure to implement the 504 plan or IEP, the student may be expelled.

Grounds for Suspension and Expulsion of Students

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

Staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will clearly describe discipline expectations, and it will be printed and distributed as part of the Student & Parent Information Packet, which is sent to each student at the beginning of the school year.

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

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use

of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter School 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 these Policy and Administrative Procedures are available on request at the Principal's office.

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

A student identified as an individual with disabilities or for whom Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. Charter School will follow all applicable federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

A. Grounds for Suspension and Expulsion of Students

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

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

B. Enumerated Offenses

Students may be suspended or expelled for any of the following acts when it is determined the pupil:

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force of violence upon the person of another, except self-defense.

3. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.
4. 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.
5. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
6. Committed or attempted to commit robbery or extortion.
7. Caused or attempted to cause damage to school property or private property.
8. Stole or attempted to steal school property or private property.
9. 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.
10. Committed an obscene act or engaged in habitual profanity or vulgarity.
11. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
12. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
13. Knowingly received stolen school property or private property.
14. 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.
15. Committed or attempted to commit a sexual assault as defined in Penal code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4.
16. 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.

17. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
18. 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.
19. 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 district property, or the personal property of the person threatened or his or her immediate family..
20. 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.
21. 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..
22. 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.

Alternatives to suspension or expulsion are first be attempted with students who are truant, tardy, or otherwise absent from assigned school activities.

C. Suspension Procedure

Suspensions are initiated according to the following procedures:

1. Conference

Suspensions are preceded, if possible, by a conference conducted by the Lead Facilitator or the designee with the learner and his/her parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Principal. The conference may be omitted if the Principal or designee determines that an emergency situation exists. An “emergency situation” involves a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student’s right to return to school for the purpose of a conference.

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

This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization.

No penalties may be imposed on a pupil for failure of the pupil’s parent or guardian to attend a conference with school officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil’s parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of suspension, the Principal or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Placement/Expulsion

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

Upon a recommendation of Placement/Expulsion by the Principal or Principal’s designee, the pupil and the pupil’s guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. The Principal or designee upon either of the following determinations will make this determination: 1) the pupil’s presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil’s suspension will be extended pending the results of an expulsion hearing.

D. Authority to Expel

A student may be expelled either by the Governing Board following a hearing before it or by the Governing Board upon the recommendation of an Administrative Panel to be assigned by the Governing Board, as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a Board member of the Governing Board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

E. Expulsion Procedures

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

In the event an administrative panel hears the case, it will make a recommendation to the Governing Board for a final decision whether to expel. The hearing shall be held in closed session unless the pupil makes a written request for a public hearing three (3) days prior to the hearing.

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

1. The date and place of the expulsion hearing;
2. A statement of specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of Charter School's disciplinary rules which relate to the alleged violation;
4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the school 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 Offences

The Charter School may, upon finding a 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 witness' testimony may be presented in the form of sworn declarations that will be examined only by the Governing Board, administrative panel, or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

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

of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are not alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing 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 circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

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

H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense.

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay and sworn declarations may be admitted as testimony from witnesses of whom the Governing

Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

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

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

I. Written Notice to Expel

The Principal or designee following a decision of the Governing Board to expel shall send written notice of the decision to expel, including the Governing Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following:

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

The Principal or designee shall send a copy of the written notice of the decision to expel to the student's district of residence. This notice shall include the following:

1. The student's name
2. The specific expellable offense committed by the student

J. Disciplinary Records

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

K. No Right to Appeal

The pupil shall have no right of appeal from expulsion from the Charter School as the Governing Board 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.

M. Rehabilitation Plans

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the 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. The rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the pupil may reapply to the Charter School for readmission.

N. Readmission

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

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

i. Notification of SELPA

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

ii. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and receive, as appropriate, a functional behavioral assessment or functional analysis, and behavioral intervention services and modifications, that are designed to address the

behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

iii. Procedural Safeguards/Manifestation Determination

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

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

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

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

- a) Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b) If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c) Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

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

iv. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School

believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter school, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and the Charter School agree otherwise.

v. Special Circumstances

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

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

- a) Carries or possesses a weapon, as defined in 18 USC 930, to or at school, on school premises, or to or at a school function;
- b) Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c. Has inflicted serious bodily injury, as defined by 20 USC 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

vi. Interim Alternative Educational Setting

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

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

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

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

- 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 Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.

- b) The parent has requested an evaluation of the child.
- c) The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

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

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

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

K. Manner of Retirement Coverage for Staff

Employees of CLCS who work at Nea and qualify for membership in the State Teachers' Retirement System ("STRS") will be covered under that system. This includes Facilitators, Lead Facilitator, Executive Director, Chief Operating Officer, Counselor, Special Education Coordinator, and Education Specialists. Employees of CLCS who work at Nea and qualify for membership in the Public Employees' Retirement System ("PERS") will be covered under that system. This includes office managers, administrative assistants, paraprofessionals, and campus supervisors. All employees who are not members of STRS or PERS must contribute to the federal social security system. CLCS will inform prospective employees of the retirement system for employees of any CLCS charter school, as required by Education Code Section 47611.

CLCS will make all employer contributions as required by STRS/PERS or federal social security. CLCS will also make contributions for workers' compensation insurance, unemployment insurance and any other payroll obligations of an employer.

L. Public School Alternatives for Students Who Do Not Choose the Charter School

No student will be required to attend Nea, and all AUSD students will have the alternative of attending their AUSD or other school of residence, or seeking an inter-district transfer pursuant to applicable laws, regulations, and school district policies. Parents/guardians of applicants will

be informed that learners have no right to admission in a particular school in any district as a consequence of enrollment in the charter school.

M. Rights of Return for Charter Employees

AUSD employees who accept employment with CLCS shall have no return rights to AUSD and are expected to resign their tenured positions at AUSD prior to the start of the school year.

N. Dispute Resolution Procedures

The staff and Governing Board members of Nea Community Learning Center agree to attempt to resolve all disputes between the District and Nea Community Learning Center regarding this charter pursuant to the terms of this section. Both will refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

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

(1) Any controversy or claim arising out of or relating to the charter agreement, except any controversy or claim that in any way related to revocation of this charter, must be put in writing (“Written Notification”) by the party asserting the existence of such dispute. The Written Notification must identify the nature of the dispute and all supporting facts known to the party giving the Written Notification. The Written Notification may be tendered by personal delivery, by facsimile, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 PM or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail. All written notices shall be addressed as follows:

To Charter School, c/o School Director:

Nea Community Learning Center
500 Pacific Ave.
Alameda, CA 94501

To Director of Student Services

Alameda Unified School District
2060 Challenger Drive
Alameda, California 94501

(2) A written response (“Written Response”) shall be tendered to the party providing the Written Notification within twenty (20) business days from the date of receipt of the Written Notification. The Written Response shall state the responding party’s position on all issues stated in the Written Notification and set forth all fact which the responding party believes supports its position. The Written Response may be tendered by personal delivery, by facsimile, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00p.m., or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail. The parties agree to schedule a conference to discuss the claim or controversy (“Issue Conference”). The Issue Conference shall take place within fifteen (15) business days from the date the Written Response is received by the other party.

(3) If the controversy, claim, or dispute is not resolved by mutual agreement at the Issue Conference, then either party may request that the matter be resolved by mediation. Each party shall bear its own costs and expenses associated with the mediation. The mediator’s fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 60 days from the date of the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the controversy or claim at dispute. If no agreement on a mediator is reached within 30 days after a request to mediate, the parties will use the processes and procedures of the American Arbitration Association (“AAA”) to have an arbitrator appointed...

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

Internal Disputes

- Disputes arising from within the Charter School, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and Governing Board members of the School shall be resolved pursuant to policies and processes developed by the School. The AUSD Board of Education shall not intervene in any such internal disputes without the consent of the Board of the Charter School and shall refer any complaints or reports regarding such disputes to the School Board or the Director.
- The AUSD Board of Education agrees not to intervene or become involved in the dispute unless the dispute has given the AUSD Board of Education reasonable cause to believe that a violation of this charter or related laws or agreements has occurred, or unless the Governing Board of the School has requested the AUSD Board of Education to intervene in the dispute.
- Disputes shall first be brought informally to the Director of the Charter School for resolution.
- The Director shall track all disputes in writing.
- The Director shall facilitate discussion and resolution between all parties involved in the dispute.

- If the resolution is not resolved by discussion facilitated by the Director, the matter may be brought before the Board for resolution. The Director shall provide a written summary of the dispute and all attempts at resolution for the Governing Board.
- The decision of the Governing Board shall be final.

When the operations of Nea give rise to disputes or complaints other than between Nea and AUSD, Nea will seek a mutually-satisfactory resolution, employing a process that includes: defining the problem, identifying interests, gathering facts and evaluation options for resolution. Complaints will be addressed first at the source of the problem and referred to the appropriate level of school management. Complaints will be resolved within a reasonable time. Disputes that cannot be resolved informally will be addressed as provided by Nea's adopted complaint policy, which will be consistent with California's Uniform Complaint Procedure (California Code of Regulations, Title 5, Sections 4600 – 4671). Through this procedure, disputes that cannot be resolved initially may be referred to the CLCS Governing Board.

The role of AUSD in resolution of complaints received by it about Nea will be addressed as follows. AUSD agrees not to intervene or become involved in the dispute unless the dispute has given AUSD reasonable cause to believe that a violation of this charter or related laws or agreements has occurred, or unless the CLCS Governing Board of the charter school has requested AUSD to intervene in the dispute.

Oversight, Reporting, Revocation, and Renewal

Any communication from the AUSD Board of Education should be directed to the CLCS Executive Director. AUSD may inspect or observe any part of the charter school at any time. With only occasional exceptions, AUSD will seek to provide notice to the school at least three working days prior to any inspection, observation, or monitoring. If the AUSD Board of Education believes it has cause to revoke this charter, the board agrees to notify the charter school Governing Board and the CLCS in writing, noting the specific reasonable time to respond to the notice and take corrective action. CLCS understands and accepts that the AUSD Board of Education may have legal right to revoke this charter if it has found legal and reasonable grounds for revocation specifically set forth in the law, provided however that AUSD has given Nea prior notice of any grounds for revocation and reasonable opportunity to cure such violation, unless the AUSD Board determines, in writing, that the violation constitutes a 'severe and imminent threat to the health or safety of pupils' (EC 47607d). Nea agrees to respond promptly to all reasonable inquiries, including inquiries regarding its financial records.

Addressing Parent Complaints

Nea Community Learning Center has established complaint procedures that address both complaints alleging discrimination or violations of law and complaints regarding other areas. Nea Community Learning Center will not, at any time, refer complaints to the District.

The complaint procedures include clear information with respect to the response timeline of the school, whether the school's response is in writing, the party identified to respond to complaints, the party identified and charged with making final decisions regarding complaints, and whether the final decision is issued in writing. The procedures are also identify an ombudsperson for situations in which the school leader is the subject of the complaint. The complaint procedures are clearly articulated in the school's student and family handbook or distributed widely.

Nea Community Learning Center designates 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 Nea Community Learning Center alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. Nea Community Learning Center will notify all its students and employees of the name, office address, and telephone number of the designated employee or employees.

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

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

O. Education Employment Relations Act

CLCS is considered the exclusive public school employer for the purposes of the Educational Employment Relations Act. Under the EERA, CLCS employees shall have the right to form a collective bargaining unit and to negotiate directly with CLCS. If the employees lawfully form a collective bargaining unit with a representative designated to negotiate with CLCS on their behalf, CLCS shall negotiate matters covered by the EERA directly with that representative. These matters may include such items as salary levels (which may be based upon such factors as educational degree attained, years of teaching experience and/or other factors), employee benefits (health plan provider, levels of coverage and co-payments, retirement plans, vacation days, dental and vision coverage, etc.), number of work days per year and number of teaching hours per day, and work rules (including required breaks).

P. School Closure Procedures

Should the District either revoke the charter or fail to renew the charter, closure of Nea will be documented by official action of the CLCS Governing Board. The action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities.

The CLCS Governing Board will promptly notify parents and students of Nea, the District, the Alameda Board of Education, Nea's SELPA, the retirement systems in which the School's employees participate (e.g., Public Employees' Retirement System, State Teachers' Retirement System, and federal social security), and the California Department of Education of the closure as well as the effective date of the closure. This notice will also include the name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure; the pupils' school districts of residence; and the manner in which parents (guardians) may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

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

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

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

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

As soon as reasonably practical, Nea will prepare final financial records. Nea will also have an independent audit completed within six months after closure. Nea will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the Charter School and will be provided to the District promptly upon its completion. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to the charter school.

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

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

On closure, CLCS shall remain solely responsible for all liabilities arising from the operation of Nea. Any remaining assets of the charter school, after satisfaction of all outstanding liabilities and obligations of the school shall remain the property of the Community Learning Center Schools, Inc, a non-profit public benefit corporation or shall be disposed of by the school's Governing Board to another charter school, non-profit, or other appropriate entity as directed in the bylaws. Restricted funds shall be returned to their original source. Any net assets remaining shall be distributed in accordance with the articles of incorporation.

In the event that the Nea closes, any remaining assets of the charter school, after satisfaction of all outstanding liabilities and obligations of the school shall remain the property of the Community Learning Center Schools, Inc, a non-profit public benefit corporation or shall be disposed of by the school's Governing Board to another charter school, non-profit, or other appropriate entity as directed in the bylaws. Unused grant and categorical funds will be returned to the agency that provided them.

With regard to learner records, in the event of school closure, Nea will finalize all school records in its system. The finalized records (in the event of school closure) shall be turned over to AUSD in the finalized form of the system it uses.

If the school ceases operation, and the board determines that there is no successor charter school which can carry out the mission of the school, then the school shall designate an entity or individual to be responsible for conducting closure activities. The designated entity or individual shall be known as the Authorized Closer. The Authorized Closer shall commence closure proceedings by notifying parents and guardians of pupils, SBE, the AUSD Board of Education, the SELPA in which the school participates, the retirement systems in which the school's employees participate and the California Department of Education.

The notice shall include the effective date of the closure ("Closure Date"), the party to contact for information related to the closure, the pupil's districts of residence and the manner in which parents and guardians may obtain copies of pupil records, including information on completed courses and credits that meet graduation requirements. The school shall provide the Authorized Closer with a list of pupils in each grade level and the classes they have completed, together with information on the pupils' districts of residence.

Pupil records, including all state assessment results and special education records, shall be maintained and transferred to the custody of the Authorized Closer, except for records and/or assessment results that, under the provisions of the governing charter, are required to be transferred to a different entity. Personnel records shall be maintained and transferred in accordance with applicable law.

The school shall complete an independent final audit within six months of the school's closure. The audit may also serve as the annual audit. The audit must include at least the following:

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

The Authorized Closer must provide for the completion and filing of any annual reports required by Ed. Code section 47604.33.

The school is a California nonprofit public benefit corporation (as permitted under Ed. Code section 47604(a) ("school corporation"). If in connection with the closure, the Board determines that it will dissolve the school corporation ("Dissolution"), then (i) the Dissolution shall be conducted in accordance with the requirements of the California Nonprofit Public Benefit Corporation Law ("Law") including, without limitation, Corp. Code sections 6610 et seq. and sections 6710 et seq., and (ii) the Board may select the Authorized Closer to assist with the wind-up and Dissolution of the school corporation, but shall not be obligated to do so. Consistent with the requirements of the Law, any net assets remaining after all debts and liabilities of the school corporation (i) have been paid to the extent of the school corporation's assets, or (ii) have been adequately provided for, shall be distributed in accordance with the school corporation's Articles of Incorporation.

Prior to the distribution of any remaining net assets, the school corporation shall:

- determine if there are any remaining proceeds of any Restricted Government Grant that have not been expended for the purposes set forth in the Restricted Government Grant, and shall return any such remaining proceeds to the applicable federal or California governmental agency; and
- dispose of, distribute or otherwise utilize any proceeds of any grants or donations (whether in cash or in-kind (i.e., materials or property) received by the school or the school corporation from any private foundation, any other entity exempt from tax under Section 501I(3) of the Internal Revenue Code, as amended, any other person, or the general public in accordance with the restrictions, if any, imposed by the grantor or donor on such grants or donations at the time received by the school or the school corporation.

For purposes of subparagraph (a) above, “Restricted Government Grant” means any grant or donation (in cash or in-kind (i.e., materials or property)) made by any federal or California governmental agency to the school or the school corporation, the grant instrument of which, or the applicable law governing, requires that, upon closure of the school or dissolution of the school corporation, any proceeds of such Restricted Government Grant that have not been expended for the purposes set forth in the grant instrument or in applicable law, be returned to the granting or donating governmental agency. The school shall use, but is not limited to, school reserves normally maintained for contingencies and emergencies to fund closure proceedings.

Q Length of Term

The term of this charter shall be 5 years from July 1, 2014 to June 30, 2019.

R School Calendar and Class Schedule (K-5)

Professional Development and Facilitator Work Days are non-student days.

Month	M	T	W	Th	F	Teaching Days	Cumulative Teaching Days	
AUGUST				1	2			
2013	5	6	7	8	9	5	5	
	12	13	14	15	16			<i>Aug 19-22: Staff Dev/Planning Days</i>
	19	20	21	22	23			<i>Aug 23: Facilitator Work Day</i>
	26	27	28	29	30			Aug 26: First Day of School
SEPT	2	3	4	5	6			
2013	9	10	11	12	13	20	25	<i>Sept 2: Labor Day Holiday</i>
	16	17	18	19	20			
	23	24	25	26	27			
	30							
OCT								
2013		1	2	3	4			
	7	8	9	10	11	23	48	
	14	15	16	17	18			
	21	22	23	24	25			
	28	29	30	31				
NOV					1			
2013	4	5	6	7	8	15	63	<i>Nov. 11: Veteran’s Day (Observed)</i>
	11	12	13	14	15			<i>Nov 22: First Trimester Ends</i>
	18	19	20	21	22			<i>Nov 25 - 29: Fall Recess</i>
	25	26	27	28	29			
DEC								<i>Dec 10-12: K-5 Conferences 12:30 Dismissal</i>
2013	2	3	4	5	6	15	78	<i>Dec 23 - Jan 3: Winter Recess</i>
	9	10	11	12	13			
	16	17	18	19	20			
	23	24	25	26	27			
	30	31						
JAN								
2014			1	2	3	18	96	<i>Jan 20: Martin Luther King, Jr. Holiday</i>
	6	7	8	9	10			
	13	14	15	16	17			
	20	21	22	23	24			<i>Jan 24: Facilitator Work Day</i>

	27	28	29	30	31		
FEB							
2014	3	4	5	6	7		Feb 14: Lincoln's Day Holiday
	10	11	12	13	14	18	Feb 17: President's Day Holiday
	17	18	19	20	21		
	24	25	26	27	28		
MAR							
2014	3	4	5	6	7		March 4 and 5: Professional Development
	10	11	12	13	14	18	March 7: Second Trimester Ends
	17	18	19	20	21		
	24	25	26	27	28		Mar 31 – April 4: Spring Recess
APR	31						
2014		1	2	3	4		
	7	8	9	10	11	18	
	14	15	16	17	18		
	21	22	23	24	25		
	28	29	30				May 26: Memorial Day Holiday
MAY					1	2	
2014							
	5	6	7	8	9	21	
	12	13	14	15	16		
	19	20	21	22	23		
	26	27	28	29	30		
JUNE							
2014							June 9-11: LLC 12:30 PM dismissal
						9	June 12: Last Day 12:30 PM dismissal
	2	4	5	6	7		180 School Days
							+ 3 Work Days
							+ 6 Staff Dev Days
	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	<u>13</u>		June 13: Facilitator Work Day
	16	17	18	19	20		
	23	24	25	26	27		189 Total Facilitator Days

Grades 6-12

Professional Development and Facilitator Work Days are non-student days.

Month	M	T	W	Th	F	Teaching Days	Cumulative Teaching Days
AUGUST				1	2		
2013	5	6	7	8	9	5	5
	12	13	14	15	16		
	19	20	21	22	23		Aug 19-22: Staff Dev/Planning Days
	26	27	28	29	30		Aug 23: Facilitator Work Day
SEPT	2	3	4	5	6		Aug 26: First Day of School
2013	9	10	11	12	13	20	25
	16	17	18	19	20		
	23	24	25	26	27		Sept 2: Labor Day Holiday
	30						
OCT							
2013		1	2	3	4		
	7	8	9	10	11	23	48
	14	15	16	17	18		
	21	22	23	24	25		
	28	29	30	31			
NOV							
2013					1	15	63
	4	5	6	7	8		
							Nov. 11: Veteran's Day (Observed)

	11	12	13	14	15				Nov 25 - 29: Fall Recess
	18	19	20	21	22				
	25	26	27	28	29				
DEC									
2013	2	3	4	5	6				Dec 23 - Jan 3: Winter Recess
	9	10	11	12	13	15		78	
	16	17	18	19	20				
	23	24	25	26	27				
	30	31							
JAN									
2014			1	2	3				
	6	7	8	9	10	18		96	Jan 20: Martin Luther King, Jr. Holiday
	13	14	15	16	17				Jan 21 - 23: LLC 12:30 PM dismissal
	20	21	22	23	24				Jan 24: Facilitator Work Day
	27	28	29	30	31				
FEB									
2014	3	4	5	6	7				Feb 14: Lincoln's Day Holiday
	10	11	12	13	14	18		114	Feb 17: President's Day Holiday
	17	18	19	20	21				
	24	25	26	27	28				
MAR									
2014	3	4	5	6	7				March 4 and 5: Professional Development
	10	11	12	13	14	18		132	
	17	18	19	20	21				
	24	25	26	27	28				Mar 31 - April 4: Spring Recess
APR									
2014	31	1	2	3	4				
	7	8	9	10	11	18		150	
	14	15	16	17	18				
	21	22	23	24	25				
	28	29	30						
MAY									
2014				1	2				May 26: Memorial Day Holiday
	5	6	7	8	9	21		171	
	12	13	14	15	16				
	19	20	21	22	23				
	26	27	28	29	30				
JUNE									
2014									June 9-11: LLC 12:30 PM dismissal
	2	4	5	6	7	9			June 12: Last Day 12:30 PM dismissal
	9	10	11	12	13				180 School Days
	16	17	18	19	20				+ 3 Work Days
	23	24	25	26	27				+ 6 Staff Dev Days
									June 13: Facilitator Work Day
									<i>189 Total Facilitator Days</i>

S Transportation

Nea does not provide transportation for its learners to and from school unless it is required under an IEP Plan or a 504 Plan for special education services or handicapped accommodations.

T Staff Development Procedures and Materials

Nea Facilitator Professional Development and School Year Preparedness Days

August 19, 20, 21, 22 and 23, 2013

Day One (Monday, August 19, 2013, whole team)

1. Breakfast Potluck
2. Community Building Activity
3. Nea Culture Re: Summer Reading:
 - a. *Ethic of Excellence* – Ron Berger
 - b. *Teach Like a Champion* – Doug Lemov
 - c. *Lost at School* – Ross W. Greene
4. CST Scores Review and Goal Setting
5. Special Education Presentation
6. Responsive Intervention and the Nea Safety Net Process
7. Department/Cohort Meeting Deliverables:
 - a. Department Agreements re: Seminar Routines for Learner Success
 - b. Department Agreements re: The Going Paper-less Initiative

Day Two (Tuesday, August 20, 2013, whole team)

1. Curriculum Map Review re: Common Core, CST Blueprints and Smarter Balanced Assessments
2. Cross-curricular (cc) Project #1 Refinement (ELA/Soc/Sci/Math/Tech):
 - a. At UV, can CPM and SocSci drive cc projects?
 - b. At LV, can SocSci drive cc projects?
3. Benchmark vs. School-wide Diagnostic Assessments; Data Driven Dialogues
4. Department/Cohort Meeting Deliverables:
 - a. Scaffold (learner support) Design: develop a process for self-paced project engagement, reiteration and assessment protocols
 - b. ePortfolios: create a set of agreements and protocols for learner work repositories

Day Three (Wednesday, August 21, 2013, morning session whole team)

1. Department Work Lateral and Vertical Articulation K-12

Afternoon Session: Site Specific Meetings

1. Calendars, Schedules, Extra Duties, After-School Learner Support
2. Facilitator Effectiveness Measurement System, Facilitator Support,
3. Master and Mentor Facilitator-led Workshop Collaboratives
4. Department/Cohort Meeting Deliverables:
 - a. Classroom wall signage expectations and implementation

Day Four (Thursday, August 22, 2013, Site Specific Meetings)

1. Disaster Preparedness
2. Anti-Bullying and Harassment Initiatives, Second Step
3. Discipline policy and procedures, including JC triage
4. L2L, LLC and CCC: Curriculum and Product Design

5. Department/Cohort Meeting Deliverables:
 - a. L2L Rubrics Expected Learning Outcomes (ELO) evidence
 - b. Nine Nea Principle ELO evidence
 - c. Standards-based report card refinement by department/cohort

Day Five (Friday, August 23, 2013, site Specific Workday)

1. Facilitator (classroom) workday and check-in with Lead Facilitator (in classroom)

March 4 and 5, 2014, All Nea Facilitators will attend the California Charter Schools Association Statewide Conference in San Jose and attend professional development opportunities of their own choosing.

**U Individuals with Disabilities Education Act, Section 504,
Americans with Disabilities Act, Title VI, IX,
and other federal requirements**

Nea shall comply with all applicable State and Federal Laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act (“Section 504”), the Americans with Disabilities Act (“ADA”) and the Individuals with Disabilities in Education Improvement Act (“IDEIA”). Our special education program is described in detail in Section A, starting on page 13.

Nea shall comply with all applicable State and Federal Laws related to Title VI, Title IX, and the Americans with Disabilities Act as well as any and all applicable federal requirements for operating a charter school in California.

Nea Board Policies Related to 504 Plans

Nea COMMUNITY LEARNING CENTER Board Procedure# _____

IDENTIFICATION, EVALUATION AND EDUCATION UNDER SECTION 504

A. Definitions

1. **Academic Setting** – the regular, educational environment operated by the Nea Community Learning Center (“Charter School”).
2. **Individual with a Disability under Section 504** – An individual who:

- a. has a physical or mental impairment that substantially limits one or more major life activities;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
3. **Evaluation** – procedures used to determine whether a student has a disability as defined within, and the nature and extent of the services that the student needs. The term means procedures used selectively with an individual student and does not include basic tests administered to, or procedures used with, all students in a school, grade or class.
 4. **504 Plan** – is a plan developed to identify and document the student’s needs for regular or special education and related aids and services for participation in educational programs, activities, and school –sponsored events.
 5. **Free Appropriate Public Education (“FAPE”)** – the provision of regular or special education and related aids and services that are designed to meet the individual needs of persons with disabilities as adequately as the needs of persons without disabilities are met.
 6. **Major Life Activities** - Functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
 7. **Physical or Mental Impairment** –
 - a. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory; including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin; and endocrine; or
 - b. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
 8. **504 Coordinator** – Principal, [INSERT NAME], shall serve as the Charter School’s Section 504 coordinator. The parents or guardians may request a Section 504 due process hearing from, or direct any questions or concerns to the 504 Coordinator at [INSERT PHONE NUMBER].

B. Referral, Assessment and Evaluation Procedures

1. The Charter School will evaluate any student who, because of disability, needs or is believed to need regular or special education and/or related aids and services.
2. A student may be referred by anyone, including a parent/guardian, teacher, other school employee or community agency, for consideration as to whether the

student qualifies as a student with disabilities under Section 504. Requests for evaluation shall be made in writing, and a copy of said request will remain in the student's file regardless of the final determination. This referral should be made to the Section 504 Coordinator who will convene a 504 Team. Any requests made to another Charter School employee will be forwarded to the Section 504 Coordinator.

3. The Charter School has the responsibility to ensure that students with disabilities are evaluated. Therefore, it is important that students who are or may be disabled are referred to the Section 504 Coordinator so that the assessment process is initiated.
4. The 504 Team convened by the Section 504 Coordinator will be composed of the student's parents/guardians and other persons knowledgeable about the student (such as the student's regular education teachers), the student's school history, the student's individual needs (such as a person knowledgeable about the student's disabling condition), the meaning of evaluation data, the options for placement and services, and the legal requirements for least restrictive environment and comparable facilities.
5. The 504 Team shall promptly consider the referral and determine what assessments are needed in all suspected areas of disability to evaluate whether the student is a student with a disability under Section 504 and what special needs the student may have. The decision regarding what assessments shall be undertaken shall be based on a review of the student's school records (including academic, social and behavioral records), any relevant medical records, and the student's needs. Students requiring assessment shall be provided appropriate assessments administered by qualified assessment specialists.
6. The 504 Team will consider the following information in its evaluation of the student:
 - a. Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel;
 - b. Tests and other evaluation materials including those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
 - c. Tests are selected and administered so as to best ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure.)
7. The evaluation of the student must be sufficient for the 504 Team to accurately and completely describe: (a) the nature and extent of the disabilities; (b) the student's special needs; (c) the impact upon the student's education; and (d) what regular or special education

and/or related aids and services are appropriate to ensure that the student receives a free appropriate public education. All significant factors relating to the learning process for that student, including adaptive behavior and cultural and language background, must be considered. The evaluation may include, but is not limited to, classroom and playground observation, performance-based testing, academic assessment information, and data offered by the student's teachers and parent/guardian.

8. The parents/guardians shall be given an opportunity in advance of 504 Team meetings to examine assessment results and all other relevant records.

9. If a request for evaluation is denied, the 504 Team shall inform the parents/guardians in writing of this decision and of their procedural rights as described below.

C. 504 Plan

1. When a student is identified as disabled within the meaning of Section 504, the 504 Team shall determine what, if any, services are needed to ensure that the student receives a free, appropriate public education ("FAPE").

2. The 504 Team responsible for making the placement decision shall include the parents/guardians and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.

3. For each identified disabled student, the 504 Team will develop a 504 Plan describing the student's disability and the regular or special education and/or related aids and services needed. The Plan will specify how the special education and/or related aids and services will be provided to the disabled student and by whom. The 504 Plan will also identify the person responsible for ensuring that all the components of the Plan are implemented.

4. The student's teacher and any other staff who are to provide services to the student or who are to make modifications in the classroom for the student shall be informed of the services or modifications necessary for the student and, if appropriate, provided a copy of the 504 Plan. A copy of this plan shall be kept in the student's cumulative file in a manner that limits access to those persons involved in the 504 process and/or the provision of services and modifications.

5. The disabled student shall be placed in the regular education environment unless it is demonstrated that the student's needs cannot be met in the regular education environment with supplementary aids and services. The disabled student shall be educated with students who are not disabled to the maximum extent appropriate to his/her individual needs.

6. The referral, assessment, evaluation and placement process will be completed within a reasonable time. It is generally not reasonable to exceed 50 school days in completing this process.
7. The parents/guardians shall be notified in writing of the final decision concerning the student's identification as a person with disabilities, the educational program and services to be provided, if any, and of the Section 504 procedural safeguards, as described below, including the right to an impartial hearing to challenge the decision.
8. If the 504 Team determines that the student is disabled but that no special services are necessary for the student, the 504 Plan shall reflect the identification of the student as a disabled person under Section 504 and shall state the basis for the decision that no special services are presently needed.
9. The 504 Plan shall include a schedule for annual review of the student's needs, and indicate that this review may occur more frequently at the request of the parent/guardian or school staff.

D. Review of the Student's Progress

1. The 504 Team shall monitor the progress of the disabled student and the effectiveness of the student's 504 Plan. According to the review schedule set out in the student's 504 Plan, the 504 Team shall annually determine whether the services and modifications are appropriate.
2. A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement.

E. Procedural Safeguards

1. Parents/guardians shall be notified in writing of all decisions regarding the identification, evaluation or educational placement of students with disabilities or suspected disabilities.

Notifications shall include a statement of their rights to:

- Examine relevant records
- Have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel
- Have the right to file a Uniform Complaint pursuant to school policy
- Seek review in federal court if the parents/guardians disagree with the hearing decision.

2. Notifications shall also set forth the procedures for requesting an impartial hearing. Requests shall be made to **School Counselor** 504 Coordinator c/o Nea Community Learning Center, **500 Pacific Ave.** Notifications shall advise that reimbursement for attorney's fees is available only as authorized by law.
3. The Principal shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with any district within Natomas Unified School District's SELPA or the County Office of Education in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.
4. If a parent/guardian disagrees with the identification, evaluation or educational placement of a student with disabilities under Section 504, he/she may request a hearing to initiate due process procedures. The parent/guardian shall set forth in writing his/her request for a hearing. A request for hearing should include:
 - The specific decision or action with which the parent/guardian disagrees.
 - The changes to the 504 Plan the parent/guardian seeks.
 - Any other information the parent/guardian believes is pertinent.
5. Within 5 calendar days of receiving the parent/guardian's request for a hearing, The Charter School may offer the parent/guardian an optional alternative dispute resolution process. However, the timeline for the hearing shall remain in effect unless it is extended by mutual written agreement of the parent/guardian and the Charter School. Alternative dispute resolution options include:
 - Mediation by a neutral third party.
 - Review of the 504 Plan by the Principal or designee.
6. Within 10 calendar days of receiving the parent/guardian's request, the Principal or designee shall select an impartial hearing officer. This 10 days may be extended for good cause or by mutual agreement of the parent/guardian and Principal.

7. Within 35 calendar days of the selection of the hearing officer, the due process hearing shall be conducted. This 35 days may be extended for good cause or by mutual agreement of the parent/guardian and Principal.

8. The parent/guardian and the Charter School shall be afforded the rights to:

- Be accompanied and advised by counsel and by individuals with special knowledge or training related to the individual needs of students who are qualified as disabled under Section 504.
- Present written and oral evidence.
- Question and cross-examine witnesses.
- Receive written findings by the hearing officer.

9. The hearing officer shall issue a written decision within 10 calendar days of the hearing.

10. If desired, either party may seek a review of the hearing officer's decision by a federal court. The decision shall be implemented unless the decision is stayed, modified or overturned by a court.

Adopted:

Amended:

Nea COMMUNITY LEARNING CENTER
Board Policy# _____

IDENTIFICATION, EVALUATION AND EDUCATION UNDER SECTION 504

The Board of Directors of the Nea Community Learning Center ("Charter School") recognizes the need to identify and evaluate students with disabilities in order to provide them with a free, appropriate public education and its legal responsibility to ensure that "no qualified person with a

disability shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” This policy and the related administrative regulation has been developed to ensure the implementation of Section 504 of the Rehabilitation Act of 1973 (“Section 504”), and its implementing regulations as amended, which pertains to public schools. The intent is to ensure that all students with disabilities, who are eligible under Section 504, are identified and evaluated and have access to a free, appropriate public education (“FAPE”).

Under Section 504, individuals with physical or mental impairments that substantially limit one or more major life activities, including learning, are entitled to receive regular or special education and/or related aids and services designed to meet their individual needs as adequately as the needs of nondisabled students are met. Students may be disabled and entitled to services under Section 504 even though they are not eligible for services pursuant to the Individuals with Disabilities in Education Act Improvement Act of 2004 (“IDEIA”). The identification, evaluation and education of students eligible for services under the IDEIA is addressed under the policies and procedures of the SELPA and Charter School.

The Principal shall ensure that this policy and set of procedures is implemented and followed. Whenever there is reason to believe that, because of a disability, a student needs regular or special education and/or related aids and services (and the student has not been found eligible under IDEA) that student will be evaluated under this policy’s administrative regulation.

A Section 504 Team will be convened to determine the student’s need for regular or special education and/or related aids and services. The 504 Team will include persons knowledgeable about the Section 504 standards, the student’s individual needs and school history, the meaning of evaluation data, and placement options. The student’s parent/guardian shall be invited to participate in this 504 Team and shall receive notice of procedural safeguards guaranteed by law. If the Charter School does not assess a student after a parent has requested an assessment, the Charter School shall provide notice of the parent’s/guardian’s procedural safeguards.

If the student, due to disability, is found to require regular or special education and/or related aids and services under Section 504, the Section 504 Team shall develop a 504 plan for the provision of such services to the student. The student shall be educated with nondisabled students to the maximum extent appropriate to the student’s individual needs. The student’s parent/guardian shall be provided a copy of the 504 plan and shall receive notice of procedural safeguards guaranteed by law. The Charter School shall periodically review the student’s progress and placement.

The Charter School will implement this policy through its corresponding Procedure.

Adopted:

Amended:

**PARENT/STUDENT RIGHTS IN IDENTIFICATION, EVALUATION, ACCOMMODATION AND
PLACEMENT**

(Section 504 of the Rehabilitation Act of 1973)

The following is a description of the rights granted by federal law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions. Please keep this explanation for future reference.

You have the right to:

1. Have your child take part in and receive benefits from public education programs without discrimination because of his/her disabling condition.
2. Have Nea Community Learning Center (“Charter School”) advise you of your rights under federal law.
3. Receive notice with respect to Section 504 identification, evaluation and/or placement of your child.
4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the Charter School make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided to non-disabled students.
6. Have your child receive exceptional education and related services if he/she is found to be eligible under the Individuals with Disabilities Education Act (IDEA) [20 U.S.C. Chapter 33, P.L. 101-4761.
7. Have an evaluation, educational recommendation, and placement decision developed by a team of persons who are knowledgeable of the student, the assessment data, and any placement options.
8. Have your child be given an equal opportunity to participate in non-academic and extracurricular activities offered by the Charter School.
9. Examine all relevant records relating to decisions regarding your child’s Section 504 identification, evaluation, educational program, and placement.
10. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
11. Obtain a response from the Charter School to reasonable requests for explanations and interpretations of your child’s records.
12. Request amendment of your child’s educational records if there is reasonable cause to believe they are inaccurate, misleading or otherwise in violation of the privacy rights of your child.
If the Charter School refuses this request for amendment, the Charter School shall notify you within a reasonable time and advise you of your right to an impartial hearing.
13. Request mediation or file a grievance in accordance with the Charter School’s Section 504 mediation grievance and hearing procedures.
14. Request an impartial hearing regarding the Section 504 identification, evaluation, or placement of your child. You and the student may take part in the hearing and have an attorney represent you.
15. File a formal complaint pursuant to the Uniform Complaint Policy and Procedures.
16. File a formal complaint with the U.S. Department of Education.

50 United Nations Plaza - Room 322
San Francisco, CA 94102
(415) 437-8310

Please contact, 504 Coordinator c/o Nea Community Learning Center, with any questions regarding the information contained herein.

V Records of claims or lawsuits against the charter school

There is one outstanding lawsuit “Sanchez vs. CLCS” that is being handled by Young, Minney, and Corr, our charter school attorneys. Expenses are being covered by our insurance carrier, CharterSafe.

W National School Lunch Program

Both the Nea Lower Village and Upper Village participate in the National School Lunch Program. Our lunch provider is “Lunchmasters” which is run by Knob Hill Catering. Our program is approved through and overseen by PUC Schools, which coordinates this program for many charter schools throughout California.

X Other Petitions

CLCS has only two charter petitions, ACLC and Nea. CLCS has no other charter petitions pending at this time with AUSD, ACOE, or CDE.

Y. Other Issues

The District may charge for the actual costs of supervisory oversight of Nea Community Learning Center not to exceed 1% of the charter school’s revenue, or the District may charge for the actual costs of supervisory oversight of the Charter School not to exceed 3% if Nea Community Learning Center is able to obtain substantially rent free facilities from the District. Notwithstanding the foregoing, the District may charge the maximum supervisory oversight fee allowed under the law as it may change from time to time.

Nea Community Learning Center must submit its renewal petition to the Director of Educational Options no earlier than 360 days before the charter is due to expire unless otherwise agreed by the Director of Educational Options.

The District may revoke the charter of Nea Community Learning Center in accordance with Education Code Section 47607.any successor provisions to section 47607, or other statutory provisions, if enacted after the date of the charter, regarding the revocation of charters.

a. Amendment to the Charter

Proposed amendments or changes to this Charter may be made by the CLCS Governing Board. All material changes must be subject to approval by the AUSD Board of Education.

b. Facilities to be used by the Nea Charter School

Nea will annually seek facilities from AUSD under Proposition 39. Nea seeks to have its K-12 program housed on one campus.

c. Manner in which administrative services will be provided

Nea contracts with EdTec of Emeryville for business services. Nea will only contract services through AUSD if both parties agree to and these relationships shall be spelled out in the Memorandum of Understanding (“MOU”).

d. Potential civil liability effects, if any, upon the school and upon the school district

CLCS, which operates Nea, is a nonprofit public benefit corporation, thereby protecting AUSD from potential liability for acts of the charter school. The charter petition includes procedures to facilitate AUSD oversight. Additional oversight provisions and measures to reduce the risk of liability claims will be included in the annual operating agreement between CLCS/Nea and AUSD .

CLCS (dba Nea) will be operated as a California non-profit public benefit corporation with IRS 501c3 tax exemption status. As such, AUSD will not be liable for the debts or obligations of the charter school pursuant to Education Code Section 47604I. In the event that AUSD does not complete its responsibilities for charter school oversight under the Charter Schools Act, AUSD may expose itself to liability. The school intends to purchase liability and property insurance as outlined above to protect the school’s assets, staff, Board of Directors, and Governing Board members, and, where appropriate AUSD personnel.

e. Statewide Standards and Pupil Assessment

Nea will meet all statewide assessment standards and conduct the pupil assessments required pursuant to Section 60605 and 60851of the Education Code and any other statewide standards authorized in statute or pupil assessments applicable to pupils in charter schools. Assessment is discussed more fully in the section entitled “Measurable Student Outcomes” above.

f. Consultation with Parents and Teachers Regarding Educational Programs

Inherent in the governance of the Nea is engagement of both parents and facilitators in the development and evaluation of educational programs implemented in the school. In addition to the participation of these parties, learners are also engaged in this process.

Parents, learners and facilitators are involved at the policy level through the Nea Governing Board that is charged with establishing budget, evaluation of staff and program, reviewing learner outcomes, and setting the direction of the school.

Parents will participate in the Personnel Committee that will gather information by learner surveys on staff effectiveness annually.

Evaluation of the Nea educational program will incorporate formal feedback through an annual parent/learner survey. This survey will ask detailed questions about satisfaction with specific subject matter instruction as well as general school operations. This information will be tabulated by the Program and Performance Evaluation Committee and by Leadership, and it will be presented to the Governing Board as an annual report.

All meetings of the Governing Board will be open to the public and a regular meeting schedule will be provided to all parents annually.

g. Affirmations:

Nea will be nonsectarian in its programs, admission policies, employment practices, and all other operations. No tuition will be charged to attend the Nea. No student will be discriminated against on the basis of ethnicity, national origin, gender, or disability.

h. Nea Budget

Nea employs EdTec, a charter school financial service corporation with fifteen years of experience and over 75 charter school clients, to provide financial services for the school. Nea will use EdTec's financial processes and record keeping system. EdTec has worked with the CLCS Executive Director to develop the Nea budget. The CLCS Executive Director will be monitoring the Nea budget and will submit EdTec financial reports monthly to the CLCS Governing Board.

i. Chartering Authority, Reasonable Efforts to Accommodate Growth of the Charter

Upon approval of this charter AUSD commits itself to make reasonable efforts to accommodate the growth of Nea.

j. No employee of AUSD required to be employed in the charter

No employees of AUSD will be required for any reason to be assigned to Nea.

k. No student of the AUSD required to attend the charter

No student of AUSD will for any reason be required to attend Nea.

Appendix 1

Nea Standards (K-5)

Portfolio Components:

- I. Meets or Exceeds State Standards for 5th Grade in all Content Areas**
(Who I am.)

- II. Nea Learning to Learn Skills**
(What I can do.)

- III. Academic Proficiencies**
(What knowledge base I have.)

IV. Learner Artifacts

(What represents who I am.)

V. Community Service

(How I am a good citizen in my community.)

VI. Advanced Collaboration Project (with 6 -8th grade learners)

(Proof that I am ready for middle school.)

Appendix 2

Nea Academic Standards

A Nea Graduate:

I. Meets or exceeds AUSD / Nea Graduate Profile standards related to:

1. PERSONAL QUALITIES, WORK HABITS AND ATTITUDES — Displays responsibility, self-esteem, sociability, self-management, and integrity and honesty.

2. NEW BASICS — Reads; writes; performs arithmetic and mathematical operations; listens and speaks; possesses historical, cultural, geographic, and economic understanding, understands variation and systems; thinks scientifically and applies scientific principles to life; values and appreciates the arts, and nurtures one's own health and well-being.

3. THINKING SKILLS AND REASONING — Thinks creatively, makes decisions, solves problems, visualizes; knows how to learn and reason; analyzes and understands systems; uses data to form theories, applies knowledge to solve problems, improve systems.
4. INTERPERSONAL AND COLLABORATIVE ABILITY — Works well with others, cooperates.
5. TECHNOLOGY — Works with a variety of technologies.

(Documented in Learner ePortfolio)

II. Demonstrates an understanding of the Nea Learning to Learn Skills

- Time and Task Management
- Reading
- Research
- Effective Presentations
- Whole Team Performance Evaluation
- Individual Teamwork
- Oral Communications
- Writing
- Teaching others
- Democratic Leadership
- Ownership of Community (Democracy and Leadership)
- Judicial System Interaction (Democracy and Leadership)
- Personal Visioning
- Systems Thinking
- Technology Skills

(Documented in Learner ePortfolio, rubrics follow)

III. Academic Proficiencies

Satisfactory completion of Nea approved courses in high school curricula with a minimum cumulative GPA of 2.00 including satisfactory completion (including no grades of “D” or “F” final semester grades) in the following areas:

English - 40 credits (8 semesters)

Mathematics - 40 credits (8 semesters)

Must include High School Algebra 1, Geometry, and Algebra 2, and either Pre-Calculus or other UC approved High School or College math course

Science – 30 credits (6 semesters)

Must include Chemistry, Biology, and Physics.

History / Social Studies – 30 credits (6 semesters)

Modern World History 2 semesters

U.S. History 2 semesters

American Government 1 semester

Economics 1 semester

Visual and Performing Arts – 10 credits (2 semesters)

Satisfactory completion of U.C. (f) requirement (Visual and Performing Arts)

College Preparatory Elective – 10 credits (2 semesters)

Satisfactory completion of U.C. (g) requirement

Foreign Language – 30 credits (6 semesters)

Three years of the same language at the high school level.

Contemporary Community Citizenship – 4 credits (8 semesters)

Satisfactory (C or better) completion all semesters at Nea

Current Life Issues – 5 credits (1 semester)

Satisfactory completion during high school years.

Physical Education – 20 credits (4 semesters in high school)

Electives as needed to meet requirement of 230 credits total.

CAHSEE

IV. Nea Learner Portfolio

Learners shall create an electronic Learner Portfolio (web page) that will be posted on the web. It shall include the following:

1. *Reflective essay providing evidence that they meet or exceed the AUSD / Nea Graduate Profile standards related to:*

Personal Qualities, Work Habits and Attitudes

New Basics

Thinking and Reasoning Skills

Interpersonal and Collaborative Ability

Technology

2.

Learners shall also rate themselves on all of the “Nea Learning to Learn Rubrics” and demonstrate in their essay understanding of the skills as they relate to their Personal Vision.

3. Personal Resume

Learners shall create a one page resume that they could use at this time for the purposes of seeking paid employment or enrollment in an institution providing additional job training at the employer’s expense.

4. Personal Vision with Action Plan

Learners shall create a one-page Personal Vision Statement that includes a personal action plan to achieve this vision within the next 20 years.

5. Examples of the learner’s best work during their years at the Nea. (3-5 samples, 2 of which must be from Nea experiences, one must be from Nea math or science and one must be from Nea Humanities)

V. Nea / Alameda Community Service Requirement

Learners shall engage in a purposeful Senior Project that involves or improves the Alameda / Nea communities. This will satisfy the 20 hours senior community service requirement. (There shall be a community presentation of project by May 15th 2013.)

Community Service (Outside of the Nea) - 80 high school hours

VI. Advanced Coursework / Units of College Credit

Minimum one semester course of transferable credit to CSU / UC

VII. Business Internship Experience / Facilitator Internships Experience

Minimum of 40 hours of documented experience for graduation

Appendix 3

Nea Discrimination and Harassment Rights

Every student has a right to a safe and discrimination free education. These rights, and those of parents and district employees, are protected by U.S. and California laws and AUSD policies. It is important for all students, parents and employees to know about these rights and what to do if they are violated. AUSD Board of Education policies regarding what the rights are, and how to file a complaint if they are violated, are posted in every school. These policies are also given to every family at the beginning of the year, or when a new student is enrolled. If you don't have a copy of these rights please call the school at 510-521-7543. Principals at each school will review and discuss with students what discrimination and harassment is and what to do if it happens to them. Please go over the following with your child.

Children need to know three things if they feel unsafe or discriminated against:

1. They have the right to tell adults about complaints they have.
2. They have the right to be protected from retaliation due to a complaint.
3. They have the right to confidentiality when discussing the complaint.

The following paragraphs describe in more detail what the Alameda Unified School District policies are regarding discrimination and harassment.

Uniform Complaint Procedures (BP 1312.3)

There are three district policies on complaints: complaints against district employees, sexual harassment, and the uniform complaint policy regarding an alleged violation of federal or state law or regulations governing educational programs, including unlawful discrimination. These policies are distributed annually to all parents, students and employees.

The Governing Board recognizes that the district is responsible for complying with applicable state and federal laws and regulations governing educational programs.

The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination based on age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability in any program or activity that receives or benefits from state financial assistance.

Any individual, public agency or organization may file a written complaint of alleged noncompliance by the district. The Board of Education encourages the early, informal resolution of complaints at the site level whenever possible. If you have questions regarding the above procedures please contact the Assistant Superintendent's office at 510-337-7063.

Non-Discrimination/Harassment (BP 5145.3)

The AUSD maintains a strict policy prohibiting harassment of discrimination and differentiated treatment of students because *all* such harassment is unlawful.

The Board prohibits intimidation or harassment of any student by any employee, student or other person in the district. Staff shall be alert and immediately responsive to student conduct which may interfere with another student's ability to participate in or benefit from school services, activities or privileges.

Students who harass other students shall be subject to appropriate counseling and discipline, up to and including expulsion. An employee who permits or engages in harassment may be subject to disciplinary action, up to and including dismissal.

Any student who feels that he/she is being harassed should immediately contact the principal or designee. If a situation involving harassment is not promptly remedied by the principal or designee, a complaint can be filed with the Assistant Superintendent.

Sexual Harassment (BP 5145.7)

The Board prohibits the unlawful sexual harassment of any employee, student, or other person at school or at any school-related activity. Any student who engages in the sexual harassment of anyone at school or school-related activity shall be subject to disciplinary action. For students in grades K-3, this disciplinary action shall depend on the maturity of the students and the circumstances involved. For students in grades 4-12, the disciplinary action may include suspension and /or expulsion. Any employee who engages in, permits or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal.

Within 24 hours, staff shall report complaints of sexual harassment to the principal or designee or to another district administrator. Staff shall similarly report any such incidents they may observe, even if the harassed student has not complained. Upon verifying that sexual harassment occurred, he/she shall ensure that appropriate action is promptly taken to end the harassment, address its effects on the person subjected to the harassment, and prevent any further instances of the harassment. In addition, the student may file a formal complaint with the Assistant Superintendent.

Appendix 4 - Learner and Facilitator Rule Book

Rules Protecting the General Welfare of the Nea School Community

010 Preamble

010.0 All Community members are responsible for the general welfare of the school, through actions that contribute to preserving the atmosphere of freedom, respect, fairness, trust, and order that is the essence of the school's existence and to establishing a creative and positive learning environment for all.

010.1 All Community members must abide by all Federal, State, and Local laws. All Nea community members and guests must abide by all Nea rules while on the Nea campus.

010.2 It is the responsibility of all Community members to help enforce Nea rules.

010.3 Nea rules shall apply to all Community members and visitors before, during, and after the normal school hours of 8:00 am to 4:00 pm, including all after-school, weekend, or summer hours. Visitors must have a signed Nea badge in their possession.

010.4 Nea rules also apply at all school-sponsored events and field trips.

100 Safety Regulations

100.0 Activities that present a real or potential danger to anyone's personal safety are prohibited.

100.1 Running and/or rough-housing are not permitted in any building. Rough-housing is not permitted at any school event regardless of the location.

100.2 No one may obstruct an entrance to the school, or any door or passageway used in the school.

100.3 Riding skateboards, scooters, roller blades, bicycles, etc. in any Nea area, inside or out, or on any school property is prohibited.

100.4 All Nea learners must participate seriously in all safety drills that are conducted.

100.5 For the safety of all participants, learners must stay and walk in a group (defined as within easy sight of the supervising facilitator) on all walking field trips outside the Nea building.

200 Personal Rights and Their Protection

200.0 Everyone has the right to exist peaceably at school. No one may verbally or physically, sexually or cyber-harass another individual.

200.1 Respect your fellow Learners. No one may represent a symbol or a sign or use language that is known at school to represent hatred toward a particular race, religion, gender, age, sexual orientation, or person engaged in the performance of their duties.

200.2 No one may knowingly disrupt another person's learning activities by being disruptive anywhere on school grounds.

200.3 Visitors are allowed, provided they are not disruptive to the learning process, and have a signed previously obtained permission from administration and possess a visitors badge in their possession. Visitors are defined as non-Nea learners and guests. Disruptive visitors will be asked to leave. All visitors during the regular school day (8:00 am – 3:05 pm) must register in the Nea

Office. After the normal school day, all visitors must register with the facilitator or adult supervisor in charge after checking into the office and obtaining a visitors badge from administration.

200.4 Facilitators should act as guides to help Learners choose a respectful and appropriate way they would like to approach problems. If a learner feels that their rights have been breached, he/she has the right to write-up the facilitator. Facilitators remain responsible for the health and well being of all learners.

200.5 Neither Learners nor Facilitators may alter another learner's or facilitator's property without his or her permission.

200.6 No one may knowingly instigate or encourage another learner to violate the Nea rules. (For example: Encouraging someone else to fight or to say something offensive)

300 Protection of Private and Public Property -

300.0 No one may litter or otherwise create a mess on any part of the Nea campus.

300.1 No one shall purposely use, damage, steal, sabotage, or destroy personal and/or Community property.

300.2 No Community member or guest shall put their shoes on the furniture.

300.3 Each individual is responsible for any Nea materials he/she checks out, unless another person made any damages to the materials, then the 2nd person may be held responsible through JC hearing. All items must be returned to their appropriate location in the same condition as they were checked out.

300.4 Learners are not allowed behind Facilitator's desk without the Facilitator's permission.

300.5 No one learners, guests, and all other community members (except for the Lead facilitator or designee) shall touch, move, or go through any one's personal belongings without his/ her express permission.

400 General Rules

400.0 The school Community using the process of a Constitutional Convention and acting through the Judicial Committee or the Facilitators may establish boundaries that limit the range of behavior. Each individual is expected to act within these limits.

400.1 No one may leave the Nea campus during school hours unless they have a signed pass from the Lead Facilitator, parent permission, an off-campus contract to leave school for college classes, or approved off-campus lunch. Failure to do so is grounds for suspension and/or expulsion.

400.2 All skateboards, scooters, roller blades, bicycles, etc, must be stored in the bike cage or office during school hours. Skateboards, scooters, roller blades, bicycles, etc., not placed in the appropriate area will be confiscated and referred to the JC for appropriate consequences. These items should be locked. Bikes, scooters, etc must be ridden by a rider wearing a helmet.

400.3 No learners may park their cars in the school parking lot during the school day.

400.4 Bicycles must be locked outside of the building and not obstruct entrances. No bicycles are allowed in the building.

400.5 Nea is a closed campus at lunch except for high school learners going to college classes on an off-campus contract or those participating in off-campus lunch with the approved criteria (GPA, contract, community service). Learners participating in Boa Me are allowed to walk

directly to and from the Lower Village. Learners may not leave campus at any other time during school hours. **400.6** Learners must eat only in designated areas, such as lunch in your L2L, or immediately outside of the Tree during break with facilitator permission. During Snack Break, learners may eat in the Breezeways. Learners may get facilitator permission to eat outside of a seminar after checking in.

400.7 Nea phones are for the use of Nea staff members to do their work. No one may use a Nea phone unless a staff member gives approval and is present during the phone call.

400.8 Electronics (cell phones, texts, music devices etc.) are not allowed during seminars unless the facilitator gives permission

500 JC Rules

500.0 Neither Learners nor Facilitators have the right to refuse jury duty, service on the Nea judicial committee, or participation in CCC and its requirements. JC committee service may be postponed or served in another way once, based upon hardship conditions. (Project due, just back from an illness, or scheduling conflicts, for example)

500.1 Physical or verbal intimidation, or any attempt to influence the impartial decisions of members of the Judicial Committee, Nea jurors, or learners or facilitators filing a complaint within the context of their judicial work may result in suspension and possible expulsion from Nea.

500.2 Failure to comply with Judicial Committee verdicts and sentences may result in suspension and possible expulsion from Nea.

500.3 Violations of any of the Nea's Group Two Behaviors (i.e. knives, guns, drugs, etc.) will be referred to both the Lead Facilitator with a referral for appropriate immediate consequence.

500.4 No one may lie in any judicial proceeding. You are expected to tell the whole truth and nothing but the truth.

500.5 Judicial Committee members must report refusals to testify to the Committee. The Committee will cite the individuals for contempt of the Community and will provide appropriate sentencing. No one will be required to provide self-incriminating evidence.

500.6 All conversations, discussions, sentences or anything that goes on in a Judicial Proceeding may only be discussed in JC unless the person being sentenced opens a dialogue outside the proceeding.

500.7 The judicial system and all judicial bodies shall not discriminate against anyone based upon gender, ethnicity, age, social status, sexual orientation, appearance or community contribution.

600 Anti-Bullying

600.1 No learner shall engage in any harassment of another learner for ANY reason whatsoever, including but not limited to race, religion, sexual orientation, lack of capability, other physical attributes, etc.

600.2 No learner shall use technology, including, but not limited to, social networking websites, blogs, or other websites to harass another learner. This prohibition applies both on campus and off, and both during school hours and outside of school hours.

600.3 If a learner witnesses an act of bullying, he or she may report that instance in person to any facilitator and request to remain anonymous; requests for anonymity shall be respected by the facilitator and the administration.

600.4 Learners can use the Ninja Report tab on the school website to anonymously report acts of bullying.

600.5 For purposes of this section, “harassment” means the following: to create an unpleasant or hostile situation for another learner or for a facilitator, including but not limited to verbal and physical abuse.

700 Academic Integrity

700.0 No one may skip any seminar, without written permission from the facilitator.

Attendance to every seminar is mandatory, unless there is written permission from the facilitator.

700.1 No one shall be tardy for a seminar without a written pass from a facilitator or administration. Tardies to seminar are prohibited, unless there is a written pass from a facilitator.

700.2 No one may copy or plagiarize, or otherwise present another person’s work as their own.

Plagiarism, copying, or otherwise presenting another person’s work as their own is prohibited, highly discouraged, and against the Nea Principle of Integrity.

Rules Governing Use of the School’s Facilities

1000 General Use of the School

1000.0 Anyone wishing to modify the physical structure of the school, in a not easily reversible way, must obtain prior approval of the Facilitators and the Leadership class.

1000.1 Food and drink may be consumed in the outside area only, except in class during lunch, or otherwise approved by a facilitator. Substances defined as food consist of material made up of proteins, carbohydrates, water, and fats used in the body of a Learner or a Facilitator to sustain growth, repair, and vital processes and to furnish energy. This includes candy.

1000.2 Gum is not allowed in view or consumed on campus.

1000.3 Fund-raisers selling food or drinks will be restricted to the outside area and must be approved by the Facilitators and the Leadership class.

1000.4 Each learner is responsible for cleaning up after him/herself.

1000.5 If a room or area is badly littered, the Facilitators, or a majority of the Judicial Chairs may close that room at any time and keep it closed for a specified period of time or until it has been cleaned.

1000.6 Everyone must participate in general cleanup when they or their Home Room groups are assigned to daily duty and as a member of the community at the monthly cleanups.

1000.7 In designated quiet work areas, learners need to keep conversations and activities at a quiet level and be working on school related work.

1000.8 We agree to abide by the Nea Community Agreements (following).

1050 Technology

1050.0 All Nea technology must only be used for educational purposes and approved games.

1050.1 Games and blogs **may** be okay as long as they're related to seminars or on an approved list of games, blogs, YouTube, etc.

1050.2 Personal laptop computers may be used with prior clearance and permission from administration and for school purposes only.

1050.3 Learners shall not bring in any applications to Nea for use on Nea technology on any medium without prior approval from the lead technology facilitator.

1050.4 Any person using device that plays prerecorded music or sound must use headphones.

1050.5 If a Tree Aide determines that you're not using the computer for educational purposes they can take the computer away.

1050.6 Learners and Facilitators may not tie up scarce resources with activities that could be carried out in other, more appropriate locations. Negotiations are appropriate for deciding who needs a particular piece of technology equipment. The learner least in need must respectfully allow the other learner to use the computer or other piece of equipment.

1050.7 Tech helpers and other designated Community members must follow the rules and guidelines specified.

1050.8 All Learners must sign and abide by the Nea Technology Agreement. Going to a porn site, hate site, chat site or a site with extreme violence are grounds for dismissal from Nea.

Please let a facilitator know if you have ended up at one of these sites.

1050.9 Programs may not be downloaded from the Internet. Media files may only be downloaded for school related purposes. This is considered network vandalism and is a serious offense.

1050.10 Internet use to check email is limited to 10 minutes or less, as long as no other learner needs then computer for school related work.

1050.11 All time limits listed above only apply if there are no connection problems. **1050.12**

Tree Aides and learners are required to plug in computers when they are returned to the computer cart in a seminar or in the Tree. All computer chargers must have numbers and be returned when you are done with them.

1050.13 Tree Aides must first distribute computers to learners who need them to do work.

Priority is given to learners who need to do school related work on the computers.

1100 Use of the Nea Facility

1100.0 All rules and procedures regarding use of the Baobab Tree will be respected. Leadership shall yearly review the rules for the Tree and make them known to the community.

1100.1 No furniture may be taken outside the building without facilitator approval.

1100.2 The outside area of the Tree is open for breaks and eating, but must not be left dirty or messy or it will be closed.

1200 Use of the Outside Area (Yard)

1200.0 Use of the outside area before and after school, and during lunch is permitted. Learners are expected to keep this area clean.

1.	We agree to eat and drink in the designated areas: -L2Ls during our lunch period -outside The Tree with permission for a quick snack or drink -in the hallways/breezeways between classes -in the hallways/breezeways during Wednesday Snack Break
2.	We agree to keep gum and candy off campus (breath mints acceptable)
3.	We agree to drink water from our own bottles
4.	We agree to clean up after ourselves: -food waste & compostable containers in green compost bins -paper, plastic in blue recycling bins -trash in the black landfill bins

Nea Community Agreements

LANGUAGE

1.	We agree to use polite, respectful, friendly & positive language: -towards peers, staff, & community members on campus -online in emails & posts -in our verbal & body language
2.	We agree to use inside voices in The Tree & classrooms, unless instructed by a facilitator
3.	We agree to listen when others are presenting, giving instructions, or speaking in discussions

RESPECT

1.	We agree to respect other peers' and adults': - culture/ethnicity/background/religion - opinions - property - body/personal space
2.	We agree to be helpful, kind & compassionate to others
3.	We agree to look out for the safety of our community
4.	We will agree to use self-control

5. We agree to respect ourselves

DRESS

- | |
|--|
| 1. We agree to keep stomachs, chests, private parts and undergarments covered |
| 2. We agree to wear shorts/skirts/dresses to a mid-thigh length or longer, or wear tights or leggings underneath. Leggings should be worn under outerwear. |
| 3. We agree to wear required shoes for Physical Education |
| 4. We agree to wear appropriate messages and graphics |

SCHOOL TECHNOLOGY

- | |
|---|
| 1. We agree to use laptops for research, class assignments, and listening to music while doing your work with headphones |
| 2. We agree to go on websites for school-related educational purposes only
-Grooveshark & Pandora are acceptable for music with headphones |
| 3. We agree to sign-out and sign-in laptops properly and on time |
| 4. We will take good care of the laptops:
- Keep food and drinks away from the computers
- Walk with the laptop closed |

PERSONAL TECHNOLOGY

- | |
|--|
| 1. We agree to keep our phones on silent or vibrate (in seminar, silent only as vibrate makes a loud noise) |
| 2. We agree to step outside of the Tree to take a call |
| 3. We will check Facebook, Twitter and other social networking sites if we have finished with our academic work during break times outside the Tree or in the hallway/breezeway. |
| 4. We agree to play educational games in the Tree and other video games outside of school. |
| 5. We will use headphones when listening to music at a volume that does not disturb others |
| 6. We will bring our own chargers and ask permission from facilitators before charging in a classroom |
| 7. We will quickly text in the Tree or during break times in the hallway/breezeway (in seminar only if it is an emergency and with permission of the facilitator). |
| 8. We will use devices in seminar when it is appropriate for the lesson and the facilitator gives permission, otherwise we will keep stored out of sight. |
| 9. We will ask permission before taking photos of others |

OVERARCHING GOALS for JC CONSEQUENCES:

- 1) **Fair**
- 2) **Gives value back to the community**
- 3) **Helps the Learner modify their behavior**

A. Problem Solving prior to referrals...

- Explain what you think the other Learner is doing wrong. Be clear, polite, and honest. Make an “I” statement.
- Come right out and say something directly to the person breaking the rule. Point it out in the list of rules.
- Get another Learner or Facilitator to help you confront someone by whom you are intimidated.
- Arrange a meeting with Nea’s guidance counselor.

B. Nea Judicial Consequences

1. In School Consequences (include but are not limited to):

- Apologies (written and/or verbal)
- In school clean up
- Peer mediation
- Posting signs
- Educational projects
- Service Learning detention during lunch or afterschool

Failure to do these consequences in the described time period (violation of rule 500.2) would automatically result in an after school consequence of 30 minutes during the prescribed After School Time Period (3-4 pm). Parents may be notified of mandatory attendance.

2. After School Consequences

More serious offenses or repeat offenses for violating the same rule could be immediately given an After School Consequence of 30 or 60 minutes, activity to be determined by supervising facilitator. Parents would be notified of mandatory attendance.

Learners who were assigned the After School Consequence of 30 minutes for failure to serve In School Consequences who did not show and participate in the activity would automatically be reassigned to the next After School Consequences activity and their sentence would be doubled. (30 to 60 minutes, or 60 to 120 minutes) Additionally, there would be a mandatory parent/learner/facilitator/JC Clerk conference where parents and learner would draw up a contract for appropriate consequences for the learner’s failure to abide by judicial system consequences, including After School Consequences. The contract might include suspension from the Nea and will begin the discussion of transferring the learner to another AUSD program if the learner cannot begin to respect the judicial process of the Nea community.

3. Out of School Consequences

For serious violations of school rules where Judicial Committee recommends oversight by the Lead Facilitator, the Lead Facilitator will review the case and give appropriate consequences.

For serious violations of school rules where there has been a referral to the Lead facilitator any community member, The Nea Learner and Family Handbook and Nea Charter suspension/expulsion policies are reviewed and appropriate consequences are applied by Lead Facilitator or designee.

Suspension may be recommended for repeated failure to serve JC sentences or after a parent/learner/facilitator/JC clerk contract is written and violated.

Community Learning Center Schools, Inc. (CLCS)
Facilitator Effectiveness Measurement System (EMS)



Introduction:

Community Learning Center Schools Inc. (“CLCS”) is committed to developing effective educators. CLCS also believes that all facilitators should be held accountable for the objectives and outcomes they can influence. All CLCS facilitators are expected to actively participate in a process of continuous improvement and reflection by being open to feedback and by using the resources and tools that CLCS provides. The Board subscribes to the development and implementation of a comprehensive model of evaluation for facilitators, which will ensure facilitators’ professional growth and contribute to improved performance.

Purposes of the Facilitator EMS

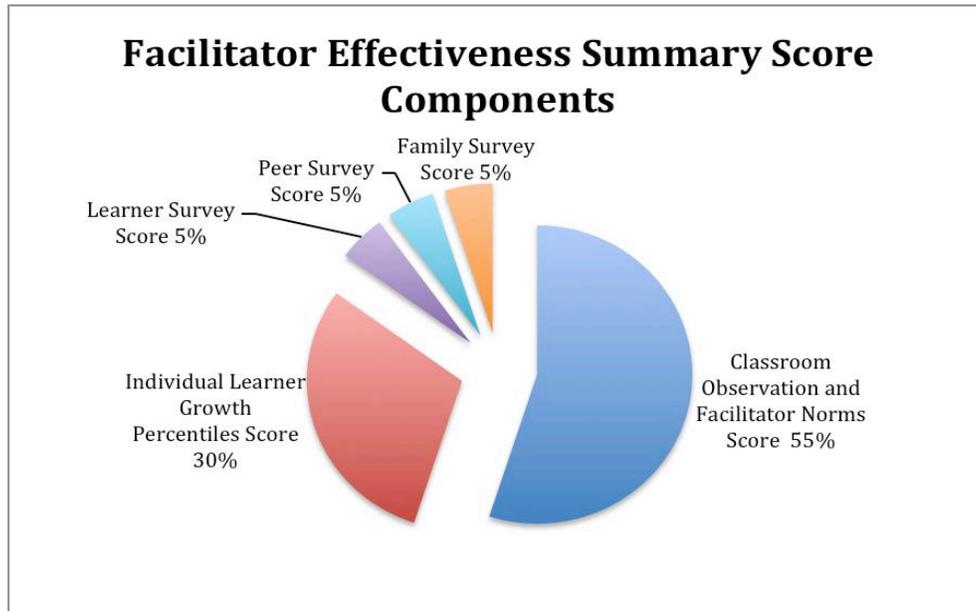
The primary purpose of the Community Learning Center Schools Facilitator Effectiveness Measurement System is the improvement and maintenance of quality professional performance, as well as promotion of CLCS, Nea and ACLC missions and goals. Evaluation is both a means and an end. As a means, it is a process of communication, personal support, feedback, adjustment, and growth for both the individual and the organization. As an end, it represents the basis for documenting evidence for retention as well as support for improvement and promotion.

Design of the Facilitator EMS

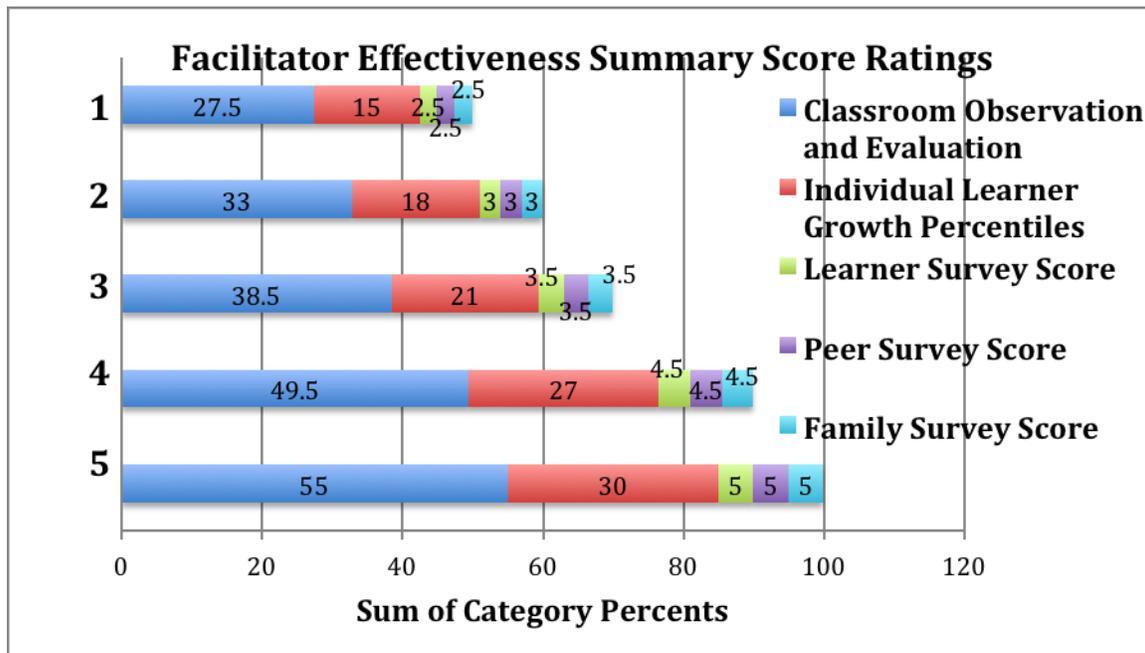
The CLCS evaluation committee, in cooperation with Facilitators, shall have the responsibility for maintaining an effective and efficient evaluation system. In doing so, the Evaluation Committee emphasizes that evaluations should be conducted in a professional and cooperative manner. The CLCS Board also recognizes that periodic review and evaluation of the system will occur.

Facilitator EMS Implementation

The Facilitator EMS will assess the facilitator's current level of performance in specific areas: Classroom observation and evaluation using attached rubrics (**55%**), integrating the evaluation of progress made since the last review (as applicable), and re-establishing goals for subsequent evaluations; learner achievement data (**30%**), including state standardized tests (when available), formative assessment data (learner achievement data on curriculum embedded interim benchmark assessments) and evidence that the facilitator uses data to tailor instruction to meet the needs of individual learners; and finally, the Lead Facilitator will work with the Program Evaluation Committee to survey parents (**5%**), learners (**5%**), and facilitator peers (**5%**). Values obtained in all of these areas will generate a Summary Score that will be a measure of a facilitator's overall effectiveness.



Summary Score Effectiveness Rating Chart (individual category percent shown are for example purposes only; Effectiveness ratings are based on cumulative percent):



Effectiveness Ratings:

1 = Ineffective (0 – 50%) **2** = Inconsistently Effective (51- 60%) **3** = Generally Effective (61 – 70%)
4 = Consistently Effective (71 – 89%) **5** = Exceptional/Master Facilitator (91 – 100%)

Classroom Observation and Evaluation Schedule

Timeframe	Facilitator/Lead Facilitator Activities and Deliverables
Throughout the year	Facilitator collects evidence of student learning and professional activities, and Lead Facilitator conducts informal observations of professional practice
August	Facilitator conducts self-assessment and sets goals for the school year (tool below) Lead Facilitator and Facilitator review artifacts list and choose items to be used for focused study.
September	Lead Facilitator sends each Facilitator an evaluation schedule Lead Facilitator and Facilitator reviews evaluation schedule
October	Lead Facilitator conducts informal observation(s).
November and December	Lead Facilitator conducts first formal observation. Lead Facilitator and Facilitator hold post conference for reflection about first formal observation (tool below)
January and February	Lead Facilitator and Facilitator review artifacts list. Facilitator conducts self-assessment
March, April and May	Lead Facilitator conducts second formal observation. Lead Facilitator and Facilitator hold post conference for reflection about second formal observation Lead Facilitator completes Summative Evaluation; holds conference with Facilitator

May and June	If appropriate, formulate growth goals for the following year.
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Learner Growth Assessments Schedule

Timeframe	Deliverable
September	Baseline achievement levels in core content areas assessed
December	Midway achievement levels in core content areas assessed
April	Concluding achievement levels in core content areas assessed

Survey Administration Schedule

Timeframe	Deliverable
Learner Survey	Digital survey administered between April 1 - 30
Peer Survey	Digital survey administered between April 15 – 30
Family Survey	Digital survey administered between April 1 - 30

Classroom Observation and Evaluation Tools

The tools for facilitator classroom evaluation are utilized for the entire academic year and represent a “running record” of all formal and informal observations. In addition, these tools include rubrics that emphasize our focus on the use of research-based instructional strategies, classroom technology integration, and building learners’ background knowledge. The rubrics are organized around six domains: *Planning and Preparation for Learning, Classroom Management, Delivery of Instruction, Monitoring/Assessment and Follow-up, Family and Community Outreach, and Professional Responsibilities.*

Formal Evaluations

Planned, extended observation visits where the lesson plan and expected learning outcomes are submitted to the observer the day previous to the scheduled observation.

Informal Evaluations

Short observation visits that do not require prior submission of lesson plans or scheduling confirmation. May be as short as 5 minutes, but length may vary.

Classroom Observation Rating System: The rubrics use a four-level rating scale:

4 – Highly Effective **3** - Effective **2** – Improvement Necessary **1** – Does Not Meet Standards

The *Effective* level describes solid, expected professional performance; facilitators should feel good about scoring at this level. The *Highly Effective* level is reserved for truly outstanding teaching that meets very demanding criteria; there will be relatively few ratings at this level. *Improvement Necessary* indicates that performance has real deficiencies; no facilitator should be content to remain at this level (although some novices might begin here). Persistent performance at the *Does Not Meet Standards* level is clearly unacceptable and should lead to dismissal if it is not improved immediately.

If a Facilitator's performance average falls below *Effective* in any domain, the Facilitator will be placed on an Improvement Support Plan (ISP). An ISP is required if any Facilitator receives a "1" in any area of an evaluation domain or a "1 or 2" for an average rating for a domain. Although placement on an Improvement Support Plan generally occurs at evaluation intervals, a Facilitator can be placed on a Improvement Support Plan at any point during the year or any time during the evaluation cycle for any reasonable and just cause.

Improvement Support Plan

If a Facilitator is to be placed on an Improvement Support Plan, the Lead Facilitator will prepare and send the Facilitator a memorandum outlining:

- 1) the areas of concern that need to be addressed,
- 2) any applicable instructions for the facilitator,
- 3) any applicable resources that are available,
- 4) overview of timelines and target dates

The Lead Facilitator will set up a conference to review the Performance Support Plan with the Facilitator. Copies of the Improvement Support Plan will be forwarded to the Executive Director.

Learner Growth Assessment Tools:

Standardized assessments will be used to identify markers for learner growth and to establish baseline and subsequent achievement levels. These assessments include, but may not be limited to, California STAR and CST tests (if available), internal Benchmarks, Developmental Reading Assessments (DRA), Measures of Academic Progress (MAP), etc.

Survey Tools

The Lead Facilitator will work with the Program Evaluation Committee to administer surveys to learners, the facilitator team and families.

The surveys will include the following:

Learner Survey

LEARNERS WILL RATE THEIR FACILITATOR IN THE FOLLOWING AREAS:

MY FACILITATOR:

- GIVES CLEAR DIRECTIONS
- MAKES LESSONS INTERESTING
- HELPS LEARNERS LIKE LEARNING
- DOESN'T WASTE LEARNER TIME
- KEEPS SEMINAR WEBSITE UP TO DATE WEEKLY
- KEEPS GRADES UP TO DATE WEEKLY
- DIRECTS LEARNER BEHAVIORS IN A WAY THAT HELPS LEARNING
- TREATS LEARNERS WITH RESPECT

Facilitator Peer Survey

FACILITATORS WILL RATE THEIR PEERS IN THE FOLLOWING AREAS:

PEERS REPORT THAT THE FACILITATOR :

- POSITIVELY CONTRIBUTES TO SCHOOL CULTURE
- POSITIVELY RESPONDS TO FEEDBACK
- LISTENS TO THE VIEWS OF OTHERS
- TREATS LEARNERS AND FAMILIES WITH RESPECT
- IS RESPONSIVE TO COMMUNICATION
- USES DATA TO INFORM INSTRUCTION
- PARTICIPATES POSITIVELY IN PROBLEM SOLVING

Family Survey

FAMILIES WILL RATE THE FACILITATORS IN THE FOLLOWING AREAS:

FAMILIES REPORT THAT THE FACILITATOR :

- SETS HIGH ACADEMIC GOALS
- PREPARES LEARNERS FOR THE NEXT ACADEMIC LEVEL AND SUPPORTS GOAL ATTAINMENT
- CREATES ENGAGING LEARNING EXPERIENCES
- CREATES ACCESS TO RESOURCES
- UPDATES SEMINAR WEBPAGE WEEKLY
- UPDATES LEARNER GRADES WEEKLY
- TREATS LEARNER/FAMILY WITH RESPECT

CLASSROOM EVALUATION RATING DOCUMENTS

FACILITATOR NAME:

SCHOOL:

These domains use a four-level rating scale with the following labels:

4 – Highly Effective 3 – Effective 2 – Improvement Necessary 1 – Does Not Meet Standard

DOMAIN A: Planning and preparation for Learning –See Attached Rubric		<i>Rating:</i>			
		1	2	3	4
Knowledge: students learn.	Is expert in the subject area and up to date on authoritative research on child development and how	1	2	3	4

Date skill observed:					
Standards:	Has a detailed plan for the year that is tightly aligned with high standards and external assessments.	1	2	3	4
Date skill observed:					
Units:	Plans all units embedding big ideas, essential questions, knowledge, and skill goals that cover all Bloom's levels.	1	2	3	4
Date skill observed:					
Assessments:	Prepares diagnostic, on-the-spot, interim, and summative assessments to monitor student learning.	1	2	3	4
Date skill observed:					
Lessons:	Designs each lesson with clear, measurable goals closely aligned with standards and unit outcomes.	1	2	3	4
Date skill observed:					
Engagement:	Designs highly relevant lessons that will motivate all students and engage them in active learning.	1	2	3	4
Date skill observed:					
Materials:	Designs lessons that use an effective mix of high-quality, multicultural learning materials and technology.	1	2	3	4
Date skill observed:					
Differentiation:	Designs lessons that break down complex tasks and address all learning needs, styles, and interests.	1	2	3	4
Date skill observed:					
Environment:	Uses room arrangement, materials, and displays to maximize student learning of all material.	1	2	3	4
Date skill observed:					
Evidence, Examples, Details, Observations, etc. :		Average rating:			

DOMAIN B: Classroom Management –See Attached Rubric		<i>Rating:</i>		
		1	2	3
Expectations:	Is direct, specific, consistent, and tenacious in communicating and enforcing very high expectations.	1	2	3
Date skill observed:				

Relationships:	Shows warmth, caring, respect, and fairness for all students and builds strong relationships.	1	2	3
Respect: unthinkable.	Wins all students' respect and creates a climate in which disruption of learning is	1	2	3
Date skill observed:				
Social- emotional: skills.	Implements a program that successfully develops positive interactions and social-emotional	1	2	3
Date skill observed:				
Routines:	Successfully inculcates class routines so that students maintain them throughout the year.	1	2	3
Date skill observed:				
Responsibility: responsibility.	Successfully develops students' self-discipline, self-confidence, and a sense of	1	2	3
Date skill observed:				
Repertoire: time.	Has a highly effective discipline repertoire and can capture and hold students' attention any	1	2	3
Date skill observed:				
Efficiency: every minute.	Uses coherence, lesson momentum, and silky- smooth transitions to get the most out of	1	2	3
Date skill observed:				
Prevention: bud.	Is alert, poised, dynamic, and self-assured and nips virtually all discipline problems in the	1	2	3
Date skill observed:				
Incentives:	Classroom is clean, organized and reflects current learning content.	1	2	3
Date skill observed:				
Evidence, Examples, Details, Observations, etc:		Average rating:		

DOMAIN C: Delivery of Instruction –See Attached Rubric		<i>Rating:</i>			
		1	2	3	4
Expectations: the material. Date skill observed:	Exudes high expectations and determination and convinces all students that they will master	1	2	3	4
Mindset: Date skill observed:	Teaches students to be risk- takers, learn from mistakes, and believe that through effective effort, they will get smarter.	1	2	3	4
Goals: exemplars. Date skill observed:	Shows students exactly what’s expected by posting essential questions, goals, rubrics, and	1	2	3	4
Connections: Date skill observed:	Always grabs students’ interest and makes connections to prior knowledge, experience, and reading.	1	2	3	4
Clarity: appropriate language. Date skill observed:	Always presents material clearly and explicitly, with well-chosen examples and vivid and	1	2	3	4
Repertoire: Date skill observed:	Orchestrates highly effective strategies, materials, and groupings to involve and motivate students.	1	2	3	4
Engagement: problem- solvers. Date skill observed:	Gets all students highly involved in focused work in which they are active learners and	1	2	3	4
Differentiation: scaffolding. Date skill observed:	Skillfully meets the learning needs and styles of all students by differentiating and	1	2	3	4
Nimbleness: misunderstandings. Date skill observed:	Deftly adapts lessons and units to exploit teachable moments and correct	1	2	3	4
Application: life situations. Date skill observed:	Consistently has students summarize and internalize what they learn and apply it to real-	1	2	3	4
Evidence, Examples, Details, Observations, etc. :		Average rating:			



DOMAIN D: Monitoring/Assessment and Follow-up –See Attached Rubric		<u>Rating:</u>			
		1	2	3	4
Criteria:	Posts and reviews the criteria for proficient work, including rubrics and exemplars, and students internalize them.	___	1	2	3
Date skill observed:					
Diagnosis:	Gives students a well- constructed diagnostic assessment up front, and uses the information to fine- tune instruction.	1	2	3	
Date skill observed:					
On-the-Spot:	Uses a variety of effective methods to check for understanding; immediately unscrambles confusion and clarifies.	1	2	3	
Date skill observed:					
Self- Assessment:	Has students set ambitious goals, continuously self- assess, and take responsibility for improving performance.	1	2	3	
Date skill observed:					
Recognition:	Frequently posts students’ work with rubrics and commentary and uses it to motivate and direct effort.	1	2	3	
Date skill observed:					
Interims:	Works with colleagues to use interim assessment data, fine-tune teaching, re-teach, and help struggling students.	1	2	3	
Date skill observed:					
Tenacity:	Relentlessly follows up with struggling students with personal attention to reach proficiency.	1	2	3	
Date skill observed:					
Support:	Makes sure that students who need specialized diagnosis and help receive appropriate services immediately.	1	2	3	
Date skill observed:					
Analysis:	Works with colleagues to analyze and chart assessment data, draw action conclusions, and share them with others.	1	2	3	
Date skill observed:					

Reflection: improves instruction. Date skill observed:	Works with colleagues to reflect on what worked and what didn't and continuously	1 2 3
Evidence, Examples, Details, Observations, etc. :		Average rating:

<u>DOMAIN E: Family and Community Outreach –See Attached Rubric</u>		<u>Rating:</u> 1 2 3 4			
Respect: beliefs. Date skill observed:	Shows great sensitivity and respect for family and community culture, values, and	1	2	3	4
Belief: will meet or exceed standards. Date skill observed:	Shows each parent an in- depth knowledge of their child and a strong belief he or she	1	2	3	4
Expectations: of proficient work. Date skill observed:	Gives parents clear, user- friendly learning and behavior expectations and exemplars	1	2	3	4
Communication: flags any problems. Date skill observed:	Makes sure parents hear positive news about their children first, and immediately	1	2	3	4
Involving: Date skill observed:	Frequently involves parents in supporting and enriching the curriculum as it unfolds.	1	2	3	4
Homework: feedback. Date skill observed:	Assigns highly engaging homework, gets close to a 100% return, and provides rich	1	2	3	4
Responsiveness: welcome any time. Date skill observed:	Deals immediately and successfully with parent concerns and makes parents feel	1	2	3	4
Reporting: and helpful feedback on children’s progress.	In student-led conferences, report cards, and informal talks, gives parents detailed	1	2	3	4

Date skill observed:					
Outreach: Is successful in contacting and working with all parents, including those who are hard to reach.		1	2	3	4
Date skill observed:					
Resources: Successfully enlists classroom volunteers and extra resources from homes and the community.		1	2	3	4
Date skill observed:					
Evidence, Examples, Details, Observations, etc:					Average rating:

DOMAIN F: Professional Responsibilities –See Attached Rubric		<u>Rating:</u>			
		1	2	3	4
Attendance: Has perfect or near-perfect attendance (98-100%).					
Date skill observed:		1	2	3	4
Language: In professional contexts, speaks and writes correctly and eloquently.					
Date skill observed:		1	2	3	4
Reliability: Carries out assignments conscientiously and punctually, keeps meticulous records, and is never late.					
Date skill observed:		1	2	3	4
Professionalism: Presents as a consummate professional and always observes appropriate boundaries.					
Date skill observed:		1	2	3	4
Judgment: Is invariably ethical, honest, and above-board, uses impeccable judgment, and respects confidentiality.					
Date skill observed:		1	2	3	4
Above-and- beyond: Is an important member of Facilitator teams and committees and frequently attends after-school activities.					
Date skill observed:		1	2	3	4
Leadership: Frequently contributes valuable ideas and expertise and instills in others a desire to improve student achievement.					
Date skill observed:		1	2	3	4

Date skill observed:					
Openness:	Actively seeks out feedback and suggestions and uses them to improve performance.	1	2	3	4
Date skill observed:					
Collaboration:	Meets at least weekly with colleagues to plan units, share ideas, and analyze interim assessments.	1	2	3	4
Date skill observed:					
Growth:	Actively reaches out for new ideas and engages in action research with colleagues to figure out what works best.	1	2	3	4
Date skill observed:					
Evidence, Examples, Details, Observations, etc. :		Average rating:			

LEARNER ACHIEVEMENT ASSESSMENT DATA (30%)*:			
AREA:	CONTENT AREA:	CONTENT AREA:	CONTENT
_____	_____	_____	
BASELINE:	_____	_____	
MIDWAY:	_____	_____	
CONCLUSION:	_____	_____	
GROWTH PERCENTILE:	_____	_____	

***ASSESSMENT REPORTS ATTACHED**

DOMAIN SUMMARY (55%)

AVERAGE RATINGS:

DOMAIN A : _____

DOMAIN B: _____

DOMAIN C: _____

DOMAIN D: _____

DOMAIN E: _____

DOMAIN F: _____

COMMUNITY SURVEY DATA FROM PROGRAM EVALUATION COMMITTEE (15%)

PARENT SURVEY DATA SCORE (5%): _____

LEARNER SURVEY DATA SCORE (5%): _____

PEER SURVEY DATA SCORE (5%): _____

SUMMARY AND RECOMMENDATION:

OVERALL EFFECTIVENESS RATING:

KEY AREAS FOR GROWTH & GOAL SETTING

PAGE 1

Standard/Indicator:	
Goal	
1. <i>What is the specific goal to be reached in this area of growth?</i>	
2. <i>How will you measure the progress and growth in this area?</i>	
3. <i>What support, learning and dispositions will be needed in order to reach the goal?</i>	
4. <i>How long will it take to reach the goal? What/when are the key benchmarks that will show progress?</i>	

Standard/Indicator:	
Goal	
1. <i>What is the specific goal to be reached in this area of growth?</i>	
2. <i>How will you measure the progress and growth in this area?</i>	

3. <i>What support, learning and dispositions will be needed in order to reach the goal?</i>	
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Goal	
1. <i>What is the specific goal to be reached in this area of growth?</i>	
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FACILITATOR SIGNATURE

DATE

LEAD FACILITATOR

SIGNATURE

DATE

FACILITATOR SIGNATURE

DATE

LEAD FACILITATOR

SIGNATURE

DATE

Appendix 6 – Nea Learning to Learn Rubrics

Nea Learning to Learn Rubric

Learning to Learn Skill: **Time and Task Management**

	Attainment Level	Demonstrated Behaviors	Nea Challenge	Suggested Training Activities	Comments
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	Has no system, and may not even know if one is needed. Randomly meets commitments.			
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	Knows there are systems (tools and disciplines) to become for effective, and is experimenting with one or more. Sometimes meets commitments.			
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	Uses at least one system effectively in routine circumstances. Knows how to reschedule and re-plan work. Usually meets commitments.			
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging	Has multiple-discipline (system) capabilities, and always applies the appropriate method or tool. Always meets commitments. Can plan personal and work time			

	cases. Capable of teaching others.	very well.			
5	PROFICIENT An “expert” in the understanding and practice of the skill. Can teach and consult at a high level	Has multiple-discipline (system) capabilities, and always applies the appropriate method or tool, plus can diagnose needs of others and teach or consult to assist them. Always meets commitments.			

Nea Learning to Learn Rubric

Learning to Learn Skill: **Reading**

	Attainment Level	Demonstrated Behaviors	Nea Curriculum Challenge	Suggested Training Activities	Comments
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	Rarely reads and does so with difficulty (200 wpm or less). Does not voluntarily read books, newspapers, e-mail or magazines. Unaware of the theories of reading and how to improve one’s reading			
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	Aware of reading deficiencies, but takes only minimal, primitive steps to improve. Recognizes that reading is important, but for school, reads only, rarely, or intermittently. May avidly read materials in area of passionate interest, like sports or music. Occasionally reads a book.			
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	Committed to constantly improving reading ability, and regards, reading as essential to personal development. Has developed and practices a “reading strategy” to optimize reading time and knowledge acquisition. Reads one book monthly and on vacation. Occasionally reads newspapers and magazines pertaining to personal interest.			
4	COMPETENT Competent in almost all aspects of	Recognizes that enhancing reading ability requires knowledge of reading			

	the skill. Can apply the skill in challenging cases. Capable of teaching others.	theory. Has taken disciplined steps to improve reading speed and comprehension. Practices learned reading techniques whenever reading.			
5	PROFICIENT An “expert” in the understanding and practice of the skill. Can teach and consult at a high level	Reads purposefully at suitably variable speeds (to 800 wpm) at over 90% comprehension. Actively surveys and read for professional development and pleasure.			

Nea Learning to Learn Rubric

Learning to Learn Skill: **Research**

	Attainment Level	Non-Internet Sources		Internet Sources	
		Demonstrated Behaviors	Nea Curriculum Challenge	Demonstrated Behaviors	Nea Curriculum Challenge
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	No understanding of what they need to find out. Finds resources by chance.		Unaware that the Net contains useful information.	
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	Understands the need to find out what is already out there, re: a concept or topic. Can do “key word” searches in easily available resources. Performs “cut and paste” to present findings; no synthesis or analysis. May consider only one side of an issue.		Is aware of the Internet, and can find some specialized search engines useful to the topic.	
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	Becomes adept at clearly defining the question that the research is designed to answer. Has become aware of a variety of potential useful resources, and can usually select the most appropriate. Knows that sources can also include other learners or members of the community (business, government)		Has basic search skills using “engines” and search logic. Recognizes the basic nature of a URL (edu, com, org, gov) to suggest the validity of the source and copyright rules and conventions.	
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging	Is routinely adept at clearly defining the question that the research is designed to answer. Has formulated a “research strategy” to		Can use numerous search engines, and has developed a personal list of key resources. Can use advanced search	

	cases. Capable of teaching others.	evaluate and select the most appropriate and useful sources. The results are effectively organized and presented. Recognizes multiple perspectives.		logic, and has a broadening vocabulary of key words. Uses Net copyright rules appropriately.	
5	PROFICIENT An “expert” in the understanding and practice of the skill. Can teach and consult at a high level	Has a clear understanding of the need for the research, and knows when the research answer is found and when reasonable alternatives are explored and/or exhausted. Knows many potential sources, and efficiently selects the appropriate ones. Selectively uses the information found to thoroughly answer the question.		Rapidly uses appropriate sources and search logic. Judges appropriateness of sources. Knows and uses copyright and attribution rules in all reports.	

Nea Learning to Learn Rubric

Learning to Learn Skill: **Research (Non-Internet Sources)**

	Attainment Level	Demonstrated Behaviors	Nea Curriculum Challenge	Suggested Training Activities	Comments
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	No understanding of what they need to find out. Finds resources by chance.			
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	Understands the need to find out what is already out there, re: a concept or topic. Can do “key word” searches in easily available resources. Performs “cut and paste” to present findings: no synthesis or analysis. May consider only one side of an issue.			
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	Becomes adept at clearly defining the question that the research is designed to answer. Has become aware of a variety of potential useful resources, and can usually select the most appropriate. Knows that sources can also include other learners or members of the community (business, government)			
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging cases. Capable of teaching others.	Is routinely adept at clearly defining the question that the research is designed to answer. Has formulated a “research strategy” to evaluate and select the most appropriate and useful sources. The results are effectively organized and presented. Recognizes multiple perspectives.			
5	PROFICIENT	Has a clear understanding of			

	An “expert” in the understanding and practice of the skill. Can teach and consult at a high level	the need for the research, and knows when the research answer is found and when reasonable alternatives are explored and/or exhausted. Knows many potential sources, and efficiently selects the appropriate ones. Selectively uses the information found to thoroughly answer the question.			
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Nea Learning to Learn Rubric

Learning to Learn Skill: **Research (Internet Sources)**

	Attainment Level	Demonstrated Behaviors	Nea Curriculum Challenge	Suggested Training Activities	Comments
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	Unaware that the Net contains useful information.			
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	Is aware of the Internet, and can find some specialized search engines useful to the topic.			
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	Has basic search skills using “engines” and search logic. Recognizes the basic nature of a URL (edu, com, org, gov) to suggest the validity of the source and copyright rules and conventions.			
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging cases. Capable of teaching others.	Can use numerous search engines, and has developed a personal list of key resources. Can use advanced search logic, and has a broadening vocabulary of key words. Uses Net copyright rules appropriately.			
5	PROFICIENT An “expert” in the	Rapidly uses appropriate sources and search logic.			

	understanding and practice of the skill. Can teach and consult at a high level	Judges appropriateness of sources. Knows and uses copyright and attribution rules in all reports.			
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Nea Learning to Learn Rubric

Learning to Learn Skill: **Systems Thinking**

	Attainment Level	Demonstrated Behaviors/Skill Steps	Nea Curriculum Challenge	Suggested Training Activities	Comments
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	Unaware of how to begin formal development of the skill. May be aware of the need to acquire it.			
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	(1) Identify events relative to the focus issue or problem. Speculate about their relationship to each other. (2) Propose Key and associated variables that emerge from the relevant events in the system. (3) Detect and describe, using Behavior over Time graphs, the patterns of behavior of the system's variables.			
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	(4) Use Causal Loop Diagramming (CLDs) to propose/hypothesize the structures that produce dynamic behavior in system variables. (5) Describe the System Archetypes as structure-behavior pairs. (6) Use System Archetypes to describe and diagnose complex systems.			
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging cases. Capable of	(7) Detect Levels, Rates, Auxiliaries, Parameters, Graphical Functions, and other System Dynamics variable types. (8) Use Stock and Flow diagrams to "operationally" describe			

	teaching others.	complex systems.			
5	PROFICIENT An “expert” in the understanding and practice of the skill. Can teach and consult at a high level	(9) Convert CLDs and/or Stock and Flow Diagrams to system dynamics computer simulation models. (10) Interpret system dynamics models and their simulated behavior, and then effectively communicate the resulting observations or insights.			

Nea Learning to Learn Rubric

Learning to Learn Skill: **Effective Presentations**

	Attainment Level	Demonstrated Behaviors/Skill Steps	Nea Curriculum Challenge	Suggested Training Activities	Comments
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	Unaware of how to begin formal development of the skill. May be aware of the need to acquire it.			
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	(1) The presenter has achieved good posture and body control. (2) The presenter has developed an effective use of language. (3) The presenter has developed the capability to present with a smooth pace and a confident attitude.			Up through this level, the focus is on the Physical Attributes of effective presentations.
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	(4) The presenter has a clear understanding of the purpose and desired outcomes of the presentation. (5) The presenter has developed the capability to effectively sequence the points and arguments. (6) The presenter includes supporting examples and illustrations.			In skill steps 4-7, the focus is on Structuring the Message.
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging	(7) The presenter uses multimedia to amplify the attractiveness and impact of the presentation. (8) The presenter can effectively deliver the presentation, as planned, and on time. (9)			Skill steps 8-10 focus on the Delivery of the presentation.

	cases. Capable of teaching others.	The presenter can handle disruptive distractions, i.e., annoying people, technology, or interruptions.			
5	PROFICIENT An “expert” in the understanding and practice of the skill. Can teach and consult at a high level	(10) The presenter is effective in handling a Question and Answer period following the presentation. (11) Gathering assessment feedback and learning to continually improve, and to reach Expert status.			Skill step 11 focuses on Learning.

Nea Learning to Learn Rubric

Learning to Learn Skill: **Participatory Democracy**

	Attainment Level	Ownership of Community	Judicial System Interaction	Leadership	
		Demonstrated Behaviors	Demonstrated Behaviors	Demonstrated Behaviors	
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	You exhibit no concept of how an individual’s behavior relates to anything else.	You don’t recognize the need for being an active participant in the community. But, you generally follows community norms.	You don’t recognize that you can do anything to change things or have any want or need to do so.	
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	You have become aware of the negative and positive impacts that people have on you.	You know how to report problems to the Judicial Council and can use it occasionally (for violations against yourself).	You can follow; can do small (simple) individual tasks; and can contribute to small group tasks.	
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	You are aware of how you and your actions affect the health of the community, and then alter your behavior accordingly,	You appropriately use the Judicial Council system for violations against the community in order to improve the quality of the community.	You are a good, solid member of a team. You understands and practices division of tasks.	
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging cases. Capable of teaching others.	You are an active participant in the school community; take positive steps to make a difference in the community; respect the community; and produce proposals to improve the community.	You demonstrate the ability to improve the quality of the community without always relying on the Judicial Council. You use outside resources and model good behaviors.	You use a variety of leadership styles in working with diverse groups and on all varieties of large (complex) tasks.	
5	PROFICIENT An “expert” in the understanding and practice of the skill.	You are an active participant not only in the school community, but also in the greater worldwide community.	You are effective at conflict management, and are able to use a variety of problem solving and leadership	You use the following disciplines to bring about needed change: vision, alignment, empowerment, and path	

	Can teach and consult at a high level	You take ownership of school and community property.	styles.	finding.	
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Nea Learning to Learn Rubric

Learning to Learn Skill: **Ownership of Community (Participatory Democracy)**

	Attainment Level	Demonstrated Behaviors	Nea Curriculum Challenge	Suggested Training Activities	Comments
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	You exhibit no concept of how an individual's behavior relates to anything else.			
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	You have become aware of the negative and positive impacts that people have on you.			
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	You are aware of how you and your actions affect the health of the community, and then alter your behavior accordingly,			
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging cases. Capable of teaching others.	You are an active participant in the school community; take positive steps to make a difference in the community; respect the community; and produce proposals to improve the community.			
5	PROFICIENT An "expert" in the understanding and practice of the skill. Can teach and consult at a high level	You are an active participant not only in the school community, but also in the greater worldwide community. You take ownership of school and community property.			

Nea Learning to Learn Rubric

Learning to Learn Skill: **Judicial System Interaction (Participatory Democracy)**

	Attainment Level	Demonstrated Behaviors	Nea Curriculum Challenge	Suggested Training Activities	Comments
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	You don't recognize the need for being an active participant in the community. But, you generally follows community norms.			
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	You know how to report problems to the Judicial Council and can use it occasionally (for violations against yourself).			
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	You appropriately use the Judicial Council system for violations against the community in order to improve the quality of the community.			
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging cases. Capable of teaching others.	You demonstrate the ability to improve the quality of the community without always relying on the Judicial Council. You use outside resources and model good behaviors.			
5	PROFICIENT An "expert" in the understanding and practice of the skill.	You are effective at conflict management, and are able to use a variety of problem solving and leadership styles.			

	Can teach and consult at a high level				
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Nea Learning to Learn Rubric

Learning to Learn Skill: **Leadership (Participatory Democracy)**

	Attainment Level	Demonstrated Behaviors	Nea Curriculum Challenge	Suggested Training Activities	Comments
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	You don't recognize that you can do anything to change things or have any want or need to do so.			
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	You can follow; can do small (simple) individual tasks; and can contribute to small group tasks.			
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	You are a good, solid member of a team. You understands and practices division of tasks.			
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging cases. Capable of teaching others.	You use a variety of leadership styles in working with diverse groups and on all varieties of large (complex) tasks.			
5	PROFICIENT An "expert" in the understanding and practice of the skill. Can teach and consult at a high	You use the following disciplines to bring about needed change: vision, alignment, empowerment, and path finding.			

level				
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Nea Learning to Learn Rubric

Learning to Learn Skill: **Personal Visioning**

	Attainment Level	Demonstrated Behaviors	Nea Curriculum Challenge	Suggested Training Activities	Comments
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	Has no personal vision, nor a desire to create one. Not self-aware, and highly reactive. Responds to external motivation only.			
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	Is capable of imagining a successful future for him or her, and at least one pathway there. Recognizes being on a journey. Develops an interest in the lives of successful, esteemed people through biographies. Has a sense of control and freedom to choice.			<p>Below are several of the desired behaviors practices by learners with proficient personal visioning skills.</p> <ul style="list-style-type: none"> • Imagination of possibilities for the world and community • Knowing one's capabilities, currently and full future potential
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	Can articulate one or more visions for the future, and can plan to get there. Has a useful awareness of current states vs. the vision.			<ul style="list-style-type: none"> • Creativity – unique pathways to achieve what's imagined • Desire to share the vision with others • Has clearly articulated individual values guiding behaviors

					<ul style="list-style-type: none"> • Knowledge of how to “plan back” from the future
4	<p>COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging cases. Capable of teaching others.</p>	<p>Develops a rich sense of what’s possible for himself or herself: can see great possibilities and personal capacity. Has created a compelling, highly motivating vision of what is possible.</p>			<ul style="list-style-type: none"> • Realistic knowledge of the current state surrounding one’s vision • Begin with the end in mind – articulate a personal vision • Reach exceeds our grasp
5	<p>PROFICIENT An “expert” in the understanding and practice of the skill. Can teach and consult at a high level</p>	<p>Spends most of the time dealing with important, non-urgent, high impact (Quadrant II) objectives. Plus, demonstrates through actions the full range of effective personal visioning behaviors.</p>			<ul style="list-style-type: none"> • Powerful commitment to achieve one’s vision – intrinsic motivation • Love of biographies – have “hero” models for living

Nea Learning to Learn Rubric

Learning to Learn Skill: **Individual Teamwork**

	Attainment Level	Task Planning and Management	Understands Team Roles	Team Organization	
		Demonstrated Behaviors	Demonstrated Behaviors	Demonstrated Behaviors	Comments
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	Team member does not complete tasks. No understanding of team plan.	Unaware that team members have various roles.	Team member does not show up. May not be even aware of meeting. Completely unprepared.	
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	Team member completes some of the tasks. Understands only their part of the overall team plan.	Aware of various team roles and assumes the role he/she is comfortable with.	Team member sometimes shows up. Is prepared some of the time.	
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	Team member completes all of the tasks assigned. Understands everyone's parts of the overall team plan.	Aware of roles and assumes different roles as needed when asked to.	Team member always shows up. Is usually prepared.	
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging cases. Capable of teaching others.	Team member does all of his/her tasks and more. Understands how each person's part fits together in the overall team plan.	Assumes different roles comfortably after identifying the team's need on his/her own.	Team member always shows up on time. Is always prepared and able to help others to show up for the meeting.	
5	PROFICIENT An "expert" in the	Team member does all of his/her tasks and more. Understands how	Assumes different roles comfortably and is able to teach others		

	understanding and practice of the skill. Can teach and consult at a high level	everyone's part fits together and helps others to understand overall plan.	how to take on different roles.		
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Nea Learning to Learn Rubric

Learning to Learn Skill: **Individual Teamwork**

	Attainment Level	Team Communication Skills	Quality	Conflict Management	
		Demonstrated Behaviors	Demonstrated Behaviors	Demonstrated Behaviors	Comments
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	Discourages ideas of others by put- downs. Refuses to share own ideas. Unwilling to listen to constructive feedback. Unable to give constructive feedback.	Team member produces no work	May pick fights, and/or undermine teammates Causes conflicts and/or makes no attempt to resolve conflict	
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	Encourages some people but not others to share their ideas. Will share ideas only when asked. Has difficulty listening to constructive feedback. Sometimes gives constructive feedback in a way that offends team.	Team member produces low quality work that requires other members to almost completely rework it.	Tries to get along with team, but sometimes causes arguments that hurt team Makes some attempt to resolve conflicts	
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	Encourages everyone to share his or her ideas. Freely shares ideas with group. Willing to listen to constructive feedback. Able to give constructive feedback.	Team member produces good quality work that demonstrates understand but may require little help from team.	Gets along well with the team Works to resolve conflicts when they occur	
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging cases. Capable of teaching others.	Actively encourages everyone to share his or her ideas. Freely shares ideas with group. Willing to listen to constructive feedback and modify actions accordingly. Able to give and explain constructive feedback.	Team member produces high quality work that demonstrates knowledge and understanding. Is able to sufficiently explain work so that other members would	Gets along well with the rest of the team Works to resolve conflicts Helps team avoid conflicts by negotiating differences in a constructive manner.	

			understand.		
5	PROFICIENT An “expert” in the understanding and practice of the skill. Can teach and consult at a high level	Actively encourages everyone to share their ideas. Freely shares ideas with group. Encourages others to give constructive feedback and modifies actions accordingly. Able to give and explain constructive feedback and help others to modify their actions accordingly.	Team member produces high work that demonstrates knowledge and understanding and is virtually error-free. Is able to fully explain work so that other members would understand.	Gets along well with the rest of the team Works to resolve conflicts Is able to anticipate possible conflicts and help team members proactively teach team ways to avoid conflicts	

Nea Learning to Learn Rubric

Learning to Learn Skill: **Oral Communication**

	Attainment Level	Demonstrated Behaviors	Nea Curriculum Challenge	Suggested Training Activities	Comments
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	Unaware of the type of communication acceptable for the situation. Unaware of the “unwritten rules” of the encounter. Speaks without clarity of purpose or inquiry. Can’t formulate useful questions. No perceived listening skills. Can’t or won’t find the appropriate language or vocabulary.			
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	Beginning to break down perceived “barriers” to talking with people outside of their normal “comfort zone”. Knows the basics of “attentive listening”. Can assess vocabulary gaps, and is attempting to improve. Aware of how body language or gestures can impact others, either good or bad.			
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	Effective at initiating conversation with all strata of the community. Can self-monitor re: context appropriate communication. Effective at listening to others. Will ask for clarity of vocabulary used by others. Aware of how the physical setting or arrangements of communication space impacts the quality of the conversation (face to face)			
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging cases. Capable of	Clear about what the desired outcomes of the conversation is for all concerned. Asks skillful questions. Has a wide, effective vocabulary. Exhibits effective affirmation or acknowledgement signals to others. Effective use of personal			

	teaching others.	emotions. High comfort level with oral communication. High degree of empathy.			
5	PROFICIENT An “expert” in the understanding and practice of the skill. Can teach and consult at a high level	Knows the kind of response that best fits the dialog partner’s needs. Effective at evaluating the context – and implications – regarding what’s useful and effective. Has a powerful, broad, context-sensitive vocabulary. Can form evocative questions. Adept at offering illustrative stories or examples. Can be an effective “pro” facilitator.			

Nea Learning to Learn Rubric

Learning To Learn Skill: **Writing**

	Attainment Level	Demonstrated Behaviors	Nea Curriculum Challenge	Suggested Training Activities	Comments
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	Does not understand the importance of written communication. Does not communicate in writing unless required to do so. Writes poorly. Writing is not organized and not structured. Writer does not understand purpose of writing. No voice. Does not demonstrate understanding or knowledge.			
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline.	Appreciates the importance of written communication. Understands basic structure of good writing for simple communication. Can brainstorm effectively. Can be creative (harness imagination) based on one’s own experience.			
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	Strives for continuous improvement. Understands grammar. Reads instructional material and seeks feedback. Understands the writing process. Understands the role and aims of the audience. Understands the value of concise writing. Peer editing and proof reading. Voice is apparent. Can use technology to enhance skills.			
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging case. Capable of	Structure and grammar require no correction. Writing is concise and economical. Users of writer’s work can easily and fully understand letters, memos, etc. Strong voice – writing is thoughtful and			

	teaching others.	thought provoking.			
5	<p>PROFICIENT An “expert” in the understanding and practice of the skill. Can teach and consult at a high level.</p>	<p>Regarded as expert by peers and adults with whom he or she works with. Readers are able to gather info and learn from writing easily. Seeks opportunities to utilize writing skills to advance goals. Keeps journals, writes stories or letters, or in other ways. Uses writing for creative expression. Utilizes writing as a learning process. A strong, articulate voice.</p>			

Nea Learning to Learn Rubric

Learning to Learn Skill: **Understanding How We Learn**

	Attainment Level	Motivation: Individual Values and/or Behaviors	Effective Use of My Biology of Learning	Capability to Create an Environment for Learning	Emotional Intelligence or Quotient (for young people)
		Demonstrated Behaviors	Demonstrated Behaviors	Demonstrated Behaviors	
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	Fully, easily dependent on external motivation (peers)	Clueless! On the couch. Just vegging!	Has on control over, nor a desire to change his or her environment.	Not aware of emotional intelligence, nor one’s emotional quotient
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	“Pushes back” to find his or her own values	Is aware of “bad habits” of learning. Knows how good eating, sleeping and exercising habits can improve learning potential.	Can arrange who to work with, i.e., useful interaction opportunities with other learners/	Is self-aware, including the presence of some EQ strengths and weaknesses.
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	Has internal motivation to learn, based on personal values	Awareness of his or her learning strengths and weaknesses Can self-assess his or her cognitive capacities.	Can effectively schedule his or her learning time.	Demonstrates successful self-management capabilities; can accept delayed gratification – no pain, not gain. Knows what he or she likes, and doesn’t like, about himself or herself, as well others.
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging cases. Capable of teaching others.	Has ownership of how he or she learns/	Has a set of tools to maximize his or her learning productivity. Knows ones neurological makeup, enabling his or her to overcome weaknesses.	Is proactive in creating the “ideal” personal learning environment.	Possesses a high level of self-esteem and self awareness.
5	PROFICIENT An “expert” in the understanding and practice of the skill. Can teach and consult at a high level	Has enthusiasm and passion, plus helps to motivate others	Actively uses successful strategies to overcome his or her learning weaknesses.	Can design and implement high quality learning environments for others.	Is effective at limiting and controlling stress. Is aware of people around me, and how they learn.

Nea Learning to Learn Rubric

Learning To Learn Skill: **Teaching Others**

	Attainment Level	Demonstrated Behaviors	Nea Curriculum Challenge	Suggested Training Activities	Comments
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	Does not see any value in teaching others.			
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline.	Is capable of 1:1 ratio (as in a tutor role). Can observe and follow pre-set clear structures (a checklist approach). Develops an awareness of structure. Q&A is difficult, however. Possesses sufficient content knowledge and credentials to satisfy the learner.			
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	Is capable of working well with small groups. Has acquired and use some basic presentation skills. Can organize learners into sub-groups to address issues or topics. Need help from facilitator to assess learners' work.			
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging case. Capable of teaching others.	Can work at 1:4 ratio well. Has achieved competence in effective presentation & oral communication skills. Can handle Q&A with confidence & correctness. Gets "good" feedback scores. Others can use the materials too. Can team with others to create high quality program materials. Motivates others to want to teach. Competent in assessing the learners.			
5	PROFICIENT An "expert" in the understanding and practice of the skill. Can teach and consult at a high level.	Has strategies to handle either a 1:20 or 1:4 ratio. Can structure prep alone– needs to know only the desired outcomes. Has or can create relevant examples. Has a relaxed demeanor, and non-anxious about delivery. Is aware opportunities in spontaneous teaching moments. Materials are used as models for others. Frequently offers motivation and inspiration.			

Nea Learning to Learn Rubric

Learning To Learn Skill: **Note-Making**

	Attainment Level	Demonstrated Behaviors	Nea Curriculum Challenge	Suggested Training Activities
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	Unaware of copyright and plagiarism issues. Can't detect what to capture in notes. May try to write it all down, but fail and, thereby, create useless nonsense.		
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline.	Reproduce the teacher's whiteboard. Can copy sources and attribute source. Knows copyright and plagiarism rules. Aware of the value of indexes and tables of contents in books.		
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	Is able to establish the purpose of notes making, and can formulate useful questions to guide the process. Can outline and "map" information from written or oral sources. Practices synthesis of materials. Does not plagiarize materials. Uses indexes and tables of contents well.		
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging case. Capable of teaching others.	Knows the purpose of the note-making effort, and uses the appropriate strategy to make notes: the format fits the purpose. Has an efficient "shorthand" system. Identifies topics or terms that need off-line elaboration or investigation. Exhibits good organization and synthesis. Knows and practices proper attribution rules.		
5	PROFICIENT An "expert" in the understanding and practice of the skill. Can teach and consult at a high level.	Always has a clear purpose when making notes. Knows and applies a variety of notes making strategies appropriate for the circumstances. Can effectively "map" or outline complex issues. Has developed successful memory-stimulating methods to assist knowledge recall and application.		

Nea Learning to Learn Rubric

Learning to Learn Skill: **Whole Team Performance Evaluation, Part 1**

	Attainment Level	Materials	Scheduling	Task Distribution	Team Climate
		Demonstrated Behaviors	Demonstrated Behaviors	Demonstrated Behaviors	Demonstrated Behaviors
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	Group has no system for managing materials	Group has no scheduled meetings, and rarely meets at all.	No one knows what his or her task is.	The group's climate is hostile and unwelcoming to its members.
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	Group has a system for managing materials, but doesn't always use it.	Group has a schedule, but doesn't always follow it. It sometimes meets as scheduled.	Tasks are assigned randomly or unevenly.	The group's climate is welcome to some, but not all, the members of the team.
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	Group has a system for managing materials, and always uses it.	Group has a schedule and follows it. Meets as scheduled.	Tasks are assigned fairly and evenly.	The group climate is welcoming to all team members.
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging cases. Capable of teaching others.	Group has many systems for managing materials, and uses them well.	Group follows schedules, even when conflicts arise. Meets as scheduled or re-schedules effectively.	Tasks are assigned according to a group understanding of how each person can best accomplish the team's tasks.	The group climate is welcoming to all members and can accommodate times when members are not at their best.
5	PROFICIENT An "expert" in the understanding and practice of the skill. Can teach and consult at a high level	Group has many effective systems for managing and acquiring materials.	Group follows schedules and can anticipate schedule disruptions, and plans or re-plans accordingly.	Tasks are negotiated so that each member has a chance to learn a new skill from his or her team members.	The group climate is welcoming, and the team can actively problem solve if a team member's personal life interferes with the team's productivity.

Nea Learning to Learn Rubric

Learning to Learn Skill: **Whole Team Performance Evaluation, Part 2**

	Attainment Level	Ability to Meet Deadlines	Conflict Management	Quality the Team's Product	Comments
		Demonstrated Behaviors	Demonstrated Behaviors	Demonstrated Behaviors	
1	UNAWARE Lack awareness of how to begin formal development of the skill. May be aware of the need for it.	The team rarely meets deadlines.	The team has no plan for handling conflict.	The team does not produce any product, or the product is of such low quality that it cannot be evaluated.	
2	NOVICE Aware of a pathway to competence, and is beginning to practice the skill with discipline	The team sometimes meets deadlines.	The team has a sketchy plan for handling conflict.	The team product is low quality	
3	ADVANCED BEGINNER Routinely practices the skill in everyday environments. Understands the basic methods and tools, and can demonstrate them to others.	The team meets deadlines except in challenging circumstances.	The team has a solid plan for handling conflict, but stress may cause the plan to crumble.	The team product is high quality.	
4	COMPETENT Competent in almost all aspects of the skill. Can apply the skill in challenging cases. Capable of teaching others.	The team always meets deadlines, even in challenging circumstances.	The team has a solid plan for handling conflict that does not crumble during times of stress.	The team product goes beyond the project's expectations.	
5	PROFICIENT An "expert" in the understanding and practice of the skill. Can teach and consult at a high level	The team always meets deadlines and can anticipate challenging circumstances and plan for them accordingly.	The team has a solid plan for handling conflict, and is able to productively identify potential stressors and, thus, avoid team conflict.	The team product is exceptional, and can be used as a teaching tool.	

Appendix 7: AUSD/Nea Graduate Profile

[AUSD Home](#)

Graduate Profile

[We Believe](#) | [Our Goal](#) | [The Graduate Profile](#) | [Graduate Outcomes](#)
[Personal Qualities, Work Habits And Attitudes](#) | [New Basics](#) | [Thinking And Reasoning Skills](#)
[Interpersonal Abilities](#) | [Technology](#)

We Believe 📍

We believe there is a common set of skills, knowledge, and attitudes essential to the total development of all Alameda students. These learnings have intrinsic value, independent of a student's background, for the fulfillment of future aspirations. We further believe that these skills, knowledge and attitudes constitute a set of expectations that all students can achieve regardless of diverse learning rates and styles. Achievement of the outcomes will help students create and attain meaningful goals and engage in lifelong learning.

Our Goal 📍

By the year 2004, students will leave the Alameda Unified School District having demonstrated competence in challenging subject matter, including English, Mathematics, Science, History, Geography, and the Arts; every school in Alameda will ensure that all students learn to use their minds well and creatively and express themselves as unique individuals so they may be prepared for responsible citizenship, further learning, and productive employment in our modern economy.

The Graduate Profile 📍

The Graduate Profile provides a statement of high expectations needed for all of Alameda's students to become educated citizens. It is also offered as a catalyst for school improvement. The framers of this document view it as a beginning, one that will change in response to new demands and challenges.

The Graduate Profile represents preparation for life. It consists of abilities that are necessary not just for employment and further education, but for becoming a productive and contributing member of society. The Graduate Profile is not meant to define minimum competencies; rather, it sets a standard for an educated citizen.

Alameda's Graduate Profile reflects a commitment to excellence in public elementary and secondary education and to high expectations of all our students. We believe the implementation of the Graduate Profile will help develop young people who can think and act independently and assist our school in approaching

the twenty-first century with confidence and clear direction.

To this end, we adopt and applaud the national goals embodied in America 2000 and offer our public, our staff, and our students the profile of the Alameda Unified School District graduate in the year 2004.

Graduate Outcomes 📌

1. **PERSONAL QUALITIES, WORK HABITS AND ATTITUDES** — Displays responsibility, self-esteem, sociability, self-management, and integrity and honesty.
2. **NEW BASICS** — Reads; writes; performs arithmetic and mathematical operations; listens and speaks; possesses historical, cultural, geographic, and economic understanding, understands variation and systems; thinks scientifically and applies scientific principles to life; values and appreciates the arts, and nurtures one's own health and well-being.
3. **THINKING SKILLS AND REASONING** — Thinks creatively, makes decisions, solves problems, visualizes; knows how to learn and reason; analyzes and understands systems; uses data to form theories, applies knowledge to solve problems, improve systems.
4. **INTERPERSONAL AND COLLABORATIVE ABILITY** — Works well with others, cooperates.
5. **TECHNOLOGY** — Works with a variety of technologies.

Personal Qualities, Work Habits And Attitudes 📌

Displays responsibility, self-esteem, sociability, integrity and honesty

A positive self-image and self-esteem are crucial to learning. These attributes determine goals, behaviors, and responses to others. Furthermore, people depend on and influence one another. Therefore, it is important that students take responsibility for their lives and set appropriate goals for themselves. In doing so, they develop lifelong attitudes. It is inappropriate to deny the critical importance of these factors as preconditions to learning, as consequences of the teaching of all disciplines, and as desired outcomes for all students.

- A. **SELF-ESTEEM/SELF WORTH** — Believes in own self-worth, maintains a positive view, exhibits a “can-do” attitude, stands up for one's beliefs.
- B. **RESPONSIBILITY**— Exerts a high level of effort and perseverance toward a goal; displays high standards of attendance, enthusiasm, and optimism.
- C. **SOCIABILITY** — Demonstrates cooperation, understanding friendliness, humor, adaptability, polite-ness, and thoughtfulness in group settings, relates well to others.
- D. **SELF-MANAGEMENT** — Sets personal goals, monitors progress, exhibits punctuality

and self-control, allocates resources efficiently, responds to feedback no defensively.

E. INTEGRITY AND HONESTY — Demonstrates justice, honorable behavior, and a social conscience; can be trusted, chooses ethical causes of action.

F. SELFLESSNESS AND HUMANITY — Gives back to society, recognizes the needs of others, values democratic processes.

G. CAREER KNOW-HOW — Demonstrates knowledge of career options and the pathway to their attainment.

New Basics 📌

Communicates, reads, writes, listens, speaks, and knows history, geography, civics, the arts, sciences, and basic fitness and health and uses systems thinking to approach problems.

A. COMMUNICATION AND LANGUAGES — Has a functional command of the standard English language and communicates competently in at least one other language.

B. READING — Understands, interprets, and appreciates written information in literature, in prose, and in documents and constructs meaning from a variety of materials.

C. WRITING — Communicates thoughts, ideas, information, and messages responsibly, clearly, and eloquently in writing in a form that is grammatically correct.

D. ARITHMETIC/MATHEMATICS — Performs basic computations, and approaches practical problems by choosing appropriately from a variety of mathematical techniques. Communicates and thinks mathematically with confidence and enthusiasm.

E. LISTENING — Receives, attends to, interprets, and responds to verbal messages and other forms of communication.

F. SPEAKING — Organizes thoughts and communicates ideas, knowledge, and information through fluent, responsible speech.

G. HISTORICAL, SOCIAL, AND GLOBAL AWARENESS — Knows how the American society, political systems, and economy function within a global context; understands and appreciates the diversity in America and in the world community; knows the general shape of world history and the special history of the United States.

H. GEOGRAPHY — Applies locational skills and knowledge of geography to practical situations and current issues.

I. CIVICS — Understands the political institutions and processes, civil rights and

justice in a free society and participates as a responsible citizen in a democracy.

J. FITNESS AND HEALTH — Applies nutritional, hygienic, and physical knowledge to maintain health; is free from substance abuse.

K. ARTS — Develops appreciation and use of the arts and media as an expressive tool and a way to enrich life.

L. SCIENCE — Understands how things work and the underlying scientific principles, applies the scientific method to everyday life.

Thinking and Reasoning Skills 📌

Thinks creatively, makes decisions, solves problems, and knows how to learn.

A. KNOWS HOW TO LEARN — Uses efficient learning techniques to acquire and apply new knowledge and skills; is aware of different learning styles and strategies.

B. CREATIVE THINKING — Generates new ideas; is able to dream and plan for the future; uses imagination freely.

C. DECISION-MAKING — Specifies goals and constraints, gathers accurate data, generates alternatives, considers risks and consequences, evaluates and chooses best alternative implements decision, and analyzes results.

D. SYSTEMS THINKING — Understands and appreciates the system in which we live and work, understands variation, the importance of valid data for decision making, the steps for continuous improvement.

E. PROBLEM-SOLVING — Recognizes problems, devises and implements a plan of action to resolve them, evaluates and monitors progress~ and revises, as needed.

F. VISUALIZES — Organizes and processes symbols, pictures, graphs, objects, and other information; can ‘see in the mind’s eye.’”

G. REASONING — Discovers underlying rules and principles; uses logic; draws conclusions.

Interpersonal Abilities 📌

A. PARTICIPATES AS A TEAM MEMBER — Contributes cooperatively to a group effort with ideas, suggestions, and hard work.

B. TEACHES OTHERS NEW SKILLS — Helps others learn.

C. SERVES CLIENTS, CUSTOMERS, AND COLLEAGUES — Develops work-ready ability and attitude; works to satisfy customers’ expectations.

D. EXERCISES LEADERSHIP — Communicates ideas, persuades, convinces, and motivates others.

E. NEGOTIATES — Works toward agreement resolves divergent interests, and chooses nonviolent solutions.

F. WORKS WITH DIVERSITY — Works well with others from diverse backgrounds, accepts and rejoices in diversity Develops a sensitivity to and an understanding of the needs, opinions concerns, and customs of others.

Technology 📱

A. SHOWS AWARENESS OF TECHNOLOGY — Applies technology to vocational options and scholastic and professional needs.

B. SELECTS TECHNOLOGY — Chooses procedures, tools, or equipment, including computers and related technologies.

C. APPLIES TECHNOLOGY TO TASK — Understands overall intent and proper procedure for setup and operation of equipment.

D. MAINTAINS AND TROUBLESHOOTS EQUIPMENT — Prevents, identifies, or solves simple problems with equipment.

Appendix 8 – Instructional Minutes Calculations

6 –12 Instructional Minutes –2013-14 School Year

Annual Instructional Minutes

Regular Days - M, T, Th, F	Grade 6	Grade 7	Grade 8	Grade 9	Grade 10	Grade 11	C
Start	8:00 AM						
End	3:05 PM						
Number of Hours	7:05	7:05	7:05	7:05	7:05	7:05	
Total Number of Minutes	425	425	425	425	425	425	
Less Recess	0	0	0	0	0	0	
Less Lunch	(55)	(55)	(55)	(55)	(55)	(55)	
Actual Daily Instructional Minutes	370	370	370	370	370	370	
Required Daily Minutes	180	180	180	180	180	180	
Daily Minutes Requirement Met	Yes	Yes	Yes	Yes	Yes	Yes	
Number of Regular Days	137	137	137	137	137	137	
Annual Minutes - Regular Days	50,690	50,690	50,690	50,690	50,690	50,690	
Wednesdays							
Start	8:00 AM						
End	1:10 PM						
Number of Hours	5:10	5:10	5:10	5:10	5:10	5:10	
Total Number of Minimum Day Minutes	310	310	310	310	310	310	
Less Recess							
Less Lunch							
Actual Daily Instructional Minutes	310	310	310	310	310	310	
Required Daily Minutes	180	180	180	180	180	180	
Daily Minutes Requirement Met	Yes	Yes	Yes	Yes	Yes	Yes	
Number of Wednesdays	36	36	36	36	36	36	
Annual Minutes - Wednesdays	11,160	11,160	11,160	11,160	11,160	11,160	
Minimum Days							
Start	8:00 AM						
End	12:30 PM						

Number of Hours	4:30	4:30	4:30	4:30	4:30	4:30
	Total Number of Minimum Day Minutes	270	270	270	270	270
Less Recess	0	0	0	0	0	0
Less Lunch	0	0	0	0	0	0
Actual Daily Instructional Minutes	270	270	270	270	270	270
Required Daily Minutes	180	180	180	180	180	180
Daily Minutes Requirement Met	Yes	Yes	Yes	Yes	Yes	Yes
Number of Minimum Days	7	7	7	7	7	7
Annual Minutes - Minimum Days	1,890	1,890	1,890	1,890	1,890	1,890
Total Other Instructional Minutes	0	0	0	0	0	0
Total Annual Instructional Minutes	63,740	63,740	63,740	63,740	63,740	63,740
1986 - 87 Required # of Mins.	52,457	52,457	52,457	62,949	62,949	62,949
Over/Under Test	Over	Over	Over	Over	Over	Over
Over (Under)	11,283	11,283	11,283	791	791	791

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K-5 Instructional Minutes –2013-14 School Year

Annual Instructional Minutes

Regular Days - M, T, Th, F	K.	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5
Start	8:00 AM					
End	3:00 PM					
Number of Hours	7:00	7:00	7:00	7:00	7:00	7:00
Total Number of Minutes	420	420	420	420	420	420
Less Recess	0	(50)	(50)	(40)	(40)	(40)
Less Lunch	(60)	(60)	(60)	(45)	(45)	(45)
Actual Daily Instructional Minutes	360	310	310	335	335	335
Required Daily Minutes	60	170	170	170	170	170
Daily Minutes Requirement Met	Yes	Yes	Yes	Yes	Yes	Yes
Number of Regular Days	137	137	137	137	137	137
Annual Minutes - Regular Days	49,320	42,470	42,470	45,895	45,895	45,895
Wednesdays						

Start End	8:00 AM					
	2:00 PM					
Number of Hours	6:00	6:00	6:00	6:00	6:00	6:00
Total Number of Minimum Day Minutes	360	360	360	360	360	360
Less Recess	0	(30)	(30)	(30)	(30)	(30)
Less Lunch	(60)	(60)	(60)	(60)	(60)	(60)
Actual Daily Instructional Minutes	300	270	270	270	270	270
Required Daily Minutes	60	170	170	170	170	170
Daily Minutes Requirement Met	Yes	Yes	Yes	Yes	Yes	Yes
Number of Wednesdays	36	36	36	36	36	36
Annual Minutes - Wednesdays	10,800	9,720	9,720	9,720	9,720	9,720
Minimum Days						
Start End	8:00 AM					
	2:00 PM					
Number of Hours	6:00	6:00	6:00	6:00	6:00	6:00
Total Number of Minimum Day Minutes	360	360	360	360	360	360
Less Recess	0	(30)	(30)	(20)	(20)	(20)
Less Lunch	(60)	(60)	(60)	(30)	(30)	(30)
Actual Daily Instructional Minutes	300	270	270	310	310	310
Required Daily Minutes	60	170	170	170	170	170
Daily Minutes Requirement Met	Yes	Yes	Yes	Yes	Yes	Yes
Number of Minimum Days	7	7	7	7	7	7
Annual Minutes - Minimum Days	2,100	1,890	1,890	2,170	2,170	2,170
Total Other Instructional Minutes	0	0	0	0	0	0
Total Annual Instructional Minutes	62,220	54,080	54,080	57,785	57,785	57,785
1986 - 87 Required # of Mins.	34,971	48,960	48,960	48,960	52,457	52,457
Over/Under Test	Over	Over	Over	Over	Over	Over
Over (Under)	27,249	5,120	5,120	8,825	5,328	5,328

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Appendix 9

BYLAWS

of

Nea Community Learning Center Governing Board

Revised April 2012

A public charter school of the Alameda Unified School District

I. Governing Board

- A. Powers: The Governing Board (hereinafter “Board”) shall conduct or direct the affairs of the charter school and exercise its powers, subject to the limitations of the California Charter School Law, the approved Charter, the MOU between Nea and AUSD, the oversight responsibilities of the Board of Directors of Community

Learning Center Schools, Inc. (CLCS), and these Bylaws. The Board may delegate the management of the activities of the charter school to others, so long as the affairs of the charter school are managed, and its powers are exercised, under the Board's jurisdiction as defined in the charter. Without limiting the generality of the powers here granted to the Board, but subject to the same limitations, the Board shall have all the powers enumerated in these Bylaws, and the following specific powers:

1. To seat, elect and remove Board Members
2. To award diplomas to Nea Learners, consistent with the policies and graduation requirements of the charter school.
3. To manage and oversee the financial affairs of the charter school, subject to CLCS approval, including review, approval and monitoring of the annual budget.
4. To conduct, manage and control the affairs and activities of the charter school, and to make rules and regulations.
5. To enter into contracts, leases and other agreements (with CLCS approval) which are, in the Board's judgment, necessary or desirable in obtaining the purposes of promoting the interests of the charter school.
6. To acquire real or personal property, by purchase, exchange, lease, gift, devise, bequest, or otherwise, and to hold, improve, lease, sublease, mortgage, transfer in trust, encumber, convey or otherwise dispose of such property (with CLCS approval).
7. To borrow money, incur debt, and to execute and deliver promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations and other evidences of debt and securities (with CLCS approval).
8. To indemnify and maintain insurance on behalf of any of its Board Members, officers, employees or agents for liability asserted against or incurred by such person in such capacity or arising out of such person's status as such, subject to the provisions of the California Charter School Law and the limitations noted in these Bylaws.

B. Number of Board Members: The number of (voting) Board Members of the charter school shall be nine (9), as provided in the Charter.

II. Election of Board Members

A. Election. The Nea Lead facilitator shall automatically be a Board Member. The remaining Board Members shall be selected as follows:

1. Facilitators. Two Facilitator Representatives shall be selected by the facilitator employees of the charter school on an annual basis.
2. Learners. Two Learner Representatives shall be selected through a democratic process by all learners at the charter school on an annual basis.
3. Parents. Two Parent Representatives elected by a vote of the Lead Facilitator, two Facilitator Representatives, and two Learner Representatives. The term is for two year. Terms shall alternate. In appointing the parent members, the Facilitator Representatives and Learner Representatives shall consider candidates who have self-nominated.

4. Community. Two Community Representatives elected by a vote of the Lead Facilitator, two Facilitator Representatives, and two Learner Representatives. Term shall not exceed five years.
 5. The CLCS Executive Director shall be a non-voting member of the board.
- B. Eligibility. In each category, the persons selected to serve on the Board must be willing to serve the best interests of the charter school faithfully and effectively.
 - C. Interested Persons. Not more than 49% of the persons serving on the Board may be interested persons. An "interested person" is:
 1. any person currently being compensated by the charter school for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor or otherwise, excluding any reasonable compensation paid to a Board Member as a Board Member; or
 2. any sister, brother, ancestor, descendant, spouse, sister-in-law, brother-in-law, daughter-in-law, son-in-law, mother-in-law or father-in-law of any such person.
- III. Term of Office
- A. Nea Facilitator Board members shall be elected annually by the facilitator staff as a whole and shall serve a one year term, but may be elected again as long as they do not exceed five (5) consecutive years. The Nea Lead Facilitator will automatically serve as a facilitator representative as long as he/she is Lead Facilitator.
 - B. Parent Board members shall serve a two year term and be selected in accordance with the charter provisions and terms will be staggered.
 - C. Two learner board members, shall be selected by vote of the learner community each spring. Their term shall be one year.
 - D. No voting Board Member, other than the Nea Lead Facilitator may serve for more than five (5) consecutive years.
 - E. The term of office of a Board Member elected to fill a vacancy begins on the date of the Board Member's election, and continue for the balance of the unexpired term in the case of a vacancy created because of the resignation, removal, or death of a Board Member.
 - F. A Board Member's term of office shall not be shortened from or extended beyond that for which the Board Member was elected by amendment of the Charter or the Bylaws or other Board action.
 - G. Board Members who are the Lead Facilitator, Facilitator Representatives, Learner Representatives and Community Members shall be seated at first meeting of the fiscal year. (July or August)
 - H.. After being determined, the Lead Facilitator, Facilitator Representatives and Learner Representatives shall elect the Board Members who are Parent Representatives and the Community Representative by the vote of a majority that shall include at least one Learner Representative.
- IV. Resignation and Removal of Board Members
- A. The Board may remove any Board Member who:
 1. Has failed to attend three or more of the Board's Regular Meetings that were held during the member's term of office in any school year;
 2. Has been declared of unsound mind by a final order of court;
 3. Has been convicted of a felony;

4. Has been found by a final order or judgment of any court to have breached any duty imposed by the California Charter School Law; or
 5. For such other good causes as the Board may determine.
- B. Resignation by Board Member: A Board Member may resign by giving written notice to the CLCS Executive Director. The resignation is effective on the giving of notice, or at any later date specified in the notice. A Board Member may not resign if the Board Member's resignation would leave the charter school without a duly elected Board Member in charge of its affairs.
 - C. Vacancies: A vacancy is deemed to occur on the effective date of the resignation of a Board Member, upon the removal of a Board Member, or upon a Board Member's death.
- V. Compensation of Board Members
- A. Board Members shall serve without compensation with the exception of the Facilitator Representative who will be paid a \$2000 yearly stipend for their service. However, the Board may approve reimbursement of a Board Member's actual and necessary expenses while conducting charter school business.
- VI. Charter School Principal Location
- A. The charter school's principal location shall be at 210 Central Avenue #603, Alameda, California 94501, or at such other place as the Board may select by resolution or amendment of the Bylaws.
- VII. Meetings of the Board
- A. Place of Meetings: Board Meetings shall be held at the charter school's principal location or at any other reasonably convenient place as the Board may designate within the boundaries of the Alameda Unified School District, or as specified in applicable California public meeting laws.
 - B. Regular Meetings: Regular Meetings shall be held monthly or as needed at various times within the year as the Board determines.
 - C. Special Meetings: A Special Meeting shall be held at any time called by the Lead Facilitator or by a majority of the Board.
 - D. Adjournment: A majority of the Board Members present at a meeting, whether or not a quorum, may adjourn the meeting to another time and place. Notice of the time and place of holding an adjourned meeting shall be given to absent Board Members by facsimile or e-mail, or communicated orally in person or by recorded message.
 - E. Notices: Notices of Board Meetings shall be given to Board members as follows:
 1. Special Meetings shall be held upon four days' notice by first-class mail or 48 hours' notice delivered personally or by telephone, facsimile or e-mail.
 2. Notices will be deemed given when deposited in the United State mail, addressed to the recipient at the address shown for the recipient in the charter school's records, first-class postage prepaid; when personally delivered in writing to the recipient; or when faxed, e-mailed, or communicated orally, in person or by telephone, to the Board Member or to a person whom it is reasonably believed will communicate it promptly to the Board Member, or to a telephone message recording system
 3. Regular meeting notices (agendas) will be posted 72 hours in advance.
 - F. Public Notice of and Participation in Board Meetings: The Nea Governing Board will comply with the requirements of California's public meeting laws with

respect to public notice_(and written agendas) of meetings and opportunities for public participation in such meetings._ Any member of the Nea extended community may request the placement of an item on the Board's agenda by making such request in writing to the Lead Facilitator no less than six (6) days in advance of the meeting. Time will be provided on the agenda of each meeting for members of the public to address the Board on issues concerning the charter school. In addition to required notices, e-mail notice of Board meetings shall be provided to the Nea community to the extent practicable.

G. Conduct of Meetings: Meetings of the Governing Board shall be conducted consistent with Robert's Rules of Order, in simplified form.

VIII. Action by the Board

A. Quorum: A quorum consists of a majority of_(voting) Board Members, provided the majority includes at least one Board Member who is not the Lead Facilitator, not a Facilitator Representative and not a Learner Representative. Board meetings cannot be conducted unless a quorum is present.

B. Actions Taken at Board Meetings. The actions done and decisions made by a majority of the Board Members are the actions and decisions of the Board, except that the following actions shall require a vote as specified below:

1. Removal of a Board member shall require a 2/3 majority vote of the Board.

2. Adoption, amendment or repeal of these Bylaws

C. Board Meeting by Conference Telephone. Board Members may participate in a Board meeting through use of conference telephone or similar communication equipment, so long as all Board Members participating in such meeting can hear one another and so long as the procedures used are consistent with applicable provisions of California's public meeting laws.

IX. Standard of Care

A. Performance of Duties. Each Board Member shall perform all duties of a Board Member in good faith, in a manner the Board Member believes to be in the charter school's best interest and consistent with the philosophy of the charter school, and with such care, including reasonable inquiry, as an ordinary prudent person in a like position would use under similar circumstances.

B. Reliance on Others. In performing the duties of a Board Member, a Board Member shall be entitled to rely on information, opinions, reports or statements, including financial statements and other financial data, presented or prepared by:

1. One or more officers or employees of the charter school whom the Board Member believes to be reliable and competent in the matters presented;

2. Legal counsel, independent accountants or other persons as to matters that the Board Member believes are within that person's professional or expert competence; or

C. Rights of Inspection: Every Board Member has the right to inspect and copy all books, records and documents of every kind and to inspect the physical properties of the charter school, provided that such inspection is conducted at a reasonable time after reasonable notice, and provided that such right of inspection and copying is subject to the obligation to maintain the confidentiality of the reviewed information, in addition to any obligations imposed by any applicable federal, state or local law.

- D. Participation in Discussion and Voting: Every Board Member has the right to participate in the discussion and vote on all issues before the Board except as noted below:
1. The Nea Facilitator Representatives shall not be present for the discussion and vote on any matter involving:
 - a. the performance evaluation, discipline or recommended discharge of any employee of the charter school; or
 - b. facilitator compensation.
 2. The Nea Learner Representatives may not be present for the discussion and vote on the discipline or recommended discharge of any employee of the charter school nor may they be present for the discussion of learner behavior, suspension or expulsion.
 3. Any Board Member shall be excused from the discussion and vote on any matter involving:
 - a. a self-dealing transaction;
 - b. a conflict of interest.
 4. The Nea Lead Facilitator shall not be present for the discussion and vote on any matter involving:
 - a. the performance evaluation, discipline or discharge of the Lead Facilitator of the charter school; or
- X. Duty to Maintain Board Confidences
- A. Every Board Member has a duty to maintain the confidentiality of all Board actions, including discussions and votes taken in closed session, as provided in applicable California public meeting laws. Any Board Member violating this confidence may be removed from the Board (and shall be subject to penalties contained in law).
- XI. Officers
- A. The officer of the charter school Governing Board shall consist of a Chair.
1. Subject to Board control, the Chair has general supervision, direction and control of the affairs of the Board, and such other powers and duties as the Board may prescribe. The Chair shall preside at Board meetings and shall prepare the agenda for each Board meeting, in consultation with the other Board Members.
- XII. Election, Eligibility and Term of Office of Officers
- A. Lead Facilitator as Chair. Unless he or she declines to so serve, the Lead Facilitator shall be the Board Chair.
- XIII. Non-Liability of Board Member
- A. The Board Members shall not be personally liable for the charter school's debts, liabilities or other obligations.
- XIV. Indemnification of Corporate Agents
- A. The charter school shall indemnify any Board Member, officer, employee or other agent of this charter school, who has been successful on the merits in defense of any civil, criminal, administrative or investigative proceeding brought to procure a judgment against such person by reason of the fact that he/she is, or was, the charter school's agent, or in defense of any claim, issue or matter therein. In such case, the charter school will provide indemnity against expenses actually and

reasonably incurred by the person in connection with such proceeding.

XV. Insurance for Corporate Agents

- A. The Board may adopt a resolution authorizing the purchase and maintenance of insurance on behalf of any Board Member, officer, employee or other agent of the charter school, against any liability other than for violating provisions of law relating to self-dealing asserted against or incurred by the agent in such capacity.

XVI. Other Provisions

- A. Fiscal Year: The fiscal year of the charter school begins on July 1 of each year and ends on June 30 of the following year.
- B. Execution of Instruments: Except as otherwise provided in these Bylaws, the Board may adopt a resolution authorizing the CLCS Executive Director to enter into any contract or execute and deliver any instrument in the name of or on behalf of the charter school. Such authority may be general or confined to specific instances. Unless so authorized, no officer, agent or employee shall have any power to bind the charter school by any contract or engagement, to pledge the charter school's credit, or to render it liable monetarily for any purpose or any amount.
- C. Checks and Notes: Except as otherwise specifically provided by Board resolution, checks, drafts, promissory notes, orders for the payment of money, and other evidence of indebtedness of the charter school may be signed by the CLCS Executive Director.

XVII. Conflict of Interest

- A. Any Board Member, officer, or key employee having an interest in a contract, other transaction or program presented to or discussed by the Board or for authorization, approval, or ratification shall make a prompt, full and frank disclosure of his or her interest to the Board or committee prior to its acting on such contract or transaction. Such disclosure shall include all relevant and material facts known to such person about the contract or transaction that might reasonably be construed to be adverse to the charter school's interest. The body to which such disclosure is made shall thereupon determine, by majority vote, whether the disclosure shows that a conflict of interest exists or can reasonably be construed to exist. If a conflict is deemed to exist, such person shall not vote on, nor use his or her personal influence on, nor be present during in the discussion or deliberations with respect to, such contract or transaction (other than to present factual information or to respond to questions prior to the discussion). The minutes of the meeting shall reflect the disclosure made, the vote thereon and, where applicable, the abstention from voting and participation. The Board may adopt conflict of interest policies requiring:
 - 1. Regular annual statements from Board Members, officers, key employees to disclose existing and potential conflict in interest; and,
 - 2. Corrective and disciplinary actions with respect to transgressions of such policies.
- B. For the purpose of this section, a person shall be deemed to have an "interest" in a contract or other transaction if he or she or a member of his or her family is the party (or one of the parties) contracting or dealing with the charter school, or is a director, Board Member or officer of, or has a significant financial or influential

interest in the entity contracting or dealing with the charter school.

XVIII. Interpretation of Charter

- A. Whenever any provision of these Bylaws is in conflict with the provisions of the Charter, or the MOU between the parties, the provisions of the Charter or MOU between the parties shall control.

XIX. Amendment

- A. A two-thirds ($2/3$) majority of the Board Members may adopt, amend or repeal these Bylaws.

Appendix 10

Financial Impact Statement

District Impact Statement

Nea Community Learning Center (Nea) charter school and Alameda Unified School District (AUSD)

INTENT

This statement is intended to fulfill the terms of education code Section 47605 (g) and provides information regarding the proposed operation and potential effects of the Nea Community Learning Center charter school on the Alameda Unified School District. This document is intended for informational purposes only and to assist the district in understanding how the proposed school may affect the district. This is an informational document, does not constitute a legally binding contract or agreement, is not intended to govern the relationship of the school and district, and is not a part of the Charter of the Nea Community Learning Center Charter School or any related agreements or memoranda of understanding.

The Nea Community Learning Center charter school will be operated by Community Learning Centers Schools, Inc, (CLCS, Inc.), a constituted California Public Benefit (“nonprofit”) Corporation and will be governed by a board of directors. A Lead Facilitator and the CLCS Executive Director, Inc. will enjoy lead responsibility for administering the school under policies adopted by the school’s governing board. The school anticipates that it will provide or procure its own administrative services independent of the district. These include financial management, personnel, and instructional programs development. The school will seek to define the specific terms and cost for any services purchased from AUSD in an annual operational agreement (or memorandum of understanding). In addition, the district will be required to provide oversight and performance monitoring services, including monitoring school and student performance data, reviewing the school’s audit reports, performing annual site visits, engaging in any necessary dispute resolution processes, and considering charter amendment and renewal requests.

The Nea Community Learning Center charter school seeks to occupy the facility known as Longfellow School and Chipman Middle School. The petitioners believe that the facilities impact on the district will be minimal because this facility is already occupied by Nea. The school desires that the specific terms of the school’s use of these facilities will be governed by the terms of the school’s charter and related agreements and leases.

The school intends to seek the support of AUSD in securing facilities according to the provisions of Education Code Section 47614 and related regulations. At the time this document was drafted, the school’s leaders estimate that the school would need classroom and related support facilities to accommodate approximately 530 students in its sixth year of facilities needs pursuant

to Education Code Section 47614 or its related regulatory provisions. A separate request for facilities pursuant to California Administrative Code of Regulations, Title V, Section 11969.9 will be submitted.

The Nea Community Learning Center plans to be operated by a nonprofit public benefit corporation. As such, the school's founders presume that the AUSD will not be liable for the debts or obligations of the charter school pursuant to Educational Code Section 47604©. The school intends to purchase liability, property, and errors and omissions insurance to protect the school's assets, staff, and governing board members.

A financial plan for the school has been prepared by EdTec and will be submitted with the charter petition. The plan is based on many key assumptions, including the following:

- ✓ The school will enroll 530 students in grades K-12.
- ✓ The students will be absent from school an average 5 percent of school days,
- ✓ The school will be funded pursuant to the charter school block grant system at rates estimated by the California Charter Schools Association (CCSA)
- ✓ The school will qualify for funds from two special-purpose funding programs that are not specifically included in the block grant, including charter school categorical funds, and state lottery funds.

Appendix 11

CLCS / ACLC / Nea Fiscal Policies and Procedures Revised 6.14.12

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NOTE: The following sections on fiscal policies are numbered by page, not by policy.

Budget Policies

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Fiscal Policies

Summary Quick Reference Table:

Area	Policy	Comment
Budget Calendar	March / April: Budget Plan from respective Fin. Comm. By June 15: Deadline for Nea/ACLC Board Budget Approval, June 30, Deadline for CLCS Board Budget Approval July 1: Start of Fiscal Year Sept: Update Budgets if needed for actual enrollment Sept / Oct: CLCS Board approves prior fiscal yr audit. Monthly: Actual and Forecast report to CLCS board	
Purchasing	Executive Director (ED), Lead Facilitator (LF), or Office Manager approve up to \$500 Executive Director and Respective Lead Facilitator approve up to \$10,000 CLCS Board Approval Contracts over \$10,000 Competitive Bids required over \$10,000	
Bus. Service Contact	EdTec: edtec.com 510.663.3500 Peter Laub, SVP; peter@edtec.com x 314	
CLCS Finance Committee	Patti Wilczek, Executive Director Jennifer Afdahl jen.afdahl@gmail.com	

A. Budget Development and Oversight Calendar and Responsibilities

The CLCS / ACLC / Nea Community Learning Center Charter Schools will develop and monitor their budgets in accord with the annual budget development and monitoring calendar as specified below.

January – February

- The Finance Committee of ACLC/Nea works with Executive Director and EdTec to review Governor’s proposed state budget for the upcoming fiscal year, and identify the likely range of revenues for the schools’ upcoming fiscal year (July 1- June 30).

- The Executive Director and EdTec working with the CLCS **Finance Committee** to prepare a set of proposed budget development principles for the ACLC/Nea Governing Boards and ACLC/Nea Finance Committees.
- Develop rough planning budgets for upcoming fiscal year, including projected enrollment and any proposed staffing changes. [Executive Director, EdTec]
- Develop three-year budget projections in accord with each school’s established strategic and growth plans. [Executive Director, EdTec in conjunction with CLCS Finance Committee]
- Ongoing monitoring and revision of current year budgets by Executive Director, EdTec and ACLC/Nea Finance Committees.

March – April

- The Executive Director and EdTec, working in conjunction with the ACLC/Nea finance committees prepare formal budgets plan for upcoming fiscal year. The plan is reviewed by the ACLC / Nea Governing Boards.
- Ongoing monitoring and revision of current year budgets. [Executive Director, EdTec]
- The CLCS Finance Committee solicits bids for the annual audit and selects an auditor.

May – June

- Executive Director and EdTec review revenue projections subsequent to the Governor’s annual “May Revise” budget figures, fine-tune the upcoming fiscal year budgets to accommodate any changes. These budgets will include monthly cash flow projections. The ACLC and Nea Finance Committees review and finalize the proposed budgets for the upcoming fiscal year and take them to the ACLC/Nea and CLCS Boards for approval.
- The ACLC/Nea Boards and CLCS Board review and formally adopt budgets for upcoming fiscal year before June 30. Copies of the final budget are provided to the charter-granting agency.
- Ongoing monitoring and revision of current year budgets. [Executive Director, EdTec]

July – August

- Books for prior fiscal year are closed, all transactions are posted, and records assembled for audit. [Executive Director, EdTec]

- Budgets are reviewed subsequent to the adoption of the state Budget Act and necessary adjustments are made. Copies of the revised final budgets are provided to the charter-granting agency by the deadline in December. [Executive Director, EdTec and Finance Committees]
- Independent auditor performs audit of the just-closed fiscal year and prepares audit report for submission to the CLCS Finance Committee. [Auditor, Staff as requested by the Auditor, CLCS Finance Committee]

September – December

- At the end of the first full week of school, the Executive Director and EdTec review the Charter School’s actual attendance figures and notify the CLCS and ACLC/Nea Boards if actual attendance is below budget projections. If needed, the schools’ budgets are again revised to match likely revenues. [Executive Director, EdTec, Finance Committee, ACLC/Nea and CLCS Boards]
- The **Finance** Committee of the CLCS Board reviews a copy of the audit. Executive Director, EdTec, and Finance Committee address any audit exceptions or adverse findings. Audit report and any follow-up plans are submitted to charter-granting agency. [Finance Committee, CLCS Board, Executive Director, EdTec]
- The Executive Director and EdTec review current year actual versus budgeted revenues and expenditures monthly and reports to the Finance Committee. The CLCS Board approves any needed changes to the annual budgets. [Finance Committee, Executive Director, EdTec]
- Ongoing monitoring and revision of current year budgets. [Finance Committees, Executive Director, EdTec]

B. Controls, Budget, and Fiscal Management

The ACLC/Nea Community Learning Center Charter Schools will maintain in effect the following principles in its ongoing fiscal management practices to ensure that, (1) expenditures are authorized by and in accord with amounts specified in the board-adopted budgets, (2) the schools’ funds are managed and held in a manner that provides a high degree of protection of the schools’ assets, and (3) all transactions are recorded and documented in an appropriate manner.

Segregation of Duties

The ACLC/Nea Community Learning Center Charter Schools will develop and maintain simple check request and purchase order forms to document the authorization of all non-payroll expenditures. All purchases of goods and services shall be consistent with the Board-approved budget. These purchases shall not require Board-approved/executed contracts, with the exception

of professional consulting services in total annual amounts greater than \$10,000. Proposed expenditures greater than \$500 and under \$10,000 must be approved by the Executive Director and respective Lead Facilitator who will review the proposed expenditure to determine whether it is consistent with the Board adopted budget and sign the check request and purchase order forms. Proposed expenditures of \$500 or less must be approved by the Executive Director, Lead Facilitator or Office Manager.

All transactions will be posted in an electronic general ledger. The transactions will be posted on the ledger by EdTec. To ensure segregation of recording and authorization, the bookkeeper may not co-sign check requests for purchase orders.

Budget Transfers

The Executive Director may transfer up to \$5,000 from one unrestricted budget item to another without CLCS Board approval, but shall notify the CLCS Board of the transfer at the next regularly scheduled meeting.

Banking Arrangements

The ACLC/Nea Community Learning Center Charter Schools will maintain their accounts either in the County Treasury or at a federally insured commercial bank or credit union. Funds will be deposited in non-speculative accounts including federally-insured savings or checking accounts or invested in non-speculative federally-backed instruments or in the County's Pooled Money Investment Fund. If funds are held in accounts outside of the County Treasury, the Board must appoint and approve all individuals authorized to sign checks or warrants in accord with these policies. The General Checking Accounts shall be the primary account for the schools' needs. Authorized signatories to this account shall be the Executive Director, respective Lead Facilitator and CLCS Board Treasurer. Checks above \$1,000 and under \$10,000, and checks payable to an authorized signer, must be signed by two authorized people. Checks above \$10,000, and checks payable to an authorized signer, must be signed by two authorized people. Authorized signers for checks above \$10,000 from this account shall be the Executive Director and CLCS Board Treasurer.

EdTec will reconcile the schools' ledger(s) with its bank accounts or accounts in the county treasury on a monthly basis and prepare (1) a balance sheet, (2) a comparison of budgeted to actual revenues and expenditures to date, and (3) a cash flow statement. The Executive Director and Finance Committees of the Boards will regularly review these statements. All funds received shall be deposited or transferred into the schools' accounts at the earliest possible convenience and in no event later than 48 hours after receipt. A revolving cash fund, not to exceed \$2,000 (\$100 may be petty cash) may be established with an appropriate ledger to be reconciled monthly by EdTec. {See below for more expansive verbiage.}

Petty Cash Checking Accounts – Account Setup and Maintenance:

The Petty Cash Checking Accounts, one for ACLC and one for Nea, shall have a minimum balance of \$1,000 and a maximum balance of \$2,000. Each Account shall be funded from the school's business General Checking Account as necessary. A simple ledger shall be maintained

by the Executive Director for review by the EdTec who shall reconcile the Account monthly. Replenishment of the Petty Cash Checking Account shall occur through the normal accounts payable process (see EdTec accounts payable policies and procedures set forth separately). No deposits, other than Accounts Payable replenishments, shall be made into the Petty Cash Checking Account. All cash and checks shall be deposited into each of the General Checking Accounts. Check writing requires signatures from one of the following people: CLCS Executive Director or ACLC/Nea Lead Facilitator

Petty Cash – Purpose and Usage:

The purpose of the Petty Cash Checking Accounts is for payment of incidental expenses when there is insufficient time for processing through the General Checking Account. Examples of proper expenses include, but are not limited to, pizzas for teachers doing curriculum work, last minute field trip expenses, and emergency plumbing repairs. Petty cash shall not be used for teacher expense reimbursement. The Executive Director and respective Lead Facilitator shall have access to petty cash not to exceed \$2,000. Both the Executive Director's and the respective Lead Facilitator's authorizations are required for disbursements greater than \$500. The Office Manager shall have access to petty cash not to exceed \$500. Such funds shall be used at the discretion of the Executive Director, subject to Board oversight and consistent with the approved budget and School rules and regulations. The Executive Director, respective Lead Facilitator and respective Office Manager must obtain each other's authorization on petty cash checks made payable to their names. Use of petty cash shall require original receipts for all purchases.

Purchasing Procedures

All purchases over \$10,000 must include documentation of a good faith effort to secure the lowest possible cost for comparable goods or services. Any exception to this process must be agreed to by the CLCS Board and must be based on a reasonable request. The Executive Director and CLCS Board shall not approve purchase orders or check requests lacking such documentation. Documentation shall be attached to all check and purchase order requests showing that at least three vendors were contacted and such documentation shall be maintained for three years. All purchases in excess of \$10,000 must be bid by a board-approved process, except in the case of emergencies that necessitate the purchase of emergency response supplies, equipment, or services.

Contracts:

Contracts for other goods and services exceeding \$10,000 on an annual basis shall be presented to the CLCS Board for approval prior to signing. Length of contracts shall be at the discretion of the CLCS Board. In general, contracts exceeding \$10,000 shall be let after a bidding process of sufficient duration to ensure competition. However, the Executive Director may make a finding to the CLCS Board for sole sourcing a contract exceeding \$10,000; in this case, the CLCS Board may approve the contract in arrears at the time of contract execution. The basis for such a finding may include: time/urgency issues; the absence of competitors; high service/quality from a particular contractor. Bid tabulations shall be presented to the CLCS Board along with a recommendation for action. The CLCS Board reserves the right to select whichever vendor it deems most prepared to provide the required goods/ services without regard to the low bidder being the automatic selection.

Commitments and Purchase Orders:

Purchase orders of \$500 or less must be approved by one of the following authorized positions: Executive Director, Lead Facilitator or Office Manager. Purchase orders greater than \$500 and under \$10,000 must be approved by both of the following authorized positions: Executive Director and the respective Lead Facilitator. Purchase orders of \$10,000 or more must be approved by the Executive Director and the CLCS Board Treasurer.

Invoices:

Invoices for \$500 or less must be approved by one of the following authorized positions: Executive Director, respective Lead Facilitator or respective Office Manager. Invoices greater than \$500 and under \$10,000 must be approved by both of the following authorized positions: Executive Director and respective Lead Facilitator. Invoices for \$10,000 or more must be approved by the Executive Director and the CLCS Board Treasurer. At the beginning of the school year the Executive Director and the CLCS Board Treasurer may authorize recurring invoices over \$10,000 monthly for the entire school year if they are for health care benefits payments.

Accounts Payable:

The school shall abide by EdTec accounts payable policies and procedures set forth separately.

Credit and Debit Card Usage:

Only the Executive Director and respective Lead Facilitators shall be authorized to use a School credit card for School purchases, which shall be made only in accordance with these policies.

Employee Reimbursements:

Business use of telephones or cell phones shall be reimbursed. Business meals shall be reimbursed using standard IRS guidelines for the Bay Area. Under no circumstances shall alcohol be reimbursed.

Travel Policies:

All employees are reimbursed at the standard mileage rate per mile as determined by the Internal Revenue Service for use of their own vehicle for pre-approved business related travel. In addition, parking fees and tolls paid are reimbursable if supported by receipts.

All employees requesting such mileage reimbursement are required to furnish a Travel Report containing the destination of each trip, its purpose and the miles driven, parking fees and tolls, within one month after the travel date, supported by receipts, if applicable.

Personal Use of School Funds:

Use of school funds for personal use is absolutely prohibited. Violation of this policy shall result in discipline up to and including dismissal of employment or removal from the CLCS, Nea or ACLC Board.

Record Keeping

Transaction ledgers, canceled/duplicate checks, attendance and entitlement records, payroll records, and any other necessary fiscal documents will be maintained by school staff in a secure location for at least three years, or as long as required by applicable law, whichever is longer. Appropriate back-up copies of electronic and paper documentation, including financial and attendance accounting data, will be regularly prepared and stored in a secure off-site location, separate from the schools.

Property Inventory

The Executive Director shall establish and maintain an inventory of all non-consumable goods and equipment worth over \$500. This inventory shall include the original purchase price and date, a brief description, serial numbers, and other information appropriate for documenting the schools' assets. This property will be inventoried on an annual basis and lists of any missing property shall be presented to the CLCS Board.

All non-consumable school property lent to students shall be returned to the schools no later than 5 working days after end of the school year.

Any excess or surplus property owned by the schools may be sold or auctioned by the Executive Director provided the Executive Director engages in due diligence to maximize the value of the sale or auction to the schools. The sale or auction of property owned by the schools with a fair market value in excess of \$1,000 shall be approved in advance by the CLCS Board. Any items purchased with Federal funds will only be sold in accordance with Federal policies.

Payroll Services

Payroll New Employees:

Requests for new employees shall be initiated by the Executive Director and be consistent with the approved annual personnel budget. New employees shall complete an Application for Employment and all necessary paperwork for payroll. New employees shall be fingerprinted and TB tested consistent with State law. Fingerprint clearance must be received by the respective school before any employee may start work.

Employees shall accrue vacation and sick leave time based on the personnel policy of the respective school.

Timekeeping (for hourly staff):

The Executive Director shall develop procedures to ensure accurate and timely preparation of timesheets for hourly employees.

Authorized timesheet calculations shall be forwarded to EdTec according to EdTec policies and procedures set forth separately. Payroll processing and payment shall take place according to EdTec policies and procedures set forth separately.

Payroll Requests:

The Executive Director or designee will establish and oversee a system to prepare time and attendance reports and submit payroll check requests. The Executive Director and EdTec will review payroll statements monthly to ensure that (1) the salaries are consistent with staff contracts and personnel policies and (2) the proper tax, retirement, disability, health co-payments, and other withholdings have been deducted and forwarded to the appropriate authority. All staff expense reimbursements will be on checks separate from payroll checks.

Personnel File

Upon hiring of staff, a personnel file will be established with all appropriate payroll-related documentation including a federal I-9 form, tax withholding forms, and an accounting of the use of sick leave.

Independent Payroll Contractors:

ACL/Nea will contract with the County Office of Education or a reputable, bonded, and insured payroll contractor to prepare payroll checks, tax and retirement withholdings, tax statements, and to perform other payroll support functions. The respective school shall only engage independent contractors if all of the following practices are met:

The expense is within the approved budget or separately authorized by the CLCS Board.
The contractor provides proof of adequate insurance.
IRS rules are followed regarding classification of staff as contractors versus employees; and
The work is done under contract.

Attendance Accounting

The Executive Director will establish and maintain an appropriate attendance accounting system to record the number of days students are actually in attendance at each school and engaged in the activities required of them by the school. The annual audit will review actual attendance accounting records and practices to ensure compliance. The attendance accounting practices will be in conformance with the Charter Schools Act and the applicable California Administrative Code sections defining Charter School Average Daily Attendance. Therefore:

- ADA will be computed by dividing the actual number of days of student attendance by the number of calendar days of instruction by the respective school.
- Each school's instructional calendar will include at least 175 days of instruction to avoid the fiscal penalty for providing fewer than 175 days of instruction as provided by the Administrative Code regulation. The calendar must also document that the school offers an amount of annual minutes of instruction as required pursuant to applicable law.

- Attendance will be tracked in a computerized Student Information System (SIS), but a certificated teacher will sign and file hard copy attendance reports at least weekly.
- If offered by ACLC or Nea, independent study must be pre-arranged by the student's adult guardian and the respective school and that the adult guardian will be required to complete and submit documentation of engagement in instructional activity to the school on forms prepared by the school. As applicable, such study shall be in full compliance with law governing independent study.

Annual Financial Audit

Any persons with expenditure authorization or recording responsibilities within the schools may not serve on the finance committee. The committee shall annually contract for the services of an independent certified public accountant to perform an annual fiscal audit. The audit shall include, but not be limited to (1) an audit of the accuracy of schools' financial statements, (2) an audit of the schools' attendance accounting and revenue claims practices, and (3) an audit of the schools' internal controls practices. If either school receives over \$500,000 from federal sources, the audit shall be prepared in accordance with any relevant Office of Management and Budget audit circulars. The Audit shall be completed, reviewed by the CLCS Board, and submitted to the charter-granting agency, the County Office of Education, the Office of the State Controller, and California Department of Education prior to December 15 of each year.

Revenue and Expense Allocation and Treasury Management Among CLCS Schools

The CLCS board shall oversee policies regarding the allocation of revenues and expenses between CLCS schools. Current policies include:

- Revenues related to ADA shall be allocated to the schools according to ADA and then current ADA funding rates. This is expected to account for the large majority of revenues.
- Staff and other costs incurred at a single school shall be allocated to that school. This is expected to account for the large majority of expenses.
- CLCS Revenue not designated by the funding agency or the donor to a particular school shall be accounted for as CLCS revenue.
- CLCS staff expenses (in FY 12-13, the Executive Director and ED Admin Assistant) not incurred at a single school shall be allocated proportionally based upon public revenues.
- Treasury shall be managed to earn interest on surplus cash and reduce borrowing to avoid interest expense. Within the first fiscal year, the board shall direct EdTec to review a reasonable allocation of interest earned and expense to each school.

Capitalization and Depreciation

Each school will capitalize and depreciate all assets costing \$5,000 or more. All other assets are charged to expense in the year incurred.

Capitalized assets are recorded at cost and depreciated under the straight-line method over their estimated useful lives which can range from:

- Leasehold Improvement – Lease term or 5 years, whichever is shorter

- Equipment – 3 years
- Furniture – 5 years

Repair and maintenance costs, which do not extend the useful lives of the assets, are charged to expense. The cost of assets sold or retired and related amounts of accumulated depreciation are eliminated from the asset accounts, and any resulting gain or loss is included in the earnings in the year.

C. Negotiating Funding Entitlements

The Executive Director and EdTec shall prepare a set of negotiating principles for CLCS Board approval prior to engaging in negotiations over funding entitlements with the charter granting agency and state. The Executive Director and EdTec will take lead responsibility for negotiating all revenue arrangements with the charter granting agency and appropriate state education agency staff. These arrangements will be documented in appropriate and detailed Memoranda of Understanding for approval by the Board.

D. Required Budget and Other Fiscal Reports

The CLCS Board shall review monthly financial statements (cash flow, and profit & loss) at monthly CLCS Board meetings. The ACLC/Nea Boards shall also review and approve the monthly check registers from the General Checking Accounts. EdTec will produce and submit to the charter granting agency any and all required fiscal reports as may be required by state or federal law, or mandated by the terms of the schools' charters. These include, but are not limited to, attendance reports, enrollment and other data reports required by CALPADS, and other related data.

E. Property and Liability Insurance

The Executive Director shall ensure that the schools retain appropriate property and liability insurance coverage. Property insurance shall be obtained and address business interruption and casualty needs, including flood, fire, earthquake, and other hazards with replacement cost coverage for all assets listed in the schools' Property Inventory and consumables. Premises and CLCS/ACLC/Nea Board errors and omissions liability insurance shall also be obtained and kept in force at all times on a "claims made" form with a self insured retention of no more than \$50,000 per occurrence and limit of no less than \$5 million per occurrence. The school's Executive Director and other staff who manage funds shall be placed under a fidelity bond.

F. Board Compensation

CLCS Board members shall serve without compensation, but may be reimbursed for actual and necessary expenses. Expenses for travel necessary to attending board meetings and meetings of board committees need not be approved in advance by the respective

board. All other expenses shall be approved in advance by the respective board. Travel expenses reimbursed shall not exceed levels that would be subject to federal or state income tax. All expenses reimbursed shall be documented by receipts and in no event may reimbursements exceed actual expenses.

ACLC and Nea Facilitator Board members serving on the ACLC and Nea Governing Boards are compensated with a \$2000 yearly stipend for their work. All other ACLC and Nea Board members shall serve without compensation.

G. Authority to Enter Into Contracts and Agreements

Except as otherwise provided in these policies, the Executive Director may enter into contracts and agreements not to exceed \$5,000 without CLCS Board approval, provided funds sufficient for the contract or agreement are authorized and available within the respective school's board-adopted budget. Contracts and agreements in excess of \$5,000 must be submitted for CLCS Board approval and may be executed by the Executive Director or other person specifically designated by the CLCS Board after the CLCS Board has duly approved the contract or agreement.

H. Conflict of Interest

Any Nea/ACLC/CLCS Board member with a financial interest in a matter presented to their respective board shall fully disclose such interest prior to board discussion on the issue and shall recuse themselves from the discussion and voting on the matter. The CLCS/ACLC/Nea Boards have developed a comprehensive policy on conflict of interest, hiring of relatives, and compliance with Government Code 1090 and the Fair Political Practices Act.

I. Fundraising, Grant Solicitation, and Donation Recognition

All fundraising or grant solicitation activities on behalf of each school must be approved in advance by their respective ACLC or Nea Boards. The ACLC/Nea Boards shall be informed of any conditions, restrictions, or compliance requirements associated with the receipt of such funds, including grants or categorical programs sponsored by the state or federal government. The ACLC/Nea boards shall be notified no later than the next regular ACLC/Nea board meeting of the award or receipt of any funds and shall approve the receipt of any grants, donations, or receipts of fundraising proceeds prior to their deposit in the school's accounts.

Adapted with permission from California Charter School Finance, Revised 2003 Edition.

Petition for Renewal of the (K-12) Nea Charter School

We the undersigned believe the attached Charter merits consideration and hereby petition the governing board of the Alameda Board of Education to grant approval of the charter pursuant to Education Code Section 47605 to enable the renewal of the charter for Nea Community Learning Center charter school. The Nea charter school agrees to operate the school pursuant to the terms of The Charter Schools Act and the provisions of the school's charter. **The petitioners listed below certify that they are teachers who are meaningfully interested in teaching in the charter school and have read the charter petition.**

By the Lead Petitioner:

Name (please print)	Signature	Date
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The petitioners authorize the the CLCS Executive Director Patti Wilczek to negotiate any amendments to the attached charter necessary to secure approval by the AUSD Board of Education.

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