

# University High School

Term

July 1, 2017 to June 30, 2022

Submitted to:

Fresno Unified School District

Submitted on September 23, 2016

Revised on November 7, 2016

Founded in 2000

## **AFFIRMATIONS AND DECLARATION**

University High School (the “Charter School”) will follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

- The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Sections 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- The Charter School declares it shall be deemed the exclusive public school employer of the employees of University High School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(6)]
- The Charter School shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall admit all students who wish to attend the Charter School, and who submit a timely application; unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Except as required by Education Code Section 47605(d)(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 public random drawing shall be given as required by Education Code Section 47605(d)(2)(B). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C). [Ref. Education Code Section 47605(d)(2)(A)-(C)]
- The Charter School shall not discriminate on the basis of the characteristics listed in Education Code 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 or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]

- The Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.
- The Charter School 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)]
- The Charter School shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools is required to hold. As allowed by statute, flexibility will be given to noncore, noncollege preparatory teachers. [Ref. Education Code Section 47605(l)]
- The Charter School shall at all times maintain all necessary and appropriate insurance coverage.
- The Charter School shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. Education Code Section 47605(d)(3)]
- 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 educational programs. [Ref. Education Code Section 47605(c)]
- The Charter School shall comply with any applicable jurisdictional limitations to locations of its facilities. [Ref. Education Code Sections 47605 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 Education 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 meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]

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**SIGNATURE LINE**

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**DATE**

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## **Successes and Accomplishments of the Prior Charter Term: 2012-2017**

UHS will be starting its 17<sup>th</sup> year in the fall of 2016 and has been successfully chartered with two districts. In 2000 the school chartered with Sierra Unified and for the last ten years with Fresno Unified. The school is well established in the community with a solid core of employees, most of which have been with the school for more than ten years.

UHS is a college preparatory high school and its students perform uncommonly well. In 2007 US News and World Report ranked the UHS the 5<sup>th</sup> best charter and the 36<sup>th</sup> best public high school in the Nation out of 18,000+ schools. Similar rankings would appear every following year by news organizations like the Washington Post and Newsweek but also by research organizations like University of Southern California's *Center on Educational Governance*, which named UHS the second best Charter High School in the State in 2013. A quick look at the numbers:

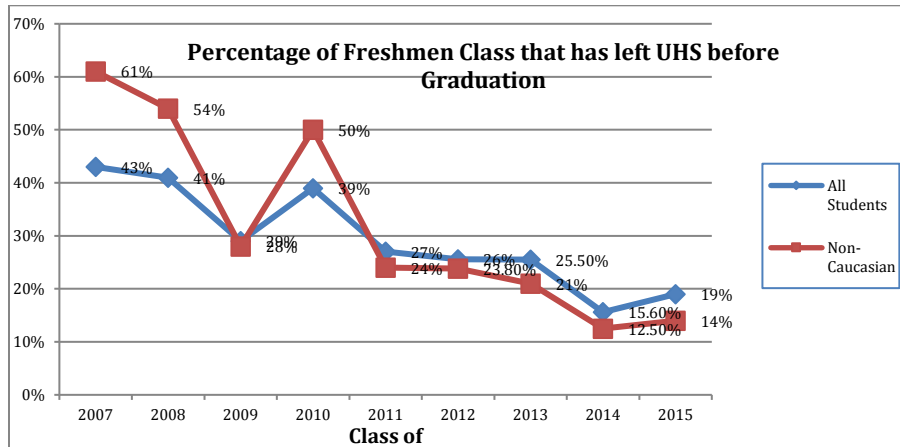
- UHS has become very diverse. About a third of the students are Asian, a third Caucasian and one third Hispanic. In 2015, forty-four percent of our parents were born outside the US represented more than 36 different countries. For a small school of only 480 students, UHS is a very multi-cultural, multi-national school.
- 98% of the 2015 graduating class went directly to college. Over the last five years we average 90+ % compared to local schools at 70%.
- The school is fiscally solvent with a 50% budget reserve.
- In our 2015 parent survey, 99% of our parents rated the school as either "Excellent" or "Good."
- From the 2015 SBAC tests, our average junior scored better than 87% of other juniors nationally and in 2016 the numbers improved! In April of 2016, 100% of the students met or exceeded the standard for English-Language Arts and 86% did so in Math, better than 99% of all high schools in California.
- Our own internal data indicates that the success our students are having is occurring with all our students regardless of the student's demographic background or ethnicity.

**UHS has become the kind of school the school founders wanted it to be**

**First, although students travel to UHS daily (and may drive up to an hour each way), students that choose to attend UHS as a freshman are staying until they graduate.** Our own attrition data shows that in 2007 as many as 61% of the students that



attended UHS as a freshman had left the school before graduation. That number has been reduced each year (see chart). Although the chart does not show it, **this year only 10 percent of the senior class that started as a freshman did not remain at UHS.** In other words, out of a starting class of 130 students, only 12 students left us over the last four years. Year after year UHS’s attrition rate has declined. This year all 130 students that started as freshman in August finished the school year. In fact only 7 students from the entire school left UHS once the school year began.



To understand what the reduced attrition rate means, we rely on our parent survey. Since 2008, UHS has distributed a parent survey to parents each year that more than half our parents routinely complete, making it statistically valid. The survey asks many questions about the school, but the first question asks parents to “Grade the overall quality of the school your child attends?” The results show that when asked to grade the school in 2008, only 63% of our parents gave the school an “A” rating with 93% giving it an “A” or “B”. This number has steadily increased and, in 2015, 86% of the parents gave an “A” grade, with 99% giving it an A or B, a clear improvement from 2008. **We think this combination of high parent satisfaction and low attrition indicates our clients are satisfied and believe we are an excellent school.**

We are pleased because the UHS students not only perform well on academic tests but they are meeting all the requirements of our program. A-G completion rates by our students, the GPA’s of our students, and the ESLR attainment rates we measure all suggest that **students that come to UHS are completing our program successfully ready for college.** All our students graduate UHS with at least one year’s worth of university work already completed in addition to other Advanced Placement college credit they may earn at the school. Our graduation requirements may be the toughest of any school in the country, and yet, not only do our students complete them, but they also maintain high grade point averages doing so. More than 40% of the senior class had a GPA over 4.0 in 2015, while the average student GPA at UHS is 3.65 (2015-16). Students who come to UHS stay with the school all four years and graduate with good GPA’s and high test scores. **We are pushing our students academically harder than**

**other schools and our students persist and excel. This is our school goal and the data shows it is being achieved.**

The second thing our data reveals is that UHS, which is a college preparatory school, has been successful in transitioning students from high school into colleges and universities. Our data suggests that on average, 98-100% of our students graduate each year with 90% of them completing the A-G requirements WITH a C or better, allowing them to move directly into a four year college (these rates do not vary between demographic groups). UHS has contracted with the NCAA to track its graduates. This organization can not track all graduates because they do not have access to all colleges, nor to international universities where we send some of our students. For the past 5 years, 92% of our students attend a college or university within the first year of graduation, a number smaller than what our graduates self-report, but high enough to suggest we have a high college attending rate. Equally important, the NCAA report shows UHS students are choosing 4-year universities by more than a 3 to 1 margin over a 2 year school (71% went to four-year and 21% went to two year). This number is very different from what one finds in the public schools of Fresno and Clovis where, by a 2-1 margin, students choose a community college over a 4-year college. We see this as confirmation that our graduates are moving into higher education when they leave us and they are unafraid to choose a four-year university. **We are proud of this number because it tells us that, as a college prep high school, our students are leaving us to go into college and are more likely to choose four-year universities over community colleges, where their graduation rate chances are statistically higher.**

The third thing our data indicates is that when students go to a university they are being successful. All high schools have AP programs for college bound students. But many graduates of these high schools go to college only to find they are unprepared for the work they are expected to do; this is not true for UHS graduates. Frequently, students leave high schools without the skills to be successful. This is why remediation classes in colleges are still taught. The NCAA report has shown us that our students, when they go to college, are graduating in numbers considerably higher than the norm. For example, over the last 12 years, 14.9% of Fresno State's students graduate in four years. But, UHS students that have chosen to attend Fresno State since 2004 had a 41% four year graduation rate. Over the last 5 years we have created and administered our own alumni survey to students two years removed from UHS. When we asked the students in 2015 to *"Think about your UHS experience in relation to other students your age that went to other high schools. Based on that knowledge, how would you grade your high school preparation to attend college,"* 63% graded UHS an A with 89% giving the school an A or B grade. We think this number, along with similar numbers from the 2013 survey, suggest our students are getting a good college prep education while at UHS and we are proud of this.

UHS has not always collected data on individual student populations because we have not always had significant subgroups but we have collected some data. Our own internal data indicates that **the success our students are having is occurring with all our students regardless of their demographic background.** The attrition chart above

shows that in 2007, sixty-one percent of our non-Caucasian students that started as freshman left us before graduation day. The number was 20 points higher than the overall student average, but **by 2015 the number had been reduced to 14% and was lower than the overall average for our students.**

UHS has created a foundation program to provide resources (books, school merchandise, test fee costs, bus tokens, dance and concert tickets, etc) to students that we have identified as low-income. All students identified as Free & Reduced Lunch are included in the program as are other students the counselors identify as needing support. Our data tells us the average GPA of these students calculated at the end of 2015 is 3.4 while our school GPA is 3.6. A quick look at our current CAASPP scores taken in April of 2015 shows that every single junior student met or exceeded the achievement level in ELA and only 8 students missed the bar in mathematics. This data suggests that if students choose to come to UHS, regardless of their background, SES or gender, they are being successful in large numbers with no discernable achievement gaps. **As a school, we do not always get the same demographic applying to our school that matches the district, but those that come are uniformly succeeding.**

There is a perception about our school “that we just teach smart kids.” Whether our students truly are more gifted than the norm is less relevant to us. We believe that anyone who chooses to come to our school should receive the best education possible. We believe we have created a rigorous, challenging four-year program that matches the abilities of our students and is implemented by highly skilled teachers. We believe our program, which is so much more than just a group of AP classes, is what a college-prep education should be. So we are glad to know there is evidence that our students are demonstrating success in college better than the norm that our alumni can further confirm. The school sees these metrics as evidence that we are living up to our vision and the promise we made to Fresno Unified when they chartered us.

## **CHARTER RENEWAL CRITERIA**

### **Evidence of Meeting Charter Renewal Standards Pursuant to Education Code Section 47607(b) and the California Code of Regulations, Title 5, Section 11966.4(a)(1)**

Education Code Section 47607(b) requires that a charter school must meet at least one of the following renewal criteria prior to receiving a charter renewal:

- (1) Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, both school wide and for all groups of pupils served by the charter school.
- (2) Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.
- (3) Ranked in deciles 4 to 10 inclusive, in the API for a demographically comparable school in the prior year or in two of the last three years.
- (4) 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.
- (5) Has qualified for an alternative accountability system pursuant to subdivision (h) of Education Code Section 52052.

The following shall serve as documentation confirming that University High School exceeds the statutory criteria required for renewal as set forth in Education Code Section 47607(b) (Also see Appendix E: CDE DataQuest Reports, 2012-2013):

- University High School has attained its most recent (2013) API growth target, both school wide and for all groups of pupils served by the charter school, exceeding the requirement of Education Code Section 47607(b)(1).
- University High School has achieved a statewide API rank of 4 or higher in the last two years, exceeding the minimum threshold rank of 4 required in Education Code Section 47607(b)(2).
- University High School has achieved a similar schools API rank of 4 or higher in the last two years, exceeding the minimum threshold rank of 4 required in Education Code Section 47607(b)(3).

Over the prior charter term, University High School had the following API scores:

Year	API Statewide Ranking
2014-2015	State testing and API calculation suspended; no data
2013-2014	N/A
2012-2013	10
2011-2012	10
<p>“A” means the school or Student Groups scored at or above the statewide performance target of 800 in the</p>	
<p>Source: CDE DataQuest, accessed May 10, 2016.</p>	

\*Note on 2013-14 and 2014-15 Testing Data

Assembly Bill 484 amended Education Code sections 52052(e)(2)(F) and 52052(e)(4) to allow schools that do not have an API calculated in 2013–14 and 2014–15 to use one of the following criteria to meet legislative and/or programmatic requirements:

- The most recent API calculation;
- An average of the three most recent annual API calculations; or
- Alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among significant groups.

University High School clearly meets the charter renewal criteria established in Education Code Section 47607(b) by utilizing “the most recent API calculation” as allowed per Education Code Section 52052(e)(4)(A).

Analysis of Charter Renewal Criteria – Schoolwide

University High School’s API growth score in 2013 exceeds the statewide performance target of 800 in the prior year. In 2013, the API growth score was 916. Moreover, for the last two years, University High School had a statewide API rank of 10 in 2012 and 10 in 2013, and a similar schools rank of 9 in 2012 and 8 in 2013. Therefore, University High School has exceeded the charter renewal standards of Education Code Section 47607(b) by meeting not just one, but three of the charter renewal criteria, and should be granted a five-year charter renewal term pursuant to Education Code Section 47607(a)(1).

**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.

In 2012-2013, University High School had three numerically significant student subgroups – Asian, Hispanic or Latino, and White – while in 2011-2012 and 2010-2011, University High School had only one numerically significant student subgroup – White. Numerically significant student subgroup API performance data is demonstrated in the tables below:

<b>2012-2013 API Growth Scores: Significant Student Subgroups</b>				
<b>Subgroup</b>	<b>Numerically Significant in Both Years?</b>	<b>2013 API Growth</b>	<b>API Growth Target (Actual Growth)</b>	<b>Met Student Group’s Growth Target?</b>
Asian	Yes	942	A (-16)	Yes
Hispanic or Latino	Yes	883	A (-19)	Yes
White	Yes	930	A (-5)	Yes

"A" means the school or student groups scored at or above the statewide performance target of 800 in the 2012 Base. (Source: CDE DataQuest, accessed May 10, 2016.)

<b>2011-2012 API Growth Scores: Significant Student Subgroups</b>				
<b>Subgroup</b>	<b>Numerically Significant in Both Years?</b>	<b>2012 API Growth</b>	<b>API Growth Target (Actual Growth)</b>	<b>Met Student Group’s Growth Target?</b>
White	Yes	935	A (+23)	Yes

"A" means the school or student groups scored at or above the statewide performance target of 800 in 2011. (Source: CDE DataQuest, accessed May 10, 2016.)

<b>2010-2011 API Growth Scores: Significant Student Subgroups</b>				
<b>Subgroup</b>	<b>Numerically Significant in Both Years?</b>	<b>2011 API Growth</b>	<b>API Growth Target (Actual Growth)</b>	<b>Met Student Group’s Growth Target?</b>
White	Yes	912	A (-10)	Yes

"A" means the school or student groups scored at or above the statewide performance target of 800 in 2010. (Source: CDE DataQuest, accessed May 10, 2016.)

University High School’s student subgroups have demonstrated API growth scores over 800 for the last three years. In fact, all subgroups except the Hispanic/Latino subgroup have

scored above 900 on the API. All subgroups have also scored high enough that they have not been assigned a growth target and are noted to have met their growth target for each year.

Thus, University High School's outstanding student subgroup performance further solidifies its renewal status under Education Code Section 47607(a)(3).

## **ELEMENT A: The Educational Program**

*Governing Law: The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an “educated person” in the 21<sup>st</sup> 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(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(b)(5)(A)(ii).*

*If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A” to “G” admissions criteria may be considered to meet college entrance requirements. Education Code Section 47605(b)(5)(A)(iii).*

At the end of the 1990’s, the Dean of the College of Arts and Humanities on the campus of California State University, Fresno conceived the idea of starting a charter high school at Fresno State. The intent was “to create a school that articulated a vision for education in the 21<sup>st</sup> century” that would be based upon the latest educational research, implement best practices in instruction and serve as a model of educational innovation.”

The vision and mission for University High School have not changed much over the years. The **vision** speaks to what UHS has tried to accomplish and the **mission** speaks to the path the school has chosen to achieve the vision.

### **Vision Statement (The Goal)**

University High School will be a 9-12th grade Liberal Arts high school on the campus of California State University Fresno where ALL students will experience an accelerated college preparatory program with two years of Latin and courses in music theory and performance in all grade levels.

The school culture will be caring, supportive of learning, promote understanding and encourage students to foster personal development. Students will feel confident to express themselves as they mature into young adults.



The school will address the academic, personal, and social development of the students while providing a solid academic foundation for a college career, with the goal that all graduates are prepared to enter the adult world where they will be ready to pursue any goal to which they aspire. In short, UHS will continually work to create for its students nothing less than the most perfect high school experience possible.

### **Mission Statement (How to achieve ‘the Goal’)**

The mission of University High School is to create a high school at California State University Fresno that maintains a small school environment even while it provides students opportunities available on a large public university campus.

The school will strive to work collegially with the University for the benefit of both parties and will be housed under the auspices of California State University Fresno and its College of Arts and Humanities.

The school’s educators will use and continually develop exemplary instructional practices to provide a rigorous and challenging curriculum. The school will promote quality-learning experiences in a technologically rich learning environment. The goal of all instruction should be student learning.

The school’s curriculum will be college preparatory and incorporate university courses and university-type experiences into its curriculum. The school will also integrate curriculum components into the graduation requirements that will prepare students for a successful college experience and successful integration into adult society.

The school will spur ideas on educational innovation and reform and serve as a positive example for other schools and districts.

The school will promote positive partnerships with parents, students, and the community to create a supportive climate for its students and the school.

UHS’s educational program is denoted in its motto and mascot. The motto of the school, written in Latin, is *Ad Astra Per Aspera*, which can be translated as either “To the stars through hardships” or “Through difficulties to the stars.” The school mascot is the phoenix. It was chosen not only for its mythical connection as a bird that rises from the ashes and is continually reborn, but also because the spelling of the word is the same both singular and plural. This symbolizes the dual nature of our student body. They are individual students but they come together to form one school. The key to student success at UHS is found in the motto and mascot. Teachers provide a rigorous curriculum that demands high expectations from students. Students don’t need to be smart to attend UHS but they must be willing to work hard.

### **Target Student Population and Whom the School Educates**

UHS offers only a very rigorous college preparatory liberal arts curriculum for all its students with a four-year inclusion of music. The required curriculum, longer school day,

focus on music and rigorous academics can benefit everyone who comes to UHS, but the program will be more attractive and better serve those who want what the program offers, who are willing to spend time out of class learning and who have the requisite skills to do the work the classes will require. At a typical high school, students can pick and choose as to what accelerated classes they want to take. At UHS that is not an option as students are required to take a full slate of high-level classes in all subject areas. At the same time, it is the desire of the school to serve a clientele that is representative of the Fresno Area. **The ideal student population includes any students within Fresno or the surrounding environs that want a high level rigorous program that includes music education and have the skills and desire to succeed in such a program.**

Currently the school serves around 480 students each year. The school’s diversity has changed a lot since 2011 moving closer to the racial and ethnic balance it desires.

**UHS 2015 Profile**  
**Enrollment Summary 9/4/2015**

Grade Level	Total in Grade	Amer Ind/ AK Native	Chinese	Japanese	Korean	Vietnamese	Asian Indian	Laotian	Other Asian	Filipino	Hispanic/ Latino	Black	Caucasian
9	130	3	6	6	5	6	9	2	8	15	36	3	31
M/F	59/71	2/1	2/4	3/3	1/4	2/4	5/4	1/1	5/3	9/6	17/19	0/3	12/19
10	122	3	4	3	2	3	8	1	4	14	37	2	41
M/F	54/68	2/1	3/1	3/0	1/1	0/3	5/3	0/1	3/1	4/10	13/24	1/1	19/22
11	113	1	5	1	3	4	4	2	3	12	24	3	51
M/F	47/66	1/0	3/2	1/0	1/2	2/2	1/3	1/1	0/3	2/10	12/12	2/1	21/30
12	120	1	11	3	4	4	5	0	2	9	27	8	46
M/F	53/67	1/0	4/7	0/3	1/3	1/3	2/3	0/0	2/0	6/3	12/15	2/6	23/23
Total	485	8 (1.6%)	26 (5.4%)	13 (2.7%)	14 (2.9%)	17 (3.5%)	26(5.4%)	5 (1%)	17 (3.5%)	50 (10.3%)	124 (25.6%)	16 (3.3%)	169 (34.8%)
M/F	213/272	5/3	12/14	7/6	4/10	5/12	13/13	2/3	10/7	21/29	54/70	5/11	75/94
Ethnic Break-down		Amer Ind 8 (1.6%)				Asian 168 (34.7%)					Hisp 124 (25.6%)	Black 16 (3.3%)	White 169 (34.8%)

**What is different is the racial makeup of the student body.** In 2011, 54% of the students identified as Caucasian and that number has declined to 35%. During the same period, the Asian population has risen from 24% to 35% of the student body (Filipino student population has doubled) and the Hispanic population has more than doubled, going from 12% to 26%. All of these numbers bring the school closer to the racial and ethnic balance goal it seeks.

In 2011, the low SES student group represented only 8.5 % of the student population. The school did several things in 2011 to increase the student applicant pool from this group to increase the admission rate of low-income students. The school added a lottery preference, provided extra resources, and targeted advertising to this group. **For the 2015-16 year the FRL population represented 12% of our population, a 30% increase.** Our Special Education and EL populations have also increased. In 2015-16, nine percent of our students were reclassified EL students. But the diversity of the student body is the most exciting. In a survey last year, UHS determined that 44% of our parents were born outside the U.S., representing more than 36 different countries. For a small school of only 480 students, UHS is a very multicultural, multinational school.

UHS has seen demographic changes since we were last chartered and it hopes to see much more. Already the UHS Board approved changes we hope will further diversify our student population. Among other things, it has changed admission rules, which will

restrict the amount of students given preferences (increasing lottery spots). It has also changed admission requirements to facilitate more low-income students gaining entrance (see Element G for more on this).

University High School is non-sectarian in its programs, employment practices, and other operations. It shall not charge tuition nor discriminate based on race, color, national origin, sex, sexual orientation, or disability, and admission shall not be based on place of residence.

### **What does it mean to be an educated person in the 21st century?**

This current generation of students is expected to live into the next century. This generation may spend 50 to 60 years of their lives earning a living. More than ever this generation needs to be educated. UHS believes being educated means a student has:

- completed college
- possesses intellectual curiosity and skills for life-long learning
- has acquired sufficient grounding in academic disciplines
- has engagement with the arts
- is a responsible citizen

College completion will be increasingly important in the complex society of the 21st century. In college, students hone their ability and intellectual curiosity to continue learning throughout life. University High School is therefore a college preparatory high school. Important goals are to prepare students for admission to, success in, and graduation from the college of their choice.

High school is the appropriate stage in the K-16 educational process to learn thoroughly the basic ideas, theories, vocabulary, and facts of the disciplines that comprise the arts and humanities, social sciences, and natural sciences. Those who have grounding in the academic disciplines will be in a better position to understand and lead change. An important goal of UHS will be to develop literacy and intellectual curiosity in students, enabling them to become self-motivated, competent, and life-long learners. Students will also learn to use appropriate technology.

Music is the most abstract of the arts and also one of the most ancient. It speaks through barriers of time and language and custom. It is a gateway to the understanding of other cultures and other times. Striving for excellence in musical performance teaches students discipline and commitment; performing music in groups teaches students to work cooperatively for a common goal; performing for an audience is a culminating experience that draws on all of a student's personal resources. Listening actively to music trains the memory, sharpens the intellect, and enhances life. For these reasons, the study of music has been part of the definition of a good education since the ancient Greeks, and will remain so in the 21st century.

Students will be part of University High School for four short but extremely crucial years in a lifetime of learning. During the high school years, it is imperative that students practice habits that characterize educated people in any century: to think logically, read critically, write and speak clearly, solve problems creatively, organize time effectively, and make choices wisely. An important goal of the school is to help students develop habits that will enable them to learn all their lives and to face unforeseen challenges.

In this new century, students will have at their fingertips more technology, more information, and more choices about almost everything than ever before. Their education must provide a context for that information, a way to separate the important from the non-important. For the past 2,500 years, classical studies have provided the educational framework that has been partly responsible for the amazing progress of the West. Classical studies have also helped generations of students to become thoughtful, engaged, and responsible citizens. In the last thirty years, the classical tradition has been almost completely abandoned, replaced by more “relevant” subjects. University High School will introduce high school students to the classical tradition by requiring two years of Latin, a subject that is unavailable in most high schools in the valley.

### **Program, Schedule and Calendar**

University High is a traditional seat-based charter school that has been designed to serve 480 students (approximately 130 9<sup>th</sup>, 122 10<sup>th</sup>, 116 11<sup>th</sup> and 112 12<sup>th</sup>). All students come to school everyday and attend school from 8am until 3, 4, or 5pm depending on the number of classes in which they are enrolled. All students have a common lunch from 12-1pm. All students take a minimum of seven courses but may take as many as 8, 9 or 10. Between 8am-2pm, students take their academic courses such as English, math, science, physical education, foreign language, and musicianship. From 2-5pm the school conducts its performing classes (including drama) that are offered to students on an alternate day basis. UHS currently has 5 choirs (Freshman, Show, Chamber, Mixed, Woman’s), 6 instrumental bands (Jazz, Concert, Symphonic, String, Orchestra, Wind) and 2 drama classes. Students are free to take as many of these classes as they can fit into their schedule. Because these classes run on alternate days (some meet on MW and alternate Fridays, others on TTH and alternate Fridays), it means that while most kids start school around 8am, the ending time for students is different and even for a single student, they may finish their day at 4pm one day, and 5pm on another.

The school calendar resembles a traditional school with a couple notable exceptions. The school year starts in August and after 5 staff development days, the fall semester begins and runs 16 weeks. The semester ends before winter break in December and matches the semester calendar of the University. In January, the school runs a 1-2 week (depending on the calendar year) “elective” or “winter” session. During this time teachers set aside their classes and everyone teaches an elective of their choice.

The second semester of the year starts in late January and closely matches the Fresno State semester (this is necessary because our students are jointly enrolled in Fresno State University classes). This second semester ends in mid-May and is followed by another 2

week elective session (similar to the winter session) before school ends the first week in June. For the past ten years the school year has run 182 school days while the staff work 190 days.

### **Attendance**

All students are expected to attend school each day school is in session and are expected to attend both their UHS and college classes. Issues pertaining to student absenteeism, truancies and tardiness are all outlined in the UHS handbook. When students are absent, attempts are made to confirm the status of the absence as to whether the absence is “excused” or “unexcused.” Students found to be out of class without permission are called into the office by either the counselor or school administrator and school disciplinary policies are followed. Based on the transgression, students who are out of class may face a detention, parent contact, or suspension. Students missing more than 15 days in any one class risk receiving no credit for the class they miss. In all cases, UHS works diligently to get and keep students in school.

### **Curriculum and Instruction – How Learning Best Occurs**

UHS offers all students a four-year college preparatory liberal-arts curriculum. “College preparatory” means we are preparing students to leave UHS to enter and be successful in any university in the country. “Liberal-Arts” means many things; it means we provide a general education that includes not only math and science but also the arts and humanities such as Latin, English, and Music. It also means we will teach students to be critical thinkers with a general understanding of the world, rather than providing them with a single, specific curriculum focus. Our four-year curriculum was developed in 1999 when educators in the community came together to outline what they thought would be the best curriculum for a high school student. The curriculum has changed in minor ways over the years but otherwise has remained as the founders intended.

For students to receive the Liberal-Arts college prep curriculum, ALL students are required to take 4 years of English, 5 science classes, 2 years of physical education, and 4 years of performing arts during their four years at UHS. Students also take 3 years of history/social science, 2 years of Latin and at least 1 year of a college level modern foreign language. Four years of mathematics beyond the Algebra 1 (Math 1) level are required (unless students opt for a special 3 year math option). The core curriculum that is taught such as the English, Science, Math, PE, and Social Science all incorporate the California State Standards. But, the standards are just the baseline learning objectives.

The chart below indicates the sequencing for UHS students and the courses they take. Students may take extra CSUF courses in the junior and senior years, and although it is not indicated below, they may forego a senior year of math and take another academic course instead. For some subjects, students may have an option about the kind of class they take (Do I take an Advanced Placement course or not). Likewise, math after the freshman year is student specific and math placement is based on the student’s previous math accomplishments, student achievement test, or diagnostic data.

FRESHMEN	SOPHOMORES	JUNIORS	SENIORS
English 9	English 10	AP Composition	AP Literature
Math 1 or 2	Math 2 or Advanced Math	Adv Math, AP Statistics or Statistics, AP Calculus AB/BC	AP Statistics or Statistics, AP Calculus AB/BC, Fresno State Math
Physics	Chemistry	Biology and Zoology	Environmental Science
Latin I	Latin II	(Language other than English)	(Language other than English)
No required class	World History (taught as a college history class)	U.S. History or AP U.S. History	AP Economics or AP Government
Musicianship I	Musicianship II	Musicianship III or AP Music Theory	Musicianship IV
Physical Education 9	Physical Education 10	Physical Education 11	Physical Education 12
Performing Group (Students must take one course in choral or instrumental music but may take as many as four classes from among the 5 choirs, 6 instrumental groups and 2 drama classes)	Performing Group (Students must take one course in choral or instrumental music but may take as many as four classes from among the 5 choirs, 6 instrumental groups and 2 drama classes)	Performing Group (Students must take one course in choral or instrumental music but may take as many as four classes from among the 5 choirs, 6 instrumental groups and 2 drama classes)	Performing Group (Students must take one course in choral or instrumental music but may take as many as four classes from among the 5 choirs, 6 instrumental groups and 2 drama classes)

From the chart you can see how our curriculum alignment supports our school's vision. Firstly, **all students are required to take this curriculum so that every student graduates exposed to the same curriculum.** Secondly, the variety of classes required of students is in keeping with a Liberal Arts education. By having students take five different sciences versus a sequence that might include biology then AP Biology or chemistry then AP Chemistry, students get a wider variety of science (breadth) over a sequence that could drill down more into one subject (depth). Breadth in a student's education better enhances good decision-making. Additionally, students are required to take two languages other than English and a performing arts class. These requirements all support a liberal arts approach. Thirdly, the rigor and high expectations that are regularly found in a college preparatory education are reflected in the course expectations and the high level of the required classes. In English 9, what is not seen at first glance is that the course expectations require more reading and writing than is found in any of the local high schools (UHS students read 15 books as freshman and 8 are studied in class), but course titles also reflect the expectations. For Junior English for example, ALL students are required to take an Advanced Placement Composition class and take the Advanced Placement test; there is no standard 'Junior English' option. Likewise, the senior social

science class is an AP class. The junior and senior science classes are Fresno State college classes, as is the foreign language after the sophomore year. Students who graduate from UHS will graduate having taken at least 4 AP classes and will have taken enough college classes that they will have earned at least a year's worth of college credit in addition to their AP credit.

Every subject in the curriculum meets the California standards and the recommendation of professional organizations. And with only a few exceptions, every course students are required to take is college preparatory in nature, has been approved by the University of California, and meets the A-G requirements (physical education is not eligible for A-G status). All the coursework encompassed in the courses listed in the chart are standards-based. The vision for UHS students is that they will be "prepared to enter the adult world where they will be ready to pursue any goal to which they aspire." UHS understands that in this endeavor, knowing the skills and content of the California subject matter standards is only the first step. Other skills, knowledge, and experiences need to be infused into the UHS high school experience to truly achieve our vision. To provide guidance with this, UHS created the Expected Student Learning Results or ESLR's.

### **Key Academic Skills**

Students will demonstrate the following knowledge and skills upon graduation:

#### **English**

Students will demonstrate language arts proficiency, in accordance with the Common Core State Standards for English Language Arts.

#### **Foreign Language**

Students will gain proficiency in a language other than their native tongue, and will understand key aspects of the culture, both past and present, of the second language. Students will gain a proficiency in elementary Latin.

#### **Music**

Students will demonstrate grade level competence in music history, singing, playing on instruments, aural skills, composition, improvisation, analyzing and valuing music, making connections between music and subjects outside of music, and culturally diverse musical traditions.

#### **History/Social Studies**

Students will be able to understand, read, and write about historical events, geography, American government, and economics as outlined in state standards. Students will gain an understanding of the rights and responsibilities of citizenship.

#### **Mathematics**

Students will complete and demonstrate competence by taking three years of mathematics at UHS.

#### **Science**

Students will complete five science courses in four year and demonstrate grade level competence in Biology, Chemistry, Physics, Zoology and Environmental Science. The California standards and Fresno State course requirements will serve as guidelines. Computers will be integrated into a variety of courses as appropriate.

### **Health/Physical Education**

Personal health and fitness will be emphasized and integrated where appropriate with regular courses and special programs. The music/body connection will be emphasized. P.E. courses at CSUF may be available for elective credit.

### **Technology**

The ability to use technology, learn from technology and use technology to demonstrate learning using different technology formats is integrated into all of the classes with specific technology requirements for students at each grade level.

### **Expected Student Learning Results**

Underlying and utilized throughout each of the above subject areas are other core skills, such as: problem solving, analyzing and applying knowledge, developing physical fitness, and nurturing creativity. The Expected Student Learning Results or ESLRs are indicated below.

#### **Expected Student Learning Results**

##### **1.0 USE EFFECTIVE COMMUNICATION THROUGH A VARIETY OF MEANS**

1.1 Function as competent active listeners, speakers, readers, and writers.

1.2 Interpret, organize, and communicate information orally, visually, and artistically as well as through writing and technology.

##### **2.0 USE CRITICAL THINKING AND ABSTRACT REASONING TO SOLVE PROBLEMS**

2.1 Identify, assess, and integrate a variety of complex reasoning processes such as comparison, classification, induction, deduction, analysis, synthesis, investigation, inquiry, and invention.

2.2 Access, collect, evaluate, and use information from varied sources.

2.3 Test hypotheses, solve problems, and form conclusions based on relevant, reliable data and information.

2.4 Apply past knowledge to similar problems or situations using the appropriate resources or digital tools.

##### **3.0 BE TECHNOLOGICALLY LITERATE**

3.1 Demonstrate creativity and innovation through the use of a variety of technological tools.

3.2 Know how to communicate, learn, and collaborate with others using technological tools.

3.3 Apply digital tools to gather, evaluate, and use information.

3.4 Practice responsible digital citizenship with an understanding of human, cultural, and societal issues related to technology and the need for legal and ethical behavior.

3.5 Understand varied technology operations and concepts (know how to use specific software and hardware).



#### 4.0 BE RESPONSIBLE CITIZENS

- 4.1 Understand and maintain personal physical, social and emotional well being.
- 4.2 Participate actively as a group member in a variety of roles in the school and the community.
- 4.3 Learn how to work toward resolution in the presence of conflict.
- 4.4 Embody good character as outlined in the UHS code of character: be understanding, honorable, and studious.
- 4.5 Understand the responsibilities and rights of a citizen and how to vote.
- 4.6 Demonstrate leadership and self-motivation in group settings.
- 4.7 Engage in 10 hours of community service per semester.

#### 5.0 BE SELF-DIRECTED LEARNERS

- 5.1 Demonstrate initiative, curiosity, responsibility, and ethical learning practices.
- 5.2 Develop personal goals.
- 5.3 Know how to organize and manage time efficiently.
- 5.4 Knows the value of reflecting on ones future goals and past actions.
- 5.5 Demonstrate knowledge of habits that support and promote life-long wellness.

The ESLR's were created at the time of our WASC visit in 2005 and were modified in 2007 and again in the spring of 2010 and fall of 2011. They are not unlike ESLR's other schools might identify. The ESLR's are not content heavy (no mention of a specific content kids will master) nor are they linked to high testing achievement levels. Rather they identify skills and attributes in five areas where students need to grow and develop if they are to successfully move into the adult world. UHS has created measurements to determine student ESLR attainment.

Because UHS recognizes the importance of the ESLR, the UHS program has long incorporated other high school experiences into its curricular and co-curricular program that will give students opportunities to practice and achieve the ESLR. Some of these experiences are infused in the courses students take. The government teacher, for example talks about becoming responsible citizens and all students are directed to register to vote when they are 18. Technology usage is infused at each grade level as are articulated writing assignments and projects. But many ESLR's are also approached through student involvement in the co-curricular program.

#### **The Elective Session Curriculum**

A unique part of the UHS program is the elective session. At the end of each semester at UHS there is a 1-3 week elective session. Each year these sessions fall at the beginning of January and the end of May. The elective session is designed to allow students to do intensive study in topic areas of their interest and allow kids to explore their interests and broaden their knowledge. Students have no real option to take electives during the school year since the curriculum is already prescribed. The elective session provides the elective opportunity. During these sessions the school creates a series of elective course options that students can take and while some of these classes are taught by the faculty, each year the school brings in professionals from outside UHS to teach classes as well.

The topics of the classes change each year but run the gamut between activity-based courses (skiing, soccer, yoga, biking, cricket, softball, tennis) versus academic-based (real life 101, health, driver's education, SAT Prep, Latin review) and everything in between (music composition, digital photography, knitting, drama production, Italian films of the 50's, villains in James Bond films, The year 1969, Profiling serial killers, Math and billiards, game theory). Many of the course offerings change each year but some (like Art and Health) are taught each session to give kids a chance to take a course that directly compliments the school program. In addition to the courses taught on campus, there are off campus options for students as well. Students may do a directed study option with their family that may include a trip. UHS has sponsored its own student trips during the elective session, including trips to Costa Rica, New York to visit colleges, Death Valley, and a backpacking hike. Lastly, students have a work-study option. All elective courses take place during the elective session period but the times for classes may vary. In most cases students either take one class for 6 hours a day or potentially 2 classes for 3 hours each day. Some classes may go longer.

### **The 48 Books Program**

Because reading is at the very heart of the educational process and serves to broaden a student's experience, University High School requires continuous reading outside of class over the four years they are in high school. Reading and discussing a common core of significant books builds bridges between students with diverse backgrounds, improves writing, develops cultural literacy, and prepares students for the rigorous reading demands of college. As part of the 48 books program, ALL students are given one book a month to keep for the four years they are at UHS. Because incoming freshman receive books for the months of June, July and August BEFORE they start at UHS and outgoing seniors receive a book right through May of their senior year, all graduates will have received 48 books as part of this program.

### **Student Activities**

Like other high schools, University High School offers a wide variety of clubs, activities and sports to our students. Because we are a small school, our extracurricular program is smaller than the traditional high schools in the area. Proportionally, however, we have more opportunities for kids than most schools. UHS values the experiences that come with being engaged in extra-curricular activities, but UHS also recognizes that academics are the primary focus for our students followed by participation in our performing groups. So our extra-curricular program is designed to complement our program, not supplant it. The activities supported by UHS all work around the school academic and music program. This means UHS tries to stay away from team activities that would either require mandatory practices together or games or matches when students would have to miss class. UHS has some sports but the intensity, skill level and length of the season is greatly diminished compared to other schools. Opportunities at UHS vary from year-to-year, but the following clubs or activities were available in recent school years: Academic Decathlon, Associated Student Body, California Scholarship Federation, Chess Club, Creative Writing Club, Cross Country, Dance Team, Drama Club, D.J. Club, Ecology Club, Forensics (Speech and Debate), Junior Classical League, Junior Statesmen of America, LEO Club, L.I.F.E. Club, Math Team, Mock Trial, Newspaper Club, Order

of the Phoenix, Peer Mentoring, Philosophy Club, Science Olympiad, Soccer, Girls Softball, Girls Tennis, Track, Travel Club, and Yearbook.

### **Character Education**

When the Bonner Center for Character Education and Citizenship gave their awards in 2015, they recognized UHS for our “Best Practices in Civic and Character Education. The school has a student culture that is supportive, accepting and convivial. Promoting school culture to create a learning environment supportive of learning and student growth is one of the three key aspects of the school’s vision (second paragraph in Vision). Years ago, UHS (teachers and students) created a Code of Character that speaks to the kind of culture the school has and the students pledge to do their part to live up to the cultural expectations we have for them. The school teaches the code and our character expectations in many different ways from the initial student orientation to character education day. The school has an Honor Commission comprised of students elected by their peers helps in this endeavor. The school’s **Code of Character** that all students sign in an elaborate ceremony is below.

# University High School

## Code of Character

At University High School we have established a unique and positive school environment. We come from a wide variety of backgrounds, cultures, beliefs and communities, to converge on the Fresno State campus to form one family. We learn together, play together, struggle together, and celebrate our successes together. We take pride in our academics, our performing groups, our extracurricular activities, and our sense of community. Our continued success and integration with the college campus requires a more mature behavior from us, and as such, we expect a higher standard of behavior from all students.

As a student I will be...

**U**nderstanding – and show compassion for all abilities, ethnicities, and beliefs.

**H**onorable - in all aspects of life (academics, extracurricular, and school functions).

**S**tudious – and serious about academic endeavors, concerned about exams, assignments, and school projects.

UNIVERSITY HIGH SCHOOL

I understand the school rules as outlined in the student handbook and will follow them, especially as they pertain to cheating and student behavior.

By signing this Code of Character, I commit to upholding the principles of U.H.S.

I understand that if through my actions I violate this code, I will be required to meet with a school official to discuss my behavior. Furthermore, I understand there will be disciplinary consequences for infractions as outlined in the student handbook.

We are not your typical high school, we are University High School, and **I am U.H.S.**

**Student Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Printed Name** \_\_\_\_\_

### **Continuous Refinement of the Curriculum**

In order to best serve our students and community, University High School continues to examine and refine its list of student outcomes to reflect the school's mission and any changes to state or local standards. In the spring/summer of 2010, for example, the school conducted a survey with its graduates. Graduates were contacted via Facebook and directed to a graduate survey we created and placed on Survey Monkey. Nearly 25% of our graduates over the history of the school took the survey. Students were asked about their experiences at UHS and specifically asked which of the ESLR areas the school did the poorest job teaching. Students responded that the technology areas were the weakest. UHS took the survey results and showed them to the teachers. With agreement from the entire staff technology literacy became the focus for staff development. In the summer of 2010, the staff were asked to become more technology literate. Throughout the 2010-11 school year, the teachers shared insights they learned about technology. With the start of the 2011-12 school year, the school has created a technology committee to oversee staff direction on technology literacy, the ESLR's were rewritten, and now new work has begun to determine how to measure our new outcomes. Two years later UHS did the alumni survey again and as a result, the school opened up some science elective options for 12<sup>th</sup> grade students and integrated more financial literacy into our curriculum. In 2015 as a result of the alumni survey, the school considered further modifications. These are all examples of how UHS is continuously refining our curriculum and why definitive student outcomes are a moving target. In the summer of 2015, the entire UHS curriculum was written into a large school curriculum document. This document lists the general school goals and ESLR, and outlines not only each departments' goals but also how each individual course relates to the overall school curriculum goals.

### **Serving English Learner Students**

University High School meets all applicable legal requirements for English Learners ("EL") as it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. University High School implements procedures to assure proper placement, evaluation, and communication regarding EL's and the rights of students and parents.

### **Home Language Survey**

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

### **CELDT Testing**

All students who indicate that their home language is other than English are administered the California English Language Development Test ("CELDT") within thirty days of

initial enrollment<sup>1</sup> and at least annually thereafter between July 1 and October 31<sup>st</sup> until re-designated as fluent English proficient.

The Charter School notifies all parents of its responsibility for CELDT testing and of CELDT results within thirty days of receiving results from the publisher. The CELDT is used to fulfill the requirements under the ESEA for annual English proficiency testing.

All references in the charter petition to the CELDT will be understood by the Charter School and the District to mean the English Language Proficiency Assessment for California (“ELPAC”), when it replaces the CELDT.

### **Reclassification Procedures**

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

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the CELDT,
- Participation of the pupil’s classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil’s curriculum mastery,
- 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 and 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.

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

## **Procedures for English Learner Instruction and Intervention**

Students are identified at time of enrollment for primary language, using the Home Language Survey.

- Files and transcripts from prior school are reviewed for CELDT scores.
- Prior year grades and passage of the CAHSEE are reviewed.
- CELDT is administered at initial enrollment or annually.
- Results from the test determine if a student is classified as an English Learner or English Proficient FEP 1 (Initial Fluent English Proficient).

## **EL Staffing**

EL students are assigned to core curriculum classes with teachers who have been certified CLAD and also SDAIE trained; one-on-one classroom support in the primary language is provided when appropriate. English tutoring will be provided with an EL certified teacher as described in the student plan when it is shown to be appropriate.

UHS teachers and administrative staff attend training and education regarding EL issues and support sponsored by the Fresno County Office of Education annually. UHS teachers meet by department to discuss current practices and to consult regarding the needs of designated students each month.

## **ELD Curriculum**

Specific ELD curriculum will be tailored to the student's need as described in the Individual Plan. Computer assisted learning is available through the Rosetta Stone English program. An alternative program is, Hampton-Brown's *EDGE*. Both programs are aligned to the California State Standards for ELA and ELD.

## **Serving 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 in Education Improvement Act ("IDEIA").

The Charter School will be its own local educational agency ("LEA") and is a member of the Fresno County Special Education Local Plan Area ("SELPA") in conformity with Education Code Section 47641(a).

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. In keeping with its responsibility, UHS has signed an agreement with STAR Consulting that is a year over year contract. STAR Consulting will 1. Provide UHS a credentialed school psychologist and speech and language pathologist to conduct initial assessments and three year evaluations for special education services 2. All reevaluations necessary in keeping with FCOE and CDE education standards, 3. Provide Special Education supervision, 4. Provide other credentialed professionals as agreed to by UHS. UHS has also employed an independent

contractor to work with STAR consulting to schedule meetings and serve as the parent contact for SPED meeting.

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.

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

University High 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 UHS. Any student, who has an objectively identified disability, which substantially limits a major life activity including but not limited to learning, is eligible for accommodation by the Charter School.

A 504 team will be assembled by the Head of School or designee 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 will review the student's existing records, including academic, social and behavioral records, and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEIA but was found ineligible for special education instruction or related services under the IDEIA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team, which will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- Tests and other evaluation materials including those tailored to assess specific areas of educational need, and not merely those that are designed to provide a single general intelligent 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 IDEIA, the team will make a referral for assessment under the IDEIA.

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 the free and appropriate public education (“FAPE”). In developing the 504 Plan, the 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, must have a copy of each student’s 504 Plan. The site administrator will ensure that teachers include 504 Plans with lesson plans for short-term substitutes and that he/she review the 504 Plan with a long-term substitute. A copy of the 504 Plan shall be maintained in the student’s file. Each student’s 504 Plan will be reviewed at least once per year to determine the appropriateness of the Plan, needed modifications to the plan, and continued eligibility.

### **Services for Students under the “IDEIA”**

The Charter School shall provide special education instruction and related services in accordance with the IDEIA, Education Code requirements, and applicable policies and practices of the SELPA.

The Charter School will provide services for special education students enrolled in the Charter School. The Charter School will follow SELPA policies and procedures, and shall utilize SELPA forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and parent complaints, and maintaining the confidentiality of pupil records.

The Charter School agrees to promptly respond to all District or SELPA inquiries, to comply with reasonable District or SELPA directives, and to allow the District or SELPA access to Charter School students, staff, facilities, equipment, and records as required to fulfill all District obligations imposed by law.

### **Staffing**

All special education services at University High will be delivered by individuals or agencies qualified to provide special education services as required by the California Education Code and the IDEIA. Charter School staff shall participate in SELPA in-service training relating to special education.

University High will be responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, and resource specialists. The Charter School shall ensure that all special education staff hired or contracted by the Charter School is qualified pursuant to SELPA policies, as well as meet all legal requirements. The Charter School shall be responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Charter School students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.

### **Notification and Coordination**

The Charter School shall follow SELPA policies as they apply to all SELPA schools for responding to implementation of special education services. The Charter School will adopt and implement policies relating to all special education issues and referrals.

### **Identification and Referral**

The Charter School shall have the responsibility to identify, refer, and work cooperatively in locating Charter School students who have or may have exceptional needs that qualify them to receive special education services. The Charter School will implement SELPA policies and procedures to ensure timely identification and referral of students who have, or may have, such exceptional needs. A pupil shall be referred for special education only after the resources of the regular education program have been considered, and where appropriate, utilized.

The Charter School will follow SELPA child-find procedures to identify all students who may require 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.

### **Assessments**

The term “assessments” shall have the same meaning as the term “evaluation” in the IDEIA, as provided in Section 1414, Title 20 of the United States Code. The Charter School will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with applicable law. The Charter School shall obtain parent/guardian consent to assess Charter School students.

### **IEP Meetings**

The Charter School shall arrange and notice the necessary Individualized Education Program (“IEP”) meetings. IEP team membership shall be in compliance with state and federal law. The Charter School shall be responsible for having the following individuals in attendance at the IEP meetings: the Head of School and/or the Charter School designated representative with appropriate administrative authority as required by the IDEIA, the

student's special education case manager, the student's general education teacher, the student (if appropriate), and other Charter School representatives who are knowledgeable about the regular education program at the Charter School and/or about the student. The Charter School 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 IDEIA, a speech therapist, psychologist, resource specialist, and behavior specialist, and shall document the IEP meeting and provide notice of parental rights.

### **IEP Development**

The Charter School understands that the decisions regarding eligibility, goals/objectives, program, services, placement, and exit from special education shall be the decision of the IEP team, pursuant to the IEP process. Programs, services, and placements shall be provided to all eligible Charter School students in accordance with the policies, procedures, and requirements of the SELPA and State and Federal law.

### **IEP Implementation**

The Charter School shall be responsible for all school site implementation of the IEP. As part of this responsibility, the Charter School shall provide 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. The Charter School shall also provide all home-school coordination and information exchange. The Charter School shall also be responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology.

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

The Charter School shall comply with Education Code Section 56325 with regard to students transferring into the Charter School within the academic school year. In accordance with Education Code Section 56325(a)(1), for students who enroll in the Charter School from another school district within the State, but outside of the SELPA with a current IEP within the same academic year, the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP, in consultation with the parent, for a period not to exceed thirty (30) days, by which time Charter School shall adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law.

In accordance with Education Code Section 56325(a)(2), in the case of an individual with exceptional needs who has an IEP and transfers into the Charter School from a district operated program under the same special education local plan area of the Charter School within the same academic year, the Charter School shall continue, without delay, to provide services comparable to those described in the existing approved IEP, unless the parent and the Charter School agree to develop, adopt, and implement a new IEP that is consistent with federal and state law.

For students transferring to the Charter School with an IEP from outside of California during the same academic year, the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP in consultation with the parents, until the Charter School conducts an assessment pursuant to paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code, if determined to be necessary by the Charter School, and develops a new IEP, if appropriate that is consistent with federal and state law.

### **Non-Public Placements/Non-Public Agencies**

The Charter School shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students.

### **Non-discrimination**

It is understood and agreed that all children will have access to the Charter School and no student shall be denied admission nor counseled out of the Charter School 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**

The Charter School shall adopt policies for responding to parental concerns or complaints related to special education services. The Charter School shall receive any concerns raised by parents/guardians regarding related services and rights.

The Charter School's designated representative shall investigate as necessary, respond to, and address the parent/guardian concern or complaint.

### **Due Process Hearings**

The Charter School may initiate a due process hearing or request for mediation with respect to a student enrolled in Charter School if it determines such action is legally necessary or advisable. In the event that the parents/guardians file for a due process hearing, or request mediation, the Charter School shall defend the case.

### **SELPA Representation**

The Charter School understands that it shall represent itself at all SELPA meetings.

### **Funding**

The Charter School understands that it will be subject to the allocation plan of the SELPA.

## **Serving Academically Low-Achieving Students - Academic Support and Re-teaching**

UHS employs two academic counselors, and regularly hosts counseling interns. The goals for this staff is to provide guidance and support to help students successfully move through the academic program and to provide guidance and assistance as students transition to their post-high school goal. Every student has a counseling meeting at least once a year and freshmen routinely have a meeting with the Head of School. Through annual individual counseling meetings with all students, and parent meetings such as “College Night for Parents,” parents are kept abreast of college entrance requirements and the process of matriculation to college. The registrar and counselor also provide information for students who want to transfer in or out of UHS.

Guidance and counseling is a very important part of students' experience at UHS. With two counselors employed in addition to counseling interns from Fresno State, we have a much smaller counselor to student ratio than most schools. UHS is committed to ensuring that all students are provided the instruction they need within the classroom setting to both challenge students and help them to meet or exceed the grade level standards. Struggling students are identified individually by teachers through bimonthly faculty meetings but also through the Academic Ineligibility (AI List) that is created weekly to monitor students with failing grades and/or cumulative GPA's below 2.00. Teachers see the AI list and act accordingly with the students, counselors and their parents. Students and teachers may modify the curriculum to assist students, for example, in math a teacher reduced the problem set a student was asked to do each night because the student could not get their work done. Or a teacher may schedule one-on-one tutoring time with a student if they need extra help, something that happens regularly. The AI list is also reviewed by the student's academic counselor and counseling intern on a weekly basis. Students that are on the AI list will be called in for an individual conference weekly and will be recommended tutoring services provided by a peer mentor. Peer mentors are available to tutor students free of charge, and students may also use the tutors at the Learning Resource Center at Fresno State. If the student remains on the AI list the counselor notifies parents and a Student Study Team meeting will be recommended to help the student be more successful academically. The SST plan may include tutoring, tutorial sessions with teacher(s) or other measures, which might be a more efficient use of student's time and effort for the affected classes. UHS also has monthly staff meetings by which grade level teams spend time discussing the students they have in common and observations or problems the teachers have seen with individual students (UHS can provide so many resources to students who do poorly because they represent such a small number of the student body).

The teacher also provides exceptional students a differentiated curriculum. Students who need more challenge are given options to complete independent projects and are channeled into extra-curricular activities that provide an extra opportunity for a student to excel.

Students that choose not to make efforts to improve, and who appear to be uncommitted to the program may be placed on contract with the expectation that the student either needs to make efforts to improve or they will consider moving back to their home school. UHS has had students choose to leave because they no longer wanted our program although the number is very small.

**Charter School Goals and Actions to Achieve the Eight State Priorities**

Pursuant to Education Code Section 47605(b)(5)(A)(ii), the Charter School’s annual goals to be achieved in the Eight State Priorities school-wide and for all pupil subgroups, as described in Education Code Section 52060(d), and specific annual actions to achieve those goals, can be found in the Charter School’s Local Control Accountability Plan (“LCAP”). The current LCAP is on file with the District and is also available on our website at [www.uhsfresno.com](http://www.uhsfresno.com)

The Charter School shall annually update and develop the LCAP in accordance with Education Code Section 47606.5 and shall use the LCAP template adopted by the State Board of Education. The Charter School shall submit the LCAP to the District and 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 Charter School at the school site.

## **ELEMENT B: Measurable Pupil 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 school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school. Education Code Section 47605(b)(5)(B).*

### **Alignment of Outcomes to the Eight State Priorities**

Pursuant to Education Code Section 47605(b)(5)(B), the Charter School's school-wide and pupil outcome goals and performance targets aligned to the Eight State Priorities that apply for the grade levels served, or the nature of the program operated by the Charter School, and methods for measuring progress, can be found in the Charter School's LCAP. The current LCAP is on file with the District and is also available on our website at [www.uhsfresno.com](http://www.uhsfresno.com)

### **CHARTER RENEWAL CRITERIA**

#### **Evidence of Meeting Charter Renewal Standards Pursuant to Education Code Section 47607(b) and the California Code of Regulations, Title 5, Section 11966.4(a)(1)**

Education Code Section 47607(b) requires that a charter school must meet at least one of the following renewal criteria prior to receiving a charter renewal:

- (6) Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, both school wide and for all groups of pupils served by the charter school.
- (7) Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.
- (8) Ranked in deciles 4 to 10 inclusive, in the API for a demographically comparable school in the prior year or in two of the last three years.
- (9) 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.

- (10) Has qualified for an alternative accountability system pursuant to subdivision (h) of Education Code Section 52052.

The following shall serve as documentation confirming that University High School exceeds the statutory criteria required for renewal as set forth in Education Code Section 47607(b) (Also see Appendix : CDE DataQuest Reports, 2012-2013):

- University High School has attained its most recent (2013) API growth target, both school wide and for all groups of pupils served by the charter school, exceeding the requirement of Education Code Section 47607(b)(1).
- University High School has achieved a statewide API rank of 4 or higher in the last two years, exceeding the minimum threshold rank of 4 required in Education Code Section 47607(b)(2).
- University High School has achieved a similar schools API rank of 4 or higher in the last two years, exceeding the minimum threshold rank of 4 required in Education Code Section 47607(b)(3).

Over the prior charter term, University High School had the following API scores:

2011-2014 API Scores					
Year	API Statewide Ranking	API Similar Schools Ranking	API Growth Scores	API Growth Target (Actual Growth)	Met School Growth Target?
<b>2014-2015</b>	State testing and API calculation suspended; no data reported*				
<b>2013-2014</b>	N/A	N/A	State testing and API calculation suspended; no data reported*		
<b>2012-2013</b>	10	8	916	A (-10)	Yes
<b>2011-2012</b>	10	9	926	A (+9)	Yes
<p>“A” means the school or Student Groups scored at or above the statewide performance target of 800 in the 2012 Base.</p> <p>Source: CDE DataQuest, accessed May 10, 2016.</p>					

\*Note on 2013-14 and 2014-15 Testing Data



Assembly Bill 484 amended Education Code sections 52052(e)(2)(F) and 52052(e)(4) to allow schools that do not have an API calculated in 2013–14 and 2014–15 to use one of the following criteria to meet legislative and/or programmatic requirements:

- The most recent API calculation;
- An average of the three most recent annual API calculations; or
- Alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among significant groups.

University High School clearly meets the charter renewal criteria established in Education Code Section 47607(b) by utilizing “the most recent API calculation” as allowed per Education Code Section 52052(e)(4)(A).

Analysis of Charter Renewal Criteria – Schoolwide

University High School’s API growth score in 2013 exceeds the statewide performance target of 800 in the prior year. In 2013, the API growth score was 916. Moreover, for the last two years, University High School had a statewide API rank of 10 in 2012 and 10 in 2013, and a similar schools rank of 9 in 2012 and 8 in 2013. Therefore, University High School has exceeded the charter renewal standards of Education Code Section 47607(b) by meeting not just one, but three of the charter renewal criteria, and should be granted a five-year charter renewal term pursuant to Education Code Section 47607(a)(1).

**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.

In 2012-2013, University High School had three numerically significant student subgroups – Asian, Hispanic or Latino, and White – while in 2011-2012 and 2010-2011, University High School had only one numerically significant student subgroup – White. Numerically significant student subgroup API performance data is demonstrated in the tables below:

<b>2012-2013 API Growth Scores: Significant Student Subgroups</b>				
<b>Subgroup</b>	<b>Numerically Significant in Both Years?</b>	<b>2013 API Growth</b>	<b>API Growth Target (Actual Growth)</b>	<b>Met Student Group’s Growth Target?</b>

Asian	Yes	942	A (-16)	Yes
Hispanic or Latino	Yes	883	A (-19)	Yes
White	Yes	930	A (-5)	Yes
"A" means the school or student groups scored at or above the statewide performance target of 800 in the 2012 Base. (Source: CDE DataQuest, accessed May 10, 2016.)				

<b>2011-2012 API Growth Scores: Significant Student Subgroups</b>				
<b>Subgroup</b>	<b>Numerically Significant in Both Years?</b>	<b>2012 API Growth</b>	<b>API Growth Target (Actual Growth)</b>	<b>Met Student Group's Growth Target?</b>
White	Yes	935	A (+23)	Yes
"A" means the school or student groups scored at or above the statewide performance target of 800 in 2011. (Source: CDE DataQuest, accessed May 10, 2016.)				

<b>2010-2011 API Growth Scores: Significant Student Subgroups</b>				
<b>Subgroup</b>	<b>Numerically Significant in Both Years?</b>	<b>2011 API Growth</b>	<b>API Growth Target (Actual Growth)</b>	<b>Met Student Group's Growth Target?</b>
White	Yes	912	A (-10)	Yes
"A" means the school or student groups scored at or above the statewide performance target of 800 in 2010. (Source: CDE DataQuest, accessed May 10, 2016.)				

University High School's student subgroups have demonstrated API growth scores over 800 for the last three years. In fact, all subgroups except the Hispanic/Latino subgroup have scored above 900 on the API. All subgroups have also scored high enough that they have not been assigned a growth target and are noted to have met their growth target for each year.

Thus, University High School's outstanding student subgroup performance further solidifies its renewal status under Education Code Section 47607(a)(3).

### Outcomes for Next Renewal Period

Pupil Outcomes	Assessments Used	Frequency	Goal/Expected Outcome	Progress Targets	
Performance Goals				Year	Goal
University High School will meet or exceed their goals as measured by the overall rating of the state accountability system	California state accountability system (To be established)	Annually	To be determined after accountability system is established.	N/A at this time.	
University High School will meet or exceed their goal for the percentage of students meeting or exceeding standards as measured by the Smarter Balanced Summative Assessment in Mathematics	SBAC Summative Mathematics Assessment	Annually	80% or better of students meeting/exceeding standards annually	2016-17	80%
				2017-18	80%
				2018-19	80%
				2019-20	80%
				2020-21	80%
University High School will meet or exceed their goal for the percentage of students meeting or exceeding standards as measured by the Smarter Balanced Summative Assessment in ELA	SBAC Summative ELA Assessment	Annually	80% or better of students meeting/exceeding standards annually.	2016-17	80%
				2017-18	80%
				2018-19	80%
				2019-20	80%
				2020-21	80%
University High School will meet or exceed their goal for the percentage of students meeting A-G requirements for UC/CSU Admission	CSU/UC A-G Admission Guidelines	Annually	85% or better of the graduation cohort will complete a-g requirements.	2016-17	85%
				2017-18	85%
				2018-19	85%
				2019-20	85%
				2020-21	85%
University High School will meet or exceed their goal for the 4 year cohort graduation rate reported by the California Dept. of Education	4 Year Cohort Graduation Rate	Annually	93% or greater percentage of cohort students graduating annually.	2016-17	93%
				2017-18	93%
				2018-19	93%
				2019-20	93%
				2020-21	93%
University High School will meet or exceed their goal for the 4-year cohort dropout rate reported by the California Dept. of Education.	4 Year Cohort Dropout Rate	Annually	Not to exceed 4%	2016-17	4%
				2017-18	4%
				2018-19	4%
				2019-20	4%
				2020-21	4%
University High School will meet or exceed their goal for average daily attendance as reported to the California Department of Education	Attendance Records.	Annually	97% or better school wide attendance	2016-17	97%
				2017-18	97%
				2018-19	97%
				2019-20	97%
				2020-21	97%
University High School will meet or exceed their goal for reduction of suspension incidents.	Suspension Records	Annually	Less than 3.8% annually (LCFF snapshot)	2016-17	3.8%
				2017-18	3.8%
				2018-19	3.8%
				2019-20	3.8%
				2020-21	3.8%

<b>Pupil Outcomes</b>	<b>Assessments Used</b>	<b>Frequency</b>	<b>Goal/Expected Outcome</b>	<b>Progress Targets</b>	
<b>Program Goals</b>				<b>Year</b>	<b>Goal</b>
University High School will meet or exceed their goal for the number of AP exams administered.	AP Examinations	Annually	600 exams will be taken annually	2016-17	600
				2017-18	600
				2018-19	600
				2019-20	600
				2020-21	600
University High School will meet or exceed their goal for the number of AP exams receiving a score of 3 or better.	AP Examinations	Annually	60% of tests taken will result in score of 3 or better.	2016-17	60%
				2017-18	60%
				2018-19	60%
				2019-20	60%
				2020-21	
University High School will meet or exceed their goal for students with an Early Assessment Program Status of “Ready” or “Conditionally Ready”.	LCFF State Priorities snapshot	Annually	Maintain a percentage that is 95% or above.	2016-17	95%
				2017-18	95%
				2018-19	95%
				2019-20	95%
				2020-21	95%
University High School will meet or exceed their goal for the percentage of graduates who enroll in an institution of higher education for the Fall semester following graduation.	National Student Clearinghouse	Annually	90% will enroll in college immediately after high school	2016-17	90%
				2017-18	90%
				2018-19	90%
				2019-20	90%
				2020-21	90%
Annual Parent Survey Results will demonstrate parent satisfaction with the school.	UHS Annual Parent Survey	Annually	93% of parents will grade the school as either ‘excellent’ or ‘good’	2016-17	93%
				2017-18	93%
				2018-19	93%
				2019-20	93%
				2020-21	93%

The UHS curriculum does embed the Common Core State Standards into its teaching. Students are expected to learn the required standards in their UHS classes. UHS also looks at many other student success indicators as noted above, but the Standards and indicators are only a base line for what UHS expects its students to be able to know and do because the ultimate goals for students transcend any one particular curricular area and include skills and abilities more expansive than those identified in the standards or in

the summative school wide data routinely provided. **The ultimate list of goals for students is the “Expected Student Learning Results” that were first identified several years ago and were listed in Element A and again below.**

These ESLRs are as follows:

### **Expected Students Learning Results**

#### **1.0 USE EFFECTIVE COMMUNICATION THROUGH A VARIETY OF MEANS**

- 1.1 Function as competent active listeners, speakers, readers, and writers.
- 1.2 Interpret, organize, and communicate information orally, visually, and artistically as well as through writing and technology.

#### **2.0 USE CRITICAL THINKING AND ABSTRACT REASONING TO SOLVE PROBLEMS**

- 2.1 Identify, assess, and integrate a variety of complex reasoning processes such as comparison, classification, induction, deduction, analysis, synthesis, investigation, inquiry, and invention.
- 2.2 Access, collect, evaluate, and use information from varied sources.
- 2.3 Test hypotheses, solve problems, and form conclusions based on relevant, reliable data and information.
- 2.4 Apply past knowledge to similar problems or situations using the appropriate resources or digital tools.

#### **3.0 BE TECHNOLOGICALLY LITERATE**

- 3.1 Demonstrate creativity and innovation through the use of a variety of technological tools.
- 3.2 Know how to communicate, learn, and collaborate with others using technological tools.
- 3.3 Apply digital tools to gather, evaluate, and use information.
- 3.4 Practice responsible digital citizenship with an understanding of human, cultural, and societal issues related to technology and the need for legal and ethical behavior.
- 3.5 Understand varied technology operations and concepts (know how to use specific software and hardware).

#### **4.0 BE RESPONSIBLE CITIZENS**

- 4.1 Understand and maintain personal physical, social and emotional well being.
- 4.2 Participate actively as a group member in a variety of roles in the school and the community.
- 4.3 Learn how to work toward resolution in the presence of conflict.
- 4.4 Embody good character as outlined in the UHS code of character: be understanding, honorable, and studious.
- 4.5 Understand the responsibilities and rights of a citizen and how to vote.
- 4.6 Demonstrate leadership and self-motivation in group settings.
- 4.7 Engage in 10 hours of community service per semester.

#### **5.0 BE SELF-DIRECTED LEARNERS**

- 5.1 Demonstrate initiative, curiosity, responsibility, and ethical learning practices.
- 5.2 Develop personal goals.
- 5.3 Know how to organize and manage time efficiently.
- 5.4 Knows the value of reflecting on ones future goals and past actions.

## 5.5 Demonstrate knowledge of habits that support and promote life-long wellness.

Using the ESLRs as a guide, UHS then identified the focus areas of each content area and what we want students to learn. Furthermore, UHS asked the teachers to look at the ESLR's and identify assignments or lessons that students, through participation in, could show they had a chance to attain mastery of the ESLR outcome. The teachers did this process and the results showed us that upon completion of the UHS program, ALL students would have had the chance to be taught about and even master the different ESLR's which have been carefully interwoven into the standards based courses and extracurricular program.

### **Element C: Methods to Assess Pupil Progress towards Meeting Outcomes**

*Governing Law: 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(b)(5)(C).*

#### **Data Collection and Analysis**

Because the standards and their attainment are incorporated in the ESLR (See Elements A and B), progress towards meeting the pupil outcomes is monitored in a combination of different ways.

To measure classroom efficacy, faculty members analyze both formative and summative assessments to ensure UHS is using appropriate instructional strategies to meet the needs of all students. Some examples of formative data used by UHS faculty include performance-based assessments, anecdotal records, individual student learning plans, and standards-aligned exams. Based on these formative assessments, teachers work together to present information to students in different modalities and/or formats than what was done initially. Teachers also take advantage of peer tutoring, small group instruction, and alternative materials to re-teach information to students who are in need of additional assistance.

Other formative data is collected from, PE fitness levels, the state testing, parent surveys, student Climate and Exit surveys, and ad hoc student surveys on issues like library usage, homework, and school communication.

University High School also uses summative assessments, such as CAASPP, CELDT, AP, and SAT and PSAT and alumni reports, to help shape how teachers organize their courses. Teachers also use scientifically based educational research, acquired from professional journals, conferences, and our liaison from the Education Department at

California State University, Fresno, to modify their instructional approach when necessary.

When it comes to measuring the ESLR's, the assessment mechanisms are more complex because some of the ESLR's are either abstract, vision-oriented, or subjective. **For example, how does a school determine if it has produced graduates “Who are Responsible Citizens?”** At UHS, we have striven to make the ‘abstract’ measurable and have created our own accountability metrics to determine our success in producing graduates who define our vision of what a UHS graduate is. Over the course of four years, UHS students at different times must demonstrate ESLR attainment. Listed below in the following two-column chart are the ESLR and the accountability metric we measure to determine ESLR attainment.

ESLR Expectation	As measured by
1.0 USE EFFECTIVE COMMUNICATION THROUGH A VARIETY OF MEANS	All students participate in the 48 Books Program during all four years, and the senior English teacher will verify completion by graduation. (1.1)
1.1 Function as competent active listeners, speakers, readers, and writers.	
1.2 Interpret, organize, and communicate information orally, visually, and artistically as well as through writing and technology.	
2.0 USE CRITICAL THINKING AND ABSTRACT REASONING TO SOLVE PROBLEMS	A student is deemed a critical thinker upon successful completion of ESLR 2.1, 2.2, 2.3 and 2.4.
2.1 Identify, assess and integrate a variety of complex reasoning processes such as comparison, classification, induction, deduction, analysis, synthesis, investigation, inquiry, and invention.	Juniors complete a researched argumentation paper, with thorough citations, based on <u>The Scarlet Letter</u> . (1.1, 1.2, 2.2)
2.3 Test hypotheses, solve problems, and form conclusions based on relevant, reliable data and information.	All Juniors complete either a U.S. History research paper focusing on music

2.2 Access, collect, evaluate, and use information from varied sources.	and American culture or an Advanced Placement DBQ Project. (2.4)
2.4 Apply past knowledge to similar problems or situations using the appropriate resources or digital tools.	<p>Science students complete both journal entries and formal lab reports to synthesize their research, expression, and reflection skills. (2.1, 2.3)</p> <p>UHS student take 5 science lab classes. All students are required to keep lab books and learn the scientific method. The Science department has developed a mastery rubric for their lab work that is used to determine student mastery of these two ESLR's.</p> <p>Successful completion of the sophomore research paper is evidence of mastery of this standard at the sophomore level. (2.2)</p>
<b>3.0 BE TECHNOLOGICALLY LITERATE</b>	A student is deemed technologically literate upon successful completion of the following technology standards.
3.1 Demonstrate creativity and innovation through the use of a variety of technological tools.	<p>Students compose a programmatic piano composition in the style of Chopin and write an essay analyzing the form and techniques that they used (3.1)</p> <p>Freshmen learn to use Moodle, CSUF e-mail accounts, and MyFresnoState. Seniors learn to use Blackboard in English classes. (3.2)</p>
3.2 Know how to communicate, learn, and collaborate with others using technological tools.	
3.3 Apply digital tools to gather, evaluate, and use information.	
3.4 Practice responsible digital citizenship with an understanding of human, cultural, and societal issues related to technology and the need for legal and ethical behavior.	
3.5 Understand varied technology operations and concepts (know how to use specific software and hardware).	
<b>4.0 BE RESPONSIBLE CITIZENS</b>	A student is deemed a Responsible Citizen upon successful completion of the following citizenship standards.
4.1 Understand and maintain personal physical, social and emotional well-being.	All seniors write an essay in P.E., signed by parents, about their goals for social,



4.2 Participate actively as a group member in a variety of roles in the school and the community.	emotional, and physical well-being and their plan for achieving these. (4.1)  All students will participate in at least three extra-curricular activities during their career, and counselors will record the activities of each student. (4.2)  Each semester, all students will perform at least ten hours of community service. The office will keep records of hours. (4.7)  All students will write an essay during the summer before their senior year reflecting on their own progress and character. Essays, which parents will sign, will be given to and reviewed by the senior English teacher and used later by those writing recommendation letters. (5.2, 5.4)
4.3 Learn how to work toward resolution in the presence of conflict.	
4.4 Embody good character as outlined in the UHS code of character: be understanding, honorable, and studious.	
4.5 Understand the responsibilities and rights of a citizen and how to vote.	
4.6 Demonstrate leadership and self-motivation in group settings.	
4.7 Engage in 10 hours of community service per semester.	
5.0 BE SELF-DIRECTED LEARNERS	
5.1 Demonstrate initiative, curiosity, responsibility, and ethical learning practices.	All freshmen complete a review of <u>Seven Habits of Highly Effective Teens</u> , and the freshman English teacher will assess student understanding. Quiz results will be kept by counselors. (5.1, 5.2, 5.3)  Sophomores devise a long-term fitness plan for themselves based on an analysis of their caloric needs, nutritional intake, metabolism, etc., that they learn to carry out in their P.E. classes. (5.5)
5.2 Develop personal goals.	
5.3 Know how to organize and manage time efficiently.	
5.4 Knows the value of reflecting on ones future goals and past actions.	
5.5 Demonstrate knowledge of habits that support and promote life-long wellness.	

## **ELEMENT D: 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(b)(5)(D).*

UHS was conceived by the College of Arts and Humanities at Fresno State and although they wrote the initial charter for the school, UHS is an Independent Charter School. The school was chartered through Sierra Unified but in 2007 became a school under FUSD.

In 2015 the school had ties to all these entities. FUSD is the chartering agency that provides oversight for the school. Some personnel from Sierra Unified are still employed by UHS to provide fiscal services and some office support. The school resides on the campus of Fresno State and the high school has a series of MOU's that outline the business relationship between the high school and the university. Three members of the university serve on the UHS School Board.

University High School is a California Nonprofit Public Benefit Corporation pursuant to California law (see California Education Code Section 47604; California Corporations Code Section 5110 et seq.). Corporate affairs are governed by a Board of Directors and pursuant to Bylaws adopted by the Incorporators.

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

### **The Governing Board**

The governing board's job, as stated in the Articles of Incorporation, is to operate University High School as provided in the Charter Schools Act of 1992. In practice, the Board's job is to hire an educational team and to monitor their progress in operating the school. The Board should provide oversight and vision but not micromanage the educational team operating the school. In providing oversight, the Board should ensure that the school is being run efficiently and effectively, that it is adhering to any applicable laws and the school vision as outlined in this charter.

Board responsibilities include, but are not limited to the following:

- Oversight of UHS and its operations
- Hiring and evaluating the Head of the School.

- Hiring, discipline and dismissal of all employees of the Charter School after consideration of a recommendation by the Head of School.
- Approving and monitoring the School's annual budget.
- Acting as fiscal agent. This includes the receipt of funds for the operation of the School in accordance with charter school laws and the receipt of grants and donations consistent with the mission of the School.
- Contracting an external auditor to produce an annual financial audit according to the generally accepted accounting principles.
- Regularly monitoring data reports indicating progress of both student and staff performance.
- Development, review, or revision of the School's accountability and mission.
- Approval of the school calendar and schedule of Board meetings.
- Development or approval of Board policies and procedures as deemed necessary.
- Participation in the dispute resolution procedure and complaint procedures when necessary.
- Approval of charter changes.
- Approval of annual fiscal and performance audits.
- Appointment of an administrative panel to act as a hearing body and take action on recommended student expulsions.
- Creation of external or sub-committees as needed, including but not limited to, a compensation committee and an audit committee.

The governing board consists of no more than 7 Directors who serve staggered 3-year terms. Article V section 4 and 5 of the Bylaws (that were most recently revised by the Board in February of 2010) describe the selection, tenure, and composition of the Board.

Section 4. Selection and Tenure. Directors serve three (3) year terms on the corporation's Board of Directors. Terms shall be monitored and staggered so no more than three (3) terms end in a single year. Upon mutual agreement, the Board may extend the term of members by one (1) year to achieve continuity (see Article VIII, Section 4). Directors may serve any number of terms, consecutively or non-consecutively.

Section 5. Composition of Board of Directors. The Board of Directors shall be constituted as follows: one (1) member representing the California State University, Fresno, School of Arts and Humanities (appointed in consultation with the Dean of Arts and Humanities); one (1) member representing the California State University, Fresno, Kremen School of Education and Human Development (appointed in consultation with the Dean of the Kremen School of Education and Human Development); one (1) member representing the California State University, Fresno, faculty (Music, Science, or Math preferred) or administration; not more than one (1) member who is an agent or representative of the chartering school district; not more than three (3) parent representative members who are each the parent of unrelated students matriculated at University High School (this does not prohibit Directors serving in other board positions from having children who attend University High School); and not more than two (2) members representing the community serviced by the charter school hereunder. All members shall be officially nominated and selected by the Board of Directors.

The current Board, as provided in the Bylaws, following an application and interview process, appoints new members of the governing board. In the 2016-17 school year, the UHS Board of Directors is comprised of two parents, two community members, and three employees from Fresno State. **No employees of UHS have ever served on its Board.**

The Board usually meets the first Thursday of each month and holds Board training during the summer. Board members vote to elect their own officers and Board members may assign each other representative duties such as Development Liaison, or Community Liaison.

The Board may initiate and carry on any program or activity or may otherwise act in any manner which is not in conflict with or inconsistent with or preempted by any law, and which is not in conflict with the purposes for which schools are established. UHS has adopted governance policies that are aligned with the principles of the Brown Act, Conflict of Interest Laws, and the Political Reform Act. UHS has adopted a Conflict of Interest Code that was submitted and Approved by the Board of Supervisors. A Board member shall not vote or participate in a discussion relating to a matter in which he/she has a direct personal financial interest. The Board may execute any powers delegated to it by law and shall discharge any duty imposed by law upon it, and may delegate to an employee of the school any of those duties. The Board however, retains ultimate responsibility over the performance of those powers or duties so delegated.

The governing board does comply with the Brown Act, will conduct meetings according to Roberts Rules of Order, and will elect officers from among themselves.

### **HEAD OF SCHOOL**

The Head of School (“HOS”) is responsible for overseeing all school operations and providing leadership and vision for the school. While the Board “monitors,” the Head of School “acts”. In general, the HOS is hired by the Board and is then expected to run the school as effectively and efficiently as possible and to develop or carry out programs that support the vision. The HOS may be given authority by the Board to act as its designee in certain select functions. A list of responsibilities includes, but is not limited to, the following:

- Supervise, motivate, and reward faculty and staff performance.
- Coordinate student recruitment and retention efforts.
- Ensure student progress and respond to parent inquiries.
- Monitor academic progress, standardized testing, and student advising.
- Oversee curriculum and compose annual reports.
- Plan and coordinate elective sessions and summer school, as needed.
- Report to and work with the Governing Board.
- Manage fiscal and human resources, grounds, and facilities.
- Serve as liaison with the University and the public.
- Approve fiscal expenditures.
- Recommend regarding the retention or release of staff members.

### **Insurance Policies**

UHS maintains in force all necessary or desirable general liability and board errors and omissions insurance policies.

### **Student Government**

In order to reach University High School's goal of developing responsible citizens, students are asked to participate meaningfully in decision-making at the school. On a regular basis, students are asked to respond to a climate survey related to the school's policies, goals, and instruction. Collected student data is used to shape school practices. The President of the Associated Student Body (ASB) or designee attends all meetings of the UHS Board of Directors.

### **Parent Involvement**

UHS truly believes that it does take a village to raise a child. For students to be successful at the school, parents, students, teachers, and staff need to work collaboratively. Communication between all members of the community is diverse and abundant.

The Phoenix Alliance is the primary parent booster group at UHS. All parents are encouraged to join the Phoenix Alliance and volunteer time or resources to the school. Parents and members of the community can serve as governing board members, advisory council members, transportation or office volunteers, planners and chaperones of special events and field trips, guest speakers, fund raisers, tutors, and mentors. All parents are encouraged to stay informed and engaged in their student's education.

### **Relationship with Fresno State**

University High School from time to time enters into agreements with CSUF and its affiliates, including its College of Arts and Humanities, the California State University, Fresno, and the Foundation. These agreements provide the School with academic, programmatic, logistical, and administrative/financial support. The two primary documents that outline these arrangements are found in the Lease Agreement (a tri-party agreement with CSUF, FUSD, and UHS) which outlines the terms and conditions by which UHS leases land on the campus of Fresno State and the Operating Agreement signed in March 2009 that outlines usage and service agreements between UHS and CSUF.

## **ELEMENT E: Employee Qualifications**

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

### **Head of School**

UHS employs a Head of School that holds an appropriate administrative credential, issued by the Commission on Teacher Credentialing. These documents/ materials shall be maintained on file at UHS and shall be subject to periodic inspection by the chartering district.

### **Teachers**

UHS employs teaching staff that holds appropriate California teaching certificates, issued by the Commission on Teacher Credentialing. These documents/ materials shall be maintained on file at UHS and shall be subject to periodic inspection by the chartering district.

### **Instructional Support Staff**

UHS may also employ a non-certificated instructional support staff in any case where a prospective staff member has an appropriate mix of subject matter expertise, professional experience, and the demonstrated capacity to work successfully in an instructional support capacity (instrumental music assistants are often hired in this role). Instructional support staff will not serve as the teacher of record for individual pupils and may not assign grades or approve student work assignments without the approval of the “teacher of record,” except in non-core, non-college preparatory courses and activities. All non-instructional staff will possess experience and expertise appropriate for their position within the school as outlined in the school’s staffing plan and the school’s adopted personnel policies.

The philosophy of University High School is that all instructors must possess “pedagogical content knowledge” - outstanding subject matter expertise combined with the ability to teach and inspire students. Each teacher is expected to be a member of a professional organization, read current journal articles in his or her field, and attend conferences. Current UHS teachers belong to a variety of organizations, such as NCTM, ASCD, CLTA, NCTE, NSTA, AAPT, ACDA, CMEA, CODA, CBDA, MENC, ACL, CCL, CAMFT, ACA, and SJWVP. In 2016, more than half of the teaching staff have worked at the school more than ten years.

## **Non-Instructional Support Staff**

UHS is committed to employing, training, and retaining the most professional staff it can afford but it does not offer its employees tenure. All employees will serve at will unless they are on a contract that stipulates otherwise. It is assumed that all employed teachers are working from school year to school year but if the Board determines otherwise, faculty may be released at any time.

CSUF faculty may teach UHS courses in which students will receive college credit. UHS faculty may teach UHS courses in which students will receive CSUF college credit.

## **Professional Development**

UHS believes that the standard teacher evaluation (by which an administrator observes a lesson from a teacher) to be both an ineffective and incomplete method of evaluating teachers.

Furthermore, teachers need professional development. When the teacher observation is supposed to serve as BOTH an evaluation AND a professional development growth activity it does not work well. Teachers worried about evaluations cannot be expected to adequately reflect during such an observation, so the practice really fails at doing either of its stated purposes, as it is neither a professional development tool nor a means of determining the retention of the employee. So, at UHS, we divided the two functions and have separated the professional development work from the evaluation/retention function.

UHS recognizes the value of professional development and expects all teachers to partake in professional development each year. Professional Development is a budget item and the school will spend money each year facilitating professional development for the teachers. The teacher contract of 190 days includes several days set aside for professional/staff development purposes. The professional development expected of teachers may be teacher directed and individualized by each teacher (based on individual needs teachers may attend conferences, do directed readings, visit other teachers or schools, etc) or it may be school driven and include a uniform plan for all teachers. This professional development may include meetings with the Head of School or other staff and should not to be confused with the annual evaluation at the end of the year.

## **Teacher Evaluation**

All teachers are expected to be effective professionals. We see effective professionals defined “as someone who is not only an effective practitioner but also someone who is an accountable member of the UHS staff and who behaves with a high degree of integrity and collegiality.”

Per Board policy, all teachers at UHS are evaluated each year. Each year, every teacher will have a formal End of the Year/Evaluation meeting with the Head of School. At that meeting, the Head of School will provide the instructor a written Commendation/Recommendation letter based on multiple evaluation measures. This letter will outline accolades and provide either recommendations or suggestions for growth for the following year and, in some cases, it has resulted in the not-retention of the teacher for the following school year.

The school’s evaluation of the teacher will be based on multiple pieces of data that provide evidence of the teacher’s effectiveness and professionalism and are built around the following criteria.

EXPECTATIONS OF TEACHERS	EVALUATED IN PART BY
Is the teacher able to motivate kids to learn?	Student feedback surveys, Annual Survey, grade distributions, and HOS classroom observations of teachers.
Do the teacher’s instructional practices facilitate learning?	Grade distributions, AP scores, CAASPP scores, student feedback surveys, and administrative classroom observations of teacher.
Is the taught curriculum standards-based and school approved?	Informal observations by school administration, syllabus, AND CAASPP scores.
Does the taught curriculum require high expectations from students?	Student work samples and informal observations by school administration.
Is the teacher shouldering an equitable share of the extra-curricular responsibilities and meeting all management duties?	Qualitative feedback by other members of the school administrative team and informal observation by HOS.
Other specific expectations previously discussed between the teacher and HOS?	Previous Commendation/Recommendation letters, employment contract, and private conversations with HOS.

The data UHS collects and analyzes is varied. It may include some or all of the following:

- Personal observations about the year and the teacher’s instruction.
- State testing results and/or Advanced Placement testing results.



- Personal observations by the administration related to all aspects of the teachers' employment.
- Personal observations by staff (usually collected in a survey form).
- Grade distributions given by the teacher for each class.
- Parent survey results (as disaggregated from our annual Parent Survey).
- Student survey results (students fill out feedback forms for each of their classes).
- Previous year's 'Commendation and Recommendation' Letter.

Because UHS evaluates teachers using multiple measures, the formal classroom teaching observation process, while it may be used, will not constitute the sole evaluation data.

Staff members not teaching may also do a yearly evaluation although the measures and means for that evaluation vary according to the job function of the person evaluated.

## **ELEMENT F: Health and Safety Procedures**

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

University High School (UHS) works closely with Fresno Unified, California State University, Fresno, and CRMA in providing a safe environment for its employees and students. Each year UHS provides an update of its comprehensive safety plan to Fresno Unified. UHS works with the risk management department at Fresno State in cooperating on issues of campus safety. UHS also relies on the Fresno State campus police and security in monitoring activity in and around our campus. Fresno State Plant Operations assists UHS in making repairs to our facility in a timely manner. The California Risk Management Authority guides UHS in providing appropriate liability coverage and recommendations for procedures and policies to maintain our safe environment.

### **Staff Responsibilities**

All employees are responsible for their own safety, as well as that of others in the workplace. UHS will rely upon its employees to ensure that work areas are kept safe and free of hazardous conditions. Employees will report any unsafe conditions or potential hazards to their supervisor immediately. If an employee suspects a concealed danger is present on UHS premises, or in a product, facility, piece of equipment, process, or business practice for which UHS is responsible, the employee will bring it to the attention of their supervisor or head of school immediately. Employees will be encouraged to report any workplace injury, accident, to their supervisor as soon as possible, regardless of the severity of the injury or accident. If medical attention is required immediately, supervisors will assist employees in obtaining medical care, after which the details of the injury or accident must be reported.

### **Criminal Background Checks**

Employees and contractors of UHS will be required to submit to a criminal background check and finish a criminal record summary as required by Education Code Sections 44237 and 45125.1. Applicants for employment must submit fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Head of School shall monitor compliance with this policy and report to the Charter School Board of Directors on a regular basis. The Board President shall monitor the fingerprinting and background clearance of the Head of School. Volunteers working independently with students outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance.

**Immunizations and TB Tests**

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

**Tuberculosis Risk Assessment and Examination**

Employees will be assessed and examined (if necessary) for tuberculosis prior to commencing employment and working with students as required by Education Code Section 49406.

**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.

**Facility Safety**

UHS shall comply with Education Code Section 47610 by utilizing facilities that are compliant with the Field Act or facilities that are compliant with the California Building Standards Code. UHS agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facility to ensure that they are maintained in an operable condition at all times. The Charter School shall conduct fire drills as required under Education Code Section 32001.

**Policies for Response to Natural Disasters and Emergencies**

UHS has a crisis response plan delineating the roles of administrators, staff, and teachers for fires, earthquakes, bomb threats, and other crises. This plan will be updated and reviewed by all personnel annually.

**First Responder Training**

All instructional and administrative staff may receive training in emergency response, including appropriate “first responder” training or its equivalent.

**Blood Borne Pathogens**

UHS shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the work place. The Board shall establish a written infectious control plan designed to protect employees and students from possible infection due to contact with blood borne viruses, including human immunodeficiency virus (“HIV”) and hepatitis B virus (“HBV”). Whenever exposed to blood or other

bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

### **Administration of Medications**

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

### **Drug, Alcohol, and Tobacco Free Work Place**

UHS shall function as a drug, alcohol, and smoke free workplace.

### **Mandatory Child Abuse Reporting**

All employees will be mandated child abuse reporters and will follow all applicable reporting laws and the same policies and procedures used by the District.

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

UHS 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, pregnancy, physical or mental disability, childbirth or related medical conditions, 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. UHS shall develop a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at the school (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with the Charter School's discrimination and harassment policies.

## ELEMENT G: Means to Achieve Racial/Ethnic Balance Reflective of District

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

University High School is very proud of the strides it has taken to achieve a racial and ethnic balance within its student body that reflects the general population of students residing in the District and County (the majority of UHS students come from residences outside of FUSD). **The school's diversity has changed a lot since 2011, moving closer to the racial and ethnic balance it desires and the UHS Board has committed to further changes.** How the school has changed through the efforts the school attempted the last six years to make change happen and further improvements (admission requirements and lottery changes) are discussed in this section.

### UHS 2011 Profile

#### Enrollment Summary 9/6/2011

Grade Level	Total in Grade	AmerInd/ Alaska Native	Chinese	Japanese	Korean	Vietnamese	Asian Indian	Laotian	Other Asian	Filipino	Hispanic/ Latino	Black	Caucasian
9	134	8	6	2	2	2	6	0	9	11	14	6	64
M/F	67/67	5/3	4/2	1/1	0/2	1/1	2/4	0/0	5/4	4/7	8/6	1/5	35/29
10	123	4	5	0	1	0	4	1	8	6	18	8	68
M/F	49/74	2/2	1/4	0/0	0/1	0/0	2/2	1/0	5/3	2/4	7/11	2/6	27/41
11	116	4	9	1	3	2	1	0	2	6	13	8	67
M/F	49/67	2/2	5/4	1/0	3/0	0/2	0/1	0/0	1/1	0/6	3/10	1/7	33/34
12	109	0	9	0	0	1	9	0	11	1	12	6	60
M/F	34/75	0/0	1/8	0/0	0/0	0/1	4/5	0/0	3/8	0/1	6/6	1/5	19/41
Total	482	16	29(6%)	3	6	5	20 (4%)	1	30	24	57(12%)	28(5%)	259(54%)
M/F	199/283	9/7	11/18	2/1	3/3	1/4	8/12	1/0	12/18	6/18	24/33	5/23	114/145

### UHS 2015 Profile

#### Enrollment Summary 9/4/2015

Grade Level	Total in Grade	Amer Ind/ AK Native	Chinese	Japanese	Korean	Vietnamese	Asian Indian	Laotian	Other Asian	Filipino	Hispanic/ Latino	Black	Caucasian
9	130	3	6	6	5	6	9	2	8	15	36	3	31
M/F	59/71	2/1	2/4	3/3	1/4	2/4	5/4	1/1	5/3	9/6	17/19	0/3	12/19
10	122	3	4	3	2	3	8	1	4	14	37	2	41
M/F	54/68	2/1	3/1	3/0	1/1	0/3	5/3	0/1	3/1	4/10	13/24	1/1	19/22
11	113	1	5	1	3	4	4	2	3	12	24	3	51
M/F	47/66	1/0	3/2	1/0	1/2	2/2	1/3	1/1	0/3	2/10	12/12	2/1	21/30
12	120	1	11	3	4	4	5	0	2	9	27	8	46
M/F	53/67	1/0	4/7	0/3	1/3	1/3	2/3	0/0	2/0	6/3	12/15	2/6	23/23
Total	485	8 (1.6%)	26 (5.4%)	13 (2.7%)	14 (2.9%)	17 (3.5%)	26(5.4%)	5 (1%)	17 (3.5%)	50 (10.3%)	124 (25.6%)	16 (3.3%)	169 (34.8%)
M/F	213/272	5/3	12/14	7/6	4/10	5/12	13/13	2/3	10/7	21/29	54/70	5/11	75/94
Ethnic Break-down		AmerInd 8 (1.6%)				Asian 168 (34.7%)					Hisp 124 (25.6%)	Black 16 (3.3%)	White 169 (34.8%)

Compared to 2011, the school population size is unchanged. There were 482 students in 2011 and 485 in 2015. **What is different is the racial makeup of the student body.** In 2011, 54% of the students identified as Caucasian and that number has declined to 35%. During the same period, the Asian population has risen from 24% to 35% of the student body and the Hispanic population has more than doubled, going from 12% to 26%. All of these numbers bring the school closer to the racial and ethnic balance goal it seeks.

In 2011, the low SES student group represented only 8.5 % of the student population. The school did several things in 2011 to increase the student applicant pool from this group to increase the admission rate of low-income students. The school added a lottery preference, provided extra resources, and targeted advertising to this group. **For the 2015-16 year, the FRL population represented 12% of our population, a 30% increase.** Our Special Education and EL populations have also increased. In 2015-16, 9% of our students were reclassified EL students. But the diversity of the student body is the most exciting. In a survey last year, UHS determined that 44% of our parents were born outside the U.S., representing more than 36 different countries. For a small school of only 480 students, UHS is a very multi-national school.

Achieving a racial and ethnic balance is difficult. As a charter, UHS has many challenges.

- It can not control the demographics of the students who choose to apply, nor does it get to select students from among the applicants that do.
- Word of mouth is the key reason students choose to come to UHS and friends of current students are more likely to be of the same demographic profile as the current population, which hinders change.
- The sibling rule, allowing automatic acceptance to qualifying siblings of current students, also reinforces the status quo hindering further demographic diversity.
- Change that does occur is gradual because UHS only admits 130 freshmen students a year and there is little mobility in or out of the school. During the 2015-16 school year for example, only 7 kids moved into or out of the school the entire year for a mobility rate of less than half a percent a year.
- UHS is restricted from recruiting students from many feeder schools.
- UHS is not a comprehensive public school. It offers a specialized program targeted to students interested in music, and students who identify as college bound. This limits the school's appeal within the community at large. An EL student, for example, is less likely to choose UHS because the school is so rigorous and would be made more so for a struggling English reader.

Working with these challenges, UHS attempted many changes in 2011 that we think contributed to the demographic changes already noted.

- The school started a foundation to provide resources for low-income students to off-set out-of-pocket costs that may inhibit student participation in UHS activities. This foundation, sponsored by parents, is designed to provide goods and services that fall outside of the school program. UHS already pays the costs for low-income students for college units, university textbooks, co-curricular activities,

bus transportation, etc. But, the foundation was created to provide identified students with extra goods to make their high school experience more enjoyable. Items such as yearbooks, school dance tickets, concert tickets for parents and family, some college preparation fees, graduation costs, and other items identified by students.

- The school began targeting charter schools in town such as Valley Arts and Science (VASA), and Valley Preparatory Academy to recruit kids that fit the targeted profile. Both of these schools serve large at-risk populations and offer music education in their schools. UHS is restricted from recruiting in FUSD schools so finding feeder schools outside of FUSD that are likely to provide students meeting the demographics the school seeks is difficult.
- The school collaborated with the Fresno County Office of Education and Univision Channel 21 to create a Public Service Announcement in English and Spanish that promoted University High and charter schools. Two spots were created. One commercial spot featuring County Superintendent, Larry Powell, promoted charters in the county, including UHS. Another spot, filmed in two languages was called “I love my school” and featured UHS and a few other charter schools. Both were aired widely and directed interested parties to call the 2-1-1 hotline to learn more about school choice. UHS also ran its own 30-second public service announcement with several media stations in town.
- The school hired a radio consultant to identify the radio stations of targeted populations and the school created an advertising budget that has run radio ads for 4 to 8 weeks each year since 2012.
- UHS collaborated with Fresno State on a grant that targeted students in the El Dorado neighborhood, due west of Fresno State. This grant was designed to bring students to UHS but was not funded.
- The school changed its admission policies to give preferences to FUSD students and to low-income students.
- UHS collaborated with FCOE in 2014-15 to integrate their Hands Academy (deaf and hard of hearing) students into the UHS program. This was very successful until FCOE had to relocate their students off of our campus.

While it is always difficult to determine the effect of an outreach effort, UHS’s demographics in the last five years have positively changed. In addition to what the school has done, the board has adopted more changes to enhance further diversification. The plan has a three pronged approach designed to attract more students, make the

student application easier to access and increase the likelihood that targeted students will be successful in a school lottery. To do this, the school will be doing the following things.

- Make it easier for low-income students to apply to UHS, be identified as low-income, and be accepted in the lottery. The school **has rewritten the student application to streamline the process for low SES kids to apply to our school**, and qualify for a lottery preference to increase their chances of being selected for admission. Currently when students are entered into the lottery, they are assigned three (3) lottery numbers. Students residing in Fresno Unified OR qualify as low-income students are given an extra lottery number (4<sup>th</sup>). And students that are both low-income and residents of the district get a fifth number (5<sup>th</sup>). Starting with this charter, the UHS Board will begin giving an additional lottery number to low-income students so instead of 1 they will get 2, increasing their odds of being selected into the lottery by as much as 20%. Additionally, **the Board has eliminated the “children of school board members” preference and redefined our sibling rule, reducing the amount of students who qualify to attend the school under this rule. The net effect of both these changes will be to increase the amount of open slots for students applying to UHS.**
- UHS has initiated a partnership with Kepler Neighborhood School and Valley Preparatory Academy to attract students. Both of these schools have very large populations of low-income students. Already the schools have planned outreach activities with UHS to stimulate increased student applications from their 8th graders to our school. UHS had great success with this kind of feeder school approach back in 2007-2009 when it worked with KIPP Academy of Fresno. In the last year before the school closed, it was sending us as many as 25% of our student applications. Kepler is a new school but already we have established mentoring programs with the school, have provided donations, assisted with their music program, and anticipate an increasing number of student applications from the school.
- Our school will be doubling our advertising budget targeted to reaching desired students.
- The school is investigating providing transportation for students to the school to facilitate ease of travel for low-income students who may find transportation issues a barrier to access.
- The school has opened its facility to a K-8 summer music camp in an outreach effort. This music camp, run by Youth Orchestra’s of Fresno and Fresno State, uses the UHS campus for its program so students not only learn about music but



can become familiar with a high school program that can help students further explore a music interest when they are ready for high school.

## **ELEMENT H: Admission Requirements**

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

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

The Charter School will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Admission, except in the case of a public random drawing, shall not be determined by the place of residence of the pupil or his or her parent or legal guardian within the state. The Charter School will admit all pupils who wish to attend.

All students are welcome at UHS. Because all students must take classes in music theory and be enrolled in musical ensembles, students should have a strong interest in vocal or instrumental music. For admission, UHS requires two years of a musical experience but mostly we want students who are passionate about music (since they will take it for four years!).

Students are typically accepted during their 8th grade year for admission to the 9th grade. University High School admits students in the 10th, 11th, and 12th grades only as capacity permits.

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

1. Student Enrollment Form
2. Proof of Immunization
3. Home Language Survey
4. Completion of Emergency Medical Information Form
5. Proof of minimum age requirements
6. Proof of California state residency, as defined by California State University, Fresno, for purposes of enrolling in courses offered by California State University, Fresno
7. Release of records

### **Public Random Drawing**

University High School's open enrollment period typically falls in January and February. Applications will be accepted during a publicly advertised open enrollment period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has

received more applications than availability. In the event that this happens, the Charter School will hold a public random drawing to determine admission for the impacted grade level, with the exception of existing students, who are guaranteed admission in the following school year. Admission preferences in the case of a public random drawing shall be given to the following students in the following order:

- 1) Siblings<sup>2</sup> of pupils currently attending UHS (exempt)
- 2) Children of UHS employees, up to 10% of total enrollment (exempt)
- 3) Students whose musical experience complements the Charter School's instrument and choral needs
- 4) Students who are eligible to receive Free or Reduced Price Meals
- 5) District residents
- 6) All other applicants

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

Public random drawing rules, deadlines, dates and times will be communicated in the application form and on the Charter School's website. Public notice for the date and time of the public random drawing will also be posted once the application deadline has passed.

The Charter School will conduct the lottery in the spring for enrollment in fall of that year.

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<sup>2</sup> Siblings are defined in the UHS Admission and Lottery Policy.

## **ELEMENT I: Financial Audit**

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

An annual independent financial audit of the books and records of the Charter School will be conducted as required by Education Code Sections 47605(b)(5)(I) and 47605(m). The books and records of the Charter School will be kept in accordance with generally accepted accounting principles, and as required by applicable law, the audit will employ generally accepted accounting principles. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller's K-12 Audit Guide.

The Charter School will select an independent auditor through a request for proposal format. The auditor will have, at a minimum, a CPA and educational institution audit experience and will be approved by the State Controller on its published list as an educational audit provider. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

The annual audit will be completed and forwarded to the District, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Head of School, along with the audit committee, if any, will review any audit exceptions or deficiencies and report to the Charter School Board of Directors with recommendations on how to resolve them. The Board will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District along with an anticipated timeline for the same. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel ("EAAP") in accordance with applicable law.

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

The chartering district shall provide and/or perform the oversight tasks and duties specified and/or necessitated by this charter for a fee. In no event will this fee exceed one percent of the cash revenues of the school provided to the school pursuant to the terms of the Charter Schools Act.

## **ELEMENT J: Suspension and Expulsion Procedures**

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at 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 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 the Charter School'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. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations.

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

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

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

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to 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.

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

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

### **Enumerated Offenses**

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

Caused, attempted to cause, or threatened to cause physical injury to another person.

Willfully used force or violence upon the person of another, except self-defense.

Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.

Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage, or intoxicant.

Committed or attempted to commit robbery or extortion.

Caused or attempted to cause damage to school property or private property.

Stole or attempted to steal school property or private property.

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.

Committed an obscene act or engaged in habitual profanity or vulgarity.

Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.

Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.

Knowingly received stolen school property or private property.

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.

Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.

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.

Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.

Made terroristic threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.

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.

Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

Intentionally harassed, threatened, or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act. "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:

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.

Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.

Causing a reasonable student to experience substantial interference with his or her academic performance.

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.

"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 message, text, sound, or image.

A post on a social network Internet Web site including, but not limited to:

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.

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.

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.

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.

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).

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 Head of School or designee's concurrence.

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

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 Head of School, or designee's concurrence.

**3. Discretionary Expellable Offenses:** Students may be recommended for expulsion for any of the following acts when it is determined the pupil:

Caused, attempted to cause, or threatened to cause physical injury to another person.

Willfully used force or violence upon the person of another, except self-defense.

Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind.

Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage, or intoxicant.

Committed or attempted to commit robbery or extortion.

Caused or attempted to cause damage to school property or private property.

Stole or attempted to steal school property or private property.

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.

Committed an obscene act or engaged in habitual profanity or vulgarity.

Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.

Knowingly received stolen school property or private property.

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.

Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.

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.

Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.

Made terroristic threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000),

with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.

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.

Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

“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:

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.

Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.

Causing a reasonable student to experience substantial interference with his or her academic performance.

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.

“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 message, text, sound, or image.

A post on a social network Internet Web site including, but not limited to:

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.

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.

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.

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.

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).

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 Head of School or designee’s concurrence.

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

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 Head of School or designee’s concurrence.

If it is determined by the Administrative Panel and/or Board of Directors 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**

Suspension shall be preceded, if possible, by a conference conducted by the Head of School or the Head of School’s designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Head of School or designee.

The conference may be omitted if the Head of School 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 Charter School personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student’s right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil’s parent or guardian to attend a conference with Charter 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 the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If Charter 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 Head of School or Head of School'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 Head of School or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

### **Authority to Expel**

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

### **Expulsion Procedures**

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held

within thirty (30) school days after the Head of School 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 (complying with all pupil confidentiality rules under FERPA) unless the pupil makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled 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 Charter 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 Charter School to any other school district or school to which the student seeks enrollment;
- The opportunity for the student and/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 Charter 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, only the Charter School or the hearing officer may present the testimony of the witness at the hearing in the form of sworn declarations that shall be examined. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

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.

The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.

At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.

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.

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.

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 entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.

If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The 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.

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.

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.

Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made,



the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

### **Record of Hearing**

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

### **Presentation of Evidence**

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the 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 Head of School 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 Head of School 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 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 Head of School or designee, as well as 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 Head of School 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.

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

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

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

#### **2. Services During Suspension**

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

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

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, 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/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

- If the conduct in question was caused by or had a direct and substantial relationship to the child's disability; or
- If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.
- If the Charter School, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.
- If the Charter School, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:
- Conduct a functional behavioral assessment and implement a behavioral intervention plan

for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;

- If a behavioral intervention plan has been developed, review the behavioral intervention plan. If the child already has such a behavioral intervention plan, modify it, as necessary, to address the behavior; and
- 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/504 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/504 Plan, 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.

#### 4. Due Process Appeals

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

#### 5. 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 Head of School 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:

- Carries or possesses a weapon, as defined in 18 USC 930, to or at school, on school premises, or to or at a school function;
- 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

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

#### 6. Interim Alternative Educational Setting

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

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

A student who has not been identified as an individual with disabilities pursuant to IDEIA and who has violated the Charter School'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:

- 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.
- The parent has requested an evaluation of the child.
- The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.
- If the Charter School knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEIA-eligible children with disabilities, including the right to stay-put.
- If the Charter School had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. The Charter School shall conduct an expedited evaluation if requested by the parents; however the student shall remain in the education placement determined by the Charter School pending the results of the evaluation.
- The Charter School shall not be deemed to have knowledge that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

## **ELEMENT K: Staff Retirement System**

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

The credentialed staff is part of the State Teachers' Retirement System ("STRS"). The Chief Financial Officer is responsible for ensuring that the appropriate arrangements for STRS coverage have been made and that reports are forwarded to the Fresno County Office of Education. Non-certificated instructional support staff pay into the federal Social Security System. University High School informs all applicants for positions within UHS of the retirement system options for employees of the school.

## **ELEMENT L: Public School Attendance Alternatives**

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

Enrollment at University High School is entirely voluntary. Students who reside within the District who choose not to attend University High School may attend school within their school district of residence according to District policy or at another school district or school within the District through the District's intra and inter-district policies. Parents and guardians of each student enrolled in UHS will be informed by the registrar that the students have no right to admission in a particular school of any local education agency as a consequence of enrollment in UHS except to the extent that such a right is extended by the local education agency.

## **ELEMENT M: Employee Return Rights**

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

No public school district employee shall be required to work at the Charter School. District teachers and any other FUSD employees do not have any automatic or special employment rights with respect to UHS, nor do UHS employees have any automatic or special employment rights in the FUSD. 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.

Any FUSD teacher or other employee who leaves the employment of FUSD to accept employment with University High School will not have any automatic right to return or years of service credit, sick, or vacation time carry over unless otherwise granted by the District in accordance with the policies or collective bargaining agreements of FUSD. Without such a grant, FUSD teachers or other FUSD employees who resign from FUSD to work at UHS and who wish to return to FUSD employment will be considered in accordance with the FUSD regular recruitment and selection processes.



## **ELEMENT N: Dispute Resolution Procedures**

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

Consonant with the foregoing and controlling law, the UHS Board of Directors will adopt policies and processes for airing and resolving internal and external disputes, including disputes arising under this charter. The governing board of FUSD agrees to refer all complaints regarding the school's operations to the Head of School for resolution in accordance with the school's adopted policies. Parents, students, board members, volunteers, and staff at UHS will be provided with a copy of the school's "Student/Parent Handbook", detailing policies and dispute resolution process and will agree to work within it.

Should a conflict or dispute arise between the District and the Charter School, the parties will endeavor to resolve the conflict or dispute through negotiations between each party's designated representative(s). If the negotiations do not result in a resolution of the matter, then the parties may agree to resolve the dispute utilizing mediation prior to resorting to other legal remedies.

Notwithstanding anything in this charter petition to the contrary, participation in any dispute resolution procedure is entirely voluntary for FUSD to the extent the District is carrying out its oversight responsibilities, up to and including revocation of the charter. Disputes related to revocation of the charter or acts or omissions of the Charter School or parent that constitute grounds for revocation of the Charter shall be handled pursuant to Education Code section 47607.

## **ELEMENT O: 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 pupil records. Education Code Section 47605(b)(5)(O).*

The following are closing procedures that abide by California Education Code section 47605(b)(5)(P), should UHS close for any reason. The decision to close UHS by the school's Board of Directors will be documented in a closure action. In the event of such a closure action, the following steps are to be implemented:

UHS and its Board of Directors shall cooperate and assist the District in all matters pertaining to the closure of UHS, including, without limitation, working with the District in creating and implementing a University High School Closure Agreement, attending meetings with the District, Fresno County Office of Education, and/or the State Department of Education, preparing a schedule of closing tasks with dates, obtaining and providing additional information and documentation, and interpreting and explaining any ambiguous records or information.

Closure of University High School will be documented by official action of University's Board of Directors or the Fresno Unified School District Board. The action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities.

The UHS Board of Directors will promptly issue written notification by registered mail to parents/guardians and students of UHS, the District, the Fresno County Office of Education, the SELPA, the retirement systems in which the School's employees participate (e.g., 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.

University High School Board will ensure that the written notification to the parents/guardians and students of UHS of the closure provides information to assist parents/guardians and students in locating suitable alternative programs. 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.

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

UHS shall provide written notification to FUSD of the list of returning students and their home schools, to be made promptly upon the closure action.

UHS shall allow the District access, inspection and copying of all school records, including financial and attendance records, upon written request by FUSD.

As applicable, University High School will provide parents/guardians, students, and the District with copies of all appropriate student records, including grade reports, discipline records, immunization records, completed coursework, and credits that meet graduation requirements, and will otherwise assist students in transferring to their next school. The process for transferring student records to the receiving schools shall be in accordance with FUSD procedures for students moving from one school to another. UHS shall transfer student records to the receiving schools, within seven calendar days from the determination of an action to close or when parents notify UHS of the receiving school. Records of students who have not notified UHS 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. UHS will ask the District to store and maintain original records of UHS students. All records of UHS shall be transferred to the District upon the school's closure. If the District will not or cannot store the records, UHS shall work with the County Office of Education to determine a suitable alternative location for storage.

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

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

University High School will complete and file any annual reports required pursuant to Education Code section 47604.33.

On closure of University High School, University High School shall dispose of any and all net assets of University High School remaining after all liabilities of University High

School have been paid or otherwise addressed in accordance with the provisions of this section. The disposition of University High School's assets shall include, but not be limited by the following dispositions:

All assets of University High School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending University High School, remain the sole property of University High School and shall be distributed in accordance with the Articles of Incorporation or bylaws upon the dissolution of the non-profit public benefit corporation.

Any liability or debt incurred by University High School will be the responsibility of the Charter and not the District. University High School understands and acknowledges that University High School covers the outstanding debts or liabilities of University High School. University High School understands and acknowledges that only unrestricted funds will be used to pay creditors.

Any assets originally acquired from the District or District property will be promptly returned upon University High School's closure to the District.

The 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.

The return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

On closure, University High School shall remain solely responsible for all liabilities arising from the operation of University High School. The District shall not assume, in any way, responsibility or liability for any debts, obligations, or liabilities of University High School, including, without limitation, liability for any and all claims, damages, losses, causes of action and demands, including reasonable attorneys' fees and costs, liability for claims of any employees for unpaid wages or other damages, liability for personal injury or property damage, or liability to any vendors, lessors, creditors, or parents.

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

This Element O shall survive the revocation, expiration, termination, or cancellation of this charter or any other act or event that would end University High School's right to operate as a Charter School or cause University High School to cease operation. University High School and District agree that, due to the nature of the property and activities that are the subject of this petition, the District and public shall suffer

irreparable harm should University High School breach any obligation under this Element O. The District, therefore, shall have the right to seek equitable relief to enforce any right arising under this Element O or any provision of this Element O or to prevent or cure any breach of any obligation undertaken, without in any way prejudicing any other legal remedy available to the District. Such legal relief shall include, without limitation, the seeking of a temporary or permanent injunction, restraining order, or order for specific performance, and may be sought in any appropriate court.

## **Financial Plan/Impact Statement/Miscellaneous Charter Provisions**

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

### **Budgets and Financial Reporting**

Attached, as Appendix A, please find the following documents:

- Budget notes
- A projected budget
- Financial projections and cash flow for three years of operation

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

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

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

The Charter School will provide reporting to the District as required by law and as requested by the District 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 District to make random visits and inspections in order to carry out its statutorily required oversight in accordance with Education Code Sections 47604.32 and 47607.

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

## **Insurance**

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

## **Administrative Services**

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

The school administration has seen little change since the last petition. There is a Head of School and Dean of Students who provide administrative services and two counselors to serve the students. The clerical staff consists of an office manager and registrar. The Office manager handles all billing, purchasing, and operations. The Registrar handles all student records, transcripts, and fiscal deposits into the school. All of these employees have spent many years at UHS. The school employs a CFO part-time. The CFO generates the budget in conjunction with the HOS and Board. The school hires other part-time services as necessary (Nurse, personnel). The School nurse handles medical compliance issues and our part-time personnel clerical handles employment contracts and consults on other HR questions. The school employs some services from the Fresno County Office of Education such as payroll services and fingerprinting. The school also contracts with Fresno State to provide mail services, some technology services, and pays maintenance fees for custodial, landscaping, and other facility-related costs. All of this will continue with the charter renewal. The school will remain a 501(c)(3) and the governance structure is accurately portrayed in this current charter.

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

Pursuant to Education Code Section 47604.32, the District will be required to provide oversight and performance monitoring services, including monitoring school and student performance data, reviewing the school's audit reports, performing annual site visits, engaging in any necessary dispute resolution processes, and considering charter amendment and renewal requests. In exchange, the Charter School shall pay the District an oversight fee in accordance with Education Code Section 47613.

### **Facilities**

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

University High School occupies a 37,500 sq/ft building on the campus of Fresno State. The facility was constructed in 2010. The facility has 22 classrooms and an administration wing. The campus includes four science rooms and three music classrooms. Currently, an MOU exists between Fresno State, UHS, and FUSD regarding occupancy of the facility. An MOU also exists between FUSD, UHS, and the California Finance Authority regarding the construction loan used to build the facility.

### **Potential Civil Liability Effects**

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

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

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

Further, the Charter School and the District shall enter into a memorandum of understanding, wherein the Charter School shall indemnify the District for the actions of the Charter School under this charter.

The corporate bylaws of the Charter School shall provide for indemnification of the Charter School's Board, officers, agents, and employees, and the Charter School will



purchase general liability insurance, Board Members and Officers insurance, and fidelity bonding to secure against financial risks.

As stated above, insurance amounts will be determined by recommendation of the District and the Charter School's insurance company for schools of similar size, location, and student population. The District shall be named an additional insured on the general liability insurance of the Charter School.

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

## **Special Education Local Plan Area**

**University High School is its own local educational agency (“LEA”) and is a member of the Fresno County Special Education Local Plan Area (“SELPA”) in conformity with Education Code Section 47641(a).**

University High School complies with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act (“Section 504”), the Americans with Disabilities Act (“ADA”), and the Individuals with Disabilities in Education Improvement Act (“IDEIA”).

University High School complies with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures; and shall utilize appropriate SELPA forms. In keeping with its responsibility, UHS has signed an agreement with STAR Consulting that is a year over year contract. STAR Consulting will: 1) provide UHS with a credentialed school psychologist and speech and language pathologist to conduct initial assessments and three year evaluations for special education services, 2) provide UHS with the above mentioned staff for all re-evaluations necessary in keeping with FCOE and CDE education standards, 3) provide special education supervision, and 4) provide other credentialed professionals as agreed to by UHS. UHS has also employed an independent contractor to work with STAR Consulting to schedule meetings and serve as case manager and parent contact for special education students and meetings.

**Appendices (Budget, Request for Board info, School Calendar,  
Organizational Chart, Data Quest)**