
Charter Petition

for Reauthorization

September 9, 2019



University Preparatory Academy



UPA CHARTER PETITION

FOR THE TERM JULY 1, 2020 – JUNE 30, 2025

**SUBMITTED TO THE
SANTA CLARA COUNTY BOARD OF EDUCATION**

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AFFIRMATIONS AND DECLARATION

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

- Shall meet all statewide standards and conduct the student assessments required pursuant to Education Code Section 60605 and any other statewide standards authorized in statute or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605.6(d)(1)]
- Declares that it shall be deemed the exclusive public school employer of the employees of University Preparatory Academy for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605.6(b)(6)] UPA does not have a union it recognizes the rights of public school employees to form, join, and participate in the activities of employee organizations on all matters involving employee-employer relations.
- Shall be nonsectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605.6(e)(1)]
- Shall not charge tuition. [Ref. Education Code Section 47605.6(e)(1)]
- Shall admit all students who wish to attend University Preparatory Academy, unless University Preparatory Academy receives a greater number of applications than there are spaces for students, in which case it will hold a public random drawing to determine admission. Except as required by Education Code Section 47605.6(e)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the random public drawing shall be given as required by Education Code Section 47605.6(e)(2)(B)(i)-(iv). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605.6(e)(2)(C). [Ref. Education Code Section 47605.6(e)(2)(A)-(C)]
- Shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605.6(e)(1)]
- Shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities Education Improvement Act of 2004.
- Shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to, credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- Shall ensure that teachers at University Preparatory Academy hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools is required to hold. [Ref. California Education Code Section 47605.6(l)]

- Shall at all times maintain all necessary and appropriate insurance coverage.
- Shall, for each fiscal year, offer, at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- 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 report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the Charter School within 30 days if the Charter School demonstrates that the pupil had been enrolled in the Charter School. [Ref. Education Code Section 47605.6(e)(3)]
- The Charter School will encourage parental involvement but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School. [Ref. Education Code Section 47605.6(n)]
- The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Education Code Section 47612.5(a)(2)]
- The Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs. [Ref. Education Code Section 47605.6(d)(2)]
- The Charter School shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. Education Code Sections 47605.6(a)(1) and 47605.1]
- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Sections 47612(b) and 47610]
- The Charter School shall comply with all applicable portions of the Elementary and Secondary Schools Act ("ESEA"), as reauthorized and amended by the Every Student Succeeds Act ("ESSA").
- The Charter School shall comply with the Public Records Act.
- The Charter School shall comply with the Family Educational Rights and Privacy Act.
- The Charter School shall comply with the Ralph M. Brown Act.
- The Charter School shall comply with the Political reform Act.
- The Charter School shall comply with Government Code Section 1090, *et. seq.* in accordance with Education Code Section 47604.1.
- The Charter School shall meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]



David Porter, Executive Director, UPA

September 9, 2019
Date

EXECUTIVE SUMMARY

The charter petition that follows is for the reauthorization of the **University Preparatory Academy** (UPA) charter school, a county-wide benefit charter school serving students in grades 7 –12, operating under the approval of the **Santa Clara County Board of Education** (SCCBOE or the County Board), with oversight from the Santa Clara County Office of Education (SCCOE) (collectively referred to herein as the “County”).

UPA opened in 2007 as a small school serving 195 students in grades 7-9, and now serves a total school enrollment of 700 students in grades 7-12.

Our Mission

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

UPA provides a strong, supportive, small school environment for students to excel academically. Students demonstrating the desire and drive to make college a reality will find a home at UPA. The curriculum and pacing, along with the expected learning outcomes, are designed to challenge students. In conjunction with high expectations, UPA offers supportive learning environments in every classroom as well as a full complement of support classes for Math Support, English Support, and Intensive English Language Learner support. Students attending UPA will find both the challenge and support necessary to keep college and university within reach.

Our Campus

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

Our Educational Program

UPA offers an intensive college preparatory program, integrating challenging academics with leadership/citizenship skills, technology, and an expansive visual and performing arts program to actualize the unique skills and talents of each student. UPA supports students by prioritizing the “three R’s” as described by the Bill and Melinda Gates Foundation Model: **Rigorous academic coursework, Relationships, and Relevant learning opportunities**. UPA provides rigorous academic coursework providing a breadth of coursework, including AP courses in all core subject areas. The staff and students establish meaningful and supportive relationships that are extended through advisory or seminar, and personalized learning plans. The curriculum implemented at

UPA is designed to connect to real-world experiences and can lead toward mentoring, internship and community partnerships.

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

- **Rigorous, standards-based curriculum.** Meet the California academic content standards and ensure that core high school courses meet the University of California's "a-g" requirements. For graduation, 250 credits are required, including a minimum of two Advanced Placement classes.
- **Personalized learning approach.** Teachers support students' long-term growth through advisory or seminar courses. Advisory or seminar serve all students grades 7-12. Starting in 9th grade, counselors assist students as they begin to develop a 4-year academic plan that guides them through high school and on to college. Students identified as "students of promise" are supported through the development and implementation of a personalized learning plan. The student's PLP outcomes align with all learning approaches to keep the doors of opportunity to college and university open.
- **Educational support.** Students are enrolled in school for 184 days, and a 6 and 7 period day. Students are also offered math, English, and English Language support classes as needed. Additional supplemental support such as mentoring, and after school tutoring, are available to each student.
- **Small school environment.** With a maximum enrollment of 700 students, our school provides students and teachers with the opportunity to develop supportive long-term relationships that are conducive for increased student achievement.
- **Integrated technology across the curriculum.** Technology is integrated across the instructional program to ensure students have the skills to enable them to compete for admission to the best colleges and universities in the nation.
- **Visual and performing arts.** Students are encouraged to develop as well-rounded individuals through exploration of the visual and performing arts. Students are exposed to Art, Drawing and Painting, Music, Drama, Dance, and Multimedia courses to help foster their talents.
- **World Language.** Students at UPA are required to take three years of Spanish.

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

Our Team

UPA is made up of educators and staff dedicated to helping the mission of preparing students to excel in college a reality. UPA's success is the unique combination of factors including a supportive community, dedicated students and a staff that cares for the social/emotional and academic needs of all students.

SUCSESSES AND ACCOMPLISHMENTS OF THE CHARTER TERM: 2015-2020

University Preparatory Academy meets the requirements for renewal as specified in Education Code section 47607(b). In addition, UPA has made further progress toward high levels of student academic achievement and operational sustainability throughout the current charter term (July 2015-June 2020), as demonstrated by the significant achievements and accomplishments listed below.

The School

Graduation Rate: Consistently high graduation rates, most years are at 100%.

CA Cohort Graduation Rate: The 2018-19 cohort graduation rate for UPA is 87%.

UPA Cohort graduations rate: The 2018-19 cohort graduation rate for UPA students enrolled continuously from 7th through 12th grade is 65%.

Suspensions and Expulsions: Low incidence of suspensions and expulsions

Attendance: High attendance rate of 97.3 percent

Increases in Student Enrollment: Since the last reauthorization, our student enrollment has increased from 593 to 700. This increase is due to parent demand for enrollment of their students to the Charter School. UPA continues to host a waiting list comprised of approximately 450 students each year.

Fiscal Audits: Consistent and successful fiscal audits with no audit exceptions. UPA enjoys a strong fiscal position having a substantial fiscal surplus.

School Plant Modifications: The increase in enrollment has caused UPA to work with the landlord to convert space made available to the school into classrooms. Since the last authorization, the school has added five new classrooms, a counseling center, and a media center. The school's main entrance was also changed to create a more welcoming space for parents and students and to create more office space for the support staff.

Increase in Low Socio-Economic Student (LSES) Enrollment: As a county-wide benefit charter, UPA believes the student demographics should represent the same proportionality as Santa Clara County. The school has undergone a review of its recruitment procedures to ensure that UPA's doors are open to all students. As a result of the recruitment efforts and the support systems put into place, the demographics of UPA are changing to represent the diversity that makes Santa Clara County a unique place in California.

Student Recruitment: UPA has implemented a very active student recruitment procedure featuring 12 parent information meetings held in community centers and libraries, two open houses, placement testing using the Northwest Evaluation Association's ("NWEA") Measures of

Academic Progress (“MAP”), personal interviews for every student/family for accepted students, and grade level counseling meetings each year.

Parent Participation: UPA has many active parent organizations including: Parent Teacher Student Organization (“PTSO”), Athletics Boosters, Drama Boosters, Music Boosters, Speech and Debate Boosters. UPA also actively engages parents to provide input on school policies, monitor the WASC action plan, monitor the school’s LCAP, assist with determining annual budget priorities and review the UPA Safety Plan

Parent Information: UPA Parent University was implemented in 2017-18. The University presents information on various school-related topics that are helpful to parents. Also, UPA maintains a web site and issues a weekly communications bulletin to staff and parents.

Curriculum and Academic Achievement

Project Lead the Way: UPA has implemented and expanded Project Lead The Way (“PLTW”), a STEM program sponsored by San Jose State University Department of Engineering. Students engage in Engineering, Biomedical Science, and Computer Science Principals as they develop projects rooted in real-world problems.

College Prep Curriculum: All students have access to a rich college-going curriculum as all students must take and pass the UC a-g college-prep curriculum. The UC and CSU systems recognize passing an a-g course with a grade of C or higher.

Expansion of the Advancement Via Individual Determination (AVID) Program: AVID is a program that trains teachers to use proven practices to prepare students for success in high school, college, and career, especially students traditionally underrepresented in higher education. UPA has AVID classes in grades 7, 8, 9 and 10.

Increases in AP Classes Offered to Students: Due to student and parent demand, the school has expanded its AP course offerings in the curricular areas of English, World Language, Math, Science, and Social Science. UPA now has 15 AP courses offered each year.

AP Course Enrollment: In 2017-18, 73% of the students in grades 10-12 were enrolled in AP courses. and 78% passed the exams with a score of 3 or better. The growth demonstrates an increase of 9% in enrollment and 5% in passing rates.

Summer School Math/Literacy Institute: UPA has implemented a summer course designed to build English and Math skills for incoming 7th, 8th, and 9th-grade students who might otherwise struggle during the school year. The summer bridge curriculum focuses on literacy and basic math development resulting in increased student confidence when the school year starts. UPA also holds an extensive summer program for students who need to make up course credits.

Student Wellness Services: Since the last authorization, due to student mental health needs as well as parent and staff requests, a student wellness program was added to the school’s guidance program. The school employs two clinicians who staff the wellness office five days per week.

UPA continues to search for more integrated student wellness opportunities in the classroom and throughout the school day.

Journalism Program: UPA has implemented a journalism class that produces a student-written and produced school magazine called “Aquila.” The Aquila operates both a digital and physical magazine. Both mediums require students to identify topics that will represent the student body interests and merge contemporary topics with eye-catching magazine layouts, interactive web-sites, video production, and a strong social media presence.

Multi-Media Arts: A multimedia arts class has been developed and implemented in our school’s master schedule. The class is UC a-g approved and is extremely popular with students

Expansion of the WEB/LINK Crew Program: This is a research-based peer-to-peer student mentoring program. Students in higher grades are trained to become mentors to incoming 7th and 9th-grade students.

Band: The school’s music program includes a beginning band, intermediate band, and an Advanced Band program. Students in the beginning and intermediate band get the opportunity to perform for multiple school events, and the Advanced Band participates in local, state, and national competitions.

Multi-Tiered System of Support (MTSS): UPA is in the process of implementing the MTSS model to better serve the school’s at-risk students. The MTSS approach requires schools to reflect on the current systems of support for students and to organize them based on the audience the system is serving. In addition to aligning the systems of support, each program is measured for specific outcomes to ensure that the program is supporting students. MTSS at UPA began in the 2018-2019 school year and is being implemented schoolwide during the 2019-2020 school year with staff support.

Accreditation: The school earned a full 6-year term of accreditation in June 2018. There will be a one-day visit in 2021 and a full review in 2024.

Students

Student Activities: Students have multiple opportunities to participate in school activities, rallies, and competitions. UPA currently offers over 20 clubs for students to participate, including clubs that positively impact the school (ex: Yearbook, Journalism, Mental Health Awareness) or lead to local, state, and national competitions. Students are also encouraged to start clubs that might not exist if there is interest and an advisor.

Lunchtime Intramurals Program and Carnival Days: Based on student requests for making school a “more fun place to be,” the school has implemented intramural sports four days per week in our gym. There is significant interest and participation in the intramural program. In addition, approximately once each grading period, the school implements a special schedule when students enjoy an hour-long lunch for a carnival day. Games, food, and competitions are part of the day’s

activities. The days are very popular with our students. The Charter School also holds “free dress days” (students not required to wear the UPA uniform), and spirit days.

Recognition of Academic Achievement: Student awards ceremonies and talent shows have been established as part of student assemblies as a regular tradition. The UPA Board of Directors at their meetings formally recognizes students for exceptional academic achievement and or performance in academic competitions.

College Field Trips: UPA students in grades 7-12 participate in visiting northern CA colleges and universities each fall. Each spring, 11th-grade students take an extended two night, a 3-day field trip to visit colleges and universities outside of Northern CA.

College going/Acceptance Rate: All UPA graduates submit college applications to multiple colleges and/or universities. The name of the schools that have accepted our students is posted prominently on a school bulletin board for all students to see.

Student Academic Achievement: The CA state dashboard indicates that our students are achieving academically. The dashboard indicates the school is scoring in the blue range (the highest level) on all dashboard categories. The school’s significant subgroups, English Learners and Low Socio-Economic students are scoring in the yellow range (mid-range) in English language arts and Math.

The Staff

Merit-Based Salary Program: In 2016-17, UPA launched its voluntary competency-based salary program. This program has been in development since 2012-13 when a task force was appointed to develop the program. The first version of the program was presented to the UPA Board in 2013-14. Some features of this version did not meet with Board approval. Due to staff movement and lack of interest, no further development of the program ensued. Questions about salary increases, other than the cost of living adjustments, continued to be presented to the Executive Director. In the fall of 2015-16, the Executive Director created another task force to make a second attempt at creating a competency-based program. The task force worked very hard, communicated with the faculty for feedback and eventually presented the Executive Director with a Competency-Based salary program. With some fine-tuning, the program was presented to the UPA Board and the Board enthusiastically approved the program. The program aims to improve teacher performance that will result in greater academic achievement for our students.

Professional Development: A very active professional development and training program has been implemented with the purpose of improving instruction. A rigorous Beginning Teacher Support and Assessment (“BTSA”) program has also been implemented for first-year teachers. A significant budget has been set aside each year for staff to participate in professional development and training that occurs outside of the confines of the school.

Mentor/Teacher Coaches: UPA invests in over 1.0 FTE to provide coaching and mentoring to the faculty.

Instructional Supervision: Systematic instructional supervision by school leaders and teachers has been implemented featuring “quick visits” to classrooms, coaching and mentoring, teacher formative/summative evaluations.

Lead Team (Teacher leaders): Monthly Lead Team meetings have been established where teacher leaders and administration collaborate on curriculum, academic achievement, budgeting, and resolving school problems/ issues. Teachers are very active in reviewing and revising the course curriculum to serve students better.

CHARTER RENEWAL CRITERIA

A. Evidence of Meeting Charter Renewal Standards Pursuant to Education Code Section 47607(b) and the California Code of Regulations, Title 5, Section 11966.5(c)(1)

Charter petitions must satisfy at least three requirements to be renewed:

1. Education Code Section 47607(a)(3)(A) states: “The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal.”

Such increases are documented below.

AND

2. Education Code Section 52052(f) states: “For purposes of paragraphs (1) to (3), inclusive, of subdivision (b) of Section 47607, alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among numerically significant pupil subgroups shall be used.”

The alternative measures that show increases at the Charter School are documented below.

OR

3. Education Code Section 47607(b)(4) states: “The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.”

This determination, which requires a comparison to other public schools, is documented below.

AND

4. Title 5, California Code of Regulations Section 11966.5(c)(1) states: “When considering a petition for renewal, the county board of education shall consider the past performance of the school's academics, finances, and operation in evaluating the likelihood of future success, along with future plans for improvement, if any.”

This requirement is met through the documentation presented in the charter renewal petition and appendices.

The following shall serve as documentation confirming that the Charter School meets the statutory criteria required for renewal as outlined in Education Code Sections 47607(a)(3)(A), 52052(f), and 47607(b)(4).

Analysis of UPA Data (Education Code Section 52052(f))

The table below shows the percentage of students meeting or exceeding standards in ELA and math schoolwide and for student subgroups for the past four years (2015 through 2018).

University Preparatory Academy CAASPP Scores, 2015-2018: Percentage of Students Meeting or Exceeding Standards

Demographic	Assessment	2015	2016	2017	2018
Schoolwide	ELA	83%	78%	77%	79%
	Math	67%	67%	68%	69%
Hispanic or Latino	ELA	69%	63%	62%	57%
	Math	43%	37%	29%	37%
Asian	ELA	89%	83%	85%	89%
	Math	76%	82%	76%	90%
Economically Disadvantaged	ELA	72%	73%	59%	60%
	Math	48%	46%	41%	44%
African American	ELA	69%*	75%*	80%*	77%
	Math	56%*	73%*	76%*	55%

*Denotes fewer than 30 students tested.

Analysis of Comparison Schools Data (Education Code Section 47607(b)(4))

As a countywide benefit charter, UPA provides the data below to compare its performance to Santa Clara County as a whole, as well as the four districts from which most UPA students come from including East Side Union High School District (ESUHSD), San Jose Unified School District (SJUSD), Oak Grove Elementary and Evergreen Elementary. The table shows the percentage of students meeting or exceed standards in ELA and math from 2015 through 2018.

District/County	Schoolwide Assessment	2015	2016	2017	2018
UPA	ELA	83%	78%	77%	79%
	Math	67%	67%	68%	69%
Santa Clara County	ELA	58%	62%	62%	63%
	Math	52%	55%	55%	56%
ESUHSD	ELA	61%	62%	66%	61%
	Math	39%	42%	44%	44%
SJUSD	ELA	51%	54%	54%	56%
	Math	39%	42%	44%	44%
Oak Grove	ELA	48%	50%	50%	54%
	Math	39%	42%	43%	46%
Evergreen	ELA	61%	63%	65%	65%
	Math	57%	60%	61%	61%

As the table above demonstrates, UPA outperforms the county and all four districts in both ELA and math for all four years.

California state renewal criteria also require charter schools to compare outcomes to entities with similar student demographics as the charter school. As such, the data presented below compares the percentage of students meeting or exceeding standards in ELA and math to the following districts with a similar student demographic make-up as UPA: Milpitas Unified, Berryessa Union Elementary, Mountain View-Los Altos Union High, Moreland School District and Orchard Elementary.

These districts were chosen based on comparable enrollment percentages to the Charter School's three largest subgroup populations in 2018-19: Asian, Hispanic and socioeconomically disadvantaged students. The table below shows the enrollment percentage for these three subgroups for 2018-19, according to CDE DataQuest.

District	Asian	Hispanic	SED
UPA	41%	27%	20%
Milpitas Unified	50%	20%	33%
Berryessa Union Elementary	52%	23%	32%
Mountain View-Los Altos Union High	23%	26%	19%
Moreland School District	32%	31%	30%
Orchard Elementary	37%	36%	51%

The table below reports the percentage of students meeting or exceeding standards in ELA and math from 2015 through 2018 for UPA and the comparison districts.

School	Schoolwide Assessment	2015	2016	2017	2018
UPA	ELA	83%	78%	77%	79%
	Math	67%	67%	68%	69%
Milpitas	ELA	65%	70%	69%	71%
	Math	56%	61%	62%	65%
Berryessa	ELA	55%	59%	59%	63%
	Math	50%	55%	55%	57%
Mtn. View-Los Altos	ELA	75%	69%	82%	79%
	Math	65%	64%	67%	69%
Moreland	ELA	62%	70%	68%	69%
	Math	58%	61%	62%	64%
Orchard	ELA	46%	48%	51%	55%
	Math	38%	43%	46%	50%

As the table above demonstrates, UPA performs above or the same for all five districts in both ELA and math for all four years. The only exception is for ELA in 2017, where Mountain View-Los Altos outperforms UPA with 82% compared to 77% students meeting or exceeding proficiency.

B. Additional Justification for Charter Renewal

Analysis of Charter Renewal Criteria – Student Subgroups

Education Code Section 47607(a)(3) states:

The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school (defined as “a numerically significant pupil subgroup, as defined by paragraph (3) of subdivision (a) of Section 52052.” EC §47607(a)(3)(B)) as the most important factor in determining whether to grant a charter renewal.

As such, the table below shows UPA dashboard outcomes for ELA and math compared to the four districts identified above for all students and all subgroups. The state defines a numerically significant number of students as 30 for a subgroup and assigns a color to all subgroups with more than 30 students. For UPA in 2018, those subgroups include Asian, Hispanic, White, socioeconomically disadvantaged students (SED) and English Learners (EL). For subgroups with fewer than 30 students but more than 11 students, the dashboard does not assign a color but does report a status and change number. UPA has two subgroups in the category: African American and Filipino students. Outcomes from these two subgroups are reported below but do not meet the state definition of a numerically significant subgroup.

The table below reports distance from the standard (DFS) (status) and the increase or decrease in DFS (change) from 2017.

English Language Arts - 2018										
	UPA		ESUHSD		SJUSD		Oak Grove		Evergreen	
<i>Student Group</i>	<i>Status</i>	<i>Change</i>	<i>Status</i>	<i>Change</i>	<i>Status</i>	<i>Change</i>	<i>Status</i>	<i>Change</i>	<i>Status</i>	<i>Change</i>
All Students	81.5	11.5	27.1	-11.6	10.6	1.9	3.5	6.6	64.0	2.1
Afr. Amer.	55.1	10.3	-37.6	-27.0	-15.2	-1.0	-32.9	0.9	--	--
Asian	109.0	9.3	79.2	-9.5	90.3	-1.0	55.3	5.9	75.7	-1.8
Filipino	85.0	-12.0	48.0	-2.8	34.1	6.3	46.6	20.2	18.3	-15.6
Hispanic	23.4	7.9	-26.6	-13.6	-35.8	2.2	-34.1	5.1	-13.1	19.2
White	132.6	24.2	58.7	-9.9	49.3	2.2	36.6	12.4	34.5	22.7
SED	29.1	-8.0	-12.5	-21.1	-41.0	3.1	-34.1	5.1	-8.5	25.1
EL	-3.8	15.8	-79.8	-19.4	-43.7	2.5	-21.3	8.0	42.8	5.6

As the table above shows, UPA outperformed the four districts for all students and all subgroups in ELA, except for English Learners, where only Evergreen’s EL students scored higher than UPA’s EL students on the ELA CAASPP assessment in 2018.

Overall, UPA ranks blue for all students in 2018, with a DFS of 81.5 and growth of 11.5 points from 2017. Two other subgroups are blue: Asian and White students. Hispanic students are green and show 7.9 points of growth. Two subgroups are yellow: socioeconomically disadvantaged students and English Learners. English Learners made significant gains with 15.8 points of growth in 2018. Low-income students decreased by 8.0 points the same year. Based on this data, UPA has put resources toward implementation of the Multi-Tiered System of Supports (MTSS) model for our students who are still below proficiency levels, specifically targeting academic supports for English Learners, at-risk students (ARS) and low socio-economic students. See the section titled Plan for Targeted Populations for additional information on the implementation of MTSS.

We also report UPA's dashboard outcomes for mathematics below. Overall, UPA outperforms ESUHSD, SJUSD and Oak Grove for all students and all subgroups with 30 or more students, except for English Learners, where only Oak Grove's EL students scored higher than UPA's EL students on the math CAASPP assessment in 2018.

When compared to Evergreen Elementary, UPA outscores the district for Asian, White and socioeconomically disadvantaged students and Evergreen outperformed UPA for all students overall and for Hispanic and EL students.

Mathematics - 2018										
	UPA		ESUHSD		SJUSD		Oak Grove		Evergreen	
<i>Student Group</i>	<i>Status</i>	<i>Change</i>	<i>Status</i>	<i>Change</i>	<i>Status</i>	<i>Change</i>	<i>Status</i>	<i>Change</i>	<i>Status</i>	<i>Change</i>
All Students	53.2	8.1	-35.9	-3.1	-19.5	1.6	-13.8	6.5	71.5	-2.0
Afr. Amer.	20.2	-37.9	-113.5	1.0	-51.6	6.7	-60.5	-0.5	--	--
Asian	111.0	16.5	48.0	-2.8	89.9	2.6	55.4	6.0	86.0	-4.5
Filipino	33.1	-42.1	-25.8	4.8	-4.6	9.8	24.4	15.7	36.0	-17.4
Hispanic	-35.1	12.2	-115.0	-4.7	-76.3	0.3	-56.7	6.0	-21.4	16.0
White	88.5	7.6	-16.7	-9.2	23.1	2.5	14.8	10.3	24.5	13.5
SED	-10.7	-1.6	-80.5	-13.2	-79.3	1.8	-53.0	5.6	-25.3	18.0
EL	-43.6	9.8	-125.7	-7.6	-71.9	0.7	-35.1	8.1	55.1	12.6

Overall, UPA ranks blue for all students in 2018, with a DFS of 53.2 and growth of 8.1 points from 2017. Two other subgroups are blue: Asian and White students. Two subgroups are green: Hispanic students grew by 12.2 points, and EL students grew 9.8 points. Only socioeconomically disadvantaged students are ranked yellow in math in 2018 with a minor decrease of 1.6 points. As noted above, UPA is moving from the Student Success Team (SST) model to the MTSS model to provide more effective academic supports for struggling students to close this achievement gap.

College Readiness Outcomes

UPA takes great pride in making a rich college preparatory curriculum available for all students. Indeed, taking and passing at least two Advanced Placement classes is a graduation requirement. Below are tables indicating the percent of UPA student test takers and the percentage of the test

takers receiving a score three or greater on these exams. From 2014-15 through 2017-18, UPA's percentage of AP test-takers significantly exceeds the countywide average.

% of AP Test Takers	2014-15	2015-16	2016-17	2017-18
UPA	63%	66%	71%	73%
Countywide	35%	36%	38%	38%

The percentage of UPA student test takers scoring a three or higher on AP exams continues to increase and consistently exceeds the countywide average, as shown below.

% of AP Receive 3, 4, or 5	2014-15	2015-16	2016-17	2017-18
UPA	73%	71%	77%	78%
Countywide	70%	70%	71%	73%

The 2018 California School Dashboard reports two state measures related to college-readiness: graduation rate and college/career. As shown in the tables below, UPA was ranked Blue for both indicators, above Santa Clara County, ESUHSD and SJUSD.

Graduation Rate - 2018						
	UPA		ESUHSD		SJUSD	
<i>Student Group</i>	<i>Status</i>	<i>Change</i>	<i>Status</i>	<i>Change</i>	<i>Status</i>	<i>Change</i>
All Students	100.0%	7.0%	86.2%	2.7%	92.0%	1.3%
Afr. Amer.	--	--	83.7%	2.7%	95.1%	0.5%
Asian	100.0%	3.8%	93.3%	0.3%	99.0%	1.1%
Filipino	--	--	92.0%	2.5%	98.1%	4.0%
Hispanic	100.0%	7.1%	79.3%	3.6%	88.2%	0.6%
White	100.0%	5.6%	86.5%	0.0%	94.4%	1.3%
SED	100.0%	21.1%	82.4%	2.2%	89.6%	1.4%
EL	--	--	74.2%	3.8%	79.6%	0.8%

Source: 2018 California School Dashboards (www.caschooldashboard.org)

The table above shows that UPA outperforms ESUHSD and SJUSD on the graduation rate percentage for all students and all subgroups. Importantly, UPA shows positive increases for all subgroups with more than 11 graduates (as reported by the dashboard). Socioeconomically disadvantaged students showed the most gains, with a 21.1% increase in graduation rate, followed by Hispanic students (7.1%).

The table below reports on the 2018 College/Career state measure as reported in the 2018 California School Dashboards. UPA is preparing 86.2% of all students according to this indicator and is blue with 7.1% growth from 2017. Because UPA is a small school, none of the subgroups have more than 30 students, which is why there are no colors associated with this indicator except for all students.

College/Career - 2018						
	UPA		ESUHSD		SJUSD	
<i>Student Group</i>	<i>Status</i>	<i>Change</i>	<i>Status</i>	<i>Change</i>	<i>Status</i>	<i>Change</i>
All Students	86.2%	7.1%	47.9%	3.0%	48.2%	0.0%
Afr. Amer.	--	--	18.1%	-8.7%	37.8%	0.5%
Asian	87.1%	10.2%	71.8%	0.5%	85.7%	-0.2%
Filipino	--	--	49.8%	-2.3%	67.3%	8.5%
Hispanic	73.9%	-4.7%	28.8%	3.6%	29.1%	-3.4%
White	100.0%	11.1%	49.4%	0.6%	61.1%	0.5%
SED	73.7%	21.1%	39.8%	3.3%	34.4%	-0.5%
EL	--	--	17.7%	4.3%	13.0%	0.8%

Source: 2018 California School Dashboards (www.caschooldashboard.org)

As the table demonstrates, UPA outperforms ESUHSD and SJUSD for all students and UPA showed the most growth for socioeconomically disadvantaged students with 21.1% more students meeting college/career standards as assessed by this metric.

Suspension and Expulsion Outcomes

Also, UPA has very low suspension rates as reported on the 2018 California School Dashboard and compared to countywide averages.

Suspension Rate - 2018										
	UPA		ESUHSD		SJUSD		Oak Grove		Evergreen	
<i>Student Group</i>	<i>Status</i>	<i>Change</i>	<i>Status</i>	<i>Change</i>	<i>Status</i>	<i>Change</i>	<i>Status</i>	<i>Change</i>	<i>Status</i>	<i>Change</i>
All Students	0.3%	-0.2%	3.9%	-0.5%	3.0%	-0.4%	2.9%	-0.3%	0.8%	0.8%
Afr. Amer.	0.0%	0.0%	13.1%	0.2%	5.8%	-1.9%	5.2%	0.1%	--	--
Asian	0.4%	0.4%	1.0%	0.0%	0.9%	-0.1%	1.2%	-0.1%	0.7%	0.8%
Filipino	0.0%	0.0%	1.9%	0.4%	2.9%	0.3%	0.5%	-1.8%	0.0%	0.0%
Hispanic	0.5%	-0.6%	5.9%	-1.0%	4.1%	-0.5%	3.5%	-0.6%	1.7%	1.7%
White	0.0%	-0.9%	4.2%	-0.4%	1.8%	-0.4%	3.0%	0.0%	2.8%	-0.1%
SED	0.5%	-0.2%	4.9%	-0.8%	4.4%	0.6%	4.0%	-0.3%	2.4%	2.4%
EL	0.0%	0.0%	6.1%	-0.7%	4.1%	-0.4%	1.8%	-0.7%	0.7%	1.3%

Source: 2018 California School Dashboards (www.caschooldashboard.org)

The table above compares UPA suspension rates to the four districts from which most UPA students come from. Overall, UPA has significantly lower suspension rates than all comparison districts for all students and all subgroups. Suspension rates for all students and almost all subgroups decreased or maintained from 2017. Only Asian students increased slightly by 0.4%.

While the 2018 Dashboard does not provide a county summary for dashboard indicators, the following data was pulled from DataQuest for countywide suspension and expulsion rates for the past four years.

Year	Suspension Rate		Expulsion Rate	
	UPA	Countywide	UPA	Countywide
2014-15	0.7%	2.5%	0.00%	0.06%
2015-16	0.0%	2.5%	0.00%	0.04%
2016-17	0.5%	2.5%	0.00%	0.05%
2017-18	0.3%	2.5%	0.15%	0.04%

Source: CDE Dataquest (www.data1.cde.gov)

As the table above demonstrates, UPA consistently has much lower suspension and expulsion rates when compared to schools across Santa Clara County.

Also, see Appendix A for a list of new legal requirements since the last time the charter was renewed to the present and how UPA is meeting these requirements.

In conclusion, our students are achieving high academic standards. As described above, we are making inroads at closing the achievement gap, and we are meeting our mission.

COUNTYWIDE BENEFIT

Governing Law: A county board of education may approve a countywide charter only if it finds, in addition to the other requirements of this section, that the educational services to be provided by the charter school will offer services to a pupil population that will benefit from those services and that cannot be served as well by a charter school that operates in only one school district in the county. Education Code Section 47605.6(a)(1).

Governing Law: A county board of education may grant a charter for the operation of a school under this part only if the board is satisfied that granting the charter is consistent with sound educational practice and that the charter school has reasonable justification for why it could not be established by petition to a school district pursuant to Section 47605. Education Code Section 47605.6(b).

University Preparatory Academy is a countywide benefit charter and governed by 47605.6. A countywide charter must, per Education Code Section 47605.6(e), provide preference to County residents as a whole. Accordingly, as a countywide charter, the Charter School will ensure an equal opportunity to all students of Santa Clara County, thus reflecting the diversity of Santa Clara County as a whole.

One of the legislative intents in the Charter Schools Act is to “provide vigorous competition within the public school system to stimulate continual improvements in all public schools.” While an important goal, this system asks a charter school to apply to its competitor for approval. Unfortunately, the result often is poor relations between charter schools and their granting agencies, or worse, a limited pool of school districts that are willing to approve charter schools. Almost all successful charter schools cite a healthy relationship with a granting agency as one key to success. UPA believes in establishing and maintaining a strong and supportive relationship with the Santa Clara County Office of Education.

Because the Charter School attracts students from a variety of home districts in Santa Clara County, the Charter School’s students benefit from centralized supervisory oversight by the County Office of Education for greater than one school district whose primary concern and duties are to the students residing in that district only.

ELEMENT 1. EDUCATIONAL PROGRAM

Governing Law: The educational program of the charter school, designed, among other things, to identify those pupils whom the charter school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners. Education Code Section 47605.6(b)(5)(A)(i)

The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals. Education Code Section 47605.6(b)(5)(A)(ii)

If the proposed charter school will enroll high school pupils, the manner in which the charter school will inform parents regarding the transferability of courses to other public high schools. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered to be transferable to other public high schools. Education Code Section 47605.6(b)(5)(A)(iii)

If the proposed charter school will enroll high school pupils, information as to the manner in which the charter school will inform parents as to whether each individual course offered by the charter school meets college entrance requirements. Courses approved by the University of California or the California State University as satisfying their prerequisites for admission may be considered as meeting college entrance requirements for purposes of this clause. Education Code Section 47605.6(b)(5)(A)(iv)

Mission and Vision

The **mission of University Preparatory Academy** is to prepare students to enroll and excel in the best colleges and universities in the nation. UPA serves a diverse population of 7th through 12th-grade students, most of whom reside in Santa Clara County. UPA is a college preparatory alternative for those students who are not performing to their potential and get lost in traditional large middle and high school settings.

UPA provides a strong, supportive, small school environment for students to excel academically. Students demonstrating the desire and drive to make college a reality will find a home at UPA. The curriculum and pacing, along with the expected learning outcomes are designed to challenge students. In conjunction with high expectations, UPA offers supportive learning environments in every classroom as well as a full complement of support classes for Math Support, English Support, and Intensive English Language Learner support. Students attending UPA will find both the challenge and support necessary to keep college and university within reach.

The UPA educational philosophy is based on three key elements that will improve the educational outcomes for a diversity of student background and experience: 1) offering a rigorous college preparatory curriculum for all students, 2) while focusing on the specific learning needs of each student, and 3) providing the supplemental support, counseling and instruction students need in a small school environment.

UPA targets students who have the desire to reach college that would not normally have exposure to a high-level, college preparatory curriculum that would prepare them for the rigors required for university success. Research indicates that a program such as UPA’s is successful in

increasing the performance of students who have been average and below-average students. (See Marzano, “*What Works in Schools*” and The Bill and Melinda Gates Foundation “*High Schools for a New Millennium*”).

Educational Philosophy

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

An Educated Person in the 21st Century

An “educated person” in the 21st century requires a multitude of academic and personal skills that are summarized in the chart below.

<i>An Educated Person in the 21st Century will</i>	<i>UPA Instructional Program</i>	<i>UPA Instructional Activities</i>
Possess strong written and verbal communication skills to share ideas and information and read to comprehend, critically analyze and transform information	Pre-AP classes and AP classes in Language Arts and Literature (6 yrs.) Journalism course	Essays, research papers, action research, collaborative projects, presentations, senior project symposium, debate, Socratic seminars, reflection and quick-write exercises from the AVID strategies
Apply mathematical and scientific principles to solve real-world problems	Math classes (6 yrs.) Science classes (6 yrs.) AP Math and Science Project Lead the Way engineering courses	Integrated projects, robotics, laboratory experiments, mentoring, internships, competitions, engineering projects, authentic assessments
Think critically and creatively to approach, grapple with and resolve complex issues in a solutions-oriented mindset	Critical and creative thinking skills embedded throughout the core & elective curriculum Project Lead the Way engineering courses AVID program Advisory or Seminar curriculum	Laboratory experiments, integrated projects, community service, and the senior project – a collaborative, community service-based, action research project

Utilize a global perspective and understanding of the world around him/her and his/her role in it	<p>Social Science classes (6 yrs.)</p> <p>Studying world cultures historically and in the present</p> <p>Acceptance of international exchange students</p>	<p>Engage in “real world” projects that are of global interest and serve our diverse community</p> <p>Communicate with international students and share information on world issues and solutions</p> <p>Guest speakers and presentations</p>
Be technologically fluent using and applying technology in their everyday lives as students, workers, and individuals	<p>Teachers integrate technology throughout the curriculum as a primary mode of learning;</p> <p>Project Lead the Way engineering courses</p>	<p>Students have access to their classroom materials, assignments and support systems via PowerSchool, G-Suite, and a variety of educational tools</p> <p>Students regularly use the school Chromebooks and Laptops to complete projects, assignments and take assessments</p> <p>Students can check out a laptop or Chromebook if needed</p>
Be a self-motivated, competent, lifelong learner	<p>AVID program</p> <p>Using taught skills across the curriculum; i.e., test-taking, study strategies, note-taking, reading textual material, technical skills</p>	<p>Library and internet research, plan/initiate and complete projects at school and in the community independently or collaboratively</p> <p>The senior project allows for student choice of a large-scale action research project</p>
Appreciate and enjoy the visual and performing arts	<p>Students at UPA regularly take courses in Art, Music, Dance, and Drama</p>	<p>Theater, dance, and music productions</p> <p>Art exhibitions and television/ video productions</p>

Exhibit leadership skills that show personal and social responsibility, task commitment, a well-developed sense of empathy and active participation in life	Leadership skills and developmental personal and social activities daily in Advisory or Seminar classes Journalism class Yearbook club	Participation in school activities such as student government, clubs, athletics, student outreach, tutoring, mentoring, community service, “real world” projects, student committees, student theater productions, camp counseling, journalism, yearbook
Be an efficient and effective worker, independently, and in teams with people from different experiences and backgrounds	Homework, study groups, cooperative learning, lab partners, research projects, sports teams, individual sports, committees	Community service, peer counselor, tutoring (peer and younger students), integrated projects, productions, exhibitions, demonstrations, individual and group performances

How Learning Best Occurs

We believe that learning best occurs in a small school environment where students have access to a rigorous, standards-based curriculum taught by a top-quality teacher with continuous professional growth, and students are provided the additional support they need to master the curriculum and gain the life skills necessary for success. Many team members have worked extensively with similar populations of students in traditional and alternative middle and high school programs in San Jose and throughout California. The small school setting allows students, teachers, and staff to develop common bonds and build positive relationships that are conducive to a positive learning environment. In addition, we believe that these bonds must continue beyond a student’s graduation date so that students who need help navigating the college environment know they can turn to UPA as a resource.

UPA’s personalized approach enables each student to develop his/her potential to the fullest in a challenging environment with strong parental and community involvement. The UPA curriculum of rigorous academics, technology, and performing arts with embedded curricular projects prepares students with authentic, “real-world” experiences. The instructional program will be continuously improving, as student needs change with data driving modifications to our instructional practices and on-going professional development.

In summary, students learn best with:

- High expectations - all students completing “a-g” requirements (with a grade of C or higher) and selected Advanced Placement classes
- A common intellectual mission in a college-going culture
- A small school environment
- Rigorous Common Core state standards-based curriculum
- An exceptional teaching staff with relevant on-going professional growth

- Student support programs (i.e., study teams, mentoring, special education resource, extended school day, tutoring, academic support classes, AVID program, etc.)
- Personalized education in a nurturing, caring and safe environment
- Integrated curricular projects with authentic ‘real-world’ experiences
- Strong parent and community involvement (parent training, parent/teacher conferences, service, etc.)
- Robust alumni connections to UPA graduates.

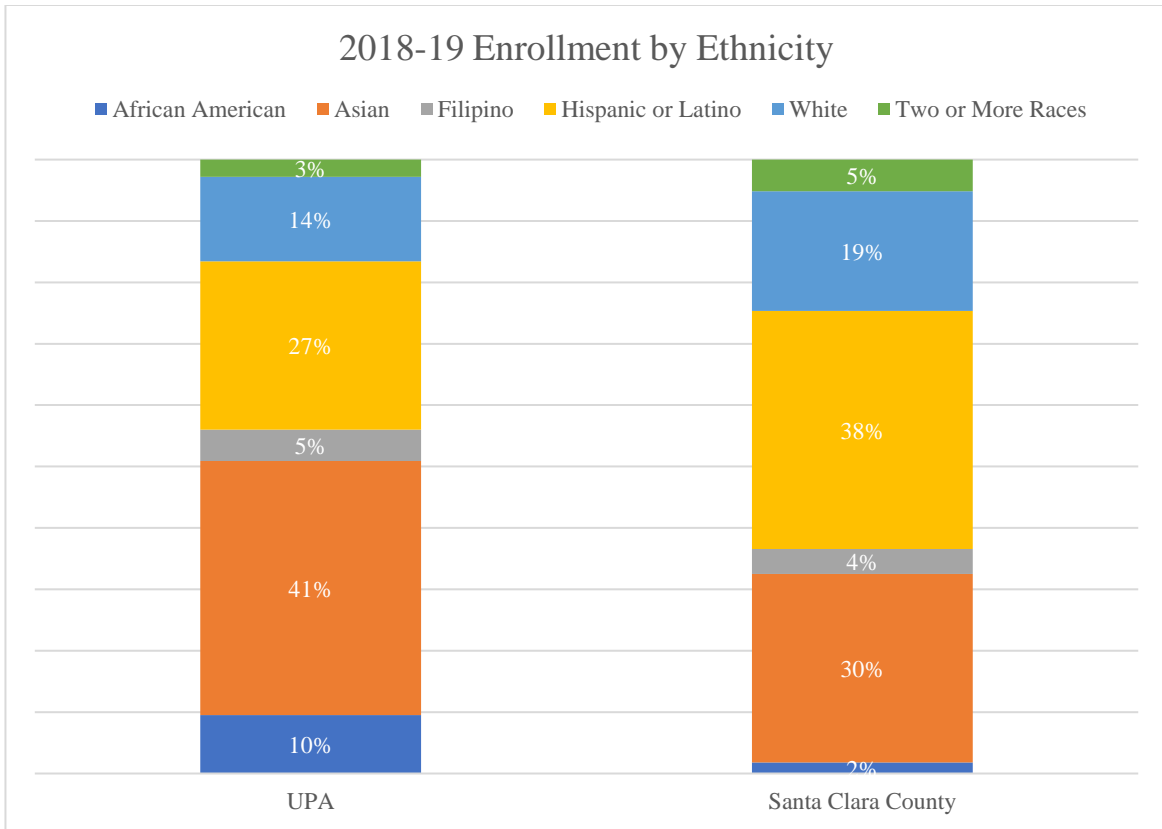
Students to be Served

UPA does not discriminate against any student on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). All students are welcomed at UPA. Our goal is to have a diverse student body that reflects our community and Santa Clara County as a whole.

Over the past five years, UPA has served a population that is increasingly diverse and reflective of the County’s student population. The table below shows the demographics of UPAs student population for the past four years.

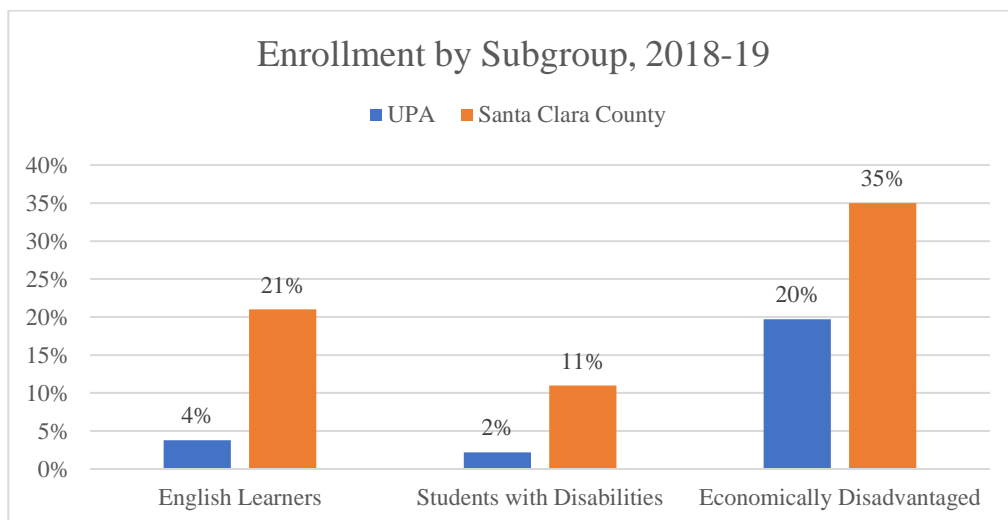
Student Group	2015-16	2016-17	2017-18	2018-19
African American	8%	9%	9%	10%
Asian	35%	36%	40%	41%
Filipino	5%	5%	6%	5%
Hispanic or Latino	31%	29%	29%	27%
White	20%	18%	15%	14%
Two or More Races	1%	2%	1%	3%
English Learners	2%	4%	6%	4%
Students with Disabilities	2.4%	2.3%	2.3%	3.4%
Economically Disadvantaged	14%	21%	27%	20%
Total Enrollment:	593	616	656	684

As the chart below shows, UPA serves a diverse population as compared to Santa Clara County.



In 2018-19, UPA enrolled a higher percentage of African American (10% compared to 2%), Asian (41% compared to 30%) and Filipino (5% compared to 4%) students, as compared to the County.

UPA is committed to recruiting and enrolling English Learners and socioeconomically disadvantaged students. Over the past four years, our English Learner enrollment increased from 2% to 4%. As the graph below demonstrates, we have more room to increase the percentage of student subgroups to more closely mirror that of the County.



UPA has steadily increased the percentage of economically disadvantaged students from 14% in 2015-16 to 20% in 2018-19, with a high of 27% in 2017-18.

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

Projected Enrollment

The University Preparatory Academy enrollment projections for 2020-2021 through 2024-2025 school years are as follows:

University Preparatory Academy Enrollment Projections					
Grade	Year 1	Year 2	Year 3	Year 4	Year 5
	2020-21	2021-22	2022-23	2023-24	2024-25
7	120	120	120	120	120
8	120	120	120	120	120
9	120	120	120	120	120
10	120	120	120	120	120
11	110	110	110	110	110
12	110	110	110	110	110
TOTAL	700	700	700	700	700

Note: UPA seeks to maintain a uniform enrollment each year for the term of this reauthorization due to the capacity of the school facilities.

School Calendar and Class Schedule

UPA meets or exceeds the minimum required instructional days. Students receive instructional minutes that exceed the minimum number required for charter public schools according to Education Code Section 47612.5. See the draft 2020-21 academic calendar below.

July							August							September							October							November							December						
M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F							
1	2	3	4	5				1	2	2	3	4	5	6						1				3	4																
8	9	10	11	12	5	6	7	8	9	9	10	11	12	13	7	8	9	10	11		4	5	6	7	8	9	10	11	12	13											
15	16	17	18	19	12	13	14	15	16	16	17	18	19	20	14	15	16	17	18		11	12	13	14	15	16	17	18	19	20											
22	23	24	25	26	19	20	21	22	23	23	24	25	26	27	21	22	23	24	25		18	19	20	21	22	23	24	25	26	27											
29	30	31			26	27	28	29	30	30					28	29	30	31			25	26	27	28	29	30	31														
January							February							March							April							May							June						
M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F							
		1	2	3	3	4	5	6	7	2	3	4	5	6				1	2	3					1	1	2	3	4	5											
6	7	8	9	10	10	11	12	13	14	9	10	11	12	13	6	7	8	9	10		4	5	6	7	8	8	9	10	11	12											
13	14	15	16	17	17	18	19	20	21	16	17	18	19	20	13	14	15	16	17		11	12	13	14	15	15	16	17	18	19											
20	21	22	23	24	24	25	26	27	28	23	24	25	26	27	20	21	22	23	24		18	19	20	21	22	22	23	24	25	26											
27	28	29	30	31						30	31				27	28	29	30			25	26	27	28	29	29	30														

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Below is the bell schedule for UPA for 2019-20.

2019 - 20 Bell Schedule

Monday/Wednesday - <i>BLOCK</i>				Tuesday/Thursday - <i>BLOCK</i>				Friday			
1°	8:15 AM	-	9:45 AM	2°	8:15 AM	-	9:45 AM	1°	8:15 AM	-	9:05 AM
BREAK	9:45 AM	-	9:55 AM	BREAK	9:45 AM	-	9:55 AM	2°	9:11 AM	-	10:01 AM
3°	10:01 AM	-	11:31 AM	4°	10:01 AM	-	11:31 AM	BREAK	10:01 AM	-	10:11 AM
COMBINED LUNCH	11:31 AM	-	12:10 PM	COMBINED LUNCH	11:31 AM	-	12:10 PM	3°	10:17 AM	-	11:07 AM
5°	12:16 PM	-	1:46 PM	Seminar	12:16 PM	-	1:16 PM	4°	11:13 AM	-	12:03 PM
7°	1:52 PM	-	3:23 PM	6°	1:22 PM	-	2:53 PM	COMBINED LUNCH	12:03 PM	-	12:42 PM
								5°	12:48 PM	-	1:38 PM
								6°	1:44 PM	-	2:34 PM
								7°	2:40 PM	-	3:31 PM

Curriculum and Instructional Design

All teaching staff uses the following strategies across the curriculum:

Differentiated Instruction: In differentiated classrooms, teachers accept and build upon the premise that learners differ in important ways. The teachers engage students in instruction through different learning modalities, by appealing to differing interests, and by using varied rates of instruction along with varying degrees of complexity. Teachers use data from varied sources, including statewide assessments, standardized and computer-adaptive normed tests, teacher-generated assessments, and cross-curricular student performance to guide their differentiation per student need. Students work in cooperative groups whose members are interdependent in reaching a common goal. Students are responsible for completing their academic tasks while learning and using 21st-century skills such as collaboration and creativity. This strategy is crucial to meet our goals that all students will be successful. Each student is unique, and instruction is designed to meet the uniqueness of each student.

Understanding by Design Backward Mapping: Instead of teachers planning daily lessons first and then worrying whether the students will learn all that is planned, teachers plan backwards. The “big picture” and learning outcomes begin the learning design. The teacher first identifies desired results determining what enduring understandings are required. What “essential questions” will guide the unit and focus on learning? Secondly, the teacher determines acceptable evidence that will show that students understand the conceptual material. Finally, the teachers plan lessons that will provide learning experiences that demonstrate understanding of the desired outcomes. Students will know what they are expected to know and learn, why they need to learn the material and how it will be taught. The “why” will be connected to the students’ experiences.

Departmental Alignment/Common Assessments: As our school has grown, so have our departments and their need to ensure that curriculum, skills, and pacing do not vary greatly from teacher to teacher. As such, departments are allotted time to design units of curriculum aligned to the Common Core and approved curriculum maps. In addition, the department leads oversee the development and implementation of common assessments across sections of courses taught by different teachers. These assessments can be both department-created exams or projects and norm-referenced standardized tests.

Data-Driven Instructional Decision-Making: In the light of the new statewide assessment timeline of only issuing the SBAC at the 11th grade, a real need for external accountability data has been created for the 9th, 10th, and 11th grades to guide instruction toward meeting our accountability goals and obligations. UPA has adopted the Northwest Evaluation Association's Measures of Academic Progress (MAP) computer adaptive test to provide this data. Given in the fall and the spring, the MAP is a measurement of growth. The data from these assessments are distributed to the departments each semester to assess the weaknesses in their students that need to be addressed through instruction.

Schoolwide AVID WICOR strategies: The AVID program's strategies for Writing, Inquiry, Collaboration, Organization, and Reading have value not only for students within the AVID program but for all students. Additionally, the AVID program recommends adopting these strategies schoolwide to create a common language around which students can begin to organize their learning. Strategies that all teachers on campus will implement include the Cornell note-taking system, Socratic seminars, common close reading, and text annotation markups, quick writes and learning reflections, and the use of the "essential question" for each day's activity.

Authentic Learning Tasks: When projects are assigned, they are directed towards relevant and meaningful needs, services, and events that affect students and society today. Projects will have a connection to students' experiences and interests. Authentic Projects will provide students with active and meaningful participation in their world of today. Students will put theory into practice through construction, inquiry, and engagement. Project-Based Learning is the primary method of learning for the Project Lead the Way engineering and biomedical classes, but also runs through the core classes in the form of college-level research papers in English, simulations in social studies, experiments and labs in science classes, etc. This learning method culminates in the senior project, run through the senior-level advisory/seminar classes.

Technology/Google Apps for Education/Chromebooks: Teachers are encouraged to use technology in their classrooms in ways that prepare students for college and careers. Teachers use simulation software, digital textbooks, online assessments and tutoring programs, and flipped-classroom style videos as major pedagogical tools for their courses. UPA has adopted Google Apps for Education to give all students access to word processing, graphics-drawing, and presentation software. In addition, UPA has adopted and continues to purchase Google Chromebooks for use in the classrooms giving students, and teachers access to their Google Apps for use in real-time during instruction. In this way, students can collaborate on presentations, draft and edit essays, and perform inquiries and WebQuests as part of their routine learning experience.

Other strategies that may be implemented during teacher instruction/student learning include:

- **Essential Questions:** Teachers post EQ's daily relating to the concepts being taught. In addition, students in AVID are taught to develop essential questions before entering a tutoring session. In this way, students are trained to have an end in mind as they seek help.
- **Student Reflection:** Students are given various opportunities to reflect upon their learning in a variety of ways such as journal writing, class discussion, and metacognitive essay composition.
- **Flexible Grouping:** Teachers create opportunities for students to work in mixed-ability pairs, and small groups in order for students with a strong grasp of the content to influence, tutor, and coach those with a weaker understanding.
- **Balancing the Affective and Cognitive Domains:** Teachers build in their daily lessons effective skill development as well as the cognitive. Self-esteem, leadership, respect for self and others, are modeled and taught. The classroom environment is presented as one where students are safe to take intellectual risks without fear of negative feedback from their peers.

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

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

The courses available by grade level are as follows:

Subject	Grade 7	Grade 8	Grade 9	Grade 10	Grade 11	Grade 12
English	English 7 English Support MS ELD 7/8	English 8 English Support MS ELD 7/8	English 9 Journalism English Support HS ELD	English 10 ELD Journalism	English 11 AP English Literature English Journalism	English 12 AP English Language Journalism
Math	Math 7 Math Support MS	Math 8 Math Support MS	Integ Math 1 Integ Math 1 Support Math Support HS	Integ Math 2	Integ Math 3 Integ Math 3+ Pre-Calculus	AP Calc AB AP Calc BC Statistics/Problem Solving
Science	Life Science	Physical Science	Biology	Chemistry AP Biology	Physics AP Chemistry	AP Environ. Sci Marine Biology

Subject	Grade 7	Grade 8	Grade 9	Grade 10	Grade 11	Grade 12
Social Science	Ancient Civilizations	American History	World Geography	World History AP World History	US History AP US History Sociology	AP Govt & Politics Economics AP Economics AP Psychology
Engineering			Principles of Biomed Science Intro to Engineering Design & Dev.	Principles of Engineering Human Body Systems	Medical Interventions Digital Engineering Intro to Computer Science Biomedical Innovations	AP Computer Science Medical Innovations
World Lang		Spanish 1	Spanish 1	Spanish 2	Spanish 3 Spanish Immersion	AP Spanish Language AP Spanish Literature
Arts	Art 7/8 Multi-Media Arts 7/8 Dance 7/8 Drama 7/8 Beginning Band 7/8 Intermediate Band 7/8	Art 7/8 Multi-Media Arts 7/8 Dance 7/8 Drama 7/8 Beginning Band 7/8 Intermediate Band 7/8	Art 1 Drama 1 Dance 1 Drawing/Painting I Intermediate Band 1 Advanced Band 1 Acting 1 Multimedia	Dance 2 Drawing/Painting I/II Adv Band Intermediate Band 2 Multi-Media Arts Advanced Band 2 Acting 2 Choir 2	Intermediate Band 3 3-D Art Advanced Band 3 Advanced Drama Acting 3 Dance 3	Intermediate Band 4 Advanced Band 4 Acting 4 Dance 4
PE	PE 7	PE 8	PE 9	PE 10	PE 11	PE 12
Electives	AVID 7/8	AVID 7/8	AVID 9	AVID 10	AVID Tutor	
Advisory/Seminar	Advisory/Seminar 7	Advisory/Seminar 8	Advisory/Seminar 9	Advisory/Seminar 10	Advisory/Seminar 11	Advisory/Seminar 12 (Senior Project)

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

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

The UPA curriculum has been modified to bring it into alignment with the Common Core State Standards (“CCSS”) for English Language Arts & Literacy and Mathematics, the Next Generation Science Standards (“NGSS”), the History/Social Science Framework, English language Development (“ELD”) standards, and remaining State Content Standards (collectively referred to herein as “State Standards”). See Appendix B for Sample Course Maps and Course Catalogue. UPA’s leaders monitor instruction to ensure successful implementation of the written curriculum.

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

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

Personalized Learning Approach

Much of our educational program is based on the research and philosophical approach of The Bill and Melinda Gates Foundation, “High Schools for a New Millennium” (2004) and Dennis Littky, “The Big Picture: Education Is Everyone’s Business” (2004) who have researched and written widely on the merits of a rigorous, high expectation program coupled with a highly personalized approach to meeting the students’ additional support needs. To implement this philosophy, the UPA approach has been designed to meet the specific needs of the individual student. Starting in 9th Grade, students create a four-year plan that will guide them through high school and on to college. Students who require more individualized learning plans receive PLPs. Personalized Learning Plans (“PLP”) and additional instructional time in small-group and individualized instruction are key to our program.

The school design is based on the needs of the individual student to ensure that regardless of the student's academic needs, s/he will be given the necessary support to master content requirements. Learning is individualized for each student through the development of a 4-year plan and/or a Personal Learning Plan. The PLP is based upon the assessment of each student's academic strengths and weaknesses.

Educational Support

In addition to a rigorous academic curriculum, students are offered additional opportunities for reinforcement and skill-building. UPA offers an intensive schedule with increased instructional time to ensure that students are provided with the support necessary to meet individual learning needs. UPA begins school at 8:15 AM and is on a block schedule four days per week, on Friday's teachers see all their students to wrap up the week and prepare students for the next week of instruction. In addition, UPA has employed several other instructional support strategies for students needing remediation.

These include:

- Organized after school tutoring (referred to as Learn It) in our Media Center each afternoon except Fridays.
- Students are enrolled in Advisory or Seminar classes which gives the students an opportunity to get assistance from the staff.
- Intervention classes for middle and high school students struggling in English and Mathematics.
- A rigorous summer program that includes a Math/Literacy Institute for incoming 7th graders that have been identified through assessment that a "headstart" in math and English is necessary for these students before the start of school. Make-up classes for students who have received an "Incomplete" grade in math, English and Social Studies are also offered during summer school.
- Student Study Teams meet regularly to monitor students of promise. Students participating in the SST process receive a personalized learning plan and develop potential accommodations and modifications to the curriculum to help the student succeed.

Students interested in advancement can access community college courses or accredited online programs (Such as BYU-Online). Students wanting service hours can participate as Learn It or AVID peer tutors.

Small-Group Environment

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

and student learning. Our small size facilitates collaboration, allowing teachers to share ideas about teaching, to serve as friendly critics by offering suggestions about how to improve lessons and classroom management. (Lawrence, Bingler, Diamond, Hill, et al., 2002. “Dollars and Sense: The Cost Effectiveness of Small Schools.” Cincinnati, OH, Knowledge Works Foundation)

College-Going Culture

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

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

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

Further, UPA seeks to invite our alumni to share their academic journey with our current students, to contribute as guest speakers, tutors, and as attendees at school-wide events. Our graduates are an inspiration to our current students and our teaching staff; they provide a tangible representation of our school's mission. UPA has also been lucky enough to invite graduates back as instructors in Math, English and Social Science.

Currently, UPA employs three counselors serving students in grades 7-12. This level of counseling allows UPA to formally bridge the high school and the college divide. Upward articulation is so important that UPA began and always will exist as a middle/high school, providing linkage between middle school and high school and our Alumni.

Advancement Via Individual Determination (“AVID”)

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

Through adopting AVID, UPA has also committed to rolling out AVID strategies school-wide, to all students. These strategies include AVID’s WICOR (Writing, Inquiry, Collaboration, Organization, and Reading) framework – strategies that include Cornell note-taking, Socratic seminar discussions, and textual markup. These strategies are given to teachers through our

Professional Development program and used in core content classrooms to create a common language that all students can understand throughout their learning experience.

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

Summer School Program

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

Integrated Technology Across the Curriculum

A major school wide initiative is the integration of student-centered technology. Research indicates that when technology is embedded in the curriculum, not only are students provided the opportunity to learn necessary skills for success in the 21st century, but they become more engaged in their learning, leading to greater comprehension, retention of information, and use of that academic knowledge in later life (The Bill and Melinda Gates Foundation, "*High Schools for the New Millennium*", 2004). At-risk students show substantial improvement when technology is introduced into their curriculum. Experts believe the reason for this is that technology gives educators an opportunity to individualize instruction and meet the needs of individual students. (NCREL-Published Research—Source: Computer-Based Technology and Learning: Evolving Uses for Expectations. Valdez, McNab, Foetach, Anderson, Hawking and Raack, 2000.)

Teachers are required and encouraged to integrate technology throughout the curriculum. All UPA teachers are issued a technology package that includes a laptop, a digital projector, print services, and server-based services. UPA has built a high-tech computer lab that is comprehensive in its design and delivery of technology services to students. UPA currently has a 1:1 computer ratio for students. Chromebooks or laptops are provided for each classroom and students can check out a Chromebook if needed. All core departments and most elective departments have adopted the use of an adaptable online resource and use it regularly. Interactive whiteboards and other "nice to have" technology tools will be added as funding permits.

Students develop course projects and course work in which they are required to use the technology skills at their level described above for the successful completion of their work. The skills they are typically required to use for the completion of coursework are word processing, spreadsheets, presentation technology, database, audio and visual conferencing, and creating complex multimedia projects. Students develop skills and positive attitudes concerning technology that support communication, collaborative projects, creativity, and productivity. UPA uses technology to enable students to learn to search and discover knowledge, actively communicate with others, and solve problems so that they can become productive, life-long members of our society.

UPA continues to develop technology courses in addition to the Project Lead The Way pathway. Most recently, UPA has expanded to offer a full multimedia course sequence as well as Introduction and AP Computer Science courses.

Visual and Performing Arts

UPA is dedicated to providing a well-rounded curriculum for all students. Visual and Performing Arts allows unique learning opportunities that positively impact student success in core classes. “Arts learning requires students to observe, analyze, synthesize, create, and evaluate. It also draws on a variety of intelligences and provides students with experience in higher-order thinking.” (Washington, D.C. Public Schools-Kennedy Center, “Report on the Status of DCPS [D.C. Public Schools] Elementary Arts Programs” 2002-03). UPA will continue to explore ways to support and enrich our Visual and Performing Arts opportunities for our students.

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

Other Keys to a Successful Educational Program

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

UPA is committed to closing the achievement gap. Students who are identified as underperforming through the initial assessment and ongoing classwork and assessments are enrolled in support activities and other remediation activities described above. Underperforming students’ progress is constantly monitored through their Personal Learning Plan and counseling interventions, as well as the application of Student Study Teams, 504 Plan meetings, and Special Education services, to ensure they get “back on track” towards making progress and meeting the state content standards. Communication and partnerships between school leaders, teachers, parents, and students are such that all are participants in providing the support required for academically challenged students. Starting in the 2019-2020 school year, all student support systems will be folded into the MTSS (Multi-Tiered System of Supports) and will be evaluated based on student growth.

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

Additive Educational Systems and Practices

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

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

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

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

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

- Articulation of course content and skills to prepare students for Advanced Placement Courses
- Designing and implementing UPA's student advisory and seminar program
- Use of technology to enhance instruction
- English Language Learner strategies, including differentiated instruction
- Review of the UPA mission and school/professional practices that promote the accomplishment of the mission
- Backward mapping to construct standards-based lesson plans and pacing guides
- Assessment practices for learning and the use of data to inform teaching practice
- Development and use of 4-year academic and personal learning plans
- CCSS implementation

See below for more detailed information on UPA's professional development program.

Instructional Supervision: Teachers are observed formally as well as informally by the Executive Director and Directors to review strengths, discuss areas for growth, exchange ideas, and brainstorm solutions. In addition, "quick visits" are conducted each week of the month. UPA teacher leaders of departments are also charged with conducting visits in their particular subject area. UPA's goal is to be a community of learners who seek continuous improvement in order to increase student achievement academically, personally, and socially.

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

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

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

Similarly, UPA has increased the number of teams participating in our athletic and intermural programs. Student interest clubs, active student government, dances, spirit rallies, and lunchtime

activities are conducted to build school spirit and add “fun” activities to the rigorous academic program of the school.

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

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

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

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

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

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

Parent Notification of Course Eligibility for College and Credit Transferability

UPA course completion requirements for graduation are based on the University of California “a-g” requirements. UPA’s mission is to provide students with the academic foundation and life skills necessary to allow them to be admitted to and excel at the country’s major universities and colleges, including the University of California and the California State University Systems. UPA will ensure that its students have completed the “a-g” course requirements so that graduates will be eligible to apply to the University of California (“UC”) and California State University (“CSU”) campuses as well as other four-year colleges and universities. The Western Association of Schools and Colleges (“WASC”) granted UPA a six-year term of accreditation. See Appendix C for WPA’s WASC accreditation information. UPA courses are transferable to other schools and are recognized by the UC and CSU systems as meeting “a-g” requirements. UPA provides students and parents with a course catalog and Student-Family Handbook, which are also provided on the school’s website, notifying parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements.

Plan for Targeted Populations

All new 7th and 8th-grade students entering UPA are assessed using the NWEA MAP assessment to determine their skill level in Reading, Language, and Math. This initial student assessment allows UPA staff to identify students with special needs and evaluate the learning needs of each student. The initial assessment information can be incorporated into the student’s Personalized Learning Plan (PLP), if one is required. Each student, parent, and counselor meet to discuss and plan how the student’s academic and individual needs will be addressed. Students are issued a report card every six weeks to ensure progress. Results are discussed via the email, phone conferences, meetings, and through school-wide grading conferences held each semester.

English Learners, Special Education students, at-risk students (ARS), low socioeconomic students, or other students identified as low-achieving through the initial assessment and through ongoing classwork, are involved in remediation and support such as: before/after school tutoring, computer-assisted coursework, test study sessions, student-run tutoring club, study groups, and UPA funded support classes in English and Math to complement tutoring.

Learning is individualized for each student through the development of a four-year plan and/or a Personalized Learning Plan (PLP). The four-year plan and PLP are reviewed yearly. Where possible, students have the same advisory/seminar teacher throughout their high school years at UPA to ensure they are continuously improving based on the goals identified in the PLP. The advisory teacher serves as an advocate, mentor, and coach for the student.

Beginning in the 11th grade, students select an academic mentor to help them through the process of researching and creating their **senior project**. These mentors are selected from any member of the faculty or staff and stay with the student through the course of the year-and-a-half-long senior project. For the duration of the project, these mentors monitor progress, offers assistance, proofread, and aid in connecting the student to community service resources. The culmination of the project is a verbal presentation of the report to an audience of students, teachers, parents, and administrators.

Given the emphasis on increased rigor and higher requirements for graduation, students at risk for not graduating on time are identified early by their counselor, beginning the second semester of their 11th-grade year. These students then come under the direct mentorship of the Director of Student Services in 11th grade and the Director of Instructional Services in the 12th grade. This mentorship includes goal setting, progress monitoring, advocacy with teachers, and the ability to provide additional time and tutoring spaces for those students to complete essential projects. The Directors also work with the junior/senior counselor to assist their mentees through the college application and scholarship process.

Students looking for acceleration or more challenging learning environments have multiple opportunities: more advanced opportunities for them include AP classes, independent study projects, interest-based study groups, online courses and concurrent classes at the community college. Students are permitted to progress through the curriculum at an accelerated pace, if capable, thus opening doors for all students to be challenged academically.

In addition, UPA will be implementing the Multi-Tiered System of Supports (MTSS) model to provide additional targeting and tiered supports to our at-risk students. Following is a description of how the MTSS model will be implemented at the Charter School in 2019-20, as outlined in the 2019-20 LCAP.

1. Implement the Multi-Tiered System of Supports to deliver improved services to targeted students to include EL students, at-risk students (ARS), and low socio-economic students.
 - Year 1 of the implementation is to include:
 - Appoint a .8FTE administrator to provide leadership and coordination to the MTSS program.
 - Define criteria for students fitting into MTSS levels 1, 2 and 3
 - Create a flow chart indicating support services by MTSS level 1,2 and 3 levels of service
 - Establish indicators of success (school-wide and department-wide) when do we use it? How do we use it?
 - Organize translation services for non-English speaking parents whose students are in the MTSS support programs.
 - Create electronic templates to be used in creating a Personal Learning Plan (PLP) for identified students.
 - Create a PLP for MTSS student level 2 and 3.
 - Identify ARS by the 2nd week of school and establish a Personal Learning Plan (PLP) for each ARS.
 - Monitor student progress and include at least two face to face parent-teacher conferences to report out to parents on the academic and social progress of their student.
2. Offer the 7th and 9th grade Summer Math Literacy Institute to enable ARS to preview the English and math curriculum for the coming year and build their skills in these basic skill areas.
3. Utilizing the e-prescriptive learning program, *Edgenuity*, offer summer school make up courses to all qualifying ARS students who have fallen behind in graduation credits.

4. Staff a tutorial center after school for students needing help with their homework
5. Fund a .4 FTE for Support classes in English; .4 FTE for Support classes in Math and .2 FTE for the student "Grow" Program. The Grow program will focus on study skills and completing assignments. For example, In August, students will focus on navigating PowerSchool, planner and backpack organization, and setting up routines at home. In September, they will be working on note-taking, time management, and mental health. The second half of each class will have three high school tutors that can help students complete current/late/missing assignments. The teacher will be teaching academic study skills, monitoring student progress, and matching students up with peer/cross-age tutors. (FYI, this is patterned after AVID except it is for the students who have grades that do not qualify them for AVID).
6. Purchase student licenses for the NWEA Assessment -Measures of Academic Progress to monitor student academic achievement progress.
7. Write Personal Learning Plans (PLP) for EL students
8. Monitor academic progress of EL's and hold face to face meetings with parents to report on their student's progress.
9. Purchase annual student licenses for "PowerSchool Analytics" a student data integrated platform that houses student achievement, demographics, attendance and discipline data to enable closer monitoring of ARS achievement progress.
10. Using the trainer of trainer model, provide training to English and Math support teachers on the use of "Edgenuity," prescriptive e-learning Program for students.
11. Increase enrollment in the course for At-Risk students, Raising Expectations & Honor, (RESH 180) by 20% over the 2018-19 school year. *RESH 180 Description:*

***"Raising Expectations Standards & Honor 180-** is a classroom strategy aligned in a trauma-informed approach to improve mental and behavioral health by initiating a self-directed, inward examination framework to help process and practice purposeful forward-thinking. When mental health improves students' psychological well-being influences ability to cope with stress, overcome challenges, trust to build relationships and recover.*

RESH 180 curriculum includes lessons to increase students ...

- *Academic Performance*
- *Classroom Interest*
- *Motivation*
- *Character Building*
- *Personal Expectations*
- *College Interest*
- *Career Interest*
- *Resiliency Skills*
- *Goal Setting*
- *Family Interaction*
- *Self-Confidence*
- *Purpose Thinking*

Plan for English Learners

The Charter School will meet all applicable legal requirements for English Learners ("EL"), including long-term English Learners or English Learners at risk of becoming long-term English

Learners, as they pertain to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

UPA's English Language Learner (EL) Program seeks to enable EL students to succeed academically and socially through the provision of necessary resources and support. The program promotes a welcoming environment with an appreciation of the diversity of all languages and cultures, providing English language acquisition, access to the core curriculum, and primary language support.

The following goals were developed to guide program implementation and effectiveness:

1. All EL students will acquire English language proficiency and will have access to the core curriculum to meet grade-level standards as quickly as possible.
2. EL students will achieve academic success comparable to English Only (EO) students, including participation in Advanced Placement classes, college entrance exams, and/or graduation.
3. Rates for EL students and Re-designated Fluent English Proficient (R-FEPs) students in identified areas of concern (e.g., retentions, excessive absences, suspensions, absences, dropouts, alternative school placement) will be no greater than those for EOs.
4. Parents of EL students and R-FEP students will be engaged in their children's education.
5. EL Programs will be developed and fully implemented as described in this Master Plan for EL students.

The primary goal of UPA's program is to develop each student's English fluency in the most effective and efficient manner possible.

To that end, we wish to ensure that EL students have equal opportunity for academic achievement, have access to, and participate in, the core curriculum as well as in extracurricular services and activities in order to enhance their ability to succeed in higher education, to compete in the marketplace and to reach their highest personal potential.

Students enter the program at a level consistent with their individual language proficiency and progress through the program with the goal of being re-designated successfully and prepared for college and career. Their performance will be monitored for two years from the date they are redesignated and appropriate support services are provided to students as needed.

Program Aspects

University Preparatory Academy provides adequate staffing, staff training, and funding to maintain program quality and to ensure the academic success of English Language Learners.

The program is designed to include seven dimensions that address all legal requirements, both state and federal.

- ***Involvement:*** Parents, staff, students, and community members participate in developing, implementing, supporting, and evaluating core and categorical programs through our LCAP meetings, and PTSO.

- ***Governance and Administration:*** Policies, plans, and administration of categorical programs meet statutory requirements.
- ***Funding:*** Allocation and use of funds meet statutory requirements for allowable expenditures.
- ***Standards, Assessment, and Accountability:*** Categorical programs meet state standards, are based on the assessed needs of program participants, and achieve the intended outcomes of the categorical program.
- ***Staffing and Professional Development:*** Staff members are recruited, trained, assigned, and supported in their work to ensure the effectiveness of the program.
- ***Opportunity and Equal Educational Access:*** Participants have equitable access to all programs provided by the local educational agency, as required by law.
- ***Teaching and Learning:*** Participants receive core and categorical program services that meet their assessed needs; EL students are held to the same high academic standards as all other students; EL students receive support to master local, state and federal content and achievement standards and are prepared for college and career.

Home Language Survey

The Charter School will administer the home language survey upon a student's initial enrollment into the Charter School (on enrollment forms).

English Language Proficiency Assessment

All students who indicate that their home language is other than English will be tested with the English Language Proficiency Assessments for California ("ELPAC"). The ELPAC has four proficiency levels (Level 4: well developed; Level 3: moderately developed; Level 2: somewhat developed; and Level 1: minimally developed) and is aligned with the 2012 California ELD Standards.

The ELPAC consists of two separate assessments:

Initial Assessment ("IA")

The ELPAC IA is used to identify students as either an English Learner or as fluent in English. The IA is administered only once during a student's time in the California public school system based upon the results of the home language survey. The locally scored IA will be the official score. The IA is given to students in grades K–12 whose primary language is not English to determine their English proficiency status.

Summative Assessment ("SA")

ELs will take the SA every year until they are reclassified as fluent English proficient. The ELPAC SA is only given to students who have previously been identified as an EL based upon the IA results, in order to measure how well they are progressing with English development in each of the four domains. The results are used as one of four criteria to determine if the student is ready to be reclassified as fluent English proficient, to help inform proper educational placement, and to report progress for accountability.

Both the ELPAC SA and IA are paper-pencil assessments administered in seven grade spans—K, 1, 2, 3–5, 6–8, 9–10, and 11–12. In kindergarten and grade 1, all domains are administered

individually. In grades 2–12, the test is administered in groups, exclusive of speaking, which is administered individually.

Testing times will vary depending upon the grade level, domain, and individual student. Both the ELPAC IA and SA are given in two separate testing windows through the school year.

The IA testing window will be year-round (July 1–June 30). Any student whose primary language is other than English as determined by the home language survey and who has not previously been identified as an English Learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English language proficiency within 30 calendar days after the date of first enrollment in a California public school, or within 60 calendar days before the date of first enrollment, but not before July 1 of that school year.

The SA testing window will be a four-month window after January 1 (February 1–May 31). The English language proficiency of all currently enrolled English Learners shall be assessed by administering the test during the annual assessment window.

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

Reclassification Procedures

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

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the ELPAC.
- Participation of the pupil's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil's curriculum mastery.
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents' opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process.
- Comparison of the pupil's performance in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

Strategies for English Learner Instruction and Intervention

UPA ensures that English Learners ("EL") have access to the full range of educational

opportunities that UPA offers. UPA complies with all applicable federal laws regarding services and the education of English Learner students and re-designates English Learners as English proficient based on legal requirements.

UPA identifies EL students through the state-required home language survey given to students and families when they complete an application for enrollment. Identified students are tested for English proficiency using the state-mandated ELPAC assessment.

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

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

University Preparatory Academy recognizes its responsibility to help students overcome language barriers that impede equal participation by EL students in the Charter School's core instructional programs. Our educational theory is designed to promote the rapid acquisition of the English language through a strong English language development and mainstream curriculum embedded program with primary language pullout support for those students who need it. Students have access to mainstream content classes, where curriculum modifications and adaptations are provided for students who scored below level 3 in the ELPAC.

UPA provides training to teachers in six key strategies. These strategies have proven successful with English Learners. They are vocabulary and language development, guided interaction, meta-cognition and authentic assessment, explicit instruction, meaning-based context, and universal themes, and modeling, visuals, and graphic organizers.

For students who cannot be effectively served in these configurations because of special needs, alternative options are available through Special Education, the Intervention program, AVID, and other alternative programs. Services will be clearly documented in the students' IEPs with special attention given to supporting students' acquisition of English Language fluency.

When limited English proficient students enter our school, staff members assess their listening, speaking, reading and writing skills with the ELPAC test. In addition, the student's academic skills are tested in their primary language. Based on the results of this assessment, and taking into consideration the student's academic background, a determination is made as to how the student can best access the core curriculum and develop English language fluency in the most effective and expedient manner.

While most EL students require a customized, well-coordinated program of instruction that may involve more than one instructional component, each limited English proficient student receives

appropriate English language development (ELD) instruction tailored to the student's level of proficiency in English. The instructional program is linked to the Common Core and State standards and reflects the content of other subjects. ELD instruction is provided by qualified teachers who hold appropriate authorizations issued by the Commission for Teacher Credentialing.

Sheltered English

To enable beginning language learners to have access to the core curriculum, students may receive some instructional support from their EL teacher and their subject-matter teachers through Sheltered English. This approach emphasizes the importance of developing English skills that prepare students to handle the material of their English classes, tailored instruction that is challenging and suited for each student's proficiency, background and needs, and opportunities for continued use of students' native languages. All ELD students access the core curriculum predominantly through mainstream classes. Sheltered English instruction differs from ESL in that English is not taught as a language with a focus on learning the language. Rather, content knowledge and skills are the goals. In the sheltered classroom, teachers use simplified language, physical activities, visual aids, and the environment to teach vocabulary for concept development in mathematics, science, social studies and other subjects. Students use technology daily to access text materials and resources. They develop computer skills to succeed in their core classes, when appropriate; students are identified and placed in AP courses, in the areas where they feel more successful and competent.

UPA engages all its teachers in comprehensive staff development that are focused on developing effective teaching strategies for delivery of the instructional program. Among the different methods teachers use to engage language minority students in the curriculum are questioning strategies based on the stages of language development, visual cues, controlled vocabulary, sentence frames, cooperative grouping, use of manipulatives, and others. The school places a high value on all teachers receiving training in Specially Designed Academic Instruction in English (SDAIE) strategies, Differentiated Instruction and in understanding Diversity as a means to closing the achievement gap for language minority students. The curriculum of the ELD class has been aligned to be consistent with prescribed Common Core and State Content Standards. ELD serves as a means to teach English Language Arts Standards to language minority students while developing at the same time their proficiency in English. We place special emphasis on academic English as a means to provide students with access to the core curriculum.

LEP Program Design

Each limited English proficient student receives English Language Development (ELD) instruction commensurate with the student's English proficiency level. ELD is delivered with sufficient and appropriate materials and is linked to other core curriculum classes through the use of content-based and standards-based materials and strategies. EL students receive one period of ELD English support and the ESL specialist monitors the success of the students and serves as a resource to the regular classroom teachers.

Intermediate and advanced students receive academic support when necessary for their mainstream classes, while further developing and refining their English language skills or they may continue intensive language development at an advanced level. Authorized ELD teachers provide ELD

instruction. Students at all levels receive instruction in the school's core curriculum in the areas of math, science, and social studies from teachers qualified to teach English Learners.

A typical Beginning or Intermediate student schedule is as follows:

ELPAC Level	ELD 1 (ELPAC 1 &2)	ELD 2 (ELPAC 3)	ELD 3 (ELPAC 4 &5)
EL Classes	1 Period ELD English	1 Period ELD	English
Mainstreamed Classes	Math, Science, P.E., Elective	Math, Science, P.E., Social Studies, Elective	Social Studies, Math, P.E., Science, 2 Electives
Pull out	As needed	As needed	As needed (2 years follow-up)

Students at beginning levels are provided sheltered instruction in the core content areas, from appropriately trained and certified staff with English being the language of instruction. In these sheltered classes, primary language support materials and bilingual dictionaries may be available, and a bilingual instructional assistant may assist teachers where appropriate. Materials and methods are selected to ensure that the limited English proficient student gains full access to, and learns the same rich, meaning-centered curriculum as all other students in the school. There is a campus-wide commitment among staff to teach students academic vocabulary as a means for them to have equitable access to the core curriculum.

Through the use of SDAIE, the content of the core curriculum is made accessible to limited English proficient students. Sheltered instruction is provided by CLAD/SDAIE certified teachers and CLAD/SDAIE teachers-in-training. Electives may be sheltered at the discretion of the school depending on the needs of the students and the availability of certified teaching staff.

After initial placement, limited English proficient students progress from level to level based on criteria established by the department that includes state-designated performance levels on the ELPAC. Primarily, teacher recommendation and proficiency test scores achieved on the ELPAC test dictate student movement. Teacher recommendations are based upon comparison of student work to course exit criteria. Assessment of student work takes place informally through monitoring of classroom and homework performance, quizzes and tests as well as formal summative assessments.

The EL Coordinator meets regularly with the mainstream teachers to discuss individual student progress and to review students for promotion to the next level. A team of teachers and staff review students who are recommended for re-designation. Students may, however, be re-designated at any time when they can demonstrate that they have met the re-designation criteria established by the Board.

Program Support and Services

The Board, Administration, and Staff are committed to providing parents every opportunity to become more involved in their students' education and to enhance their understanding of the American School System. To that end, many activities, including educational workshops and

parent outreach seminars, are sponsored and hosted by our school every year. The school provides an EL Coordinator who works exclusively with students and families requiring additional support to navigate the educational system.

Parents are invited and encouraged to attend regular meetings where they are given opportunities to provide input and recommendations on how to improve programs and services and will receive evidence that the school is acting on the recommendation received from its stakeholders.

Some of the more popular outreach activities include field trips to colleges and universities, Back to School meetings, Parent-Teacher conferences, and College Bound informational nights at each grade level. Other popular school activities are the PTSO Kick-off BBQ, Learn It Tutoring, Student Awards Ceremonies, the Intervention Program, Link Crew/Web gatherings and celebrations, and the AVID program. Lastly, for the past two years, the school has held a series of workshops for parent outreach through the SCCOE, which were popular with the parents and provided a unique opportunity for understanding their role in their students' education.

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

Monitoring and Evaluation of Program Effectiveness

The Charter School evaluates the effectiveness of its education program for ELs by:

- Adhering to Charter School-adopted academic benchmarks by language proficiency level and years in the program to determine annual progress.
- Monitoring teacher qualifications and the use of appropriate instructional strategies based on program design.
- Monitoring student identification and placement.
- Monitoring parental program choice options.
- Monitoring the availability of adequate resources.

For additional details about UPA's EL program, see Appendix D for UPA's English Learner Master Plan.

Plan for Students with Disabilities

The Charter School 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 Education Improvement Act ("IDEA").

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

UPA provides a rigorous curriculum for all students. The small school size allows teachers to know their students individually—to know their learning styles, their academic and personal strengths

and their areas for growth. UPA understands that the Charter School has the obligation to serve students with exceptional needs and that the school, pursuant to applicable state and federal law, must ensure that all of its students have access to a free and appropriate public education.

UPA in good faith negotiates and enters into a written agreement with SCCOE as a school of the district to identify the specific desired mix of special education funding and services to be provided. This annual agreement shall set forth whether UPA shall receive services, funding, or some combination of both according to Education Code Section 47646(b) or subsequent legislation. See Appendix E for the special education MOU with SCCOE.

The Charter School shall comply with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures; and shall utilize appropriate SELPA forms.

Identification and Referral

State law emphasizes that a student is to be referred for special education instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized. Because of the nature of the population served, UPA serves students that enter the Charter School with an individualized education program (“IEP”) or with learning disabilities that may require testing and possible special services. UPA works proactively and cooperatively with families, the teaching staff, and SCCOE to identify students with exceptional needs. Upon enrollment, UPA works with SCCOE to identify students who have or may have exceptional needs including, but not limited to, contracting for psychological testing services with the County and referrals.

UPA’s enrollment/ registration policies and practices regarding special needs students include but are not limited to, the following:

- Non-discriminatory methods to identify students with exceptional needs to help ensure that school staff is aware of all students who have identified special needs;
- Validate student status related to special education needs;
- Early and quick communication with all feeder local education agencies to request and obtain cumulative files and other documents in a timely fashion;
- Staff development and training for school staff, to ensure that they possess an understanding of tools and techniques to identify students who may have exceptional needs; and,
- Review of student assessment data, including but not limited to state-mandated testing, to identify students who may be falling behind expectations in their academic progress and need for additional support or services.

UPA is in the process of implementing the Multi-Tiered System of Support (MTSS) model, as described above, to additionally support students with disabilities. The MTSS model will attempt to meet all student needs within the regular instructional setting before referral for formal assessment for special education purposes.

In the event that formal intervention provided through MTSS is not successful, UPA communicates with SCCOE staff to secure a formal and appropriate assessment conducted by qualified/credentialed staff. If the assessment identifies that the student has exceptional needs and

requires special education and/or related services under the terms of applicable special education law, UPA works with appropriate SCCOE staff to convene and conduct an individualized education program team meeting.

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

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

Notification and Coordination

UPA shall follow County SELPA policies as they apply to all County schools for responding to the implementation of special education services. UPA will adopt and implement County SELPA policies relating to notification of the County for all special education issues and referrals.

UPA shall follow County policies as they apply to all County schools for notifying County personnel regarding the discipline of special education students to ensure County pre-approval before imposing a suspension or expulsion. UPA shall assist in the coordination of any communications and immediately act according to County administrative policies relating to disciplining special education students.

UPA shall have the responsibility to identify, refer, and work cooperatively in locating students who have or may have exceptional needs that qualify them to receive special education services. UPA will implement County SELPA policies and procedures to ensure timely identification and referral of students who have, or may have, such exceptional needs. Students can be referred for special education services by parents, individual school personnel (teachers, counselors, and administrators), or other agencies and professionals.

UPA will follow County child-find procedures to identify all students who may require an assessment to consider special education eligibility and special education and related services in the case that general education interventions do not provide a free appropriate public education to the student in question.

The County will ensure that UPA is provided with notification and relevant files of all students who have an existing IEP and who are transferring to UPA from a local district school. The County SELPA shall have unfettered access to all UPA student records and information to serve all of the Charter School's students' special needs.

In the event that UPA receives a parent written request for assessment, it will work collaboratively with the County SELPA and the parent to address the request. Once a referral for special education is made, the request (which may be verbal or written) will be communicated to the appropriate school psychologist who serves as the initial case manager.

Upon receiving a referral for special education assessment, the school psychologist notifies the parents that their student has been referred and the reasons why the referral was made.

The school psychologist has fifteen calendar days in which to send the parent a written evaluation plan and related documents, including:

- Notice of Referral – stating the reason for the referral and who made the referral.
- Evaluation Plan – which specifies the area to be assessed, the educational personnel who will be conducting the evaluation, and the procedures and tests to be utilized.
- Notice of Procedural Safeguards
- Developmental History – which provides parents with an opportunity to share with the assessment team relevant background information about the student as well as parental viewpoints and concerns.

After the parent completes the forms and returns the signed Evaluation Plan authorizing the assessment to the school psychologist, the assessment team has 60 calendar days in which to conduct the evaluation and hold the individualized Educational Program (IEP) team meeting.

Assessments

The term “assessments” shall have the same meaning as the term “evaluation” in the IDEA, as provided in Section 1414, Title 20 of the United States Code. The County SELPA will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with the SELPA’s general practice and procedure and applicable law. UPA shall work in collaboration with the County to obtain parent/guardian consent to assess students. UPA shall not conduct special education assessments unless directed by the County SELPA.

In conducting the evaluation, the assessment team will gather information from the parent, school records, the student’s teachers, and other school personnel as needed. Also, the assessment team may consider, when authorized by the parent, information from community agencies and other professionals.

Parents play an important role in the evaluation process by providing information about the student through interviews and questionnaires. If desired, parents can furnish the assessment team with reports and evaluations conducted by private agencies and professionals.

IEP Meetings

The SELPA shall arrange and notice the necessary IEP meetings. IEP team members shall comply with state and federal law. UPA shall be responsible for having the following individuals in attendance at the IEP meetings or as otherwise agreed upon by the SELPA and UPA: the Director and/or the designated representative with appropriate administrative authority as required by the IDEA; the student’s special education teacher; the student’s general education teacher if the student is or may be in a regular education classroom; the student, if appropriate; and other UPA representatives who are knowledgeable about the regular education program at the Charter School and/or about the student. The SELPA shall arrange for the attendance or participation of all other necessary staff that may include, but are not limited to: an appropriate administrator to comply with the requirements of the IDEA, a speech therapist, psychologist, resource specialist, and/or

behavior specialist; and shall document the IEP meeting and provide notice of parental rights.

IEP Development

Decisions regarding eligibility, goals/objectives, program, services, placement, and exit from special education shall be at the decision of the IEP team, pursuant to the SELPA's IEP process. Programs, services, and placements shall be provided to all eligible UPA students in accordance with the policies, procedures, and requirements of the SELPA and state and federal law.

UPA shall promptly notify the SELPA of all requests it receives for assessment, services, IEP meetings, reimbursement, compensatory education, mediation, and/or due process whether these requests are verbal or in writing.

IEP Implementation

Pursuant to SELPA policy and how the SELPA operates special education at all other public schools in the County, the SELPA shall be responsible for all school site implementation of the IEP. UPA shall assist the SELPA in implementing IEPs, pursuant to SELPA policies in the same manner as any other school of the County. The County and UPA will be jointly involved in all aspects of the special education program, with the County holding ultimate authority over implementation and supervision of services. As part of this responsibility, UPA shall provide the County and the parents with timely reports on the student's progress as provided in the student's IEP at least as frequently as report cards are provided for the Charter School's non-special education students. UPA shall be responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology unless directed otherwise by the SELPA. UPA shall comply with any directive of the SELPA as relates to the coordination of the Charter School and County for IEP implementation including, but not limited to: adequate notification of student progress and immediate notification of any considered discipline of special education students. In such matters, UPA will notify the County of relevant circumstances and communications immediately and act according to County administrative authority.

Interim and Initial Placements of New Charter School Students

Students transferring into UPA who were receiving special education in their previous school can continue to receive the special education services outlined in their existing Individualized Education Program (IEP) at UPA on a 30-day "interim placement" basis.

Before a transfer student can receive special education services on an interim placement basis, a school psychologist will:

- Verify the special education program and services the student was receiving in the previous school.
- Provide parents with a copy of their special education parental right and procedural safeguards.
- Obtain parent written approval of an Interim Placement that specifies the proposed special education program and services to be provided to UPA during the 30-day interim placement.

During the 30-calendar day interim special education placement, a school psychologist will coordinate a review process that consists of the IEP team members to:

- Obtain and review relevant educational documents from the student's previous school (e.g., copies of the existing IEP and most recent assessment reports, transcript, etc.).
- Determine if additional data is needed to assist the IEP team in evaluating the appropriateness of the student's IEP.
- Develop an Evaluation Plan if additional data assessment data is needed and then pursuing parent written approval of the plan.
- Collect any needed additional assessment data and summarize the results in a written report.

Before the expiration of the 30-day period, the IEP team will review the interim student's placement. The team will use information, records, and reports from the previous school district as well as any additional assessment data that was collected during the interim placement. The team will prepare an IEP to meet the educational needs of the student.

Non-Public Placements/Non-Public Agencies

The County shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students. UPA shall not hire, request services from, or pay any non-public school or agency to provide education or services to special education students without the prior written approval of the County. UPA shall immediately notify the County of all parental requests for services from non-public schools or agencies, unilateral placements, and/or requests for reimbursement.

Non-discrimination

It is understood and agreed that all children will have access to UPA and no student shall be denied admission nor counseled out of UPA due to the nature, extent, or severity of his/her disability or due to the student's request for, or actual need for, special education services.

Parent/Guardian Concerns and Complaints

UPA shall follow SELPA policies as they apply to all County schools for responding to parental concerns or complaints related to special education services. UPA shall instruct parents/guardians to raise concerns regarding special education services, related services, and rights to the County unless otherwise directed by the County. UPA shall immediately notify the County of any concerns raised by parents. In addition, UPA and the County shall immediately bring to the other's attention any concern or complaint by a parent/guardian that is in writing and/or which involves a potential violation of state or federal law.

The County's designated representative, in consultation with the Charter School's designated representative, shall investigate as necessary, respond to, and address the parent/guardian concern or complaint. UPA shall allow the County access to all facilities, equipment, students, personnel, and records to conduct such an investigation.

UPA and the County shall timely notify the other of any meetings scheduled with parents/guardians or their representatives to address the parent/guardian concerns or complaints so that a representative of each entity may attend. The County, as the LEA, shall be ultimately responsible for determining how to respond to parent concerns or complaints, and UPA shall comply with the County's decision.

UPA and the County shall cooperate in responding to any complaint to or investigation by the California Department of Education, the United States Department of Education, or any other agency, and shall provide timely notice to the other upon receipt of such a complaint or request for an investigation.

Due Process Hearings

The County may initiate a due process hearing or request for mediation concerning a student enrolled in UPA if the County determines such action is legally necessary or advisable. UPA agrees to cooperate fully with the County in such a proceeding. If the parents/guardians file for a due process hearing or request mediation, the County and UPA shall work together to defend the case. If the County determines that legal representation is needed, UPA agrees that it shall be jointly represented by legal counsel of the County's choosing.

UPA understands that the County shall have sole discretion to settle any matter in mediation or due process. The County shall also have sole discretion to file an appeal from a due process hearing or take other legal action involving any UPA student necessary to protect its rights.

SELPA Representation

The County shall represent UPA at all SELPA meetings and report to UPA of SELPA activities in the same manner as is reported to all schools within the County.

Funding

The MOU agreement between UPA and the SELPA outlines the funding arrangement for the purposes of special education service provisions.

Professional Development

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

So long as UPA operates as a "school of the district" for special education purposes, the County agrees to allow UPA staff access to all Special Education related professional development opportunities that are available to other employees of the County.

UPA will also seek professional development opportunities for its staff through potential training facilitated by colleges and universities, and private companies or agencies.

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

Section 504 of the Rehabilitation Act

UPA recognizes that some of its students may have exceptional needs that are not governed by the terms of the federal special education law (IDEA) but who may require accommodations or services pursuant to the terms of section 504 of the Rehabilitation Act. The Charter 1School is responsible for planning and implementing any such accommodations or services.

The Charter School 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 the Charter School. A student who has a physical or mental impairment that substantially limits one or more major life activities has a record of such an impairment or is regarded as having such an impairment is eligible for protections under Section 504.

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

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

The final determination of whether the student 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 student in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the student for special education per the IDEA, referral for assessment under the IDEA shall be made by the 504 team.

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

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

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

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

Professional Development and Training

Professional development and training at UPA is an important activity required of all teachers and staff. Both time and fiscal resources are invested in the development of our staff to ensure better teaching and learning. A staff development coordinator has been appointed to plan and implement activities. This teacher on special assignment has release time to devote to coordination. One Thursday of each month is reserved for professional development and training activities only. A second Thursday is reserved for department collaboration. A third Thursday is devoted to Lead Team meetings. Our proposed professional development agenda for the 2019-20 school year is provided below. We expect subsequent years to be similar and aligned with our programming and student outcomes.

August

Staff getting to know you: What kind of teacher/educator are you?

Web/Link Crew

Roommate meetings

Department Grading Calibration

Seminar Planning

Team building

September

Supporting EL students in the classroom

Staff collaboration

Mandated Reporter Training

October

AVID Workshop

Performance Matters Workshop

November

Grade level meetings (focus on SOP success)

December

Supporting EL students in the classroom/academic vocabulary

January

Senior Project Grading

February

AVID Workshop

March

Grade level meetings (focus on SOP success)

April

Staff CPR Training

May

Reflection: Pluses and Deltas for the year

Goals and Actions to Achieve the Eight State Priorities

Pursuant to Education Code Sections 47605(b)(5)(A)(ii) and 47605(b)(5)(B), the Charter School's annual goals, actions, and measurable outcomes, both schoolwide and for each subgroup of pupils, which address and align with the Eight State Priorities as described in Education Code Section 52060(d), can be found in the Charter School's Local Control Accountability Plan ("LCAP"). Each of these goals addresses the unique needs of all students attending the Charter School, including our numerically significant student subgroups. The metrics associated with these goals help the Charter School to ensure that these specific subgroups are making satisfactory progress and are provided with necessary additional supports made possible by additional funds from the Local Control Funding Formula.

The current LCAP is available on our website (<http://www.upasv.org/>). The Charter School shall annually update and develop the LCAP per Education Code Section 47606.5 and shall use the LCAP template adopted by the State Board of Education. UPA reserves the right to establish additional and/or amend school-specific goals and corresponding assessments throughout the duration of the charter through the annual LCAP update. UPA shall submit the LCAP to the County Superintendent of Schools annually on or before July 1, as required by Education Code Section 47604.33.

The LCAP and any revisions necessary to implement the LCAP shall not be considered a material revision to the charter and shall be maintained by the school site.

UPA has identified the following six school-wide initiatives under which the school's various goals to meet the State's priorities have been grouped:

1. Initiative: Eliminate the Achievement Gap
2. Initiative: Build and Enhance a College-Going Culture
3. Initiative: Support for English Learners
4. Strengthen The Culture of Accountability
5. Initiative: Improve the Quality of Student Life on Campus
6. Initiative: Improve the Availability of Computing Devices and Implement more Technology Courses into the Curriculum

ELEMENTS 2 AND 3. MEASURABLE PUPIL OUTCOMES AND METHODS OF ASSESSING STUDENT OUTCOMES

Governing Law: The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school. Education Code Section 47605.6(b)(5)(B).

The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card. Education Code Section 47605.6(b)(5)(C).

Pupil Outcomes

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

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

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

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

The table below summarizes UPA's LCAP goals, actions/services, and budget as detailed in the 2019-20 LCAP.

LCAP Goal	Actions and Services	Budget
<p>1. Provide greater Academic support for all students, especially EL students.</p>	<ul style="list-style-type: none"> • Continue with the following At-Risk services to students and incorporate into the School's Multi-Tiered System of Support (MTSS) in subsequent years: <ol style="list-style-type: none"> 1. Identify at-risk Students by the 2nd week of school and establish a Personal Learning Plan (PLP) for each at-risk student. 2. Continue monitoring student progress and include at least two face to face parent-teacher conferences to report out to parents on the progress of their student. 3. Continue offering the 7th and 9th grade Summer Math Literacy Institute and offer summer school make-up courses to all qualifying students and students who have fallen behind in graduation credits. 4. Continue the use of Edgenuity e-prescriptive learning program for identified at-risk students. 5. Implement the Multi-Tiered System of Support (MTSS) to better organize and deliver tiered intervention services to at-risk students based on their individual need. 6. Staff the Media/tutorial center after school. • Increase the number of PSAT /SAT test-takers by funding all students in grades 8,9,10 &11 • Fund a .4 FTE for Support classes in English; .4 FTE for Support classes in Math and .2 FTE for the student "GROW" program. • Purchase student licenses for the NWEA Assessment -<u>M</u>easures of <u>A</u>cademic <u>P</u>rogress • Provide Academic Support for English Learners <ol style="list-style-type: none"> 1. Continue writing Individual Learning Plans for EL students 2. Monitor academic progress and report to parents at face to face meetings with parents • Strengthen the school's Culture of Accountability by: <ol style="list-style-type: none"> 1. Providing more training to staff, once in the fall and spring, on the use of Performance Matters, a student data integrated platform that houses student 	<p>\$282,027</p>

	<p>achievement information, demographics, attendance, and discipline data.</p> <ol style="list-style-type: none"> Using the trainer of trainer model, continue providing additional training to staff on the use of Edgenuity prescriptive e-learning Program for students in English and Math support classes. <ul style="list-style-type: none"> Purchase of annual student licenses for PowerSchool Analytics Implement the Multi-Tiered System of Supports to deliver improved services to targeted students to include EL students, At-Risk students, and Low socioeconomic students. <p>Year 1 of the implementation is to include:</p> <ol style="list-style-type: none"> Appoint a .8FTE administrator to provide leadership and coordination to the MTSS program. Define criteria for students fitting into MTSS levels 1, 2 and 3 Create a flow chart indicating support services by MTSS level 1,2 and 3 levels of service Establish indicators of success (school-wide and department-wide) when do we use it? How do we use it? Organize translation services for non-English speaking parents whose students are in the MTSS support programs. Create electronic templates to be used in creating a Personal Learning Plan (PLP) for identified students. Create a PLP for MTSS student level 2 and 3. 	
<p>2. Improve the school's curriculum offered to students and update school safety plans.</p>	<ul style="list-style-type: none"> Conduct an annual review /revision of the school's safety plan consistent with new legal and law enforcement requirements as well as technological advancements. Issue periodic reports to the school board on the status of school safety. Provided the availability of staffing and classroom space, offer more elective courses that meet student interests. <ol style="list-style-type: none"> Annually survey students to determine the level of interest in electives, practical courses (that will assist students in college life) and AP courses. Introduce into the school's master schedule electives, practical courses, 	\$350,175

	<p>and AP courses provided the availability of school facilities/classrooms and funding.</p> <ul style="list-style-type: none"> • Offer an SAT Prep class • Fund the following courses of interest to students: <ul style="list-style-type: none"> ○ .2 FTE for AP Capstone, ○ .4 FTE for AP Government and Politics, ○ .2 FTE Sociology, ○ .2 FTE Journalism, ○ 1.0 FTE Multimedia Arts • Continue marketing and populating the school's engineering program, Project Lead the Way by providing greater exposure on campus, seeking community internships, and offering the PLTW diploma (graduation diploma designation). • Purchase needed safety equipment identified by the Director of Business and Operations to include: <ol style="list-style-type: none"> 1. School fencing in the 2019-20 school year 2. 3-year phase of a school-wide intercom system. 	
<p>3. Improve Basic services to teachers and students to enhance and facilitate teaching and learning. These services are to also include training and professional development so teachers can implement strategies to support targeted disadvantaged students.</p>	<ul style="list-style-type: none"> • Upgrade Science Labs and provide professional development time for collaboration. • Provide professional development and collaboration time for certificated staff on effective teaching strategies for "At-Risk" students. • Hire and retain quality, caring teachers, and provide adequate collaboration and training time for their professional growth. • Recruit teachers as per the plan developed in the previous year. • Continue offering teacher support, coaching and collaboration time for teachers • Review/revise as appropriate the school's teacher recruitment/selection process • Implement 1.2 FTE for new teacher support and for coaching and mentoring of core teachers of special populations • Continue purchasing a class set of hard copy texts for classrooms • Continue purchasing electronic versions of the text for students if available • Continue purchasing the electronic/online resources for students of the textbooks if available • Conduct at least four professional development activities focusing on effective classroom strategies to support 	\$330,900

	<p>English Learners and targeted disadvantaged students</p> <ul style="list-style-type: none"> Contract with trainers to deliver professional development and training 	
4. Improve School Climate	<ul style="list-style-type: none"> Increase enrollment in the course for At-Risk students, Raising Expectations & Honor, by 20% over the 2018-19 school year Improve the school's lunchtime activity program by increasing by 50% the number of intramural sports activity days to include club recruitment days, carnival days and Intramural sports four days/week By the start of 2019-20, publish a set of norms that address teacher "turnaround time" for corrected homework, tests, quizzes, and other schoolwork. Maintain the student wellness program hours of service as in the school year 2018-19. Increase counseling time by .2 FTE to be implemented at the 11th and 12th grades. The extra counseling time is to be used for: <ul style="list-style-type: none"> Greater student access to see their counselors Track and monitor UPA students who have enrolled in a community college instead of a 4-year college or university. Revise as appropriate the document outlining counseling services at all grade levels. Share the document with the Board for approval and share with parents. Hold at least two 11th and 12th-grade level meetings (evening meetings with students and parents). Conduct focus group meetings with students to determine the level of satisfaction with the 11th and 12th-grade counseling program Provide extra time compensation for counselors and support staff to hold grade-level meetings with parents. 	\$123,700

	<ul style="list-style-type: none"> • Continue student support /safety staffing up to 5:00 PM each day • Maintain the school's lunchtime activities program to include club recruitment days, carnival days and Intramural sports three days/week • Fund Web/Link Crew (peer student mentoring) training for new staff who will be joining the team as advisors. • Improve school to home communications by expanding the UPA Parent Institute 	
5. Develop a plan to fully implement the new Next Generation Science Standards by 2019-20 (NGSS).	<ol style="list-style-type: none"> 1. Implement year 2 of the NGSS action plan: <ul style="list-style-type: none"> • Schedule department dates through 2019-20 to address major steps of the action plan • Conducting NGSS curriculum research • Review and revise science curriculum maps and pacing guides based on previous years' experience • Review and rewrite course descriptions based on previous years' experience • PD coordinator and Science team design NGSS implementation PD activities for year 2 2. Science Department to determine additional instructional materials needs and assessments over year 1 3. Administration & Science Department review/revise the science department achievement dashboard 	\$10,000

Additional details on UPA's initiatives and goals to meet the State's eight priorities are detailed in UPA's 2019-20 LCAP (available at www.upasv.org) and accompanying 3-year budget attached as Appendix F.

Accountability

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

UPA uses PowerSchool to manage data to inform instruction and provide indicators of student achievement. With this tool, faculty and staff have useful data to guide decision making to best meet the needs of students. These resources used concurrently with the use of the NWEA Common Core aligned MAP assessment provides faculty and staff with a constant and predictive source of

data. Continuous assessment and evaluation of students are some of the most important work undertaken at UPA.

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

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

Teachers meet monthly in departments to discuss grade and subject level data to adjust instruction as appropriate and to review the effectiveness of the selected curriculum. Student progress is the most important measure of success, and student performance data is used as a measure for teacher evaluation and professional development planning. Administrators and the Board review academic data to ensure progress toward the achievement of the UPA mission. Parents are kept informed of their student's academic performance through our online parent portal.

ELEMENT 4. FACILITIES

Governing Law: The location of each charter school facility that the petitioner proposes to operate. Education Code Section 47605.6(b)(5)(D)

The county board of education shall require that the petitioner or petitioners provide information regarding the facilities to be used by the charter school. Education Code Section 47605.6(h)

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

ELEMENT 5. GOVERNANCE STRUCTURE

Governing Law: The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement. Education Code Section 47605.6(b)(5)(E).

The University Preparatory Academy is organized as a California Nonprofit Public Benefit Corporation as identified in Education Code Section 47604(a) and has been granted tax-exempt organization under section 501(c)(3) of the Internal Revenue Code.

Governance Structure

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

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

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

Election and Terms of Office

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

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

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

Board Structure and Operations

The Board of Directors holds regularly scheduled meetings each month and special meetings as needed. The Board follows the Brown Act in generating and posting agendas for public information. Board meetings are conducted using Robert's Rules and the Brown Act. Expulsion hearings, personnel matters, and other matters meeting an exception in the Brown Act are held in closed session unless the open session is requested by the parent of the child in question or

faculty/staff member in a matter for which open session is legally appropriate. The Board appoints officer positions including a president, a secretary, and a treasurer. The Board President is responsible for the functioning of the Board and the conduct of Board business and meetings. The Board Secretary is responsible for generating meeting notes and distributing the agenda promptly. Agendas are posted in hard copy at the school site and on the school web site and in accordance with Brown Act requirements. The Board Treasurer has the primary responsibility to monitor UPA's fiscal affairs and to oversee and review financial statements created by the school's back office contractor for presentation to the Board.

Board Training

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

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

James Romero, President of the Board

Senior Manager Product Development for a Fortune 100 Company

Patrick Dunkley, Secretary of the Board

Deputy Director of Athletics and Senior University Counsel, Stanford University.

Robert Hernandez, Treasurer of the Board

Senior Vice President of a major financial institution in Silicon Valley.

Darnella Aulani, Board member

Principal Owner and Managing Broker at Darnella Real Estate. State Director of California Association of Realtors.

Tony Lustig, Board Member

Senior Global Marketing Development Executive with 20+ years of success in developing new markets and growth in industrial, high-tech, and commercial ventures.

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

University Preparatory Academy

2019-2020 Leadership Organization Chart

Director of Business and Operations Dan Ordaz Jr	Director of Curriculum and Instruction Matt Daugherty	Director of Student Services Andrew Yau	Director of Special Programs Jean Mastrogiacommo	Executive Director David Porter
Athletics and Athletic Booster Liaison	Academic Data Services	Campus Supervision and Safety	AVID, Link Crew, and WEB Coordinator	Administrative Supervision and Evaluation
Bank and Deposits	Curriculum Development	Clubs and Fundraisers	Graduation and Promotion Coordinator	Athletics
Budgeting	English Language Assessment and Support	Drama Coordinator and Drama Boosters Liaison	Music/Arts Coordinator and Music Boosters Liaison	Audits and Accountability
Facilities Management	Grade Reporting and Grading Policy Monitoring	Energy Bar Management	Homeless/McKinney Vento Coordinator	Board Meeting Liaison
Norms Committee	Master Schedule Development	Field Trip Coordination	Merit Based Pay Coordinator	Human Relations, Staffing, and Benefits
PowerSchool – Accounts, Operations and Maintenance	PowerSchool Learning Management	Media Center Supervisor	Multi-Tiered System of Support Program Manager	Lead Team Facilitator
Purchasing and Reimbursements	School/Community Communication	San Jose Task Force Representative	School Awards and Assemblies and Honor Roll Coordinator	LCAP, SARC, WASC, Reauthorization Coordinator
Textbook Requisition	Seminar Coordinator	Student Activities and Supervision	Students of Promise Grades 7-9	Parent Outreach and PTSO Liaison
	Special Education and 504 Administration	Students of Promise Grades 10-12	Student Support Coordinator (LearnIt, GROW, RESH 180, English/Math Support Classes)	Staff Communication
	Testing and Assessment	Student Safety, Intervention and Emergency Drills	Student Wellness Administrator	Surveys and Customer Feedback
	Textbook Selection and Approval	Summer School Administrator	Website Content	Teacher Evaluation
Reporting Staff				
D. McClung – Attendance Monitoring and Accounting	E. Kern – Registrar and Work Permits	Campus Supervisors	E. Voss – Media Center and After School Coordinator	K. Moore – Professional Development Coordinator
J. Rogers – Events Coordination and Purchasing	L. Gordon-Reska – Seminar Coordinator	D. McClung – Student Parking Permits	J. Buensuceso – Student Wellness Program	L. Gordon-Reska – New Teacher Induction Coach
T. Guevara – Technology Repair, and Maintenance	N. Mendoza – English Language Development	M. Contreras – Yearbook Coordinator		TBD – Office Manager, Sub Coordinator, Timecards, Board Secretary
	N. Sebek – Technology Training	N. Sebek – ASB and Student Activities Coordinator		
	S. Troch – Academic Guidance Services			
dordazjr@upatoday.com Ext 5123	mddaugherty@upatoday.com Ext 5141	ayau@upatoday.com Ext 5145	jmastrogiacommo@upatoday.com Ext 5130	dporter@upatoday.com Ext 5115

Parental and Student Involvement

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

- Parent-Teacher-Student Association ("PTSO")
- Executive Director's Advisory Council
- Curriculum Materials Selection Committee
- Athletic Boosters Committee
- Band Boosters Committee
- Fine Arts Committee (Provides support to the Drama Program)
- Speech and Debate Boosters

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

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

UPA screens all employees and volunteers who are with students in unsupervised settings, including fingerprinting and criminal background checks pursuant to Education Code 45125.1. Registered sex offenders under Penal Code section 290 or other subsequent legislation may not serve as volunteers on campus, anywhere or at any time students are present. All volunteers who are on campus are required to have a current tuberculosis risk assessment on file with the charter school.

ELEMENT 6. EMPLOYEE QUALIFICATIONS

Governing Law: The qualifications to be met by individuals to be employed by the charter school. Education Code Section 47605.6(b)(5)(F).

General Staff Qualifications

The UPA faculty and staff recruitment and selection process are designed to ensure that all staff employed by UPA possess the personal characteristics, knowledge base, experiences, and the responsibilities and qualifications essential to successfully fulfill their responsibilities. UPA will continue to ensure that all required legal qualifications, including compliance with any requirements of the Elementary and Secondary Education Act (“ESEA”), as reauthorized by the Every Student Succeeds Act (“ESSA”), are met for teachers, staff, paraprofessionals and other administrative employees of the school. Each certificated employee is required to meet the state credentialing requirements related to charter schools for the position that he/she holds. For all positions, certificated and non-certificated, the employee, at minimum, needs to satisfactorily meet the performance specifications required for the position, as briefly described below, as well as possess the qualifications required to perform the essential functions of the position, as determined by the UPA Board and Executive Director. The number, type, mix and salary levels of each employee are outlined in detail in the Financial Plan in section 2 of this document.

Teachers and Instructional Staff Qualifications

UPA has adopted a set of qualities it requires of faculty. Teachers of core, college preparatory subjects (i.e., English language arts, math, science, history/social science, and foreign language) hold a credential issued by the Commission on Teacher Credentialing permitting the instructor to teach in their subject area of preparation. Because of UPA’s adoption of UC a-g requirements for all students, instructors in the elective areas must also hold proper credentials issued by the CTC.

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

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

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

Executive Director

The Executive Director (ED) is the chief executive officer of the school. Reporting directly to the University Preparatory Academy (UPA) Board, the ED is responsible for overall leadership of the school and supervises all the major school functions including school operations, fiscal, instructional supervision/ improvement, public relations, and contract administration for the school.

Qualifications

- Demonstrates a personality/leadership style consistent with a democratic community,
- Works with others to ensure a school environment that is safe for all and respectful of the community,
- Promotes respect for and understanding of the diversity within the school community,
- Respects the contributions and accomplishments of all students, staff, and community,
- Promotes and demonstrates clear two-way communications,
- Elicits and acknowledges the ideas and feelings of others,
- Presents ideas in a timely, open, clear, honest and convincing manner,
- Communicates effectively orally and in writing,
- Acknowledges and respects diverse perspectives and opinions,
- Successful district cabinet-level administrative experience,
- Successful school site administrative experience,
- Possess a Bachelor’s degree in an educational field, a post-graduate degree preferred,
- California Administrative Services Credential preferred
- Successful experience in managing complex political relationships,
- Proven fiscal management and commitment to fiscal transparency and accountability,
- Entrepreneurial and willing to take risks.

Director of Student Services

The Director of Student Services is responsible for the implementation of the student discipline program consistent with Board policies and regulations. The Director of Student Services assists the faculty in the areas of student classroom behavior management and supervision. The Director of Student Services may administer disciplinary action depending on student behavior infraction. The Director of Student Services is also responsible for campus safety and supervision. The Director of Student Services is also responsible for overseeing all student support services programs including student activities, discipline, school safety, advisory programs, promotion and graduation planning, and assists the Executive Director in instructional supervision.

Qualifications

- Demonstrates a collaborative leadership style,
- Works with staff as a team to accomplish school initiatives, goals and objectives,
- Works with staff to ensure a safe school environment for all students,
- Communicates effectively orally and in writing,
- Acknowledges and respects diverse perspectives and opinions,
- Successful classroom and/or counseling experience preferred,
- California Administrative Services Credential preferred.

Director of Business and Operations

The Director of Business and Operations is directly responsible for the school's use and care of facilities and works with the landlord's team to schedule facilities for UPA events and productions. The DBO is also directly responsible for managing and maintaining school data systems. The DBO assists and reports directly to the Executive Director to provide fiscal oversight of the school including establishing the annual budget, coordinating with the school's back-office provider to generate monthly financial reports for the Board as well as developing and managing financial protocols.

Minimum Qualifications

- BS in Business Administration, MS preferred
- Minimum five years experience in business management and operations or equivalent with a 501(C)(3)
- Ability to communicate effectively orally and in writing

Director of Curriculum and Instruction (DCI)

The Director of Curriculum and Instruction (DCI) is the chief academic officer of the school. The DCI is responsible for overseeing curriculum development, assisting the Executive Director in instructional supervision, coordinating summer school programs, managing the school's discipline program, and supervises the school's Special Education program.

Qualifications

- Demonstrates a collaborative leadership style,
- Works with staff as a team to accomplish school initiatives, goals and objectives,
- Works with staff to ensure a safe school environment for all students,
- Respects the contributions and accomplishments of all students, staff, and community,
- Promotes and demonstrates clear two-way communications,
- Communicates effectively orally and in writing,
- Acknowledges and respects diverse perspectives and opinions,
- Successful school site administrative experience,
- Possess a Bachelor's degree in an educational field, a post-graduate degree is preferred,
- Possess a California Administrative Services Credential

Director of Special Programs

The Director of Special Programs is directly responsible for the development, implementation, and management of the school's special instructional programs, including UPA's Student of Promise program. The DSP is responsible for supervising all special programs assigned to him/her by the Executive Director to ensure fidelity with the program goals and intent, provide fiscal oversight of the operating budget, maintain necessary program data and evaluate the program in terms of its stated outcomes. The DSP assists the Executive Director in researching and implementing new instructional programs designed to improve the academic achievement of all students, especially, Students of Promise.

Qualifications

- Demonstrates a collaborative leadership style,
- Works with staff as a team to accomplish school initiatives, goals and objectives,
- Works with staff to ensure a safe school environment for all students,
- Respects the contributions and accomplishments of all students, staff, and community,
- Promotes and demonstrates clear two-way communications,
- Communicates effectively orally and in writing,
- Acknowledges and respects diverse perspectives and opinions,
- Successful school site administrative experience,
- Possess a Bachelor's degree in an educational field, a post-graduate degree is preferred,
- Possess a California Administrative Services Credential

Instructional Support Staff

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

Counselor

A qualified counselor is fundamental to the UPA program and applies knowledge and training in specialized fields, including growth and development of the student, testing and assessment, educational and career planning, and personal and social guidance.

Qualifications

- Valid California teaching credential preferred
- Appropriate pupil personnel credential
- Five years of service as a teacher recommended

Instructional Coach

To provide research-based coaching that helps guide UPA toward sustainable school growth by providing professional development services that include a reflective collegial cycle of inquiry, data analysis, high functional learning communities, and instructional leadership through alignment of curriculum and instruction to state and district-identified standards. The coach will

spend the majority of the time working in classrooms with teachers providing professional development that would include, but not be limited to, in-class coaching, observing, modeling of instructional strategies, guiding teachers in assessing student work and developing instructional plans with teams of teachers or as individuals.

Qualifications

- Appropriate CA teaching credential
- Valid California driver's license
- Bachelor's degree from an accredited institution
- Successful experience as a classroom teacher
- Successful teaching experience, at various grade levels, preferred
- Experience as an Instructional Coach preferred

Support Staff

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

Administrative Assistant to the Executive Director

Acts as administrative assistant to the Executive Director, including preparation of reports and agendas for all meetings. Prepares handouts for meetings. Attends meetings, keeps notes and sends email to attendees with a synopsis of meetings. Prepares "To Do" lists for administrators from meeting notes, and follows up on completion of items; updates the lists at subsequent meetings. Keeps a calendar of all appointments. Schedules appointments with teachers, committees, and leaders.

Qualifications

- Knowledge of proper office methods and practices including filing systems, receptionist and telephone techniques, and letter and report writing,
- Knowledge of correct English usage, spelling, grammar, and punctuation,
- Ability to perform arithmetical calculations with speed and accuracy,
- Ability to understand and apply successfully a variety of complex directions to specific situations,
- Ability to proofread work accurately,
- Ability to communicate effectively and tactfully in both oral and written forms,
- Ability to establish and maintain a variety of recordkeeping, reference, and data collection systems,
- Ability to analyze situations and take appropriate action in a variety of procedural matters independently without immediate supervision,
- Ability to prioritize and coordinate workflow and timeliness for self and others,
- Ability to operate a variety of office equipment such as copy machine, computer, printer, etc. with speed and accuracy,
- Ability to establish and maintain effective work relationships with those contacted in the performance of required duties,
- Possession of a valid and appropriate California Driver's License.

Administrative Assistant - Operations

Performs a variety of complex and responsible clerical and routine administrative support functions. Assists the Director of Business and Operations with the tasks related to that office including attendance accounting and reporting, planning, and scheduling of facilities, purchasing supplies and equipment and maintaining inventories of supplies and textbooks. This job class requires in-depth knowledge of school operations and administrative procedures as well as a high level of secretarial skills.

Qualifications

- Knowledge of proper office methods and practices including filing systems, receptionist and telephone techniques, and letter and report writing,
- Knowledge of correct English usage, spelling, grammar, and punctuation,
- Knowledge of financial recordkeeping methods and practices,
- Ability to perform arithmetical calculations with speed and accuracy,
- Ability to understand and apply successfully a variety of complex directions to specific situations,
- Ability to proofread work accurately,
- Ability to communicate effectively and tactfully in both oral and written forms,
- Ability to establish and maintain a variety of recordkeeping, reference, and data collection systems,
- Ability to analyze situations and take appropriate action in a variety of procedural matters independently without immediate supervision,
- Ability to prioritize and coordinate workflow and timeliness for self and others,
- Ability to operate a variety of office equipment such as copy machine, computer printer, etc. with speed and accuracy,
- Ability to establish and maintain effective work relationships with those contacted in the performance of required duties,
- Possession of a valid and appropriate California Driver's License.

Registrar

Under the direction of the site administrator(s), prepares and maintaining accurate student records, including registering and withdrawing students according to established procedures; tracks accurate enrollment by grade level, prepares report cards for mailing to parents, manages the student enrollment lottery process if needed; prepares newsletters and other parent communications to keep parents informed of school news; performs various secretarial and clerical tasks as assigned.

Qualifications

- Knowledge of UPA curriculum and graduation requirements
- Knowledge of proper office methods and practices including filing systems, receptionist and telephone techniques, and letter and report writing

- Knowledge of correct English usage, spelling, grammar, punctuation, and ability to proofread work accurately
- Ability to perform arithmetical and basic statistical calculations with speed and accuracy,
- Ability to understand and apply successfully a variety of complex directions to specific situations
- Ability to communicate effectively and tactfully in both oral and written forms
- Ability to establish and maintain a variety of recordkeeping, reference, and data collection systems
- Ability to analyze situations and take appropriate action in a variety of procedural matters independently without immediate supervision
- Ability to prioritize and coordinate workflow and timeliness for self and others
- Ability to operate a variety of office equipment such as copy machine, computer printer, etc. with speed and accuracy
- Ability to establish and maintain effective work relationships with those contacted in the performance of required duties
- Ability to interpret, apply and explain provisions of federal, State and District regulations related to admissions and records
- Possession of a valid and appropriate California Driver's License

Campus Supervisor

To monitor the UPA campus to assist in maintaining a safe and orderly campus. The campus supervisor receives direct supervision within a framework of well-defined UPA policies and procedures. The Campus Supervisor performs entry-level functions in carrying out assigned activities. The Campus Supervisor reports directly to the Director of Student Services.

Qualifications

- Ability to learn the operations, procedures, policies, and requirements of the assigned program or operational unit
- Ability to communicate effectively in both oral and written form
- Ability to maintain routine records and files
- Ability to establish and maintain effective work relationships with those contacted in the performance of required duties
- Ability to form good working relationships with students and fellow employees
- Ability to remain calm in pressure situations

Digital Media Center Technician

Under the assigned supervisor, the Digital Media Center Technician (MCT) manages, schedules, and organizes the activities and operations of the school's Digital Media Library Center (DMLC). Duties may include ordering, processing, and checking out of both physical and digital media. The MCT also performs a variety of clerical support functions related to the media center operations and receives general supervision within a framework of standard policies and procedures.

Qualifications

- Completion of a two-year college degree or combination of education, experience, and training which meets or exceeds the standards of knowledge, skills and abilities listed above.
- Computer and Internet proficiency with the ability to learn new software applications.
- Ability to work independently; initiate and complete tasks in a timely and accurate manner.
- Team-oriented with the ability to build effective working relationships with teachers and colleagues.
- Demonstrate effective oral and written communication skills.
- Ability to service students and staff in a friendly and professional manner.
- Knowledge of correct English usage, spelling, grammar, and punctuation.
- Multilingual skills may be required.
- Knowledge of the general needs and behavior of high school students.
- Ability to prepare routine reports.

Business Management

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

General Employment Requirements and Performance Reviews

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

Prior to employment, each employee must furnish proof of tuberculosis (“TB”) risk assessment, as well as documents establishing legal employment status. The Executive Director is responsible for monitoring and maintaining documentation of medical and background investigation clearances, as required by California and federal laws.

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

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

Recruitment and Hiring Plan

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

UPA maintains an average classroom student to teacher ratio of 21:1. The school also allocates 2.0 FTE counselor positions, a Director of Curriculum and Instruction, a Director of Business and Operations, a Director of Student Services and a Director of Special Programs. Also, the equivalent of 1.6 FTE is invested in release time for the coordination of the following programs:

1. MTSS/At-Risk Intervention Program
2. AVID
3. Beginning Teacher Support/coaching and mentoring of teachers
4. English Learners
5. Professional Development and Training

In addition, the school employs a 1.0 FTE administrative assistant, a 1.0 FTE attendance secretary, a 1.0 FTE registrar, 2.0 FTE campus supervisors, and a technology support manager.

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

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

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

ELEMENT 7. HEALTH AND SAFETY

Governing Law: The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require:

- a. That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.*
 - b. The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.*
 - c. That the school safety plan be reviewed and updated by March 1 of every year by the charter school.*
- Education Code Section 47605.6(b)(5)(G)*

University Preparatory Academy adopted and implemented a comprehensive set of health, safety, and risk management policies. These policies have been developed in consultation with the school's insurance carriers and risk management experts. These procedures have been incorporated into the Charter School's student and staff handbooks and will be reviewed on an ongoing basis by the Executive Director and Board of Directors. The Charter School shall ensure that staff is trained annually on health and safety policies.

UPA is committed to establishing a safe school environment and has a School Safety Plan (see Appendix G) that addresses areas of concern such as, earthquakes, fire, floods, shootings, natural disasters, and electricity loss, as addressed in more detail below. UPA also has a policy requiring that instructional and administrative staff receive training in emergency response, including appropriate "first responder" training or its equivalent.

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

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

Vision, Hearing, and Scoliosis

Students will be screened for vision, hearing, and scoliosis. The Charter School will adhere to Education Code Section 49450 et seq. as applicable to the grade levels served by the Charter School.

Procedures for Background Checks

Employees and contractors of the Charter School will be required to submit to a criminal background check and to furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. Applicants for employment must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Charter School shall not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law, according to Education Code Sections 44830.1 and 45122.1. The Executive Director of the Charter School shall

monitor compliance with this policy and report to the Charter School Board of Directors regularly. The Board President shall monitor the fingerprinting and background clearance of the Executive Director. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance before volunteering without the direct supervision of a credentialed employee.

Role of Staff as Mandated Child Abuse Reporters

All employees will be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the County. The Charter School shall provide mandated reporter training to all employees annually following Education Code Section 44691.

Tuberculosis Risk Assessment and Examination

Employees and volunteers who have frequent or prolonged contact with students will be assessed and examined (if necessary) for tuberculosis prior to commencing employment and working with students, and for employees at least once each four years thereafter, as required by Education Code Section 49406.

Immunizations

All enrolled students will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075. All rising 7th-grade students must be immunized with pertussis (whooping cough) vaccine booster.

Medication in School

The Charter School will adhere to Education Code Section 49423 regarding the administration of medication in school. The Charter School will adhere to Education Code Section 49414 regarding epinephrine auto-injectors and training for staff members.

Bloodborne Pathogens

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

Diabetes

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

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

Suicide Prevention Policy

The Charter School shall maintain a policy on student suicide prevention in accordance with Education Code Section 215.

Feminine Hygiene Products

The Charter School will stock at least 50% of its restrooms with feminine hygiene products, and shall not charge students for these products, pursuant to Education Code Section 35292.6.

Nutritionally Adequate Free or Reduced Price Meal

The Charter School shall provide each needy student, as defined in Education Code Section 49552, with one nutritionally adequate free or reduced-price meal, as defined in Education Code Section 49553(a), during each school day.

California Healthy Youth Act

The Charter School shall teach sexual health education and human immunodeficiency virus prevention education to students in grades 7-12, at least once in middle school and at least once in high school, according to the California Healthy Youth Act (Education Code Section 51930, *et seq.*).

School Safety Plan

The Charter School shall adopt a School Safety Plan, to be reviewed and updated by March 1 of every year, which shall include identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the Charter School's procedures for complying with applicable laws related to school safety, including the development of all of the following pursuant to Education Code Section 32282(a)(2)(A)-(H):

- child abuse reporting procedures
- routine and emergency disaster procedures

- policies for students who committed an act under Section 48915 and other Charter School-designated serious acts leading to suspension, expulsion, or mandatory expulsion recommendations
- procedures to notify teachers of dangerous students pursuant to Education Code Section 49079
- a discrimination and harassment policy consistent with Education Code Section 200
- provisions of any schoolwide dress code that prohibits students from wearing “gang-related apparel,” if applicable
- procedures for safe ingress and egress of pupils, parents, and employees to and from the Charter School
- a safe and orderly environment conducive to learning
- the rules and procedures on Charter School discipline
- procedures for conducting tactical responses to criminal incidents

Drug-, Alcohol-, and Smoke-Free Environment

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

Facility Safety

The Charter School shall comply with Education Code Section 47610 by utilizing facilities that are either compliant with the Field Act or facilities that are compliant with the California Building Standards Code. The Charter School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. The Charter School shall conduct fire drills as required under Education Code Section 3200.

Comprehensive Anti-Discrimination and Harassment Policies and Procedures

The Charter School is committed to providing a school that is free from discrimination and sexual harassment, as well as any harassment based upon the actual or perceived characteristics of race, religion, creed, color, gender, gender identity, gender expression, nationality, national origin, ancestry, ethnic group identification, genetic information, age, medical condition, marital status, sexual orientation, sex and pregnancy, physical or mental disability, childbirth or related medical conditions, military and veteran status, denial of family and medical care leave, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, local law, ordinance or regulation. The Charter School shall develop a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at the Charter School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with the Charter School’s anti-discrimination and harassment policies.

ELEMENT 8. RACIAL AND ETHNIC BALANCE

Governing Law: The means by which the charter school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. Education Code Section 47605.6(b)(5)(H).

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

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

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

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

UPA has a focused student recruitment program that includes the following activities:

- Maintain a website, including an informational video about the school. The website is also to provide calendared dates for community meetings, open houses, orientations, interest applications, enrollment applications, and contact information;
- Design and distribute promotional and informational material that appeals to various ethnic groups represented in Santa Clara County. Currently, materials are printed in English, as

well as Spanish to appeal to limited English proficient and Spanish populations. These materials are to be distributed throughout the county using direct mailing. Furthermore, UPA will focus on a greater volume of direct mailing to certain zip codes containing high concentrations of low socio-economic and English learners using direct mailing;

- Distribute promotional and informational materials to a wide variety of community groups and agencies;
- Sponsor outreach to at least ten community meetings in areas of the county to recruit a targeted population of students;
- Distribute brochures and publicize in community newsletters/newspapers, including Spanish language newspapers.
- Collaborate with community-based organizations to support outreach efforts;
- Focus recruitment of groups that may be underrepresented among UPA's student population, using public meetings, and open-house meetings with scheduled school tours.

ELEMENT 9. FINANCIAL AUDIT

Governing Law: The manner in which annual, independent, financial audits shall be conducted, in accordance with regulations established by the state board, and the manner in which audit exceptions and deficiencies shall be resolved. California Education Code 47605.6(b)(5)(I)

The University Preparatory Academy Governing Board selects an independent auditor each fiscal year to oversee the selection of an independent auditor and the completion of an annual audit of the school's financial affairs as required by Education Code Sections 47605.6(b)(5)(I) and 47605(m). The audit will verify the accuracy of the school's financial statements, attendance, and enrollment, accounting practices, and review the school's internal controls. The audit will be conducted as outlined in the MOU between UPA and the county superintendent of schools. The Charter School's Board will review any audit exceptions or deficiencies will submit a report to the SCCOE describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the County Office of Education. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process contained in the MOU.

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

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

ELEMENT 10. SUSPENSION AND EXPULSION POLICIES AND PROCEDURES

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

- (i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story.*
- (ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:*
 - (I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.*
 - (II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.*
 - (III) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform him or her of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii). Education Code Section 47605.6(b)(5)(J)*

Policy

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

When the policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as UPA's policy and procedures for student suspension and expulsion, and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will clearly describe discipline expectations, and it will be printed and distributed as part of the Student-Family Handbook, which is available digitally to each student at the beginning of the school year. (See Student-Family Handbook at the end of Section 1.) The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures.

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

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

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the 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.

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the basis for which the pupil is being involuntarily removed and his or her right to request a hearing to challenge the involuntary removal. If a parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

Procedures

Grounds for Suspension and Expulsion of Students

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

- a) while on school grounds;
- b) while going to or coming from school;

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

Suspension Offenses

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force or violence upon the person of another, except self-defense.
3. Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as a controlled substance, alcoholic beverage or intoxicant.
5. Committed or attempted to commit robbery or extortion.
6. Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
7. Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
8. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
9. Committed an obscene act or engaged in habitual profanity or vulgarity.
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
11. Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
12. 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.

13. 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.
14. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
15. Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
16. Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property, which includes but is not limited to, electronic files and databases, of the person threatened or his or her immediate family.
17. 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 hurt 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.
18. Caused, attempted to cause, threaten to cause, or participated in the 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.
19. Intentionally harassed, threatened or intimidated school personnel or volunteers and/or 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 the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
20. Engaged in the act of bullying, including, but not limited to, bullying committed through an electronic act.

- 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2) “Electronic Act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - i. A message, text, sound, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be

reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recordings of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

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

21. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
22. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.

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

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous objects 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 Executive Director or designee’s concurrence.
- b) Brandishing a knife at another person.
- c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, *et seq.*
- d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n)

Expellable Offenses

Discretionary Expellable Offenses: Students may be 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 or violence upon the person of another, except self-defense.
3. Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as a controlled substance, alcoholic beverage or intoxicant.
5. Committed or attempted to commit robbery or extortion.
6. Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
7. Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
8. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
9. Committed an obscene act or engaged in habitual profanity or vulgarity.
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
11. Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
12. 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.
13. 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.
14. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
15. Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
16. Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat"

shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

17. 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.
18. Caused, attempted to cause, threaten to cause, or participated in the 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.
19. Intentionally harassed, threatened or intimidated school personnel or volunteers and/or 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 the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
20. Engaged in the act of bullying, including, but not limited to, bullying committed by means of an electronic act.
21. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - a. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - b. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - c. Causing a reasonable student to experience substantial interference with his or her academic performance.

- d. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 22. “Electronic Act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - a. A message, text, sound, video, or image.
- 23. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - c. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- 24. An act of cyber sexual bullying.
 - a. For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - b. For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
 - e. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- 25. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).

26. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

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

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
- b) Brandishing a knife at another person.
- c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, et seq.
- d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n)

If it is determined by the Administrative Panel and/or Governing Board that a student has brought a firearm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun-Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

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

The term "destructive device" means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses.

Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

The suspension shall be preceded, if possible, by a conference conducted by the Executive Director or designee with the student and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the student for disciplinary action. The conference may be omitted if the Executive Director or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and the 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, in accordance with Education Code Section 47605(b)(5)(J)(i).

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

2. Notice to Parents/Guardians

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

3. Suspension Time Limits/Recommendation for Expulsion

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

Upon a recommendation of Expulsion by the Executive Director or Executive Director's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents unless the pupil and the pupil's parents fail to attend the conference. This determination will be made by the Executive Director or designee upon either of the following determinations: 1) the pupil's presence will be disruptive to the education process, or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

Authority to Expel

As required by Education Code Section 47605(b)(5)(J)(ii), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled either by the neutral and impartial Charter School Board of Directors following a hearing before it or by the Charter School Board of Directors upon the

recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board of Directors as needed. The Administrative Panel shall consist of at least three members who are certificated and neither a teacher of the pupil nor a member of the Charter School Board of Directors. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

Expulsion Procedures

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

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

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

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

Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

The School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations, which shall be examined, only by the School, Panel Chair or the hearing officer in the expulsion. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of

his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.

2. The School must also provide the victim with a room separate from the hearing room for the complaining witness' use before and during breaks in testimony.
3. At the discretion of the entity conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the School must present evidence that the witness' presence is both desired by the witness and will be helpful to the School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness, and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

Record of Hearing

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

Presentation of Evidence

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

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

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

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

Written Notice to Expel

The Executive Director or designee, following a decision of the Board of Directors to expel, shall send written notice of the decision to expel, including the Board of Directors' adopted

findings of fact, to the student or parent/guardian. This notice shall also include the following: (a) Notice of the specific offense committed by the student; and (b) Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.

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

Disciplinary Records

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

No Right to Appeal

The pupil shall have no right of appeal from expulsion from the Charter School as the Charter School Board of Directors' decision to expel shall be final.

Expelled Pupils/Alternative Education

Parents/guardians of 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. The Charter School shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during the expulsion.

Rehabilitation Plans

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

Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board of Directors following a meeting with the Executive Director or designee and the pupil and parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Executive Director or designee shall make a recommendation to the Board of Directors following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the

Brown Act. The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission.

Notice to Teachers

The Charter School shall notify teachers of each pupil who has engaged in or is reasonably suspected of having engaged in any of the acts listed in Education Code Section 49079 and the corresponding enumerated offenses set forth above.

Special Procedures for the Consideration of Suspension and Expulsion or Involuntary Removal of Students with Disabilities

A pupil identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for disciplinary action, including suspension and expulsion, and is accorded the same due process procedures applicable to regular education pupils except when federal and state law mandates additional or different procedures. The Charter School will follow the IDEA, Section 504, and all applicable federal and state laws when imposing any form of discipline on a pupil identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such pupils. The following procedures shall be followed when a student with a disability is considered for suspension or expulsion. These procedures will be updated if there is a change in the law.

Notification of County

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

Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting (which could constitute a change of placement and the student's IEP would reflect this change), and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

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/504 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 determine that the conduct was a manifestation of the child's disability, the IEP Team shall:

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

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

Due Process Appeals

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

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the hearing officer shall determine whether the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 U.S.C. Section 1415(k), 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.

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement or the manifestation determination, or if 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, the parent/guardian or Charter School may request a hearing.

In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

Special Circumstances

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

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

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

Interim Alternative Educational Setting

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

Procedures for Students Not Yet Eligible for Special Education Services

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

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

1. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.

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

If the Charter School knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEA-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 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 not to be eligible.

ELEMENT 11. RETIREMENT PROGRAM

Governing Law: The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security. Education Code Section 47605.6(b)(5)(K).

UPA staff will participate in the federal social security system, or the State Teachers' Retirement System for certificated staff. The Executive Director shall be responsible for ensuring that appropriate arrangements for coverage have been made.

ELEMENT 12. DISPUTE RESOLUTION PROCESS

Governing Law: The procedures to be followed by the charter school and the county board of education to resolve disputes relating to provisions of the charter. Education Code section 47605.6(b)(5)(L).

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

Intent

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

Public Comments

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

Disputes Arising from Within the School

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

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

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

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

- If the matter cannot be resolved at the school Executive Director level, the complainant may request to have the matter properly placed upon the agenda for the next regularly scheduled Board meeting.
- The Board of Directors and the school Executive Director will set a date and time for the hearing of any evidence to be presented concerning the complaint. At the hearing, the complainant and a representative of UPA shall have the opportunity to present evidence, both oral and documentary. Within three (3) working days from the date of the hearing, the Board and school Executive Director shall decide on the complaint in writing. This decision will serve as the final decision of UPA. An administrative panel of less than a quorum of Board members appointed by the Board may be used for hearing purposes in lieu of a full Board.

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

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

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

The Charter School shall maintain a Uniform Complaint Policy and Procedures as required by state law. Parents, students, Board members, volunteers, and staff at the Charter School shall be provided with a copy of the Charter School's policies and internal dispute resolution process.

Disputes between the Charter School and the County

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

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

Any controversy or claim arising out of or relating to the charter agreement between the County Office of Education and UPA, except any controversy or claim that in any way related to

revocation of this charter, shall be handled first through an informal process in accordance with the procedures set forth below.

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

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

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

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

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

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

ELEMENT 13. ADMISSIONS POLICIES AND PROCEDURES

Governing Law: Admission policy and procedures, consistent with [Education Code Section 47605.6] subdivision (e). Education Code Section 47605.6(b)(5)(M)

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

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

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

UPA has no requirement for admission and admits any child who wishes to attend. No test or assessment shall be administered to students before acceptance and enrollment into the Charter School. The Charter School will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Admission, except in the case of a random public drawing, shall not be determined by the place of residence of the pupil or his or her parent or legal guardian within the state, unless required by Education Code Section 51747.3. In accordance with Education Code Sections 49011 and 47605.6(e)(2)(B)(iv), admission preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

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

Recruiting and Admissions Cycle

UPA has established an annual recruiting and admissions cycle, which includes reasonable time for (1) outreach and marketing, (2) parent information meetings, tours and open houses for students and parents, to familiarize themselves with the school (3) an admissions lottery, if necessary (4) completion of forms and admissions application after the lottery, (5) personal interviews of students and parents (for enrolled students), and (6) scheduling of classes.

The school fills vacancies or openings that become available after this process using a waiting list. The school admits students at any time during the school year on an open-ended basis to better serve the sometimes-transient nature of the local population, if an opening is available.

Timeline for Recruiting and Admissions

Applications for admission are made available in December of the previous year and are due by the first Friday in March. UPA holds parent information meetings between December and March

so parents can learn more about the school before they apply. Additionally, the school features an open house, scheduled for a weekend, where any and all community members can visit the school to learn more about what UPA offers their students.

UPA has a focused student recruitment program that includes the following activities:

- Maintain a website, including an informational video about the school. The website is also to provide calendared dates for community meetings, open houses, orientations, interest applications, enrollment applications, and contact information;
- Design and distribute promotional and informational material that appeals to various ethnic groups represented in Santa Clara County. Currently, materials are printed in English, as well as Spanish in order to appeal to limited English proficient and Spanish populations. These materials are to be distributed throughout the county using direct mailing. Furthermore, UPA will focus on a greater volume of direct mailing to certain zip codes containing high concentrations of low socio-economic and English learners using direct mailing;
- Distribute promotional and informational materials to a wide variety of community groups and agencies;
- Sponsor outreach to at least ten community meetings in areas of the county to recruit a targeted population of students;
- Distribute brochures and publicize in community newsletters/newspapers, including Spanish language newspapers.
- Collaborate with community-based organizations to support outreach efforts;
- Focus recruitment of groups that may be underrepresented among UPA's student population, using public meetings, and open-house meetings with scheduled school tours.

University Preparatory Academy makes every effort to actively recruit students who reflect the ethnic diversity in Santa Clara County. If we have more or fewer students in a particular ethnic category, we review our recruiting process and adjust to achieve the ethnic diversity of the county. For example, if an imbalance exists in a category, we minimize our recruiting efforts with students in the over-represented ethnic group, or if a better balance is needed with certain groups we maximize our efforts with a direct focus on the under-represented groups. We develop referral lists of potential students that can give us the ethnic balance needed. The list can be developed by referrals from teachers, counselors, administrators, and community agencies representing specific ethnic groups, church groups, enrolled students and parents. UPA uses the referrals to make direct contacts through the mail, phone calls, home visits, neighborhood meetings, feeder school visitations, and UPA students reaching out to potential UPA students.

Lottery – Public Random Drawing

If the number of students seeking admission to any grade or class exceeds capacity, a lottery is held.

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

All students who are interested in enrolling at the school are required to complete an application for admission. After admission, students will be required to submit an enrollment packet, which shall include the following:

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

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

Existing students of UPA have an automatic right to continued enrollment in the school should they wish to do so and shall not be included in the random public drawing. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, the Charter School will hold a random public drawing (or “lottery”) to determine admission for the impacted grade level, with the exception of existing students, who are guaranteed admission in the following school year. Admission preferences in the case of a public random drawing shall be given to the following students in the following order:

1. Siblings of enrolled students admitted to or attending UPA
2. Children of Charter School teachers and staff
3. Students who are currently enrolled in or who reside in the elementary school attendance area of the public elementary school(s) in which University Preparatory Academy is located for purposes of the SB 740 Charter School Facility Grant Program.
4. Students who are eligible to receive Free or Reduced Price Meals¹, and who reside in the County.
5. All other applicants

The Charter School and the County agree to adhere to the requirements related to admission preferences as outlined in Education Code Section 47605(d)(2)(B)(i)-(iv).

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

The Board of Directors will take all necessary efforts to ensure lottery procedures are fairly executed. Lottery spaces are pulled in order of grade level by the designated lottery official (appointed by the Executive Director). Separate lotteries shall be conducted for each grade in which there are fewer vacancies than pupils interested in attending. All lotteries shall take place on the same day in a single location. Lotteries will be conducted in ascending order beginning with the lowest applicable grade level. There is no weighted priority assigned to the preference categories; rather, within each grade level, students will be drawn from pools beginning with all applicants who qualify for the first preference category and shall continue with that preference category until all vacancies within that grade level have been filled. If there are more students in a preference category than there are spaces available, a random drawing will be held from within that preference category until all available spaces are filled. If all students from the preference category have been selected and there are remaining spaces available in that grade level, students from the second preference category will be drawn in the lottery, and the drawing shall continue until all spaces are filled and preference categories are exhausted in the order provided above.

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

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

ELEMENT 14. PUBLIC SCHOOL ATTENDANCE ALTERNATIVES

Governing Law: The public school attendance alternatives for pupils residing within the county who choose not to attend the charter school. Education Code Section 47605.6(b)(5)(N).

No student shall be required to attend UPA. Parents and guardians of each student enrolled in the Charter School will be informed on admissions forms that students have no right to admission in a particular school of a local education agency as a consequence of enrollment in the Charter School, except to the extent that such a right is extended by the local education agency.

ELEMENT 15. EMPLOYEE RETURN RIGHTS

Governing Law: The rights of an employee of the county office of education, upon leaving the employment of the county office of education, to be employed by the charter school and any rights of return to the county office of education that an employee may have upon leaving the employ of the charter school. Education Code Section 47605.6(b)(5)(O).

No person shall be required to work at the Charter School. Individuals who leave employment with Santa Clara County Office of Education or any California public school district to work at UPA shall not have any right to return to employment with their districts because of employment at UPA unless specifically granted by the County or the school district. Charter School employees shall have any right upon leaving the District to work in the Charter School that the District may specify, any rights of return to employment in a school district after employment in the Charter School that the District may specify, and any other rights upon leaving employment to work in the Charter School that the District determines to be reasonable and not in conflict with any law. Employees of UPA who were not previous employees of SCCOE will not become employees of SCCOE and will not have the right to employment within SCCOE.

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

ELEMENT 16. CHARTER SCHOOL CLOSURE PROCEDURES

Governing Law: The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of public records. Education Code Section 47605.6(b)(5)(P).

The following are closing procedures that abide by Cal. Ed. Code §47605.6(b)(5)(P), should the school close for any reason. The decision to close UPA either by the UPA/UPA Board of Directors or by the SCCOE Board will be documented in a closure action. The closure action shall be deemed to have been automatically made when any of the following occurs: the charter is revoked or not renewed by the SCCOE Board of Education; the charter school Board votes to close the school; or the charter lapses. In the event of such a closure action, the following steps are to be implemented:

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

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

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

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

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

All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. UPA will ask the SCCOE to store original records of the UPA students. All records of the UPA shall be transferred to the SCCOE upon closure if the SCCOE agrees. If the SCCOE will not or cannot store the records, UPA shall work with the County Office of Education to determine a suitable alternative location for storage.

All state assessment results, special education records, and personnel records will be transferred and maintained in accordance with applicable law.

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

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

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

Any liability or debt incurred by UPA will be the responsibility of UPA and not SCCOE. UPA understands and acknowledges that the Charter School will cover the outstanding debts or liabilities of UPA Charter School. On closure of the school, all assets of the school, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the school, remain the sole property of UPA and shall be distributed in accordance with the Articles of Incorporation upon the dissolution of the nonprofit public benefit corporation. Any assets acquired from the SCCOE or SCCOE property will be promptly returned upon closure to the SCCOE. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final

Performance Reports, as well as the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

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

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

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

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

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

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

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

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

MISCELLANEOUS PROVISIONS AND IMPACT ON COUNTY

Financial Plan

Governing Law: The petitioner or petitioners also shall be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation. Education Code Section 47605.6(h).

A financial plan for the school is submitted with this petition. See Appendix F: Financial Plan. This document is based upon the best data available to the petitioners at this time.

The Charter School shall provide reports to the County Superintendent of Schools as follows in accordance with Education Code Section 47604.33, and shall provide additional fiscal reports as requested by the County:

1. By July 1, a preliminary budget for the current fiscal year.
2. By July 1, a local control and accountability plan and an annual update to the local control and accountability plan required pursuant to Education Code Section 47606.5.
3. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the State Controller, California Department of Education and County Superintendent of Schools.
4. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
5. By September 15, a final unaudited report for the full prior year. The report submitted to the County shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.

The Charter School shall provide reporting to the County as required by law and as requested by the County including, but not limited to, the following: California Basic Educational Data System (CBEDS), actual Average Daily Attendance reports, all financial reports required by Education Code Sections 47604.33 and 47605(m), the School Accountability Report Card (SARC), and the LCAP.

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

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

Financial Reporting

UPA maintains a contract with EdTec, a back-office service provider for finance, accounting, and payroll services.

Administrative Services

Governing Law: The county board of education shall require that the petitioner or petitioners provide information regarding the manner in which administrative services of the charter school are to be provided. Education Code Section 47605.6(h)

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

University Preparatory Academy will coordinate with the SCCOE to report pertinent STRS payroll data pursuant to the MOU and the county superintendent of schools. The county may request a reasonable fee for coordinating this transfer of data. The school plans on obtaining its own health and benefits via small business plan type offerings from local vendors (e.g., Kaiser and Blue Cross).

Transportation

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

Civil Liability

Governing Law: The county board of education shall require that the petitioner or petitioners provide information regarding potential civil liability effects, if any, upon the charter school, any school district where the charter school may operate, and upon the county board of education. Education Code Section 47605.6(h)

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

Insurance

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

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

Facsimile or reproduced signatures are not acceptable. The county reserves the right to require complete certified copies of the required insurance policies.

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

Indemnification

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

Term of Charter

The term of this charter shall be for five years beginning July 1, 2020, and expiring on June 30, 2025. UPA will comply with all processes and timelines set forth by the SCCOE for charter renewal.

SCCOE may revoke the charter of UPA in accordance with Education Code Section 47607 and its implementing regulations.

Severability

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

Amendments

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

Force Majeure

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

Notices

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

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

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