



New Millennium Secondary School

20700 Avalon Blvd., Ste. 285

Carson, CA 90746

310-999-6162

Charter Petition Submitted to the
Board of Education of the
Los Angeles Unified School District
Request for Five-Year Renewal Term
July 1, 2013 to June 30, 2018

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AFFIRMATIONS AND ASSURANCES:

New Millennium Secondary School (also referred to herein as “NMSS” and “Charter School”) shall follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

- Be nonsectarian in its programs, admission policies, employment practices and all other operations.
- Not charge tuition.
- Not discriminate against any student on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code.
- Admit all pupils who wish to attend the school. EC 47605(d)(2)(A)
- Determine admission by a public random drawing, if the number of pupils who wish to attend the school exceeds the school capacity, and preference shall be extended to pupils who currently attend the Charter School and pupils who reside in the District. EC 47605(d)(2)(B)
- Not enroll pupils over nineteen (19) years of age unless continuously enrolled in public school and making satisfactory progress toward high school diploma requirements.
- Not require any child to attend the Charter School nor any employee to work at the charter school.
- In accordance with Education Code Section 47605(d)(3)], if a pupil is expelled or leaves the charter school without graduation 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.

- 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 shall be deemed the exclusive public school employer of the employees of New Millennium Secondary School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(5)(O)]
- 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, non-college preparatory teachers. [Ref. California Education Code Section 47605(l)]
- The Charter School shall at all times maintain all necessary and appropriate insurance coverage as specified in Element 6.
- 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).
- 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. California Education Code Section 47612.5(a)]
- The Charter School shall, on a regular basis, consult with its parents and teachers regarding the Charter School's education programs. [Ref. California Education Code Section 47605(c)]

- The Charter School shall comply with any jurisdictional limitations to locations of its facilities. [Ref. California 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. California Education Code Sections 47612(b), 47610]
- The Charter School shall comply with all applicable portions of the Elementary and Secondary Education Act.
- 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 of school days. [Ref. Title 5 California Code of Regulations Section 11960]

Element 1 – Description of the Educational Program

The address of the Charter School is 20700 Avalon Blvd. Ste. #285, Carson, CA 90746.

The phone number of the Charter School is 310-999-6162.

The contact person for the Charter School is Kim Irons.

The term of this charter shall be from July 1, 2013 to June 30, 2018.

The grade configuration is 9 - 12

The number of students in the first year will be approximately 500.

The grade level(s) of the students the first year will be 9 - 12

The scheduled opening date of the Charter School is August 12, 2013.

The admission requirements include: California residency

The enrollment capacity is 585. (Enrollment capacity is defined as all students who are enrolled in Charter School regardless of student's residency).

The instructional calendar will be: August 12, 2013 – May 22, 2014 (see page 42 for complete schedule)

The bell schedule for the Charter School will be: Monday, Tuesday, Thursday, Friday: 8:00am – 3:20pm

Wednesday: 8:00am – 1:35pm (see page 43 for complete schedule)

If space is available, traveling students will have the option to attend.

Students the school intends to serve

NMSS intends to serve students in the 9th through 12th grades, primarily located in the Carson/Gardena areas of Los Angeles County. The school will serve similar demographics to those of Banning High School, Carson High School, Gardena High School, and Narbonne High School, consisting of predominately Hispanic and African American students. Historically, schools in this community have not met Adequate Yearly Progress requirements with API State rank 1 or 2, and API Similar School rank between 2 and 5.

NMSS anticipates, after a targeted recruiting campaign, the student population will be representative of the local demographics in the area, and consistent with existing public high schools in the area¹. Based on statistics from the California Department of Education on local public schools, NMSS estimates that 70% of the students will qualify for free/reduced lunch. In addition, the school will serve a sizable English Learner population, likely 12-15% of the student

¹ See Appendix A for demographic chart. Note that NMSS will conduct targeted outreach to reach at least a 70% free and reduced lunch population, given our desire to serve the most high-needs students.

body, which is again consistent with the demographics of Banning High School, Carson High School, Gardena High School, and Narbonne High School. NMSS estimates that 10-15% of the students served will be students with special needs, a ratio that is consistent with surrounding schools. NMSS will be non-sectarian in its programs, admission practices, employment practices and all other operations. NMSS will not charge tuition and will not discriminate on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code.

| LAUSD School | # of Students | Multi-Track School? | Program Improvement? | Met School wide Growth Target? | API Score | API State Ranking | Similar Schools Rank | % Students Eligible for Free/Reduced Lunch | % of Special Ed. Students | % of ELL Students | % Major Ethnicity #1 | % Major Ethnicity #2 | % Major Ethnicity #3 |
|---------------------------------|----------------------|----------------------------|-----------------------------|---------------------------------------|------------------|--------------------------|-----------------------------|---|----------------------------------|--------------------------|-----------------------------|-----------------------------|-----------------------------|
| Middle Schools | | | | | | | | | | | | | |
| Andrew Carnegie MS | 1363 | No | Year 5 | No | 704 | 2 | 5 | 78 | 11 | 9 | Hispanic 54% | African American 19% | Filipino 18% |
| Glenn Hammond Curtiss MS | 801 | No | Year 5 | Yes | 706 | 2 | 6 | 73 | 9 | 7 | African American 69% | Hispanic 38% | |
| Stephen White MS | 1871 | No | Year 5 | Yes | 755 | 4 | 4 | 70 | 11 | 10 | Hispanic 63% | Filipino 18% | African American 9% |
| High Schools | | | | | | | | | | | | | |
| Carson SH | 3280 | No | Year 5 | Yes | 688 | 2 | 2 | 54 | 10 | 9 | Hispanic 50% | Filipino 22% | African American 17% |
| Phineas Banning HS | 3392 | No | Year 3 | No | 682 | 2 | 1 | 82 | 8 | 19 | Hispanic 60% | White 15% | African American 9% |
| Gardena Senior High School | 1893 | No | Year 5 | No | 633 | 1 | 2 | 69 | 9 | 16 | Hispanic 67% | African American 25% | |
| Nathaniel Narbonne HS | 3460 | No | Year 4 | No | 694 | 3 | 5 | 57 | 11 | 13 | Hispanic 64% | African American 18% | White 6% |
| Rancho Dominguez Preparatory HS | 1108 | No | No | N/A | 680 | N/A | N/A | 75 | 10 | 8 | Hispanic 62% | African American 26% | Filipino 6% |
| Charter Schools | | | | | | | | | | | | | |
| Crescendo Charter | 202 | No | No | n/a | n/a | 814 | n/a | n/a | 93 | 10 | 7 | African American 83% | Hispanic 14% |
| Magnolia Science Academy #3 | 293 | No | Year 2 | Yes | Yes | 785 | 4 | 5 | 62 | 8 | 7 | Hispanic 53% | African American 40% |

A Typical Day at New Millennium Secondary School

All visitors, whether they are school stakeholders, prospective students, parents of prospective students, or the interested citizen just curious about our school, would observe our basic beliefs about education and our educational values in practice if they shadowed any student or staff member for a typical day.

Students begin arriving in uniform (a black, white, blue, or gray NMSS logo polo shirt or sweat-shirt, and black or gray pants) after 7:00 a.m. where they pick up a free “grab-and-go” breakfast, which they eat in the school multi-purpose room. Students arrive via city buses, on foot, or by car. Before school begins, some relax on benches outside and socialize with their peers while others head to a classroom for tutoring or just a quiet place to work. Most importantly, our visitor sees that NMSS is a safe, welcoming, diverse campus with students, teachers, parents, and staff who are there to support the needs of its children. The computer lab is filled before school with students typing away and submitting assignments, including seniors applying for colleges and internships with the help of the college counselor.

At 7:50 a.m. the ten minute warning bell rings and students finish what they are doing and head to their 8:00 a.m. Advisory Class. As our visitor walks through the doors, he or she sees our six-year WASC Accreditation proudly displayed on the wall next to framed photos of students from our first graduating class, including a student shaking hands with First Lady Michelle Obama. There is also a framed article on the wall from a national magazine highlighting the mission and success of NMSS. There are two trophy cabinets, one honoring our school’s academic accomplishments and one honoring our sports achievements. As the visitor moves past our reception area, he or she notices that above every classroom door, as well as throughout the halls, college pennants are visible reminders of the goal and expectation for all NMSS students... college acceptance and completion. The hallways also display beautiful student artwork, acknowledging the creative talent of our student body and the value the school places on a well-rounded curriculum that embraces the arts.

At 7:55 a.m. the five-minute bell rings and students hurry to their seats while the Dean and other administrators line the halls with smiles and words of encouragement for their students. This twenty-five minute class is their “home base” since they will have one teacher follow them throughout their four-year stay at NMSS, guiding them through the uncharted waters each new year of high school presents our student population. In Advisory students will create and review with their advisor their own Individual Learning Plan, encompassing their classes, grades, transcripts, and progress towards graduation. At any given point in their academic careers, when approached, NMSS students will know what they need to do to graduate and be

able to verbally share that information with the curious parent and/or visitor. Advisory Class will provide time to discuss study skills, tips on being prepared, college requirements based on the student's school of interest, and civic opportunities available to our student body.

NMSS utilizes an alternating block schedule with four 100-minute periods daily. Periods 1, 3, and 5 meet on Mondays and Thursdays, and periods 2, 4, and 6 meet on Tuesdays and Fridays. Period 7 meets every Regular Schedule Day, and periods 1-6 will meet on the shortened Professional Development Day (Wednesdays). This bell schedule is crucial for the fundamental academic goals NMSS is trying to accomplish. By offering more class periods each semester than a traditional high school, 7 rather than 6, and an advanced schedule of A-G and college-level courses for all students, students are able to move through the A-G requirements faster so they can take early college courses with our university partners. A large number of NMSS students will have completed their science, mathematics, foreign language, and/or visual and performing arts requirements by their junior year, leaving room in their schedule for college-level courses. This schedule also allows students to participate in athletics during period 7 without missing core academic classes.

At 8:25 a.m. the bell rings and students respectfully head towards their first of two classes before lunch, then another two classes after lunch to round out the day. There is a five-minute passing period between each class so that students can have an opportunity to use the restroom before the tardy bell rings.

Every student will take a math and an English class, as well as either two more A-G courses or a UC approved elective. Seniors who have completed all of their A-G requirements will have more flexibility for college classes through our university partnership or a school-supported internship at Carson City Hall, a local elementary school, Northrop-Grumman, or another business partnership set up through the school's Walter Clark College and Career Center office.

When our visitor enters a core subject classroom, he or she will be greeted by an enthusiastic and energetic, highly qualified teacher. This teacher will have the agenda on the eraser board and a class warm-up on the Smart Board which is either related to the upcoming lesson or reviewing the prior day's lesson, but always a practical, life-related problem. After the five-minute warm-up, where the teacher walks the room to monitor student progress, the class reviews the warm-up and discuss/how the warm-up is applicable to both their lives and the lesson for the day.

Our visitor will also see one of the two Resource Specialists co-teaching in either the humanities classes or the math and science classes. He or she may also see an administrator or another

teacher observing best practices in our standards-based instructional classrooms. Since the classes are 100 minutes in length, the instructor will vary the lesson to serve and support the various types of learners in his or her class. Scaffolded lessons and peer-to-peer support may also be seen during the lesson of the day, but regardless of the approach, rigorous student learning and committed teacher instruction will always be seen. The best way for us to successfully accomplish this is to ensure that the teacher engages the collective and individual students with a clear understanding and expectation for what students need to know and be able to achieve in order to receive a grade of proficient or advanced. California Common Core Content Standards are clearly visible in every room, and each day's agenda indicates which standards are being unpacked for the day. If one of the teachers is asked, he or she will probably share that we have made the transition to common core classes in advance of the national deadline and the benefit of having started before most area schools with this necessary transition. Academic language is the staple to any instructor's vocabulary. Since we implement the standards-based grading system, every student is also aware that re-assessing is not only encouraged, but expected, for any standard which a student scores less than proficient on any assessment or an assignment.

After the second period bell (11:55 a.m.) our students enjoy a healthy and hot lunch in the multi-purpose room then relax before heading back to class for the final two periods of the day. At NMSS over 73% of the student body qualifies for free or reduced lunch, but lunch is also available to all non-qualifying students for as little as \$3.00 a day².

As the third period of the day comes to a close the campus begins to buzz with even more excitement as students move on to their seventh period course, a 65-minute course that meets on all Regular Schedule Days. This shorter course allows students access to additional support and enrichment courses, athletics, and on-line college courses provided by our CSU partnership with CSU Dominguez Hills, without impacting their ability to access the A-G curriculum. Others will be preparing for the after-school college courses, which they are taking through our CSU partnership with CSU Dominguez Hills. These courses include college-level English, math, Chicanos Studies and African Studies offered on the NMSS campus to allow all students access without transportation limitations, as well as promote a visible college-going atmosphere. All students understand they must complete a college course prior to graduating, and the college presence on the NMSS campus reinforces the college-going culture. Wherever our visitor looks, he or she will see enthusiastic, healthy and vibrant young students enjoying their time at NMSS and striving to improve themselves academically and socially as they pursue their life goals.

² A FRL rate of 73% represents the actual FRL data at NMSS for the 2012-13 school year.²

While the bell rings at 3:20 p.m., the day is not over for our students. Many of them stay on to enjoy our afterschool program managed on site by After-School All Stars. Additionally, the students continue their learning through their access to their class notes and activities through the NMSS website, where each teacher has a class page that provides references, practice, and access to the day's instructional content. NMSS has an onsite computer lab that allows students internet and computer access every day until 6pm.

A visitor cannot help but realize after spending the day at NMSS that the school is a safe, supportive environment where all adults have high expectations for students. The whole school community recognizes that our students have enormous potential and the NMSS staff sees it as their responsibility to prepare its students for college acceptance and success.

Mission and Goals

Mission

The New Millennium Secondary School's mission is to prepare traditionally underserved students for success in the 21st century by providing a rigorous and relevant college-preparatory education that invests in talented human capital, provides early college experiences, and strives to adapt public education to the "new millennium".

Vision

The vision for New Millennium Secondary School ("NMSS") is to provide all of its students with a high-quality, college-preparatory education, with access to early college coursework to ensure all students are successful in applying to and succeeding in college.

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

Gleaning insight from the research and consensus building performed by Partnership for 21st Century Skills, NMSS recognizes that an educated person in the 21st century is someone who has demonstrated:³

- Competency in all core academic content areas;
- Media and information literacy (i.e., the ability to navigate the latest technology to obtain, synthesize, and analyze a variety of information);
- Excellent communication and higher order, critical thinking skills;
- Initiative and self-direction in guiding his or her own life-long learning;

³ The Partnership for 21st Century Skills - <http://www.p21.org/overview>

- A commitment to integrity, social responsibility and an understanding of the context of the world in which he or she lives; and
- Strong leadership skills and team-building capacity.

How Learning Occurs Best

NMSS has extensively researched the topic of “how learning occurs best”. As a result of this research, which is detailed on page 28, NMSS believes that learning best occurs when the following conditions are in place to ensure that all high school students are truly “PREPARED” for the 21st century:

PERSONALIZATION: Instruction is personalized to meet each student’s needs.

RELEVANCE: Lessons are relevant to the students’ lives and have real-world applications.

EARLY COLLEGE: Students are exposed to college early on in their education, and internalize the high expectations that their teachers hold for them to succeed in college.

PROFESSIONAL DEVELOPMENT: Teachers continuously improve their craft by participating in a robust professional development program and peer collaboration.

ADVANCED TECHNOLOGY: Advanced technology is leveraged as an engaging and efficient learning tool in the classroom.

RECRUITMENT STRATEGIES THAT ATTRACT AND REWARD TALENTED TEACHERS: The school attracts and retains teachers who are passionate, competent and engaging through innovative recruitment strategies and a challenging career ladder.

ENGAGEMENT OF PARENTS/ GUARDIANS: Parents/guardians are active in their children’s learning process.

DATA-DRIVEN DECISION-MAKING: Data drives instructional decisions and informs teachers as to which topics need to be readdressed with students, who needs remediation, who needs to be further, challenged, etc.

Goals for Enabling Pupils to Become or Remain Self-Motivated, Competent, and Lifelong Learners

NMSS intends to put the above conditions in place to ensure that all of its students are supported in an environment where learning best occurs, as described earlier.

NMSS has established a set of Expected School Wide Learning Results (ESLR’s) to ensure NMSS students develop the skills and attributes necessary to be “educated persons in the 21st century” and to become “self-motivated, competent, life-long learners”:

All NMSS students will:

N- Nurture academic progress and achievement for college readiness by:

- Pursuing mastery in all content areas.
- Creating a broad range of standards based assignments across academic curricula.
- Assessing their own work using rubrics and criteria.
- Demonstrating the ability to read, write, listen and speak effectively to diverse audiences.
- Applying problem solving and critical thinking skills in academic settings independently and collaboratively.
- Completing at least one college course while in high school.

M- Manage and pursue school and life goals by:

- Setting short and long term personal, academic and professional goals.
- Fostering success in academic and professional environments.
- Practicing organizational and time management skills.
- Participating in career exploration.

S₁- Support the pillars of character for self and others by:

- Adhering to NMSS rules and expectations.
- Demonstrating academic and personal integrity.
- Promoting mutual respect, appreciation, and acceptance among people of different backgrounds, cultures, abilities, and beliefs.
- Accepting responsibility for one's own behavior and actions.
- Using appropriate models of communication when expressing ideas, collaborating, and resolving conflict.
- Being responsible and productive citizens of the school, the community, and the world.

S₂- Sustain the skills necessary to participate in a technologically advanced society by:

- Developing technological literacy and awareness.
- Using a diverse spectrum of reliable resources as research tools.
- Using appropriate technologies as academic, professional, and life-long learning tools.
- Communicating effectively and appropriately through various technologies.

The specific measurable outcomes and assessment tools to monitor NMSS's success at achieving these ESLR's can be found in Element 2 on beginning on page 55.

Instructional Program

The instructional program of NMSS has been designed to maximize the advantages of a small school⁴ and to create an environment where the previously described vision for 21st century students and how learning best occurs will be realized.

Instructional Approach and Methodologies

| Students Learn Best When... | Instructional Strategies for Creating These Conditions... |
|--|---|
| <p>Instruction is personalized to the students' needs.⁵</p> | <p>Small School Setting:</p> <ul style="list-style-type: none"> The small size of the NMSS student body will enable students to be better known by the adults in the building and to foster a tighter sense of community, one where it would be difficult for any student to “fall through the cracks.”⁶ <p>Individual Learning Plans (ILPs):</p> <ul style="list-style-type: none"> All students will have computer-based ILPs that are frequently updated based on ongoing assessments, detailed on page 34. <p>Advisory</p> <ul style="list-style-type: none"> Every student has an advisor who is responsible for knowing that student’s performance, skills, strengths, interests, goals, challenges, etc. and who will serve as a liaison to all other teachers to ensure individual needs are met. Advisory will occur on all regular schedule days. <p>Small Class Sizes</p> <ul style="list-style-type: none"> The average class size will be 28 students per class. <p>Students with Special Needs</p> <ul style="list-style-type: none"> All students will be supported through the ILP and Advisory elements, but those requiring additional support (IEP, 504, ELL, Gifted, etc.) will have additional programs and resources as identified. |
| <p>Lessons are relevant to the students' lives and have real-world application.</p> | <p>Robust Professional Development</p> <ul style="list-style-type: none"> Relevancy of material will be emphasized with accompanying strategies during PD. <p>Partnerships with Industry Professionals</p> <ul style="list-style-type: none"> Internships and mentoring opportunities will be offered to |

⁴ <http://www.ncef.org/rl/size.cfm>

⁵ http://www3.northern.edu/rc/pages/Reading_clinic/adjudicated_youth.pdf

⁶ <http://www.mdrc.org/sustained-positive-effects-graduation-rates-produced-new-york-city%E2%80%99s-small-public-high-schools>

| Students Learn Best When... | Instructional Strategies for Creating These Conditions... |
|---|---|
| | <p>connect learning to the workplace.</p> <ul style="list-style-type: none"> Coursework will encourage reflection on the internship and mentoring experiences and the relevant skills acquired for the 21st century workplace. <p>Community Learning Projects</p> <ul style="list-style-type: none"> Students will complete 75 hours of Community Service by the end of their senior year, with Millennium Scholar candidates incorporating their experiences and lessons learned into a Community Service Project. |
| <p>Students have early college exposure and high expectations.⁷</p> | <p>Rigorous A-G Curriculum</p> <ul style="list-style-type: none"> All students will take an A-G college-prep curriculum. <p>High Expectations</p> <ul style="list-style-type: none"> Every staff member at NMSS will convey clear, high expectations that all students will graduate prepared for college and the staff will provide the support necessary for students to meet those expectations. <p>Dual Enrollment</p> <ul style="list-style-type: none"> Students will enroll in and pass at least one college course while at NMSS. |
| <p>Teachers continuously improve their craft by participating in a robust professional development program and peer collaboration.</p> | <p>University Partner</p> <ul style="list-style-type: none"> NMSS teachers will benefit from professional development and training opportunities offered by NMSS's university partners.⁸ <p>Teaching Supports</p> <ul style="list-style-type: none"> NMSS will recruit experienced and accomplished teachers to serve as Assistant Principals of Curriculum and Instruction. These AP's will be required to teach at least one course and will take the lead in training and supporting newer teachers as well as leading curriculum development for their assigned content area(s). <p>Built-In Time in the Schedule for Collaboration and PD</p> <ul style="list-style-type: none"> The schedule allows for weekly PD for whole staff, grade-level, and content groups to meet. Grade-level collabora- |

⁷ <http://www.ous.edu/sites/default/files/dept/ir/reports/dualcredit/DualCredit2010FINAL.pdf>

⁸ Appendix T

| Students Learn Best When... | Instructional Strategies for Creating These Conditions... |
|---|--|
| | <p>tion time is also an opportunity for advisors to share information with their advisees' teachers.</p> |
| <p>Advanced technology is leveraged as an engaging and efficient learning tool in the classroom.⁹</p> | <p>On-line Access to Teachers and Curriculum</p> <ul style="list-style-type: none"> NMSS will use engaging online platforms and software programs that will allow students to remain in digital contact with teachers outside of the classroom. This system will function similarly to a "Blackboard"-type program implemented in most college environments. <p>Student Response Devices</p> <ul style="list-style-type: none"> Student response devices, which are also known as "clickers", will be used by students to answer class questions, enabling teachers with real-time data whether students are grasping a concept and to keep students engaged and active in their learning. <p>Digital Portfolios</p> <ul style="list-style-type: none"> Digital portfolios will be maintained by each student with samples of his or her work across subject areas, as an efficient and engaging means to capture authentic student achievement, as well as to reveal and enhance student's "media literacy skills". <p>Online College Courses</p> <ul style="list-style-type: none"> All students with a 3.0 GPA are eligible to participate in online college courses through the CSUDH Young Scholar Program. Students who do not meet the 3.0 GPA requirement are able to take online college course offerings through other colleges and universities such as El Camino Community College, Santa Monica Community College, Brigham Young University, and LA Harbor Community College. NMSS offers a class period during the core day to support the students taking the online college courses. This teacher will serve as a mentor to the students and provide support and resources as needed to students enrolled in the online college courses. These courses are offered to students free of charge. |

⁹ <http://www2.ed.gov/pubs/EdReformStudies/EdTech/effectsstudents.html>

| Students Learn Best When... | Instructional Strategies for Creating These Conditions... |
|---|---|
| <p>The school attracts and retains teachers who are passionate, competent and engaging through innovative recruitment strategies and a challenging career ladder.</p> | <p>Private Sector Practices</p> <ul style="list-style-type: none"> NMSS will use private sector practices for recruiting the best teachers who have a proven track record in raising student achievement. <p>Robust Evaluation and Growth Model</p> <ul style="list-style-type: none"> NMSS will implement a robust evaluation system based on the California Standards for the Teaching Profession (CSTP's). Teachers will undergo a minimum of nine observations and two evaluation cycles to determine progress and achievement toward the CSTP's. This system is similar to those used by Beginning Teacher Support and Assessment (BTSA) and the National Board Certification for Teachers (NBCT). <p>Challenging Career Ladder</p> <ul style="list-style-type: none"> NMSS will provide promotion opportunities for teachers to grow and progress professionally, in an effort to increase teacher retention and job satisfaction. <p>Merit-based Pay Incentives</p> <ul style="list-style-type: none"> NMSS will pay more for teachers with proven success, based on their CSTP-based annual evaluation. |
| <p>There are ample opportunities for engagement by parents/guardians in their children's learning process.</p> | <p>Parent Orientation</p> <ul style="list-style-type: none"> NMSS will host a New Parent Orientation every summer not only to inform and update parents on the policies of the school, but also to emphasize the desire and expectation that parents will play an active role in their children's school experience at NMSS. <p>Parent Center and Volunteer Opportunities</p> <ul style="list-style-type: none"> NMSS will house a Parents Center where parents are welcome to come by and set up a meeting with their children's advisors or teachers and to learn more about their children's progress. There will be a sign-up process for parent volunteer opportunities as well as surveys conducted to identify areas where parents would like to, and are able to offer volunteer services. <p>School Site Council</p> |

| Students Learn Best When... | Instructional Strategies for Creating These Conditions... |
|--|--|
| | <ul style="list-style-type: none"> NMSS will ensure that an active School Site Council (SSC) meets regularly to evaluate school progress and use of Title I funds. The NMSS SSC will include parents at each meeting. <p>Website/ Data Management System</p> <ul style="list-style-type: none"> Parents will have access to their children’s syllabi for all classes via the school’s website as well as their latest grades/test scores. NMSS will provide after-school computer and internet access to families that do not have such internet access at their homes or workplaces. <p>Advisory</p> <ul style="list-style-type: none"> Students’ advisors are responsible as the primary liaison to their advisees’ parents/ guardians, so parents/guardians will always have someone dedicated to keeping them as personally involved as possible in their student’s schooling. |
| <p>Instruction is driven by data.</p> | <p>Diagnostic Exams</p> <ul style="list-style-type: none"> NMSS will administer diagnostic exams to all students at the beginning of the academic year to inform both class placements and necessary academic interventions or acceleration opportunities. <p>Sophisticated Data Management System</p> <ul style="list-style-type: none"> NMSS will invest in a user-friendly data management system that will enable teachers to frequently monitor student learning and adjust instruction accordingly.¹⁰ Common Assessment Benchmark Exams will be administered in each core content area at least 4 times per semester. This data will be tracked and reported to the School Site Council and Board of Directors by the principal at least twice a semester to check that instructional programs are on track. <p>Robust Professional Development</p> <ul style="list-style-type: none"> Teachers will be trained on the importance of 1) incorporating assessments – even quick and informal ones – into all lessons, 2) providing a mix of assessment types – stand- |

¹⁰ <http://www.sedl.org/pubs/sedl-letter/v22n02/using-data.html>

| Students Learn Best When... | Instructional Strategies for Creating These Conditions... |
|-----------------------------|--|
| | <p>ardized tests, group activities, essays, etc., and 3) using student work samples as a source for collecting meaningful data to inform instructional practices.¹¹</p> <ul style="list-style-type: none"> Teachers will also be taught how to use the data gathered from such assessments to inform and drive instruction.¹² <p>Student and Parent Trainings on Data</p> <ul style="list-style-type: none"> NMSS will host trainings in its Parent Center for parents to better understand the school’s available data online, including their children’s ILPs, and therefore, to better understand their children’s strengths and weaknesses in order to best support their children’s academic progress in school and at home. NMSS will similarly train students how to analyze their own performance data and set goals accordingly. These activities will take place primarily in advisory during the development and maintenance of the students’ ILPs. |

The Individual Learning Plan as an instructional approach may require more detail and is further explained below.

- **Individual Learning Plans**

All students at NMSS will have individual learning plans.¹³ The ILPs will be reviewed at least once each quarter by students in advisory period, especially the goal-setting portion, and will include key progress information, such as:

- standardized test scores;
- individual class assessment scores (formative and summative);
- specific academic interventions used or in process;
- student goals;
- teacher comments;

¹¹ http://www.neafoundation.org/downloads/NEA-Using_Data_Classroom_Practice.pdf

¹² http://www.nwp.org/cs/public/download/nwp_file/12584/What_Data-Driven_Instruction_Should_Really_Look_Like.pdf?x-r=pcfile_d

¹³ Appendix V

ILPs are useful tools not only for analyzing a student's most recent progress, but also for capturing how the student has been performing over time. It will serve as a focal point for conversations with students, parents and teachers around goals and strategies to best support the student's learning and to increase their academic achievement levels.

NMSS will offer a rigorous standards-based curriculum incorporating high level depth of knowledge that will challenge students to apply their understanding of course concepts to real-world applications. With a smaller school community, increased instruction time, and robust professional development as a regular part of each week, NMSS will help students achieve by implementing the following instructional strategies:

- ***Teacher-as-Facilitator***

In a learning environment that seeks to support students in becoming self-directed, life-long learners, the primary role of the teacher is to guide learning rather than direct it¹⁴. At NMSS, the teacher acts as a coach, providing frameworks for learning and helps students build on their strengths and interests.

- ***Cooperative Learning***

Cooperative learning supports the NMSS vision in a number of ways. In guiding effective small-group learning, NMSS teaches students the communication, reasoning, critical thinking, and team-building skills that are essential to life in the 21st century¹⁵. As students work together to solve problems and determine work processes, they begin to direct their own learning.

- ***Scaffolding***

Scaffolding instruction is based on Vygotsky's socio-cultural theory of learning and the zone of proximal development, and relates to the Teacher-as-Facilitator role¹⁶. Teachers identify the current developmental skills of individual students and of classes and provide support structures to help students move to the next level. As the year goes on, the student becomes more adept at skills and at directing his or her learning, and the teacher begins to remove the supports.

- ***Project-Based Learning***

Research reveals that students who have access to project-based learning, along with the appropriate technology, are engaged, excited about school, and are demonstrating impressive gains in academic achievement by connecting content to real-world projects¹⁷. Project-based learning allows students to use their creative

¹⁴ <http://tip.psychology.org/vygotsky.html>

¹⁵ <http://serc.carleton.edu/introgeo/cooperative/whyuse.html>

¹⁶ Doolittle, Peter E, *Understanding Cooperative Learning through Vygotsky's Zone of Proximal Development*, 1995.

¹⁷ Linda Darling-Hammond, Stanford University: *10 Features of Good Small Schools: Redesigning Schools, What Matters and What Works: Project-based Learning*

skills and curiosity to discover new knowledge and practice their communication skills to demonstrate their understandings.

- **Standards-Based Grading Model**

Standards-based grading implements the use of rubric-based grading scales to assess the demonstration of learning for each standard, rather than a holistic grading approach for each assignment. The model aligns with both the Common Core's use of Webb's Depth of Knowledge, as well as Bloom's Taxonomy. The foundation behind standards-based grading is that it promotes data driven teaching and learning, allowing both the teacher and student to identify strengths and weaknesses within each subject by assessing individual concepts rather than assignments. Students have the ability to "reassess" any and all standards to demonstrate a growing understanding of the concept. Teachers can better track and monitor student growth to facilitate re-teaching, interventions, and overall student success. A key component to the standards-based grading model is the ability for students to take charge of their learning by demonstrating continuous learning at their pace. Students do not receive zero grades that cannot be replaced, but rather participate in a school culture that expects ongoing growth and learning that is demonstrated through reassessment and data.¹⁸

- **Technology**

All NMSS classrooms will be equipped with a SMART board and a wireless hot spot. In addition, NMSS will have a world class server that provides the engine to at least 100 computers, laptops, and thin clients stations (server linked desktop sessions). NMSS will require all students to take and pass a Digital Media Arts class in order to graduate. Teachers will use and integrate technology on a daily basis to increase students' exposure to and comfort with technology. Students will use technology to create, display, and present information on a regular basis.

- **Early College Experience**

NMSS is a partnership school with CSUDH and El Camino College, Compton Center. Qualifying NMSS students are allowed to take early college courses through either college partner. All NMSS students are required to take at least one college course while enrolled at NMSS in order to graduate. To avoid transportation barriers, NMSS has contracted with CSUDH instructors to teach college classes to NMSS students on the high school campus. Studies have shown that students who are exposed to college courses while enrolled in high school have higher college acceptance, retention, and completion rates than students not provided early college experience.¹⁹

¹⁸ Douglas B. Reeves, The Case Against the Zero. *Phi Delta Kappan* December 2004 vol. 86 no. 4 324-325
¹⁹ Caralee Adams, Dual Enrollment Linked With Significant College Advantage. *Education Week*. October 17, 2012

No Child Left Behind

As required by NCLB, NMSS will work with its staff to ensure that all students have full access to the curriculum and that each subgroup in the school is making meaningful progress towards meeting all of the standards. NMSS will implement all provisions of NCLB that are applicable to charter schools, including use of effective methods and instructional strategies that are based on scientific research that strengthens the core academic program, meeting AYP goals, publishing a school accountability report, providing extended learning for students below grade level, ensuring teacher quality, and participating in all required assessments.

Process for Selecting Instructional Materials

NMSS attests that each pupil in the school will have sufficient current textbooks and instructional materials in each subject area consistent with the content and cycles of the curriculum frameworks adopted by the California Department of Education. All instructional materials will follow the California Content Standards, and will adhere to the California Common Core State Standards once implemented, in 2014-15. Each spring, the principal, in consultation with the staff, will identify areas of need and order texts and materials for the following year.

A complete list of courses and corresponding selected textbooks and/or supplemental materials can be found in the “NMSS Scope and Sequence with Instructional Materials”.²⁰

A-G College Preparatory Coursework: Scope and Sequence

(A) Social Studies

9th grade

* CP World Geography A, B: 10.0 credits

10th grade

CP World History A, B: 10.0 credits

11th grade

CP US History A, B: 10.0 credits

12th grade

* CP US Government: 5.0 credits

* CP Economics: 5.0 credits

²⁰ Appendix X

* = elective course (UC Approved)
CP = college prep (UC Approved)
\$ = support class

(B) English

9th grade

\$ English Support A: 5.0 credits (taken concurrently with CP English 9A as needed)

\$ English Support B: 5.0 credits (taken concurrently with CP English 9B as needed)

CP English 9A, B: 10.0 credits

or

CP Honors English 9A, B: 10.0 credits

* CP Classic Literature A, B: 10.0 credits

or

* CP Honors Classic Literature A, B: 10.0 credits

10th grade

CP English 10A, B: 10.0 credits

or

CP Honors English 10A, B: 10.0 credits

* CP World Literature A, B: 10.0 credits

or

* CP Honors World Literature A, B: 10.0 credits

11th grade

CP English 11A, B: 10.0 credits

* CP America Literature A, B: 10.0 credits

* College English Courses offered through CSUDH

12th grade

CP English 12A, B: 10.0 credits

* CP Expository Writing A, B: 10.0 credits

* College English Courses offered through CSUDH

* = elective course (UC Approved)
CP = college prep (UC Approved)
\$ = support class

(C) Math

The Mathematics sequence will follow this general progression, but students may begin coursework at different levels depending on initial placement based on diagnostic examinations.

9th grade

| | |
|--------------------------|---|
| \$ College Ready Math A: | 5.0 credits (taken concurrently with CP Algebra 1A as needed) |
| \$ College Ready Math B: | 5.0 credits (taken concurrently with CP Algebra 1B as needed) |
| CP Algebra 1A, B: | 10.0 credits |

10th grade

| | |
|------------------------|---|
| \$ Algebra 2 Topics A: | 5.0 credits (taken concurrently with CP Algebra 2A as needed) |
| \$ Algebra 2 Topics B: | 5.0 credits (taken concurrently with CP Algebra 2B as needed) |
| CP Algebra 2A, B: | 10.0 credits |

11th grade

| | |
|-----------------------|---|
| \$ Geometry Topics A: | 5.0 credits (taken concurrently with CP Geometry A as needed) |
| \$ Geometry Topics B: | 5.0 credits (taken concurrently with CP Geometry B as needed) |
| CP Geometry A, B: | 10.0 credits |

12th grade

| | |
|--------------------------|--------------|
| * CP Math Analysis A, B: | 10.0 credits |
| or | |
| * CP Trigonometry A, B: | 10.0 credits |
| or | |
| * CSUDH Pre-Calculus | |

* = elective course (UC Approved)
CP = college prep (UC Approved)
S = support class

(D) Science

9th grade

| | |
|------------------|--------------|
| CP Biology A, B: | 10.0 credits |
|------------------|--------------|

10th grade

| | |
|-------------------------------|--------------|
| * CP Anatomy/Physiology A, B: | 10.0 credits |
|-------------------------------|--------------|

11th grade

| | |
|--------------------|--------------|
| CP Chemistry A, B: | 10.0 credits |
|--------------------|--------------|

12th grade

* CP Environmental Science: 10.0 credits

And/or

* CSUDH Physics

* = elective course (UC Approved)

CP = college prep (UC Approved)

S = support class

(E) Foreign Language

9th grade

CP Spanish 1A, B: 10.0 credits

or

* CP Spanish for Native Speakers 1A, B: 10.0 credits

10th grade

CP Spanish 2A, B: 10.0 credits

Or

* CSUDH Spanish Course

11th grade

* CP Spanish 3A, B: 10.0 credits

And/or

* CSUDH Spanish 2

12th grade

* CSUDH Spanish 3

And/or

* CSUDH Spanish Literature Course

* = elective course (UC Approved)

CP = college prep (UC Approved)

§ = support class

(F) Visual/Performing Arts

9th or 10th grade

* CP Visual Art 1A, B: 10.0 credits

11th grade

* CP Digital Media Arts A, B: 10.0 credits

Or

* CP Digital Medial Art and Design A, B: 10.0 credits

And/or

* CP Drama A, B: 10.0 credits

12th grade

* CP Digital Medial Art and Design A, B: 10.0 credits

And/or

* CP Drama A, B: 10.0 credits

* = elective course (UC Approved)

CP = college prep (UC Approved)

S = support class

(G) College Preparatory Electives

9th and/or 10th grade

* CP Visual Art 1A, B: 10.0 credits

* CP Spanish for Native Speakers 1A, B: 10.0 credits

* CP Anatomy/Physiology A, B: 10.0 credits

* CP Classic Literature A, B: 10.0 credits

* CP Honors Classic Literature A, B: 10.0 credits

* CP World Literature A, B: 10.0 credits

* CP Honors World Literature A, B: 10.0 credits

* CP World Geography A, B: 10.0 credits

11th and/or 12th grade

* CP Digital Media Arts A, B: 10.0 credits

* CP Digital Medial Art and Design A, B: 10.0 credits

* CP Drama A, B: 10.0 credits

* CP Spanish 3A, B: 10.0 credits

* CP Environmental Science: 10.0 credits

* CP Math Analysis A, B: 10.0 credits

* CP Trigonometry A, B: 10.0 credits

| | |
|-------------------------------|--------------|
| * CP America Literature A, B: | 10.0 credits |
| * CP Expository Writing A, B: | 10.0 credits |
| * CP US Government: | 5.0 credits |
| * CP Economics: | 5.0 credits |

* = elective course (UC Approved)
 CP = college prep (UC Approved)
 S = support class

Content Standards, Transferability of Courses to Other Public Schools, and Eligibility of Courses to meet College Entrance Requirements

All coursework will be based on the California Content Standards and will transition to include the Common Core State Standards in 2014-15. All non-support level courses have been submitted and approved by the UC Doorways program as meeting the A-G requirements. NMSS is WASC accredited through 2018²¹, with all units transferable to other public high schools. WASC status notification, transferability of courses to other public schools, and the eligibility of courses to meet college entrance requirements is available on the school website, on students' transcripts, on the WASC website, and in the NMSS Main Office.

Academic Calendar and Daily Schedule

Longer School Year

NMSS exceeds the minimum number of required school days, having more than 180 school days each year it has been in operation.²² School starts in mid-August, with the first semester drawing to a close prior to the winter break. Second semester will begin after the return from the winter break, and will conclude at the end of May, or possibly early June, depending on the calendar year. The school year will consist of more than 180 days.²³

| Beginning Date | Ending Date Last Day | Holidays and Breaks | Summer Professional Development Days | Summer Parent and Student Orientation |
|-----------------------|-----------------------------|----------------------------|---|--|
| Instruction Begins | Instruction Ends | Labor Day Veterans' Day | 8/5-8/9/13 | Incoming 9 th graders: 7/29- |

²¹ Appendix H

²² http://www.edweek.org/ew/articles/2008/09/24/05narmain_ep.h28.html

²³ Appendix W

| | | | | |
|-------------------------|------------------------|---|--|--|
| Monday, August 12, 2013 | Thursday, May 22, 2014 | Thanksgiving Winter Break Martin L. King Day Presidents' Day Spring Break Memorial Day | | 8/3/13 New Transfer Students: 8/5/13 Returning 10 th grade students: 8/8/13 Returning 11 th grade students: 8/7/13 Returning 12 th grade students: 8/6/13 |
|-------------------------|------------------------|---|--|--|

Longer School Day

NMSS implements a longer school day, with core day instruction beginning at 8:00am and concluding at 3:20pm. NMSS will offer more than the required instructional minutes set forth in Education Code Section 47612.5. College courses are offered as part of the extended day program for NMSS students on the NMSS campus from 4:00pm to 5:30pm.

Block Schedule

NMSS utilizes a modified block schedule. Periods 1-6 meet on alternating days and each course meets for 100 minutes on regular schedule days. Period 7 meets for 65 minutes on every regular schedule day. Odd period courses (1, 3, and 5) will meet on Monday and Thursday, and even period courses (2, 4, and 6) will meet on Tuesday and Friday. Periods 1-6 will all meet on shortened Professional Development Day (Wednesday)? The M, T, Th, F bell schedule for NMSS is:

8:00am – 8:25am Advisory period
8:30am – 10:10am Period 1/2
10:15am – 11:55am Period 3/4
11:55am – 12:25pm Lunch
12:30pm – 2:10pm Period 5/6
2:15pm – 3:20pm Period 7

This modified block schedule is crucial for the fundamental academic goals NMSS is trying to accomplish.²⁴ By offering seven classes a year, and an advanced course offering, students are able to move through the A-G requirements faster so that they can take early college courses with our university partners beginning in their junior year. This schedule also allows for students to participate in additional electives and athletics during Period 7 without impacting access to core academic classes. The counseling department will work to ensure that students are enrolled in the appropriate A-G courses and that students are not enrolled in two or more “service” classes during any one semester.

Professional Development Day (Wednesday)

NMSS has historically had an early release to allow for professional development time. On Wednesdays, the bell schedule is:

8:00am – 8:50am 1st period
8:53am – 9:43am 2nd period
9:46am – 10:36am 3rd period
10:36am – 10:56am Nutrition
10:59am – 11:49am 4th period
11:52pm – 12:42pm 5th period
12:45am – 1:35pm 6th period

Advisory Class

As reflected in the daily schedule, each regular school day begins with a 25-minute Advisory class. This time will be used to allow students to access teachers in subject matters they may need additional help in, as well as an opportunity for Advisors to check in with their assigned students through reviewing Individual Learning Plans (ILP), conduct college and career focused mini-lessons, and test preparation activities. During this period, students may do homework, use computers to do assignments, or access online courses or remediation, depending on their individual needs as identified by their Advisor and ILP.

Serving Socioeconomically Disadvantaged Students

NMSS anticipates that approximately 70% of the student population will qualify for free or reduced lunch. This is consistent with local district school populations (see chart below). NMSS will adhere to Title I guidelines in providing Title I support in the form of targeted programs in reading and math, after school tutoring support, and college/career counseling. The SSC will oversee the spending of Title I funds.

²⁴ http://www.buenabands.org/block-schedule/WSRC-HS-Scheduling-Research-Report_FINAL-10-03-06.pdf

| Local LAUSD School Name | % Free/ Reduced Lunch |
|--------------------------------|------------------------------|
| Gardena HS | 69% |
| Carson HS | 64% |
| Narbonne HS | 70% |
| Curtiss Middle School | 83% |
| Dana Middle School | 74% |
| Fleming Middle School | 78% |
| Peary Middle School | 85% |
| Samuel Gompers Middle School | 100% |
| Andrew Carnegie Middle School | 83% |
| Stephen White Middle School | 75% |

Special Education Program

A Memorandum of Understanding (“MOU”) will be executed by and between the Los Angeles Unified School District and New Millennium Secondary School regarding the provision and funding of special education services consistent with the requirements of the LAUSD SELPA Local Plan for Special Education. All charter schools must adhere to all terms and conditions of the *Chanda Smith Modified* Consent Decree (“MCD”) and any other court orders and/or consent decrees imposed upon the LAUSD as they pertain to special education. Charter schools must ensure that no student otherwise eligible to enroll in their charter school will be denied enrollment due to a disability or to the charter school’s inability to provide necessary services. Policies and procedures are in place to ensure the recruitment, enrollment and retention of students with disabilities at charter schools.

Prior to Los Angeles Unified School District (“LAUSD” or “District”) Governing Board approval, New Millennium Secondary School will either execute a Memorandum of Understanding (“MOU”) by and between LAUSD and New Millennium Secondary School regarding the provision and funding of special education services consistent with the requirements of the LAUSD Special Education Local Plan Area (“SELPA”) Local Plan for Special Education.

NMSS offers a full-inclusion special education program with resource support for students with disabilities. Students will be enrolled in college preparatory A-G courses with modifications and accommodations by both the general education and resource teachers²⁵. Math, science, English, and social science courses will implement a co-teaching style that will allow for both general education and resource teachers to support and assist all students in the classroom environment. Staff assigned to co-teaching classes will be appropriately credentialed. A Resource Room is available for pull out instruction for individuals or small groups who need more target-

²⁵ <http://www.nclld.org/students-disabilities/accommodations-education/accommodations-include-iep-504-students-ld>

ed assistance with the Resource Teacher. NMSS anticipates that 10-15% of the student population will require special education services, consistent with local school populations.

SELPA Reorganization

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

Modified Consent Decree Requirements

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

As part of fulfilling the District's obligations under the Modified Consent Decree, data requests from charter schools that are not connected to the District's current Student Information Systems ("SIS") are made on a regular basis. The requested data must be submitted in the Office of the Independent Monitor's required format and are as follows:

- # The Independent Charter School Suspension/Expulsion Report, due monthly throughout the school year.
- # Paper SESAC Report and Welligent Student Listing Verification, due monthly throughout the school year.
- # CBEDS, which is due at the end of October of Each School Year.
- # All Students Enrolled December 1 of Each School Year, due at the end of December every school year.
- # Graduation Status of 12th Grade Students Enrolled on December 1, due at the end of June every school year.

The MCD requires charter schools to implement the District's Integrated Student Information System (ISIS). ISIS is a suite of applications which is designed to capture all District student data.

English Learner Instruction

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

On an annual basis (on or about October 1), New Millennium Secondary School shall submit a certification to the District that certifies that they will either adopt and implement LAUSD's English Learner Master Plan *or* implement the Charter School's own English Learner Instructional/Master Plan. If Charter School chooses to implement its own EL plan, the instructional plan shall encompass the following, including but not limited to:

- How ELs' needs will be identified;
- What services will be offered;
- How, where and by whom the services will be provided;

- How the program for ELS is evaluated each year and how the results of this assessment will be used to improve those services (annual report of the assessments)

New Millennium Secondary School shall provide to CSD a copy of its entire, current plan upon request such as during the annual oversight review process.

New Millennium Secondary School shall administer the CELDT annually. New Millennium Secondary School shall also ensure that it will provide outreach services and inform parents with limited English proficiency with important information regarding school matters to the same extent as other parents.

The Charter School will meet 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 requirement. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents. These policies will include, but are not limited to, the distribution of the Home Language Survey as part of the enrollment packet, CELDT testing be administered to all EL designated students by October 31st, letters be sent to each student and family with the results of CELDT testing, the counseling department and administration identifying EL students and their current EL level for all teachers, and administration ensuring that all teachers assigned to instruct EL students have the appropriate credentials and training.

Home Language Survey

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

CELDT Testing

All students who indicate that their home language is other than English will be California English Language Development Test (“CELDT”) tested within thirty days of initial enrollment²⁶ and at least annually thereafter between July 1 and October 31st until re-designated as fluent English proficient.

The Charter School will notify all parents of its responsibility for CELDT testing and of CELDT re-

²⁶ The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been CELDT tested. All other students who have indicated a home language other than English will continue with annual CELDT testing based upon the date last tested at the prior school of enrollment.

sults within thirty days of receiving results from publisher. The CELDT shall be used to fulfill the requirements under the No Child Left Behind Act for annual English proficiency testing.

Reclassification Procedures

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

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the 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 in basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

Strategies for English Learner Instruction and Intervention

NMSS will use an inclusion model (Mainstream English Instructional Program) to serve English Learners and will ensure all of its teachers are trained in the most effective EL instructional strategies, including the research-based Specially Designed Academic Instruction in English (SDAIE), scaffolding strategies, and Sheltered English strategies.²⁷ NMSS will also employ teachers with CLAD certification, and give preference to those with BCLAD certification. NMSS teachers will align their teaching to the California English Language Development standards and all staff members will be given the LAUSD ELD Handbook as a resource guide for curriculum planning. Best practices and individual student progress discussions will be frequent agenda

²⁷ http://www.usc.edu/dept/education/CMMR/DigitalPapers/SDAIE_Genzuk.pdf

items during the school's weekly professional development and grade-level meetings. The results of these discussions and teacher input will be captured in the Individual Learning Plans for all students, including English language learners.

The results of the students' CELDT scores will be used to determine the students' ELD levels and to provide insight into appropriate language development supports. The 5 levels that a student may be categorized into include:

- Beginning
- Early Intermediate
- Intermediate
- Early Advanced
- Advanced

The CELDT exam will be administered annually to measure student progress.

The small school size and small class sizes at NMSS will provide an environment where English Learners will receive ample academic support and attention to their individual needs. With smaller class sizes than traditional district schools, teachers can better monitor and respond to the needs of each individual student in the classroom. In addition to all content courses providing support for English Learners, English support classes are available to students who struggle in English/Language Arts coursework. Although these courses are designed for all students needing intervention and support, the instructional methods will emphasize differentiated instruction and appropriate supports utilizing SDAIE and sheltered methodology to assist EL students. Primary language support, ELD courses, and clustering EL students in ELA and core content area courses may be provided based on student need.

Monitoring and Evaluation of Program Effectiveness

The evaluation for the program effectiveness for ELs in the Charter School will include:

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

Serving Academically High-Achieving Students

Academically high-achieving students will be identified through the use of CSU/UC created Mathematics Diagnostic Testing Project and school-created initial diagnostic exams using CST released questions at the beginning of each academic year if they are not already designated as such on their transcripts. All students have the opportunity to take advanced level courses in English, with honors designated coursework available at each grade level. Academically high-achieving students in mathematics will begin their course of studies at a higher level and will be able to progress further in the math sequence. All students have access to college level courses through CSU Dominguez Hills and El Camino Compton Center beginning in their junior year. Students who have taken and passed honors or accelerated coursework with a C grade or higher can take core English and math coursework through the university partners, whereas student progressing through the standard high school A-G progression have access to college level elective courses such as African American studies, Chicano Studies, Art History, Music Appreciation, Psychology, and others.

Academically Low-Achieving Students

The NMSS instructional program was designed based on the assumption that a significant number of incoming students would be achieving substantially below grade level, scoring Below or Far Below Basic on annual CST exams, as per the local middle school statistics (see data chart below). As previously mentioned, NMSS will administer diagnostic exams to all students prior to the start of school. These exam results, coupled with students' prior records and standardized test scores, will serve as the means to identify those students who are academically low-achieving.

2011-12 8th Grade CST Data²⁸

| Local LAUSD Feeder Middle Schools | ELA BB | ELA FBB | Total ELA % BB/FBB | Math BB | Math FBB | Total Math % BB/FBB |
|-----------------------------------|--------|---------|--------------------|---------|----------|---------------------|
| Curtiss Middle School | 13% | 7% | 20% | 38% | 24% | 62% |
| Dana Middle School | 16% | 8% | 24% | 29% | 13% | 42% |
| Fleming Middle School | 12% | 7% | 19% | 33% | 15% | 48% |
| Peary Middle School | 18% | 10% | 28% | 35% | 18% | 53% |
| Samuel Gompers Middle School | 21% | 29% | 50% | 44% | 42% | 86% |
| Andrew Carnegie Middle School | 15% | 6% | 21% | 37% | 9% | 46% |
| Stephen White Middle School | 12% | 8% | 20% | 26% | 11% | 37% |

²⁸ <http://dq.cde.ca.gov/dataquest/>

A number of academic supports have been put in place at NMSS for students who are academically low-achieving, scoring Below Basic or Far Below Basic on annual CST exams. These support features include:

Double Period Math and ELA

Content specific support classes are available in both math and English for students who are academically low-achieving. These support courses will be taken concurrently with the core academic courses and provide additional time and support for students struggling to understand concepts due to a lack of foundational knowledge²⁹. Reading comprehension and writing skills will be reinforced in the English support courses using a research-based reading support program, such as Read 180, proven to show significant gains in student achievement.³⁰ Math support courses will be conducted through the Jaime Escalante Math Program facilitated through East Los Angeles College.³¹ This program will support students' foundational mathematics skills, such as number sense, order of operations, and mathematical reasoning, while using the California Content Standards and Common Core State Standards to prepare students for higher level mathematics.

Advisory

Each school day, as also previously described, begins with a 25-minute Advisory Class. In addition to supporting the Advisory curriculum promoting character development and college-ready skills, this time may be used by students to review their ILP's and create a plan with their Advisor to access teachers in subject matters they may need additional help in, as well as create a schedule for tutoring or study time.

After-School Tutoring

NMSS will establish an after-school program, such as After School All Stars, to provide after school enrichment activities, as well as tutoring and support programs. Tutoring will be available to all students by credentialed staff, which has been proven to an essential element of effective after school tutoring programs³². However, because the UC/CSU entrance requirements state that core classes must be passed with at a least a grade of "C" or higher, all students with a grade lower than a "C" will be required to attend after-school tutoring until that grade is raised to an acceptable level. Because

²⁹ <http://www.questia.com/library/1P3-2535825831/a-concurrent-support-course-for-intermediate-algebra>

³⁰ <http://read180.scholastic.com/reading-intervention-program/research/pages/313>

³¹ <http://www.edexcelencia.org/programs/jaime-escalante-math-program>

³² http://www.thereadingpeople.org/docs/Research_on_Effective_Literacy_Tutoring.PDF

NMSS is aligning graduation requirements with the entrance requirements of UC/CSU, students must also have a “C” or higher to remain on pace to graduate. Tutors will have access to classroom curriculum.

NMSS staff will monitor student progress for those students who are academically low-achieving, scoring Below or Far Below Basic on annual CST testing, in the same way it monitors student progress for all of the school’s students – captured in students’ individual learning plans (ILPs)³³. The individual learning plans will be reviewed regularly by students in advisory period, and will include key progress information, such as:

- standardized test scores;
- individual class assessment scores (formative and summative);
- specific academic interventions used or in process;
- student goals;
- teacher comments;
- a review of the students’ online digital portfolio of work.

As previously mentioned, parents will have access to their children’s individual learning plans through parent, teacher, and student meetings, as well as the quarterly ILP reviews, which will serve as key tools to engage parents in focused conversations around their children’s progress and goals. Every student’s advisor will serve as the primary liaison for communication with that student’s parent for these discussions, bringing in specific content-area teachers when appropriate.

Implementation Plan and Timeline

| IMPLEMENTATION OUTCOMES | ASSESSMENT MEASURE | MONITORING TIME-LINE | REPORTING |
|---|---|--|--|
| <p><i>Transition to Common Core State Standards (CCSS)</i> Administration will:</p> <ul style="list-style-type: none"> • Develop professional development to help teachers with transition to CCSS. | <p>CCSS Transition Plan and Timeline</p> <p>Technology infrastructure</p> <p>Benchmark exams and data</p> | <p>Ongoing, formally measured twice a year through teacher and administrator evaluations</p> <p>Progress monitored by Board Academic Committee and re-</p> | <p>Evaluating administrators</p> <p>Academic Committee minutes and Board reports</p> |

³³ Appendix V

| | | | |
|---|--|---|---|
| <ul style="list-style-type: none"> • Ensure infrastructure is in place for SBAC Testing for 11th grade CCSS Examinations. • Collect data through benchmarks and observations to monitor success of transition to and integration of CCSS. <p>Teachers will:</p> <ul style="list-style-type: none"> • Create CCSS-based lesson plans. • Administer CCSS-based common benchmark examinations to monitor student progress. • Provide a variety of CCSS-based assessments, including but not limited to tests and quizzes, projects, reports, presentations, homework, class work, response-device based activities, etc. | <p>Classroom observations</p> <p>Lesson Plans</p> <p>Assessments</p> | <p>ported to the larger Board twice a year</p> | |
| <p><i>Student Academic Achievement</i></p> <p>Teachers will:</p> <ul style="list-style-type: none"> • Provide stand- | <p>Benchmark exams</p> <p>Classroom observations</p> | <p>Ongoing, every 10 weeks with progress reports and report cards</p> | <p>Academic Committee minutes and Board reports</p> |

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| <p>ards-based lessons that engage students in hands-on, real-world learning opportunities</p> <ul style="list-style-type: none"> • Provide rigor that prepares all students for college-level work • Use data to track the academic progress of all students <p>Students will:</p> <ul style="list-style-type: none"> • Meet goals as identified in the ESLR's and Charter Petition • Demonstrate proficiency in content areas | <p>Formative and summative assessments</p> <p>Student work samples</p> <p>Student progress reports and final grades</p> | <p>Progress monitored by Board Academic Committee and reported to the larger Board twice a year</p> | <p>Principal/evaluating administrator</p> <p>CST, CAHSEE, SBAC testing results</p> <p>API, AYP, AGT, SPF, SARC reports</p> |
| <p>Professional Development Outcomes</p> <p>Teachers will:</p> <ul style="list-style-type: none"> • Perform peer visitations at least twice a semester. • Demonstrate proficiency with all technology tools in their classroom. • Facilitate model classroom lessons. • Participate in at least 50 hours of professional development a year. | <p>Teacher Learning Plans</p> <p>Teacher coaching logs</p> <p>Evaluations</p> <p>Classroom observations</p> | <p>Formally at least once a year, but informally on a regular basis</p> | <p>Principal/evaluating administrator</p> |

| | | | |
|---|---|---|---|
| <p>Early College Experience</p> <p>Students will:</p> <ul style="list-style-type: none"> • Complete at least one college-administered course prior to graduating for NMSS <p>NMSS will:</p> <ul style="list-style-type: none"> • Facilitate college-administered courses on the NMSS campus for qualifying students. • Work to ensure that all students take at least one college-administered course prior to graduating from NMSS • Support students prior to and during enrollment in college-administered course to ensure students are prepared for success | <p>Number of students enrolled in courses</p> <p>Student pass/fail rates</p> <p>Number of courses offered</p> | <p>At the conclusion of each semester</p> | <p>Counselors will compile data and report findings to Board twice a year</p> |
| <p>Parent/ Guardian Engagement Outcomes</p> <p>Parents will:</p> <ul style="list-style-type: none"> ▪ Participate in New Parent Orienta- | <p>Documentation in Students Profile/PowerSchool</p> <p>Sign-in sheets from events</p> | <p>Ongoing, but at least formally once a year</p> | <p>Advisors, Counselors, Principal</p> |

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|---|---|--|--|
| <p>tion.</p> <ul style="list-style-type: none"> ▪ Participate in at least two meetings about their child’s ILP per year. ▪ Volunteer as much as their schedule permits at the school. ▪ Communicate regularly with their children’s advisor. | <p>ILP signatures</p> <p>Communication logs</p> | | |
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Element 2 – Measurable Student Outcomes

Expected School wide Learning Results

NMSS has established a set of Expected School wide Learning Results (ESLR’s) to ensure NMSS students develop the skills and attributes necessary to be “educated persons in the 21st century”, and to become “self-motivated, competent, life-long learners”:

All NMSS students will:

N- Nurture academic progress and achievement for college readiness by:

- Pursuing mastery in all content areas.
- Creating a broad range of standards based assignments across academic curricula.
- Assessing their own work using rubrics and criteria.
- Demonstrating the ability to read, write, listen and speak effectively to diverse audiences.
- Applying problem solving and critical thinking skills in academic settings independently and collaboratively.
- Completing at least one college course while in high school.

M- Manage and pursue school and life goals by:

- Setting short and long term personal, academic and professional goals.
- Fostering success in academic and professional environments.
- Practicing organizational and time management skills.
- Participating in career exploration.

S₁- Support the pillars of character for self and others by:

- Adhering to NMSS rules and expectations.
- Demonstrating academic and personal integrity.
- Promoting mutual respect, appreciation, and acceptance among people of different backgrounds, cultures, abilities, and beliefs.
- Accepting responsibility for one's own behavior and actions.
- Using appropriate models of communication when expressing ideas, collaborating, and resolving conflict.
- Being responsible and productive citizens of the school, the community, and the world.

S₂- Sustain the skills necessary to participate in a technologically advanced society by:

- Developing technological literacy and awareness.
- Using a diverse spectrum of reliable resources as research tools.
- Using appropriate technologies as academic, professional, and life-long learning tools.
- Communicating effectively and appropriately through various technologies.

Achievement Targets

GOAL 1: NMSS students will “Nurture academic progress and achievement for college readiness”

| OUTCOMES | ASSESSMENT MEASURE | MONITORING TIME-LINE | REPORTING |
|--|---------------------------|-------------------------------|--|
| NMSS API Similar Schools Ranking will meet or exceed the average ranking of 5 or better. | API | Each year in August/September | SARC, annual performance report to LAUSD |
| NMSS will meet or exceed growth targets set by CDE each year, both school wide and for all nu- | API | Each year in August/September | SARC, annual performance report to LAUSD |

| OUTCOMES | ASSESSMENT MEASURE | MONITORING TIME-LINE | REPORTING |
|--|--|---------------------------------|--|
| merically significant pupil subgroups. | | | |
| NMSS will meet AYP measures required by NCLB, both school wide and for all numerically significant pupil subgroups. | AYP | Each year in August / September | CDE, SARC, annual performance report to LAUSD |
| At least 82% of students will pass both parts of the CAHSEE in the 1 st administration, with at least 95% of the students passing the CAHSEE by the end of senior year both school wide and for all numerically significant pupil subgroups. At least 80% of transfer students will pass the CAHSEE by the end of their senior year both school wide and for all numerically significant pupil subgroups. | CAHSEE | Each year | CDE, SARC, annual performance report to LAUSD, school's assessment management system |
| At least 75% of English Learners will progress by a minimum of one level on the CELDT per year. | CELDT | Each year in February | CBEDs, SARC, annual performance report to LAUSD, school's assessment management system |
| Students will make progress towards mastering the California Standards for | Real-Time Informal Assessments: Individualized student response systems | Some Daily, Some Weekly | School Data Management System |

| OUTCOMES | ASSESSMENT MEASURE | MONITORING TIME-LINE | REPORTING |
|---|---|--|--|
| <p>math in grades 9 -12 with the goal of at least 78% of students scoring Proficient or Advanced, both school wide and for all numerically significant pupil subgroups.</p> | <p>and adaptive testing software</p> <p>Traditional Classroom Assessments: Teacher made quizzes, essays, projects, student work portfolios, and presentations.</p> <p>Formal Interim Assessments: Common standards-based formative assessments, aligned to curriculum.</p> <p>Final Exams/ Summative Assessments: Common standards-based summative assessment.</p> <p>State Testing: CST, SBAC/CCSS</p> | <p>Some Weekly, Some Monthly</p> <p>Quarterly</p> <p>End of Each Term</p> | <p>Teachers, School Data Management System</p> <p>School Data Management System</p> <p>School Data Management System</p> |
| <p>Students will make progress toward mastering the California Standards for English, with the goal of at least 78% of students scoring Proficient or Advanced, both school wide and for all numerically significant pupil subgroups.</p> | <p>Traditional Classroom Assessments: Teacher made quizzes, essays, projects, student work portfolios, and presentations.</p> <p>Formal Interim Assessments: Common standards-based formative assessments, aligned to curriculum.</p> | <p>Some Daily, Some Weekly</p> <p>Some Weekly, Some Monthly</p> <p>Quarterly</p> | <p>Teachers, School Data Management System</p> <p>School Data Management System</p> <p>School Data Management System</p> |

| OUTCOMES | ASSESSMENT MEASURE | MONITORING TIME-LINE | REPORTING |
|----------|---|----------------------|---|
| | Final Exams/ Summative Assessments: Common standards-based summative assessment. State Testing: CST, SBAC/CCSS | End of Each Term | ament System School Data Management System |

GOAL 2: NMSS students will “Manage and pursue school and life goals”.

| OUTCOMES | ASSESSMENT MEASURE | MONITORING TIME-LINE | REPORTING |
|--|------------------------------|-----------------------------------|---|
| An average of at least 92% daily attendance, both school wide and for all numerically significant pupil sub-groups, with at least 71% of students with 96% or higher attendance rate. | Attendance | End of each instructional month. | Attendance records, School’s SIS |
| All students will have a plan in place for entering a community or four-year college, which will be monitored regularly by the students, the students’ advisor, and the students’ parents/guardians. | Individualized Learning Plan | Annually. | Advisor and teachers will compile results to track, school’s assessment management system |
| Graduates will be surveyed one year after graduation to ensure | Graduate Survey | Each year beginning in Fall 2013. | College counselor will compile results and report to students, |

| OUTCOMES | ASSESSMENT MEASURE | MONITORING TIME-LINE | REPORTING |
|--|---------------------------|---|---|
| that they have met their goal for continuing their education as per their ILP. | | | parents/guardians, teachers, school partners, community and annual performance report to the LAUSD. |
| All students continuously enrolled since 9 th grade will take at least one college administered class while in high school. ³⁴ | College course completion | By the end of senior year. | College counselor, teacher |
| At least 90% of special education-designated students will meet their learning goals as outlined in their Individualized Education Program. | IEP | IEP Goals Annually per the IEP schedule | CBEDs, SARC, annual performance report to LAUSD, school's assessment management system |
| At least 90% of students continuously enrolled since 9 th grade will graduate at the end of four years from NMSS, both school wide and for all numerically significant pupil subgroups. At least 80% of transfer students will graduate by the end of their scheduled senior year, both school wide and for | Graduation Rate | Each year | CBEDs, SARC, annual performance report to LAUSD, school's assessment management system |

³⁴ Unless indicated otherwise on a special education student's IEP.

| OUTCOMES | ASSESSMENT MEASURE | MONITORING TIME-LINE | REPORTING |
|--|--------------------|----------------------|-----------|
| all numerically significant pupil subgroups. | | | |

- **GOAL 3:** NMSS students will “Support the pillars of character for self and others”.

| OUTCOMES | ASSESSMENT MEASURE | MONITORING TIME-LINE | REPORTING |
|--|---|--|---|
| All students will complete 75 hours of community service by the end of their senior year. | Community service logs, ILPs, Millennium Scholar Presentations. | April/May of senior year. | College counselor, advisor |
| All NMSS students will create and strive towards meeting individual goals in their ILPs regarding integrity, social responsibility, and an understanding of the context of the world in which they live. | ILPs – evidence of self-reflection and progress towards individually created goals. | Ongoing informally, but formally at least once a year. | Advisor, ILPs |
| All NMSS students wishing to attain a “Millennium Scholar Diploma” will satisfactorily complete a significant Community Service Project at least one month prior to the end of their senior year. | Service Learning project passing grades | First portion of the project to be completed by the end of their junior year and the second to be completed by the end of their senior year. | College counselor, advisor, school’s assessment management system |

- **GOAL 4:** NMSS students will “Sustain the skills necessary to participate in a technologically advanced society”.

| OUTCOMES | ASSESSMENT MEASURE | MONITORING TIME-LINE | REPORTING |
|--|---|---|---|
| All NMSS students will pass a course in the field of “digital media arts” with a “C” or better before the end of their senior year. | Digital Media Arts Course Grade of C or better, digital portfolios | By the end of senior year | Teacher, school’s assessment management system |
| All students will be expected to integrate the use of technology into their demonstration of learning in core content courses through projects, reports, presentations, etc. | Student work samples of content specific projects, reports, presentations, digital portfolios, etc. | Ongoing, each grading period | Teachers, student work samples |
| All students will demonstrate excellent communication and higher order, critical thinking skills. | Course specific formative and summative assessments (such as a persuasive essay for an English class) | Ongoing and at least once a semester | Teachers, advisors, school’s assessment management system |
| All NMSS students wishing to attain a “Millennium Scholar Diploma” ³⁵ will maintain a digital portfolio that must be deemed satisfactory to graduate. | Digital Portfolio | One month prior to the end of senior year | Counselors, Teachers, Advisors, school’s assessment management system |
| All students wishing | Portfolio Presentation | By the end of senior | Teachers, advisors, |

³⁵ All students will be encouraged to earn a “Millennium Scholar Diploma”, which entails additional requirements of academic achievement. Students unable to complete these requirements may still graduate by successfully earning the required academic credit units and passing the California High School Exit Exam.

| | | | |
|---|-------|------|---------------------------------------|
| to attain a “Millennium Scholar Diploma” must deliver a satisfactory portfolio presentation, including a Q and A session, in order to graduate. | Grade | year | school’s assessment management system |
|---|-------|------|---------------------------------------|

Goals for student outcomes will be monitored by the NMSS school administration on an ongoing basis. Data will be compiled quarterly and reported to the School Site Council and Board of Directors by the principal at least once each semester to check that goals for pupil outcomes are on track.

No Child Left Behind

As required by NCLB, NMSS will work with its staff to ensure that all students have full access to the curriculum and that each subgroup in the school is making meaningful progress towards meeting all of the standards. NMSS will implement all provisions of NCLB that are applicable to charter schools, including use of effective methods and instructional strategies that are based on scientific research that strengthens the core academic program, meeting AYP goals, publishing a school accountability report, providing extended learning for students below grade level, ensuring teacher quality, and participating in all required assessments.

Graduation Requirements

Students will receive credit for a class when they receive a grade of “C” or better. NMSS Does not believe in social promotion and will only promote students based on credits earned. Students who transfer into NMSS with a grade(s) of “D” must retake the course to meet NMSS’s A-G High School Graduation Requirements. The credits for a “D” grade will not be transferred, nor counted toward graduation progress.

NMSS will offer two diplomas: a General Diploma and a Millennium Scholar Diploma. Both diplomas require the completion of course work, the completion of 75 community service hours, and the adherence to state requirements such as the California High School Exit Examination.

General Diploma:

1. Earn 230 credits
2. Complete the A-G course requirements
3. Pass both sections of the California High School Exit Examination
4. Take and pass one semester of a college-administered course

5. Complete 75 community service hours

Millennium Scholar Diploma:

1. Earn 250 credits
2. Have a cumulative GPA of 3.0 or above
3. Complete the A-G course requirements
4. Pass both sections of the California High School Exit Examination
5. Take and pass one semester of a College-level course
6. Pass one College-level on-line course
7. Complete 75 community service hours
8. Complete a community service project
10. Complete a digital media portfolio

Both diplomas meet the basic entrance requirements for California State and UC systems; though do not guarantee admission to all universities.

Element 3 – Means to Assess Pupil Progress

Testing

New Millennium Secondary School agrees to comply with and adhere to the State requirements for participation and administration of all state mandated tests. If New Millennium Secondary School does not test (i.e., STAR, CELDT, CAHSEE) with the District, New Millennium Secondary School hereby grants authority to the state of California to provide a copy of all test results directly to the District as well as New Millennium Secondary School.

Assessment Tools to Measure Student Outcomes

Using the State Standards and transitioning to the CCSS, New Millennium Secondary School will measure student outcomes based on the content of the standards-based curriculum. Student achievement in developing conceptual thinking, problem-solving skills, and content mastery is assessed using multiple measures. Students are also able to demonstrate proficiency through multiple measures. Proficiency is measured using an assessment model that is formative and summative, holistic and standardized, narrative and norm referenced. Performance expectations are outlined in the “Achievement Targets” tables in Element 2. The approach is conducive to measuring student progress as identified by state determined proficiency bands and against students’ individual baseline data, evaluating individuals and groups of students and assessing

the whole school from year to year for longitudinal study of our progress. The assessment measures include but are not limited to:

| Assessment Method | Frequency |
|--|--|
| State Mandated Standardized Tests (Content Standards Tests, CELDT, CAHSEE) | Annually, Spring |
| Academic Performance Index | Annual |
| Common Benchmark Assessments (Data Director) | Quarterly (every 10 weeks) |
| Diagnostic Exams | During the first 2 weeks of each semester |
| College Entrance Exams: PSAT, SAT I, SAT II, CSU Entrance/Placement Exams | Beginning in Grade 10 |
| California High School Exit Exam | As scheduled by CA State Department, beginning in Grade 10 |
| Analysis of Student Digital Portfolios | Quarterly (every 10 weeks), beginning in Grade 11 |
| Student Progress Reports | Quarterly (every 10 weeks) |
| Student Diagnostic Survey | After registration and enrollment in school |
| Ongoing Classroom Teacher Assessments | Daily, Weekly, Final Exams |
| Student ILP Records | Every 5 weeks with Advisory Teacher |

Ongoing Interim Assessment

On-going “in house” assessment and evaluation of educational outcomes are vital in determining if the educational purposes are attained. The first step in the assessment process is the collection of data and information. The student achievement data routinely gathered and analyzed include:

- Results from regularly scheduled common assessments given in core academic subjects (at weeks 5, 10, and 20 for final semester grades).
- In classroom formative and summative exams and quizzes.
- Grades from progress reports and semester report cards.
- CAHSEE, CST, and PSAT results.

Data gathered is used to measure progress towards stated goals and to determine the effectiveness of our instructional program. Data informs our decisions regarding the need to continue, modify, improve, add to or discontinue instructional strategies. As discussed in Element 1, teachers will participate in professional development to facilitate the gathering and use of data to drive instruction to better meet the varied needs of all students.

Data Gathering

As data is gathered, the faculty and administration begin the task of analysis to measure progress towards the school's selected objectives. Ongoing data gathering and analysis guides and informs decisions for determining successful progress or the need for program adjustments.

| Data to Be Gathered By | Purpose | Frequency |
|--|---|---|
| Observing the lessons teachers are delivering and the nature of student participation in classroom activities. | To measure effectiveness of instruction. Data is used to inform professional development needs. | Weekly |
| Classroom Curriculum and Instruction Walk-throughs | To measure the degree of and consistency with which grade appropriate standards based instruction is taking place. Data is used to share best practices | Weekly |
| Interviewing students about their courses of study through ILP meetings | Connect with individual students on their progress towards meeting graduation and college requirements to develop student awareness of their progress and to assist them with maintaining their individual portfolio. | Ongoing in Advisory periods and counseling sessions at least at 5 week and 10 week periods each semester. |
| Shadowing/Accompanying students during their school day. | To experience a school day from the perspective of individual students and to insure that our school maintains a student centered focus. | Ongoing, at least once every semester. |
| Review "in house" benchmark data for core content areas | To monitor student progress toward content area proficiency. | Ongoing, at least once every 5 weeks. |
| Using Rubrics and Benchmarks to calibrate teacher assessments of student work projects | To insure consistency of high expectations in determining criteria for proficient student work. | Ongoing as part of weekly professional development |
| Review state testing data | To measure student progress | Annual, Spring/Summer/Fall |

| | | |
|--|---|----------------|
| (CAHSEE, CST, CELDT, EAP) | and school’s program in effectively meeting academic needs of students. | |
| Review Student Digital Portfolios. | To measure student progress toward computer literacy and digital fluency. | Annual, June |
| Analyzing the results of parent and student surveys. | To measure the degree to which parents and students are satisfied that our school is meeting their needs and addressing the goals of our charter. | Annual, Spring |

Analysis of Student Work and Data

Under the leadership of the principal and assistant principals, teachers regularly use a wide range of assessment information to modify curriculum and instruction to improve student achievement.³⁶ Teachers develop and implement an efficient, student performance data gathering and reporting system to track and monitor student performance using multiple measures of assessment and data gathering. Collected data will be compiled and reported at least twice each year to the SSC and to the Board of Directors.

Grading Policy

NMSS will implement a standards-based grading system utilizing rubric-based grading scales to assess the demonstration of learning for each standard, rather than a holistic grading approach for each assignment. The model aligns with both the Common Core’s use of Webb’s Depth of Knowledge, as well as Bloom’s Taxonomy. The foundation behind standards-based grading is that it promotes data driven teaching and learning, allowing both the teacher and student to identify strengths and weaknesses within each subject by assessing individual concepts rather than assignments. Students have the ability to “reassess” any and all standards to demonstrate a growing understanding of the concept.

Element 4 – Governance

³⁶ http://www.neafoundation.org/downloads/NEA-Using_Date_Classroom_Practice.pdf

Independent Charter School

New Millennium Secondary School and/or its non-profit corporation is a separate legal entity and will be solely responsible for the debts and obligations of the Charter School.

New Millennium Secondary School is an independent Charter School, operated as a non-profit public benefit corporation. NMSS has been issued an EIN and 501(c)(3) tax-exempt status with the federal government.³⁷

New Millennium Secondary School agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining their charter authorization:

- New Millennium Secondary School is subject to District oversight.
- Any material revisions to the New Millennium Secondary School Charter Petition will be approved by the NMSS Board of Directors and submitted to the District for review and approval. All material revisions are contingent upon District approval.
- The District's statutory oversight responsibility continues throughout the life of the Charter and requires that it, among other things, monitor the fiscal condition of New Millennium Secondary School.
- The District is authorized to revoke this charter for the reasons set forth in Education Code Section 47607 and its implementing regulations.

Members of the New Millennium Secondary School executive board, any administrators, managers or employees, and any other committees of the School shall comply with federal and state laws, nonprofit integrity standards and LAUSD's Charter School policies and regulations regarding ethics and conflicts of interest.

Potential Civil Liability Effects

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

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

Pursuant to Education Code Section 47604(c), an entity that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or omissions by the charter school if the authority has complied with all oversight responsibilities

³⁷ Appendix G

required by law. The Charter School shall work diligently to assist the District in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other District-requested protocol to ensure the District shall not be liable for the operation of the Charter School.

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

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

Board of Directors

The NMSS Board of Directors, in accordance with its adopted corporate bylaws³⁸ will govern NMSS in a manner consistent with the terms of this charter and in compliance with the Brown Act.

New Millennium Secondary School will comply with the Brown Act, including posting NMSS Board of Directors schedule of (at least) quarterly meetings, and posting meeting notices and agendas at least 72 hours in advance and recording actions of the Board. NMSS posts meeting notices and agendas 72 hours in advance of the meeting on the school website; via posting in school office in a visible location, and posts minutes recording Board action online public portal accessible through the NMSS website and in school's main office. NMSS maintains a Board record book of meeting agendas and minutes.

All meetings of the NMSS Board of Directors shall be open to the public.

The Board of Directors will provide external accountability, oversight, and guidance to ensure the school's ongoing success. It will meet at least quarterly to review NMSS' achievements and provide support in achieving short-term and long-term goals set by the Board of Directors.

The Principal/CEO and Chief Operating Officer shall be responsible for day-to-day management of NMSS.

Board of Directors - The NMSS Board of Directors consists of:

³⁸ Appendix B

Board Chair - The Board Chair will perform all duties incident to the office of Board Chair and any other duties as may be required by law, by the Articles of Incorporation of the Corporation, or by these Bylaws, or that may be prescribed from time to time by the Board of Directors. The Chair will preside at all meetings of the Board of Directors.

The Board Chair or the Treasurer is hereby authorized to exercise any right to vote or execute a proxy to vote shares of stock of, any bonds, debentures, or other evidences of indebtedness of, any other corporation or corporations owned or possessed by the Corporation upon approval of such vote or execution by the Board.

Board Secretary - The Secretary will keep or cause to be kept at the principal office of the Corporation, or other place as the Board of Directors may order, a book of minutes of all meetings of the Board of Directors. The Secretary will perform any other and further duties as may be required by law or as may be prescribed or required from time to time by the Board of Directors.

Board Treasurer - The Treasurer of the Corporation will cause to be kept and maintained in written form, or any other form capable of being converted into written form, adequate and correct books and records of account of the properties and business transactions of the Corporation, including accounts of its assets, liabilities, receipts, disbursements, surpluses and deficits. The books and records of account will at all times be open to inspection by any Director of the Corporation.

The Treasurer will cause to be deposited all moneys and other valuables in the name of and to the credit of the Corporation with depositaries as may be designated by the Board of Directors. The Treasurer will cause to be disbursed the funds of the Corporation as ordered by the Board of Directors, and will render to the Directors, on request, an account of all financial transactions of the Corporation and of the financial condition of the Corporation. The Treasurer will perform any other and further duties as may be required by law or as reasonably may be prescribed or required from time to time by the Board of Directors or these Bylaws.

Board Members - The Corporation may not have less than five, nor more than thirty Board Members. The number of Board Members, within the range above, will be fixed by the Board from time to time. The Board Members of the Corporation must be residents of the State of California and have a strong history of community involvement and organizational management. Each Director will be elected to hold office for the term of two (2) years, renewable and without term limits. Any person qualified to be a Board Member may be nominated by the method of nomination authorized by the Board or by any other method authorized by law.

Selection of Board Members

The Board of Directors will be composed of highly qualified individuals who have demonstrated a passion for advancing educational opportunities for children, particularly children that have historically been underserved. The term for each Board member is two years. These individuals will possess outstanding leadership and analytical skills. They will represent a diverse field of professions and ethnic backgrounds. It would be preferable to select new members who are residents of the Carson and/or the South Bay area. Board members must nominate potential new Board members to the Governance Committee. Nominees will be interviewed by Governance Committee, and upon the approval of the Governance Committee, nominees will then be interviewed by the entire Board before a vote is taken. Nominees must gain unanimous support from the existing Board to be offered a Board seat. New Board members will take an oath of office and agree to the provisions of the charter.

Board Subcommittees

The NMSS Board of Directors has four subcommittees: Finance, Academic, Facilities, and Governance. The Board of Directors will expand the number of subcommittees as the Board of Directors grows in size and if new focus areas require additional attention. At this point, each Board member serves on at least one subcommittee. Subcommittee chairs are nominated and voted upon by the entire Board.

Board Duties

The Board of Directors is fully responsible for the operation and fiscal affairs of the School. It will maintain active and effective control of the charter school through the exercise of the following duties, including but not limited to:

- Hire and evaluate the Principal/CEO of the School.
- Hire, promote, discipline and dismiss all employees of NMSS after consideration of a recommendation by the Principal/CEO of NMSS.
- Approve all contractual agreements and purchases over \$10,000.
- Approve and monitor the implementation of general policies for NMSS.
- Develop and monitor an operational business plan that focuses on student achievement.
- Approve and monitor NMSS's annual budget.
- Act as a fiscal agent. This includes the receipt of funds for the operation of the NMSS in accordance with its laws, the receipt of grants and donations consistent with the mission of NMSS, and the establishment of investment procedures.
- Contract with an external auditor to produce an annual financial audit according to generally accepted accounting practices.

- Regularly review progress of both student and staff performance.
- Review curriculum and recommend modifications to curriculum and instruction.
- Set and monitor Academic Performance Targets annually.
- Develop, review, or revise NMSS' accountability and mission.
- Review and approve NMSS School Safety Plan annually.
- Approve the school calendar and schedule of Board meetings.
- Develop Board of Directors policies and procedures.
- Participate in the dispute resolution procedure and complaint procedures when necessary.
- Approve charter amendments.
- Approve annual fiscal audit and performance reports.
- Appoint an administrative panel to act as a hearing body on recommended student expulsions.
- Hear and take action on recommendations for student expulsion.
- Execute all other responsibilities provided for in the California Corporations Code.

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

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

The NMSS Board of Directors will attend an annual in-service for the purposes of training individual Board members on their responsibilities through NMSS' affiliation with California Charter Schools Association (CCSA) and other Board training opportunities.

The District reserves the right to appoint a single representative to the charter school board pursuant to Education Code section 47604(b).

School Site Council

In accordance with State regulations for receiving supplemental federal Title I funding, NMSS has developed a School Site Council (SSC). The SSC will advise the Board of Directors, Principal, and staff on the planning, implementation, and evaluation of the school improvement plan, and to allocate SIP funds from the state to support the goals of the school plan. The SSC reviews the progress of the school in achieving the goals of the plan.

The SSC will be comprised of at least two teachers, four parents/guardians, four students, and the school Principal. All members of the SSC, except the school Principal, are nominated and voted on by their peer group. The SSC will report to the Board of Directors. The SSC will meet monthly.

Organizational Chart

Parent Engagement

Parents have a right to choose to send their child to excellent high performing schools and have a right and the responsibility to participate actively in insuring the success of their child and the school. NMSS understands the importance of active parent involvement in the education of their children.

Parents of NMSS students will be meaningfully and actively engaged in their children’s education. Parents are responsible and accountable for supporting their children’s learning at school and at home through their participation in understanding what it takes for children to achieve college-readiness, and by their active voice in achieving the goals of the school.

- Parents are actively engaged in the development of the school as members of the School Site Council.
- Parents of participating Title 1 students will be invited to participate in an NMSS Title 1 meeting.
- Parents have access to school and classroom information and updates through the school webpage.
- Parents have access to students grades and attendance information through the school grading and attendance program.
- Parents are guaranteed access to the school, school leaders, governing board, and classroom teachers to support their children’s education through school events such as quarterly college nights, monthly coffee with the principal events, monthly governing board meetings, semi-annually open house, semesterly “showcase” presentations, scheduled meetings, email, and by phone.
- After the enrollment of a student, each parent and each student meets with the counselor or school administrator.
- Parents are provided multiple opportunities to develop an awareness of college readiness benchmarks and what their children must accomplish to be successful. Parents are supported in their participation in monitoring their child’s individual learning plan towards college readiness.
- Each parent, their child, and the school have the right to equally participate in annually developing and signing a Parent/Student/School Enrollment Agreement³⁹ acknowledging their understanding, responsibility and commitment to support student learning and the academic goals of NMSS.
- Each parent, the student, and their teacher advisor participate in developing an Individual Learning Plan which is based on an initial assessment, student interests, and needs. Parents are responsible and accountable for committing time to support the school and to participate in parent meetings regarding their student as needed.
- Meetings with individual classroom teachers, with the student’s instructional team, and with the student’s advisor.
- An active parent center so that each parent feels welcome in the school environment and feels a sense of belonging as part of the school community.

³⁹ Appendix F

NMSS makes every effort to fully inform parents as to the curriculum offered and their child's progress. In addition to representation on the School Site Council, an active Parent Booster Organization serves to address parent concerns and foster further involvement of parents within the school community.

Parent Association

The NMSS Parent Booster Organization provides an ongoing opportunity for two-way communication between parent constituents and the school. The Principal/CEO and Chief Operating Officer will be available at each Parent Booster Organization meeting to answer questions and address concerns. The Parent Booster Organization has a voice in the School Site Council through the parent representative and will convene regularly to give input into the continuous program implementation and improvement process. Participation in this association is optional.

Grievance Procedure for Parents and Students

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

New Millennium Secondary School will adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action, which would be prohibited by Title IX, or Section 504.

NMSS Parent/Student Grievance Policy⁴⁰

NMSS works to create an environment that is welcoming to all. In the event that a student, parent, staff member, or community member has a concern or a problem and would like to file a formal grievance, the following procedures will be followed.

Level One –Principal or Immediate Supervisor

⁴⁰ Appendix Y

1. If, after informal discussion with the school principal or immediate supervisor, the grievance still exists, the grievant may, within 180 days after the grievant knew, or should have known, about the event on which the grievance is based, invoke the formal grievance procedure.
2. The grievance shall be filed on a form available from the principal's office/Main Office. A copy of the grievance shall be delivered to the principal or immediate supervisor. All persons named in the grievance shall be notified that a grievance has been filed and an investigation is pending. The identity of the grievant shall be kept confidential to the extent necessary to carry out the purposes of this formal procedure.
3. Within fifteen (15) business days of the receipt of the formal grievance, the principal and/or immediate supervisor shall meet with the grievant and persons of her/his choosing in an effort to resolve the grievance. The principal and/or immediate supervisor shall indicate, in writing within fifteen (15) days of such meeting, the disposition of the grievance, and shall furnish a copy to the grievant and all persons named in the grievance.

Level Two – Committee of Board Members

If the grievant is not satisfied with the disposition of the grievance from Level One, or if no disposition has been made after fifteen (15) days of such meeting, the grievance may be transmitted to a Committee of Board Members. Within sixty (60) days after the Committee of Board Members received, or should have received, the grievance, the Committee of Board Members, or designee, shall meet with the grievant and persons of her/his choice on the grievance and shall indicate her/his disposition of the grievance in writing within sixty (60) days of such meeting, and shall furnish a copy to the grievant and all persons named in the grievance.

Level Three - Board of Directors

If the grievant is not satisfied with the disposition of the grievance, or if no disposition has been made after sixty (60) days of such meeting, the grievance may be transmitted to the Board of Directors by filing the form with the Office Manager. The Board no later than its next regular meeting or thirty (30) days, whichever shall be later, shall meet with the grievant and persons of his/her choice. Disposition of the grievance in writing by the Board shall be no later than sixty (60) days thereafter. A copy of such disposition shall be furnished to the grievant, all persons named in the grievance and the principal and/or immediate supervisor.

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

LAUSD Charter Policy

New Millennium Secondary School will comply with the District policy related to charter schools, as it may be changed from time to time after notice and reasonable opportunity for input from the Charter School Collaborative.

Responding to Inquiries

New Millennium Secondary School and/or its nonprofit corporation shall promptly respond to all inquiries, including but not limited to, inquiries regarding financial records, from the District and shall consult with the District regarding any inquiries. New Millennium Secondary School and/or its nonprofit corporation acknowledges that it is subject to audit by LAUSD including, without limitation, audit by the District Office of the Inspector General.

If an allegation of waste, fraud or abuse related to the Charter School operations is received by the District, the Charter School shall be expected to cooperate with any investigation undertaken by the District and/or the Office of the Inspector General, Investigations Unit.

Notifications

Notification is to be made to the Charter Schools Division in writing of any notices of workplace hazards, investigations by outside regulatory agencies, lawsuits, or other formal complaints, within one week of receipt of such notices by New Millennium Secondary School.

Element 5 – Employee Qualifications

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

General Qualifications

NMSS agrees to comply with the provisions of No Child Left Behind (NCLB) as they apply to certificated and paraprofessional employees of charter schools. It will conform to the legal requirement that all teachers shall hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. NMSS will meet all requirements for employment set forth in applicable provisions of law. NMSS will maintain current copies of all teacher credentials and ensure that they are readily available for inspection. NMSS will take all steps necessary to hire fully credentialed teachers, including active recruitment of duly credentialed teachers through local colleges and universities, EdJoin, Teach for America, and local newspapers.

The NMSS will employ the following selection process for staffing:

- 1) Create a job application requiring an appropriate certificate or credential and disclosure of criminal records
- 2) Announce opening
- 3) Recruit applicants
- 4) Request resume, references, records of experiences, credentials, licenses, etc.
- 5) Interview candidates
- 6) Verify previous employment
- 7) Observe demonstration class taught by candidates when possible (for instructional positions only)
- 8) Select top candidate
- 9) Negotiate salary and sign the candidate

Background checks will be required of all employees. These include a Federal Department of Justice fingerprint check for criminal record and child abuse. Authorizations to work in the United States and TB clearances will also be required prior to employment.

All staff members will be evaluated and assessed annually. The basis for their evaluation will be determined by their job description and duties. The Principal/CEO will be evaluated by the NMSS Board of Directors. Classified staff members will be evaluated by the COO. All certificated staff members will be evaluated by the Principal/CEO or other administrative designee⁴¹.

Employee compensation will be outlined in each employee's contract and will follow the guidelines set forth in the NMSS Employee Handbook.⁴²

⁴¹ Appendix D

⁴² Appendix E

A suggested teacher salary schedule is outlined in the following compensation table. Employees are eligible for raises from 1% - 6% annually depending on the outcome of the employee's performance review. Salary increases are also based on factors such as increased responsibilities, promotion, and length of service. In addition, the Charter School expects a degree of growth from each employee. All merit, equity, and promotional increases, as well as adjustments to salary, must be approved by the Principal and Board of Directors.

| Experience/Qualification Level | | Base Salary | 1% increase | 6% increase |
|-----------------------------------|---|-------------|-------------|-------------|
| | 1 | | \$46,513.00 | \$46,978.13 |
| 2 | | \$47,000.00 | \$47,470.00 | \$49,820.00 |
| 3 | | \$48,000.00 | \$48,480.00 | \$50,880.00 |
| 4 | | \$49,000.00 | \$49,490.00 | \$51,940.00 |
| 5 | | \$50,000.00 | \$50,500.00 | \$53,000.00 |

Positions and Qualifications

The following is a list of key personnel to be employed by NMSS, along with corresponding qualifications:

Principal / Chief Executive Officer

Overall Qualifications:

- Professional Administrative Credential and/or Masters Degree in Education or equivalent
- At least 2 years of proven experience as an instructional leader
- Minimum of 5 years teaching experience
- Proven experience as an instructional leader
- Demonstrated experience using technology in the classroom
- Proven success with raising academic achievement with a diverse student population
- Demonstrated experience using data-driven instructional systems
- Experience supervising and evaluating staff
- Familiarity with California Department of Education rules and regulations
- Experience managing school budgets
- Visionary leadership and a passion for education reform
- Ability to form productive relationships with a highly diverse group of students, families, and staff
- Desire to be held accountable for school performance
- Interest in and knowledge of the evolving education technology market

- Excellent communication and organizational skills
- Entrepreneurial spirit with an ability to thrive in a start-up environment
- Charter school experience preferred
- Familiarity with California state standards and assessments preferred
- Ability to speak multiple languages preferred (Spanish, Tagalog, etc.)
- Familiarity with the Carson/Gardena area preferred
- Background Clearance from FBI/DOJ
- TB Clearance

Chief Operating Officer

Overall Qualifications:

- Demonstrated experience in leadership and management
- At least 5 years experience in the field of charter school education
- Demonstrated organizational development leadership
- Demonstrated ability to create and manage budgets
- Demonstrated experience with Board relations and reporting
- Demonstrated experience in school finance and non-profit management
- Demonstrated expertise in partnership development and fundraising
- Knowledge of and experience in school governance
- Demonstrated experience in government/agency relations
- Demonstrated commitment to continuous improvement process and utilization of data in school improvement
- Background Clearance from FBI/DOJ
- TB Clearance

Assistant Principal (“AP”), Curriculum and Instruction

NMSS teachers at all levels shall meet or exceed all “highly qualified requirements” under the No Child Left Behind Act (“NCLB”). Accordingly, the Assistant Principal of Curriculum and Instruction must have:

- Professional Administrative Credential and/or Masters Degree in Education or equivalent
- Minimum of 4 years full-time teaching experience
- Proven experience as an instructional leader
- Demonstrated experience using technology in the classroom
- Proven success with raising academic achievement with a diverse student population
- Demonstrated experience using data-driven instructional systems

- Experience supervising and evaluating staff
- A State single-subject high school credential
- Background clearance from FBI/DOJ
- TB clearance

Dean of Student Discipline and Activities

Overall Qualifications:

- Minimum of 3 years full-time teaching experience
- Proven success with Positive Behavior Support Interventions
- Demonstrated experience using data-driven decisions
- Familiarity with California Department of Education rules and regulations
- Excellent communication and organizational skills
- Charter school experience preferred
- Ability to speak multiple languages preferred (Spanish, Tagalog, etc.)
- Familiarity with the Carson/Gardena area preferred
- A State single-subject high school credential
- Background clearance from FBI/DOJ
- TB clearance
- Professional Administrative Credential and/or Masters Degree in Education or equivalent preferred

Teachers

NMSS teachers at all levels shall meet or exceed all “highly qualified requirements” under the No Child Left Behind Act (“NCLB”). Accordingly, a teacher of core academic subjects must have:

- A valid California single-subject credential or an Intern Certificate/Credential for no more than three years while actively working toward completion of their State credential, and demonstrated expertise
- Background Clearance from FBI/DOJ
- TB Clearance

Counselors

Overall Qualifications

- Minimum of 1 year full-time high school counseling experience
- Minimum of 1 year college-prep counseling experience
- Demonstrated success with similar populations
- Experience with master scheduling

- Experience supervising and scheduling state testing
- A valid California credential for school counseling
- Familiarity with the Carson/Gardena area preferred
- Background Clearance from FBI/DOJ
- TB Clearance

Athletics Director

Overall Qualification

- A valid California single-subject credential or an Intern Certificate/Credential for no more than three years while actively working toward completion of their State credential, and demonstrated expertise
- Understanding of CIF rules, regulations, and procedures
- Minimum of 3 years CIF coaching experience
- Experience with maintaining and creating budgets
- Effective communication skills
- Current CPR and First Aid certification
- Background Clearance from FBI/DOJ
- TB Clearance
- Nurse, Physical Therapy, or EMT training preferred

Front Desk/Registrar

Overall Qualifications

- Education: High School Diploma or equivalent
- Possession of a valid First Aid Certificate
- Background Clearance from FBI/DOJ
- TB Clearance
- Experience collecting, organizing, and analyzing student records for the purposes of student enrollment, transfers, transcript preparation, and scheduling
- Excellent communication skills, including knowledge of general office procedures and correct use of English and Spanish punctuation, spelling, and grammar
- Ability to perform routine clerical duties, such as posting data, filing, maintaining filing systems, proof-reading, copying data, and operating office machines and equipment

Outside Contractors

Overall Qualifications

- Background Clearance from FBI/DOJ
- TB Clearance

Job Descriptions

Principal / Chief Executive Operator

Instructional Leadership

- Oversee the instructional program and all professional development at the school
- Coach, support and evaluate teacher performance
- Drive the ongoing development and improvement of effective classroom practices
- Model data-driven decision-making
- Establish a culture of collaboration and continuous learning
- Project and encourage a positive, cooperative atmosphere within the school and seek to motivate all staff toward the fulfillment of the school's mission statement.
- Assume responsibility for the supervision of programs and improvement of instruction within the school.
- Promote curriculum improvement and insures that instructional programs and courses are implemented consistent with the State standards.
- Organize and coordinate in-service activities for the staff.
- Work constructively in securing staff involvement and support for the development and implementation of instructional changes.
- Keep informed and up to date regarding new developments in curriculum, instruction and administration, i.e. workshops, meetings, credit classes, etc.

Students

- Prepare all students to attend college.
- Strive to attain a positive school climate in which students can mature and develop a sense of responsibility, self-worth, and good citizenship.
- Establish rules and set the tone for student discipline consistent with the charter, philosophy, and current school law.
- Enforce rules consistent with the approved Charter petition, the school's philosophy and current law.
- Carry out and supervise disciplinary consequences for students who violate student code of conduct
- Maintain communication with the student body in regular community meetings and interactions.
- Develop a program of orientation and acclimation for all new students.
- Assume responsibility for security and pupil safety within the building; develop procedures designed to protect and enhance safety of students and staff, and to promote the security of property and equipment.

- Coordinate and supervise an effective special education program to insure student services are provided and school remains in compliance.
- Coordinate and supervise an effective guidance program to insure student awareness of and access to the services provided.
- Promote the general health, safety and welfare of the student body

Organizational Leadership

- Support fundraising efforts when called upon
- Develop a culture of high and clear expectations for all students and staff
- Participate in Board Meetings
- Maintain both formal and informal lines of communication to all staff while meaningfully involving them in the operation of the school.
- Schedule and conduct faculty meetings on a weekly basis.
- Supervise an adequate system of teacher, pupil, and staff records.
- Coordinate, supervise, and evaluate school staff on a continual basis, and participate in their selection, evaluation, and dismissal.
- Oversee the planning for all aspects of instruction, including all types of scheduling, registration of students, and the development of a master schedule.
- Participate in routine health and safety inspections to insure adherence to local, state and federal health and safety standards.
- Participate in negotiations and assists in supervising implementation of a contracted school lunch program.
- Recommend purchases of new equipment and instructional supplies.
- Maintain an up-to-date system of student attendance and discipline record keeping and reporting.
- Submit all reports required by state, authorizer or other regulatory agency in a timely manner.
- Maintain communications with Board, Parent Booster Organization, and School Site Council.

Financial and Business Leadership

- Work with the Chief Operating Officer to create a school budget.
- Operate within the approved budget for the school and adhere to school fiscal policies
- Evaluates the general condition and needs of the physical plant, and make recommendations to Chief Operating Officer for immediate maintenance needs

Personnel

- Develop a program of orientation and professional development for new teachers.

- Work closely with the Board to direct the selection, evaluation, and dismissal of school personnel.
- Assume overall responsibility for credentialed staff assignments and schedules within the building.
- Maintain a positive ongoing program of teacher supervision and evaluation in support of established school mission goals and procedures.

Community Outreach

- Cultivate strong partnerships with community-based organizations and local universities
- Create a welcoming environment at the school for parents and guardians
- Communicate regularly with students' families to ensure active family involvement
- Foster a cooperative relationship with LAUSD/ authorizer
- Develop and maintain a positive communication system with the community and be responsive to meaningful input.
- Encourage all staff to be sensitive to the community and to be aware of the public relations responsibilities and opportunities inherent in their positions.
- Develop and maintain parent resources within the school and engage parents in volunteerism within the school.

Chief Operating Officer

Budget/Fiscal Management

- In coordination with the Board of Directors, Principal, and contracted back office support agency develop annual operating budget.
- Manage day-to-day fiscal operations, including monitoring ongoing expenditures, deposits, accounts payable, accounts receivable, and cash flow requirements utilizing proper accounting procedures
- In coordination with contracted back office support agency, provide monthly financial reports to the Board of Directors.
- Identify and manage accounting "red flags"
- Coordinate the school's hot lunch program, including lunch program reimbursement processing and compliance
- Work with back office provider to: Process Invoice Payment and Expense Requests; Invoice - Payment Reconciliation; Payroll Review and Submission; Order Processing (Supplies & Text-books)
- Transportation & fee coordination (including field trips and outdoor education)
- Ensure maintenance of inventories of all school-owned and leased materials

- Supervise Requisitions, receives, and distributes/stores classroom, school office and Work Room materials and supplies; maintains ongoing inventory; processes packing slips
- Coordinates the development of, and prepares, school site General Fund and special projects budgets; prepares budget transfers as appropriate; monitors charter school budgets
- Prepares and maintains purchase orders and other expense records; approves, logs, and monitors expenditures; reconciles site records with monthly ExEd reports; resolves discrepancies; and ensures expenditures are within budget allowances for the month and year
- Prepare and process facility use agreement forms using established Board procedures
- Maintain the school budget
- Annually bid and negotiate contracts for facilities, technology, security services, school food, special education consultants, janitorial services, transportation, telecommunications, equipment leases, and uniform sales
- Secure short and long-term financing, when appropriate
- Be informed of State budget processes
- Ensure that legal, fiscal, administrative, and overall school operations are in compliance with the Charter and all related laws and regulations
- Serve as the liaison between the school and the business service provider on fiscal and related management issues
- Works with Principal and staff to prepare and submit an annual budget to the governing board for review and approval; and be responsible for maintaining a balanced budget throughout the school year

Fundraising

- In conjunction and coordination with the Board of Directors and Principal, oversee fundraising for general operating and capital building needs.
- Responsible for identifying funding opportunities, including government, foundation and corporate grant opportunities.
- Responsible for ensuring thorough and timely grant application submissions.
- Responsible for writing grant proposals, or identifying a writer and delegating authority.
- Responsible for fulfilling post-award grant requirements and reporting, as needed.
- Assist with identifying potential individual donors.

Communication & Reporting

- Establishes and maintains professional and cooperative working relationships with all stakeholders: parents, students, staff, neighbors, and partners.
- Implement and support Board of Directors decisions and policies.
- Recognizes problems and impediments and reports them promptly with options for solutions to the site principal; promotes and assists with constructive resolutions.

- Respond to inquiries and concerns in a timely manner, whether from parents, teachers or staff.
- Inputs student information and maintains SIS, CalPads, CBEDS, Power School, etc.
- Maintain Student Information System (SIS) management (PowerSchool):
 - Scheduling
 - Enrollment
 - Attendance
 - Staffing
 - Progress reports
 - Transcripts
- Responsible for LAUSD, State, and Federal reporting:
 - CALPADS database management;
 - Train staff on all SIS / data software used by the School (PowerSchool);
 - Process student records & maintain secure file system.
 - 20 Day Attendance Reports;
 - CBEDS Reports;
 - Norm Day Report;
 - R30-LC;
 - Any additional required State or Local reporting.
- Maintain accurate reporting records for: Title 1, School Lunch Program, Supplemental Education, private grants, and any additional required State or Local reporting.
- Responsible for audit management of enrollment documentation.
- Monitor attendance and ADA percentage.
- Serve as the custodian of school office records.
- Attend monthly Board of Directors meetings, and participate in additional ad hoc committee meetings as needed.
- Provide monthly updates to the Board of Directors regarding the school's business operations.
- Assist with the creation of board meeting agendas, providing printed materials as needed.

Technology/Facilities

- Supervise and direct usage policies for classroom technology and shared school technology, including inventory and maintenance;
- Develop and maintain a comprehensive manual that addresses facility, operations, & security
- Develop and maintain an infrastructure to support effective communication including telephone system, cell phones and email.
- Oversee school Internet usage and filtering software;
- Troubleshoot minor technology problems as they arise.

- Maintain school web site.
- Manage the facilities and campus safety issues and for ensuring that related incident reports are completed and filed;
- Oversee upkeep of the school facilities including custodial services, capital improvements and campus grounds.
- Scrutinizes facility wear and tear and makes recommendations as to facility improvement

Community Outreach and Relations

- Develop relationships with donors and foundations.
- Liaison between the school, ExEd, and CCSA
- In collaboration with Principal, coordinate all external school communication including direct mail, press releases, website content, fundraising brochures and other written material as required.
- Work with legal counsel and the Board to identify and manage legal issues and contractual agreements.
- Coordinate routine health and safety inspections to insure adherence to local, state and federal health and safety standards.

Human Resources

- Maintain teacher and staff personnel files with all required documentation, including the monitoring of credentials;
- Coordinate payroll time sheets, sick and leave documents, and employment documents for faculty and staff.
- Coordinate in-services for new staff on School policies and regulations as they apply to school site operations; standard school site rules and procedures; computer operation and software programs used at the school site; proper use of office equipment; and emergency procedures.
- Investigate circumstances of employee on-the-job injuries; prepares required documentation; and reports safety hazards to school principal and Dean of Students.
- Prepares necessary forms to hire, upgrade, terminate or authorize special payments to staff.
- Plan, assign, train, and evaluate classified staff in accordance with Board approved standards, timelines, and procedures.
- Processes, assigns, trains, and directs work of volunteers.
- Maintain accurate HR records in accordance to State and Federal law
- Secure and oversee employee benefits program
- Oversee CalSTRS and 403b contributions and reporting
- Assume overall responsibility for classified staff assignments and schedules within the building.

AP: Curriculum and Instruction

Supervision and Safety

- Assisting in the school safety and campus supervision programs (often in conjunction with other faculty)
- Maintain an active presence in the school, ensuring that the school is a safe and healthy environment for learning
- Supervise students' arrival to and departure from school and the campus lunch period

Student Behavior Management

- Ensure that the school's rules and policies are communicated and adhered to
- Respond to disciplinary infractions as needed (determined by Dean and/or Principal), including offenses subject to suspension and expulsion, follow up with parents/guardians, and maintain thorough records
- Enforce consequences as indicated on the Code of Conduct Matrix of the Student/Parent Handbook⁴³ and School Safety Plan

Instructional Support

- Teach a minimum of 1 course within credential area
- Encourage a learning environment of continuous professional growth of all staff, especially as related to student achievement
- Assist in the monitoring of teacher performance through observation and coaching cycles
- Collect data on student performance and growth after each benchmark exam
- Present data findings to Principal and prepare data reports to be shared with all stakeholders
- Work with the Principal to coordinate and develop the alignment of instruction for academic teachers within designated subject areas
- Conduct formal and informal observations of teachers, including pre and post-observation meetings
- Monitor and oversee data collection, and assist and evaluate teachers in utilizing collected data to drive their instruction
- Assists the Principal in teacher evaluation and support

General Administrative Duties

- Know and be committed to the school's vision, mission, goals, and objectives
- Communicate with parents, the public, other schools, and public agencies as necessary
- Supervise and evaluate the performance of personnel, especially as related to non-teaching duties and responsibilities
- Confer with students, parents, and teachers on an individual student's progress, involving academic, attendance, and behavior probation

⁴³ Appendix Y

- Conduct conferences as requested or deemed necessary between parent/teacher, student/teacher, or parent/student/teacher
- Participate in the implementation and monitoring of student support interventions, modifications, and adaptations in classrooms including IEPs and SSTs as needed
- Assume responsibility for specific tasks and programs as designated by the principal

Dean of Student Discipline and Activities

Student Behavior Management

- Responsible for the overall safety and well-being of the students
- Be the lead for discipline enforcement
- Handle classroom and school site discipline
- Assist teaching staff in establishing excellent classroom management practices
- Provides interventions for student discipline issues
- Develop and implement an appropriate program to promote positive discipline behavior
- Develop, implement, and monitor student behavior contracts
- Assist in the development of policies of student discipline and behavior
- Monitor student attendance and truancy issues
- Meet and communicate with parents of the under 19 program
- Other duties as required by HS principal
- Makes referrals to community agencies
- Use and plot data to support student attendance, discipline, and achievement
- Assist and assure the academic progress of all students
- Responsible for SST meetings and other intervention services
- Responsible for local guidance meetings, suspensions, expulsions and referrals to SARB
- Assures compliance with established legal mandates
- Suspension/Expulsion reports to LAUSD

Supervision and Safety

- Ensure the overall safety and cleanliness of campus
- Supervise students' arrival to and departure from school and the campus lunch period
- Serve as a liaison to community organizations, police and probation officers
- Help maintain, review, and implement the school-wide emergency preparedness plan
- Manages the school's security programs and evaluates security personnel
- Makes referrals to community agencies
- Monitor student attendance and behavior problems and make specific recommendations to appropriate staff
- Be visible and accessible to staff, students, parents and community

- Assures compliance with established legal mandates

Extra-Curricular Activities/ASB

- Oversee ASB Coordinator in carrying out school activities
- Manage ASB budget with ASB Coordinator
- Approve all posted and published materials originating with any student organization
- Attend, or assign other designees to attend, all school-sponsored extra-curricular activities

General Administrative Duties

- Know and be committed to the school's vision, mission, goals, and objectives
- Communicate with parents, the public, other schools, and public agencies as necessary
- Confer with students, parents, and teachers on an individual student's progress, involving academic, attendance, and behavior probation
- Conduct conferences as requested or deemed necessary between parent/teacher, student/teacher, or parent/student/teacher
- Assume responsibility for specific tasks and programs as designated by the principal

Counselors (College Counselor/Testing & Scheduling)

The professional school counselors provide a comprehensive school counseling program for students in the high school grades. The school counselors coordinate activities to address the needs of the students; consult and collaborate with teachers, staff and parents/guardians to support students' success; and support other high school educational programs consistent with the school counselor management agreement. The professional school counselors will implement the High School Guidance Curriculum: Conduct guidance learning activities in the classroom based on the academic career and personal/social domains to facilitate the infusion of guidance as integrated to the total education curricula. The professional school counselors will provide Responsive Services by facilitating small groups and counseling individual students with specific needs: Conduct structured, goal oriented, data driven counseling sessions to meet the identified needs of individuals or group of students. Session topics at the high school level may include self-concept development, academic concerns, behavior problems, social skills, peer relationships, family concerns, development, academic concerns, behavior problems, social skills, peer relationships, family concerns, grief and loss issues, child abuse, substance abuse, depression/suicide, and sexuality. The professional school counselors will refer students, as needed, to district and community resources in consultation with their parents/guardians: Consult and coordinate the referral process with district personnel including school psychologists, social workers, nurse, administrators, and other community resources. The professional school counselors will evaluate and revise the school counseling program and review the results with

staff and administration. The professional school counselors will modify the school counseling program based on the results of the audit to improve student success.

Major Job Responsibilities:

Provide Individual Student Planning activities:

- Provide orientation activities for incoming 9th graders and students new to the school
- Participate in orientation programs for parent/guardians and students
- Assist students in the transition from middle school to high school and high school to post secondary training/education
- Inform students and their parents/guardians of test results and their implication for educational planning and their status for graduation
- Provide resources and information to assist students developing and updating their New Millennium-Individual Learning Plans (ILP), monitor teacher participation in ILP development
- Evaluate and monitor students' status for graduation
- Facilitate registration and schedule changes/conflicts for all students
- Coordinates and provides access to local, state and national scholarship opportunities
- Use district technology- Power School and Data Director to support students
- Coordinate career awareness activities such as career fairs
- Counsel students in regards to personal & educational needs
- Facilitate Student Success Team (SST) meetings
- Counsel, motivate and work with students who are underachieving or performing poorly academically
- Coordinate at-risk and intervention programs
- Responsible for correct course placement for all student schedules

Consult and collaborate with teachers, staff and parents/guardians regarding the developmental needs of students:

- Participate in building level student assistance teams
- Facilitate conferences with teachers, students, and parents/guardians
- Develop school-wide college preparedness programming (Advisory, college fairs, etc.)
- Assist other school staff in the placement of students and assist families in addressing school related issues.
- Assist with course development as departments grow, and serve as primary point of contact for UC course approvals (Doorways "a-g" Course List)
- Participate and contribute to 504 plans and participate in IEP's
- Lead staff in development and implementation of school-wide "college-going culture" initiatives

- Monitor and evaluate counseling interns, assistants, and student workers assigned to counseling department

Provide Systems Support by coordinating and conducting activities that contribute to the effective operation of the school consistent with the approved school counseling program:

- Interpret group test results to faculty and staff
- Establish effective liaisons with all grade levels
- Act as an advocate for students as appropriate in conjunction with other staff
- Conduct professional development/in-service programs for faculty
- Provide opportunities for parent education programs
- Participate with the administration and faculty as a team member in building and district committees.
- Track and monitor student data to inform academic decision making
- Track and monitor graduates success in post-secondary environment

Participate in professional development:

- Actively participate in local, state and national professional associations that foster the development and improvement of school counseling
- Read professional journals
- Attend workshops and conferences, and continue professional development

Athletics Director

Under the direction of the school site principal, and in cooperation with the staff of the department, he/she plans, coordinates, implements, and evaluates the athletic program at the high school level in conformance with the California Education Code, CIF rules and regulations and the high school handbook.

DAILY RESPONSIBILITIES / DUTIES: (INCLUDE BUT NOT LIMITED TO)

1. Hire coaches. Require preseason and postseason meetings with coaches.
2. Attend all required CIF Athletic Director meetings, and submit all CIF paperwork according to scheduled deadlines.
3. Assure that coaches and players adhere to the C.I.F. and site athletic bylaws.
4. Verify that all athletes are medically cleared, have insurance, have been released by parents, and have signed Code Of Conduct form.
5. Assure that the athletic program meets League and C.I.F. regulations.
6. Responsible for the development of a schedule of varsity events in accordance with CIF regulations.
7. Schedule transportation for all away competitions.
8. Provide officials for all home competitions.

9. Responsible for participating in development and oversight of Athletic Department budget.
10. Coordinate supervision for home and away competitions.
11. Provide three banquets per year (Fall, Winter, Spring). Keep records of all awards/letters issued.
12. Verify that all athletes are academically eligible to compete.
13. Submit purchase orders for all equipment and uniforms.
14. Secure adequate practice and playing facilities.
15. Respond to all athletic related parent concerns and calls. Respond to all staff concerns and Email messages.
16. Act as the Athletic advisor to the school's Parent Booster club.
17. Troubleshoot the day to day operation of a high school athletic program.
18. Ensure that each varsity coach maintains an accurate inventory of equipment and materials, and file such an inventory with the principal at the conclusion of each season.
19. Responsible for the orientation of all coaches regarding school and district policies, procedures and expectations; and ensures that all coaches comply with CIF rules and procedures.
20. Works to schedule athletic physicals and processes necessary forms.
21. Serve as a liaison between the athletic booster groups, coaches, and site administration.
22. Work closely with the staff and site administration to develop and enforce an athletic/academic code of conduct which is consistent with the goals of the staff, administration, and the district.
23. Assist the Principal in developing a quality athletic program.
24. Assist in the responsibility for the care of athletic facilities.
25. Responsible for ensuring certification of coaching staff and walk on coaches in accordance with State guidelines.
26. Leads coordination of athletic fundraising, letters of recommendation, press box, awards, etc.
27. Abide by professional ethics standards established by Board Policy.
28. Maintain punctuality for all prescribed functions.
29. Perform other related duties as assigned by the Principal.

Teachers

A NMSS teacher helps to create a school culture that results in graduation and college readiness for all students. Through positive leadership and relationships with students and their families, as well as powerful teaching and learning skills, a NMSS teacher will ensure that we meet our school-wide goals as outlines in the NMSS charter.

Planning and Instruction:

- Develops and maintains lessons that are scaffolded and differentiated to reflect the needs of individual students.

- Develops lesson plans that correspond to the California State Content Standards and Common Core Standards for their subject.
- Works with the Administration and/or educators to ensure that his or her teaching methods are directed towards meeting and surpassing the standards.
- Develops and utilizes assessments and data to drive the instruction.
- Fosters a safe and nurturing learning environment.

Creates an effective classroom environment conducive to learning and student achievement, organizes classroom systems/procedures, and manages student behavior to ensure all students are fully engaged in learning.

- Uses a variety of strategies to engage students in student-centered teaching and learning.
- Works collaboratively with the Resource Specialist, Administration, and other professionals to meet the diverse needs of all students.
- Utilizes and executes school-wide and content-specific common practices.
- Utilizes subject-specific standards and standards rubric for assessing and grading student comprehension.

Culture:

- Communicates effectively and appropriately with all stakeholders (parents, students, staff, school board, community, etc.).
- Builds mutually respectful relationships with all stakeholders (parents, students, staff, school board, community).
- Demonstrates support and knowledge of school’s vision and mission.

Professional Educator and Leadership:

- Continuously builds professional knowledge.
- Attends Professional Development training during and beyond the school year, and applies learning to his or her curriculum and classroom instruction.
- Reflects on teaching practices, assesses professional progress, and identifies developmental opportunities for professional growth.
- Collaborates with colleagues to plan instruction, analyze student work, and discuss new learning approaches to deepen student learning opportunities.
- Identifies students’ areas for improvement, collaborates with the students and families (when possible), and suggests internal and external resources as options for student improvement.

Student Achievement:

- Through the use of data and assessments (teacher, school, state, purchased programs, etc.), teachers demonstrate student achievement and growth, and provide evidence of student learning.
- Implement Standards-Based Grading to further demonstrate data driven instruction and the evaluation of student progress.

Operations: Time Management, PowerSchool, and Attendance:

- Sets and communicates academic and behavioral expectations to all stakeholders through class webpage.
- Prepares lesson plans for substitutes prior to absence.
- Demonstrates a capacity for time management in regards to preparation for classes, delivering lessons during class time, assessing content, and planning personal time off (when necessary).
- Is detailed oriented and manages time appropriately when tracking students’ grades, attendance, etc. (comments, interventions, behavior, phone calls home, responding to parent calls and emails).
- Attends and participates in school-based meetings and activities.
- Maintains and updates grades in PowerSchool in a timely manner (3 days) and updates class webpage weekly.
- Attendance, Progress Reports, Fail Notifications, and Quarter Grades are entered, printed, and submitted on time.

Professional Growth (added as teachers gain professional mastery):

- Collaboratively sets individual goals with Administration related to student achievement and professional growth.
- Throughout the year assesses his or her progress towards the achievement of those goals.

Element 6 – Health and Safety

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).

New Millennium Secondary School will operate at 20700 Avalon Blvd. Ste. #285, Carson, CA, 90746. This space has an existing appropriate Certificate of Occupancy secured.

The charter school must demonstrate control of a facility such as a commitment from the landlord, to ensure that the property is actually available to the charter developer, and that the facility is usable with or without conditions (such as a conditional code permit.) The charter school facility shall comply with all applicable building codes, standards and regulations adopted by the city and/or county agencies responsible for building and safety standards for the city in which the charter school is to be located, and the Americans with Disabilities Act (ADA). Applicable codes and ADA requirements shall also apply to the construction, reconstruction, alteration of or addition to the proposed charter school facility. The Charter School shall implement any corrective actions, orders to comply, or notices issued by the authorized building and safety agency. The Charter School cannot exempt itself from applicable building and zoning codes, ordinances, and ADA requirements. Charter schools are required to adhere to the program accessibility requirements of Federal law (Americans with Disabilities Act and Section 504).

ADA Compliance

New Millennium Secondary School shall comply with Education Code Section 47610. The School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times.

Prescription Medicine

The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school. Parents must bring medication to the office in the original containers, with the name of the prescribing physician, the name of the student, and dispensing instructions. Parents will complete the appropriate form authorizing school staff to administer medication. Designated staff put medications in a locked cabinet or refrigerator as needed for medications requiring refrigeration. Designated staff logs times for administering medications for each student. Designated staff will call students to receive medications at the appropriate times.

Fire Drills

Fire drills are held in accordance with Education Code Section 32001 and the NMSS School Safety Plan. Office personnel maintain a record of fire drills held and total required time for complete evacuation. When the fire drill signal sounds, teachers lead the students in their room along the route indicated on the evacuation map posted for that purpose. Before leaving the room, teachers see that all windows and doors are closed and that they have their class attend-

ance roster with them. Students who are not in a classroom at the time the fire drill signal is given attach themselves to the nearest teacher exiting the building for purposes of getting to the designated evacuation site. Once at the designated evacuation site, teachers and other staff ensure that all students find their respective teachers. Teachers then take roll to ensure that all students are accounted for. The names of any missing students are given to the office personnel and the administrative staff attempt to locate missing students. Students remain with their teachers at the designated evacuation site until the administrative staff gives the “all clear” signal.

Disaster Drills (i.e. Earthquake)

Disaster drills are conducted at least once per quarter and in accordance with the NMSS School Safety Plan. Students are made familiar with the “duck and cover” routine. During the “duck and cover” routine in the classroom, teachers turn off the lights and have students get under a desk or table or against the wall away from the windows. Students must remain quiet and orderly so they will be able to hear additional instructions when given. All drills are concluded with an “all clear” announcement, or a visible signal from the administrative staff. In the event of a real earthquake, everyone must engage in the “duck and cover” routine immediately and remain in position until the teacher determines that it is safe to leave the building. If remaining in the room becomes dangerous, or when the shaking stops, teachers proceed with their students to the evacuation site or another safety zone. If students are in an outdoor area when a disaster drill is called or during an actual earthquake, students are to drop immediately to the ground, away from trees and power lines, and cover their heads with their hands. They are to remain in that position until given additional instructions.

In the event of disasters other than earthquakes, the administrative staff contacts each room, advise staff of potential dangers, and give further directions or orders. Teachers and students remain in their classrooms until instructions are received for an all clear or an evacuation. For safety purposes, no one is to leave the rooms. If there has been a chemical spill, the teacher must make sure that all doors, windows, and vents remain closed. The school site maintenance staff turns off the gas. All unassigned staff reports to the office for assignments such as searching offices, bathrooms, and all other common areas, including outdoor facilities. Teachers stay with their classes for the duration of the emergency. In the event of an earthquake or other national disaster, all school employees are immediately designated “Civil Defense Workers” and are not allowed to leave school until they are given official clearance to do so by the administrative staff.

Bomb Threats

The person receiving the call or letter will note the time of day, wording of the message, background noises, and quality of the voice to try to determine if it is a young child or an adult. This person delays the caller as long as possible, while they alert another adult to the crisis. That adult immediately notifies the police using 911. Based on the information at hand, the administrative staff makes a decision whether an immediate evacuation is warranted. The office personnel coordinate information requests to and/or from law enforcement, the telephone company, and parents. If an immediate evacuation is not warranted, the administrative staff notifies teachers to inspect their room for any suspicious materials or unknown packages, without alarming students. All unassigned staff reports to the office for assignments such as searching offices, bathrooms, and all other common areas, including outdoor facilities.

Evacuation Plan

A disaster of a significant nature may require the evacuation of the school. Immediately upon notification by outside authorities that the school must be evacuated in the manner established in the NMSS School Safety Plan, the administrative staff verifies the name and position of the person placing the alert. Once the source is confirmed, the administrative staff begins notifying staff of the evacuation. Teachers proceed with their students to the nearest school exit indicated on the evacuation map posted for this purpose. Before leaving the room, teachers make sure they have their class attendance roster with them. Students who are not in a classroom at the time the evacuation order is given attach themselves to the nearest teacher exiting the building for purposes of getting to the designated evacuation site. Prior to evacuation, offices, bathrooms, and all other common areas, (including outdoor facilities) are searched by unassigned staff members designated by the principal. Once at the designated evacuation site, teachers and other staff ensures that all students find their respective teachers. Teachers then take roll to ensure that all students are accounted for. The names of any missing students are given to the office personnel and an individual is assigned the task of finding any missing students. Designated staff takes care of students with injuries, respiratory problems, or other medical conditions. Teachers stay with their classes for the duration of the emergency. In the event of an evacuation, all school employees are immediately designated "Civil Defense Workers" and are not allowed to leave school until they are given official clearance to do so by the administrative staff. Students remain with their teachers at the designated evacuation site until the administrative staff gives the "all clear" signal. In the event students cannot return to the school site, the administrative staff notifies parents and/or the media as to where students can be picked up. The office personnel sign out students as they are being picked up by a parent or other adult listed on the emergency information card. Parents are asked to remain in a designated area, and students are escorted to the designated area for release.

Staff as Mandated Reporters

All non-certificated and certificated staff will be mandated child abuse reporters and will follow all applicable reporting laws. California Penal Code section 11166 requires any child care custodian who has knowledge of, or observes, a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within thirty-six (36) hours of receiving the information concerning the incident.

Insurance Requirements

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

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

The following insurance policies are required:

1. Commercial General Liability, including Fire Legal Liability, coverage of \$5,000,000 per Occurrence and in the Aggregate. The policy shall be endorsed to name the Los Angeles Unified School District and the Board of Education of the City of Los Angeles ("Board of Education") as named additional insured and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and the Charter School's insurance shall be primary despite any conflicting provisions in the Charter School's policy. Coverage shall be maintained with no Self-Insured Retention above \$15,000 without the prior written approval of the Office of Risk Management for the LAUSD.
2. Workers' Compensation Insurance in accordance with provisions of the California Labor Code adequate to protect the Charter School from claims that may arise from its operations pursuant to the Workers' Compensation Act (Statutory Coverage). The Workers' Compensation Insurance coverage must also include Employers Liability coverage with limits of \$1,000,000/\$1,000,000/\$1,000,000.

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

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

Evidence of Insurance

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

“The insurance afforded by this policy shall not be suspended, cancelled, reduced in coverage or limits or non-renewed except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the District.”

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

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

Hold Harmless/Indemnification Provision

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

Health, Safety and Emergency Plan

The Charter School will have a Health, Safety and Emergency Plan in place prior to beginning the operation of the Charter School. The Charter School will ensure that staff has been trained in health, safety, and emergency procedures and will maintain a calendar and conduct emergency response drills for students and staff.

FERPA

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

Criminal Background Checks and Fingerprinting

New Millennium Secondary School shall require all employees of the New Millennium Secondary School, and all volunteers who will be performing services that are not under the direct supervision of a New Millennium Secondary School employee, and any onsite vendors having unsupervised contact with students to submit to criminal background checks and fingerprinting. New Millennium Secondary School will maintain on file and available for inspection evidence that New Millennium Secondary School has performed criminal background checks for all employees and documentation that vendors have conducted required criminal background checks for their employees prior to any unsupervised contact with students. New Millennium Secondary School shall also ensure that it receives subsequent arrest notifications from the Department of Justice to ensure the ongoing safety of its students.

Criminal Background

Employees and contractors, including but not limited to food service providers, transportation, custodial services, etc., of New Millennium Secondary School 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. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Chief Operating Officer of the school shall monitor compliance with this policy and report to the New Millennium Secondary School Board of Directors on a quarterly basis. The Board shall monitor the fingerprinting and background clearance of the Principal. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

Tuberculosis Screening

Faculty and staff will be tested for tuberculosis prior to commencing employment and working with students as required by Education Code Section 49406.

Required Immunizations

All students enrolled 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.

NMSS will require the immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter school. Proof of immunization will be collected and filed by the school registrar.

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. The charter school shall provide screening of students' vision, hearing and for scoliosis to the same extent as would be required if students attended a non-charter public school.

Element 7 – Means to Achieve Racial & Ethnic Balance

Outreach Efforts

New Millennium Secondary School will make every effort to recruit students of various racial and ethnic groups, so as to achieve a balance that is reflective of the general population residing within the boundaries of the Los Angeles Unified School District. New Millennium Secondary School will be advertised to the community on an on-going basis, with particular emphasis in Carson and Gardena. The school's annual outreach plan shall include, but is not necessarily limited to, the following strategies to ensure a racial and ethnic balance among students that is reflective of LAUSD's demographics:

New Millennium Secondary School will reach out to parents of potential students, utilizing earned media, directed web traffic, community forums, informational fliers posted in public meeting places, public information sessions, and middle school visits. NMSS will advertise the mission, vision, and brief overview of the academic program and successes, along with pertinent application deadlines and due dates.

New Millennium Secondary School will work with counselors at local public and private middle schools to create awareness to parents. LAUSD middle schools that will be contacted include, but are not limited to: Carnegie Middle School, Curtiss Middle School, White Middle School, Clay Middle School, and Peary Middle School.

New Millennium Secondary School will host information sessions at NMSS for students and parents interested in attending. These events will be advertised on the Charter School website

and on fliers that will be distributed to local middle schools, churches, libraries, after-school centers, and other areas designated for public meetings.

For segments of parents that have historically been hard to reach, including single-parent homes, guardian-led homes, and families on public assistance, NMSS will make special outreach efforts. New Millennium Secondary School will advertise at places commonly used for child care and after-school programming, such as YMCAs and the Boys and Girls Clubs. New Millennium Secondary School will distribute information to local libraries as well. New Millennium Secondary School will also ask agencies providing public assistance to distribute school materials, including student applications.

Flyers will be posted at local grocery stores, after-school tutoring centers, churches, and libraries. Flyers will be posted in English and Spanish.

Parents will also be allowed to submit student applications online through the school's website, in person, or via fax.

Geographic Target Area

New Millennium Secondary School will recruit primarily in Carson and Gardena.

Outreach Languages

New Millennium Secondary School will produce recruiting materials in English and Spanish, representative languages of the school's target area.

Efforts for a LAUSD Reflective Population

The cities of Carson and Gardena are primarily comprised of three ethnic/racial groups: Latinos, African-Americans, and Filipinos. By targeting recruitment efforts in the local community, reaching out to churches of all faiths and racial makeup, and working with community and business leaders of various ethnic groups, New Millennium Secondary School will successfully recruit a student body that is reflective of the demographics of LAUSD. New Millennium Secondary School will be cognizant to not focus solely on a particular subgroup. New Millennium Secondary School will diligently reach out to all groups, using multiple languages when appropriate.

Court-ordered Integration

New Millennium Secondary School shall comply with all requirements of the Crawford v. Board of Education, City of Los Angeles court order and the LAUSD Integration Policy adopted and maintained pursuant to the Crawford court order, by Student Integration Services (collectively the "Court-ordered Integration Program"). The Court-ordered Integration Program applies to

all schools within or chartered through LAUSD. The School will provide a written plan in the charter petition and upon further request by the District outlining how it would achieve and maintain the LAUSD's ethnic goal of 70:30 or 60:40 ratio. (*Ratio represents the percentage of Predominantly Hispanic Black Asian Other (PHBAO) compared to Other White (OW)*). The written plan should list specific dates, locations and recruitment activities to achieve the District's Racial and Ethnic Balance goal.

NMSS will serve students in the 9th through 12th grades, primarily located in the Carson/Gardena areas of Los Angeles County. The school will serve similar demographics to those of Banning High School, Carson High School, Gardena High School, and Narbonne High School, consisting of predominately Hispanic and African American students.

New Millennium Secondary School will host information sessions at NMSS for students and parents interested in attending. There will be no fewer than five (5) information sessions held at NMSS beginning in January, with the last session to be held no more than one (1) week prior to the application deadline. These events will be advertised on the Charter School website and on fliers that will be distributed to local middle schools, churches, libraries, after-school centers, and other areas designated for public meetings beginning in January.

For segments of parents that have historically been hard to reach, including single-parent homes, guardian-led homes, and families on public assistance, NMSS will make special outreach efforts. New Millennium Secondary School will advertise at places commonly used for child care and after-school programming, such as YMCAs and the Boys and Girls Clubs. New Millennium Secondary School will distribute information to local libraries as well. New Millennium Secondary School will also ask agencies providing public assistance to distribute school materials, including student applications.

Flyers will be posted at local grocery stores, after-school tutoring centers, churches, and libraries beginning in January. Flyers and outreach material will be posted in English and Spanish.

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

No Child Left Behind-Public School Choice (NCLB-PSC) Traveling Students

The District and New Millennium Secondary School are committed to providing all students with quality educational alternatives in compliance with all federal and state laws, including students who are enrolled in schools of the District identified by the California Department of Education as in need of Program Improvement. No Child Left Behind-Public School Choice (“NCLB-PSC”) placement with charter schools is an alternative strongly encouraged by the No Child Left Behind Act of 2001 (“NCLB”). The New Millennium Secondary School agrees to discuss with the District the possibility of accepting for enrollment District students participating in the District’s NCLB-PSC program. The parties agree to memorialize separately any agreed-to number of NCLB-PSC placements of District students at the school.

As required under NCLB, all NCLB-PSC students attending New Millennium Secondary School shall have the right to continue attending New Millennium Secondary School until the highest grade level of the charter. However, the obligation of the District to provide transportation for a NCLB-PSC student to New Millennium Secondary School shall end in the event the NCLB-PSC student’s resident District school exits Program Improvement status.

New Millennium Secondary School will ensure that all of its NCLB-PSC students are treated in the same manner as other students attending the Charter School. NCLB-PSC students are and will be eligible for all applicable instructional and extra-curricular activities at the Charter School. New Millennium Secondary School will make reasonable efforts to invite and encourage the participation of the parents of NCLB-PSC students in the activities and meetings at the Charter School.

Determination of student eligibility for this NCLB-PSC option, including the grade level of eligibility, will be made solely by the District, based on the District’s NCLB-PSC process, guidelines, policies and the requirements of NCLB. In the event demand for places at New Millennium Secondary School under the NCLB-PSC program increases in subsequent years, New Millennium Secondary School agrees to discuss with the District the possibility of increasing the number of NCLB-PSC places available at the Charter School.

Federal Compliance

As a recipient of federal funds, including federal Title I, Part A funds, New Millennium Secondary School has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the No Child Left Behind Act of 2001 (NCLB) and other applicable federal grant programs. New Millennium Secondary School understands that it is a local educational agency [LEA] for purposes of federal compliance and reporting purposes. New Millennium Secondary School agrees that it will keep and make available to the District any documentation necessary

to demonstrate compliance with the requirements of NCLB and other applicable federal programs, including, but not limited to, documentation related to funding, required parental notifications, appropriate credentialing of teaching and paraprofessional staff, the implementation of Public School Choice and Supplemental Educational Services, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB, Title I, Part A include, but are not limited to, the following:

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

New Millennium Secondary School also understands that as part of its oversight of the Charter School, the District may conduct program review of federal and state compliance issues.

Element 8 – Admission Requirements

Non-Discrimination Statement

Charter schools are schools of choice. The New Millennium Secondary School shall admit all pupils who wish to attend the school up to capacity. No test or assessment shall be administered to students prior to acceptance and enrollment into the school. Except as provided in Education Code Section 47605(d)(2)(A), admission to New Millennium Secondary School shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within this State.

New Millennium Secondary School will actively recruit a socio-economically and ethnically diverse student population from the District and surrounding areas who are committed to the school's educational philosophy and instructional practices as advertised on outreach materials and indicated in the NMSS Student/Parent Enrollment Agreement⁴⁴. New Millennium Secondary School will abide by all state and federal laws regarding admissions.

New Millennium Secondary School will abide by all state and federal guidelines regarding admissions and enrollment procedures, and the No Child Left Behind Act (NCLB).

Admission

New Millennium Secondary School admits all students who wish to attend as outlined in Education Code section 47605(b)(5)(H). New Millennium Secondary School shall not discriminate against any student on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code.

If the number of students applying for admission exceeds the capacity of the school, except for existing students of the charter school, admission to New Millennium Secondary School, will be determined by a public random drawing.

Siblings of current students or students living at the same address as currently attending New Millennium Secondary School will receive first priority and the first seats are given to those students. Second priority is given to the residents of LAUSD. Each application is reviewed to de-

⁴⁴ Appendix F

termine if the student lives in the LAUSD boundary using the LAUSD District Map. Students living outside of LAUSD will be given admission if space permits.

An example of how this system works follows: If we plan to accept 150 9th grade students for the 2013-2014 school year and 175 students submit applications for the 9th grade prior to the application deadline, we would look at each application and decide if the student was 1) a sibling of a current NMSS student, 2) a LAUSD resident or 3) a non-LAUSD resident.

If 10 siblings of current students applied, they would receive the first 10 open spots. Next, we would look at the number of LAUSD residents applying for admission. If 125 LAUSD residents had submitted applications, all 125 students would receive admission. We would then hold a public lottery for the 40 students who lived outside of the LAUSD boundaries for the remaining 15 spots. Each student would be assigned a random number and numbers would be drawn at the public lottery, held at the Charter School campus in May. The first 15 numbers drawn would receive admission to the Charter School. The next number drawn would receive the first spot on the waitlist. The remaining numbers would be drawn and students would be placed on the waitlist in consecutive order.

Methods to recruit students for enrollment include:

- Meetings, materials, and communications will be provided in English and Spanish.
- Flyers distributed throughout the local community
- Community meetings open to all interested parents and community members
- Local newspaper announcements
- High School Information Nights at the school site prior to the opening of Charter School

EXAMPLE of Neighboring Schools and Communities Anticipated to Receive Announcements

- Carnegie Middle School
- Curtiss Middle School
- Carson Senior High School
- Phineas Banning High School
- Narbonne High School
- Churches and Community Centers in the Area
- Local District Staff
- Local Elected Officials

All distributed information will state that all students including low-achieving, economically disadvantaged and students with special needs are welcome.

Public Random Drawing

In the event of that New Millennium Secondary School receives more student enrollment applications than seats available at the school, New Millennium Secondary School will comply with state law and hold a public random drawing to randomly select the student body. Should the applications received at the time of the deadline not exceed space available, all applicants are accepted for enrollment.

Method to communicate rules

Parents of students who submitted applications are notified individually by U.S. mail of the date, time, place, openings available and procedures of the public random drawing. Parents are informed in writing of the enrollment and random drawing procedures and timeline.

The procedures for the random drawing are as follows:

1. All applicants who are entering the public lottery will be assigned a random number from a random number generator.
2. Applicants will be informed of their lottery number when they arrive to the public lottery.
3. All numbers will be placed into a hopper.
4. Numbers will be drawn one by one for all of the available seats.
5. Once all seats have been filled, the numbers will continue to be drawn for placement on the waitlist. Applicants will be placed on the wait list in consecutive order that the numbers are drawn.

At the public random drawing, a presentation will be made in English and Spanish to all interested parties about the lottery process and rules. Printed information about the lottery process will also be given to each interested party in their requested language.

Method to verify public random drawing procedures are fair

Each applicant's name will be assigned a number. Each number will be put on a card. Each card will be equal in size and shape. The card will then be put into a container or lottery device that will randomly mix all cards. A random drawing will occur, and students will be admitted until capacity is reached, at which point a waiting list will be generated by random order.

Timeline for open enrollment and public random drawing

The open enrollment period will occur each May, with the public random drawing taking place (if necessary) on a Saturday or weekday evening, to ensure the greatest parent participation.

Location of public random drawing

The public random drawing will be held at NMSS.

Date and time of public random drawing

The public random drawing, if necessary, will take place on a Saturday or weekday evening in May so most interested parties are able to attend. The date of the public random drawing will be publicized on application information, parent notification of public random drawing, and on the Charter School website.

Preferences to be granted

Siblings of current students or students living at the same address as currently attending New Millennium Secondary School will receive first priority and the first seats are given to those students. Second priority is given to the residents of LAUSD. Each application is reviewed to determine if the student lives in the LAUSD boundary using the LAUSD District Map. Students living outside of LAUSD will be given admission if space permits. The procedure regarding preferences is detailed in the admission section of this document on the previous page.

Procedures for wait list priorities

Once the admission list has been set, a waiting list will be developed for those students still wishing to enroll should space become available. Waitlist ranking will be assigned in the order selected from the lottery results. Two separate observers will collect lottery cards and enter into an electronic database the results. The database will be double checked to the physical cards to ensure accuracy. Any applications received after the application deadline will be placed on the waitlist in the order their application was received, but after those applicants waitlisted in the public random drawing.

Notifying parents and timeline for securing admissions

Admission results from the public lottery will also be mailed to all applicants by an NMSS staff member appointed by the Principal within 48 hours of the lottery. Follow-up phone calls will also be made by an NMSS staff member appointed by the Principal within 72 hours of the lottery. Winning parents/guardians will have 10 business days from notification to accept enrollment. If parents do not respond within 10 business days, New Millennium Secondary School will move to the wait list in the order of the lottery drawing.

School records of lottery

All lottery cards and databases will be kept on file by New Millennium Secondary School. Lottery cards will be kept for one calendar year. During the school year, if vacancies should arise, the school will pull from the wait list in numerical order by the grade level where the vacancy

exists. For example, if a vacancy arises in the 10th grade, the student on the top of the 10th grade wait list will be contacted by NMSS staff and offered admission.

Transportation

Transportation is the parental responsibility for families who choose to attend New Millennium Secondary School. New Millennium Secondary School does not provide transportation for students from home to school or school to home, except in instances of compliance with the American with Disabilities Act and the McKinney-Vento Act with regard to providing transportation to eligible students. New Millennium Secondary School also has a potential responsibility to provide transportation to eligible students pursuant to the Individuals with Disabilities Education Act "IDEA," in accordance with their IEP. For extracurricular activities, such as field trips, the school contracts for transportation with either LAUSD or a licensed contractor.

McKinney-Vento Homeless Assistance Act

New Millennium Secondary School will adhere to the provisions of the McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths. The Charter School will include specific information in their outreach materials, websites, at community meetings, open forums, and regional center meetings notifying parents that the school is open to enroll and provide services for all students which shall include a District standard contact number to access additional information regarding enrollment. A student's IEP will never be required prior to participation in any attendance lottery or as a condition for enrollment.

Element 9 – Annual Financial Audits

District Oversight Costs

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

Balance Reserves

Additionally, it is recommended that New Millennium Secondary School maintain a funds balance (reserve) of its expenditures as outlined in section 15450, Title 5 of the California Code of Regulations.

Special Education Revenue Adjustment/Payment for Services

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

Budget and Financial Reporting

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

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

- A projected three year budget including cash-flow projections
- Budget assumptions

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

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

- a. *Provisional Budget – Spring prior to operating fiscal year*
- b. *Final Budget- July of the budget fiscal year*
- c. *First Interim Projections – November of operating fiscal year*
- d. *Second Interim Projections – February of operating fiscal year*
- e. *Unaudited Actuals – July following the end of the fiscal year*
- f. *Audited Actuals – December 15 following the end of the fiscal year*
- g. *Classification Report – Monthly, the Monday after close of the last day of the school month*
- h. *Statistical Report – Monthly, the Friday after the last day of the school month*

- i. *P1 – First week of January*
- j. *P2 – First week of April*
- k. *Bell Schedule – Annually by September*
- l. *Other reports as requested by the District*

Independent Financial Audit

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)(l) 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 procedures. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller's K-12 Audit Guide.

The Governing Board will commission an annual financial audit by an independent third party auditor who will report directly to them. The Governing Board will approve the final audit report, and a copy will be provided to the charter-granting agency. Any audit exceptions and/or deficiencies will be resolved to the satisfaction of the Governing Board and the charter-granting agency.

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 Governing Board will annually appoint an audit committee by January 1 to select an auditor by March 1 prior to year end (June 30th). Any persons with expenditure authorization or recording responsibilities within the school may not serve on the committee. The committee will annually contract for the services of an independent certified public accountant to perform an annual fiscal audit. The audit shall include, but not be limited to: an audit of the accuracy of the financial statements, an audit of the attendance accounting and revenue accuracy practices and an audit of the internal control practices.

The financial audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Controller General of the United States; and will include tests of accounting records, and other procedures considered necessary to enable the auditor to express such an opinion and to render the required reports. The financial audit will also provide a report (which does not include an opinion) on internal control related to the financial statements and compliance with laws, regulations, and the provisions of contracts or grant agreements, noncompliance with which could have a material effect on the financial statements as required by Government Auditing Standards.

The reports on internal control and compliance will include a statement that the report is intended solely for the information and use of management, the body or individual charged with governance, others within the organization, and specific legislative or regulatory bodies and is not intended to be and should not be used by anyone other than these specified parties.

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 Chief Operating Officer will review any audit exceptions or deficiencies and report to the Charter School Board of Directors with recommendations on how to resolve them. The Chief Operating Officer will submit a copy of the annual audit report to the LAUSD Charter Schools Division via certified mail to be postmarked no later than December 15th following the end of the fiscal year. 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 exceptions and deficiencies will be resolved in conference with the auditor to the satisfaction of the auditing agency prior to the completion of the auditor's final report. Audit exceptions and deficiencies will be resolved to the satisfaction of LAUSD. Typically, audit exceptions will be addressed within 4 months of the close of the audit. 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.

Financial Policies

NMSS will adopt a set of Board approved fiscal policies and procedures in conjunction with our back office support providers. These policies will cover the process for investing and depositing funds, ensuring cash flow, and maintaining a balanced budget.⁴⁵

Systems to Provide Information

New Millennium Secondary School will utilize attendance accounting procedures that will satisfy requirements for LAUSD, LACOE and CDE. New Millennium Secondary School will utilize a carefully selected student information system (SIS), Power School, for attendance recording.

New Millennium Secondary School will contract with a back office provider for most accounting procedures. These contractors, along with the Chief Operating Officer, will provide financial information needed for an audit. Appropriate accounting procedures in accordance with the *Standards and Procedures for Audits of California K-12 Local Educational Agencies*, issued by the California State Controller's Office or Governmental Accounting Standards Board, will be im-

⁴⁵ Appendix U

plemented by New Millennium Secondary School to provide thorough and accurate information.

Audit and Inspection of Records

New Millennium Secondary School agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining their charter authorization:

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

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

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

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

New Millennium Secondary School will develop and maintain internal fiscal control policies governing all financial activities.

Element 10 – Suspensions and Expulsions

New Millennium Secondary School shall provide due process for all students, including adequate notice to parents/guardians and students regarding the grounds for suspension and expulsion and their due process rights regarding suspension and expulsion, including rights to appeal.

New Millennium Secondary School shall ensure that its policies and procedures regarding suspension and expulsion will be periodically reviewed, and modified as necessary, including, for example, any modification of the lists of offenses for which students are subject to suspension or expulsion.

New Millennium Secondary School shall be responsible for the appropriate interim placement of students during and pending the completion of the Charter School's student expulsion process.

New Millennium Secondary School will implement operational and procedural guidelines ensuring federal and state laws and regulations regarding the discipline of students with disabilities are met. Charter Schools will also ensure staff is knowledgeable about and complies with the District's Discipline Foundation Policy. If the student receives or is eligible for special education, the Charter School shall identify and provide special education programs and services at the appropriate interim educational placement, pending the completion of the expulsion process, to be coordinated with the LAUSD Special Education Service Center.

New Millennium Secondary School shall document the alternatives to suspension and expulsion the Charter School utilizes with students who are truant, tardy, or otherwise absent from compulsory school activities.

If a student is expelled from New Millennium Secondary School, the Charter School shall forward student records upon request of the receiving school district in a timely fashion. Charter School shall also submit an expulsion packet to the Charter Schools Division immediately or as soon as practically possible, containing:

- pupil's last known address

- a copy of the cumulative record
- transcript of grades or report card
- health information
- documentation of the expulsion proceeding, including specific facts supporting the expulsion and documentation that the Charter School's policies and procedures were followed
- student's current educational placement
- copy of parental notice of expulsion
- copy of documentation of expulsion provided to parent stating reason for expulsion, term of expulsion, rehabilitation plan, reinstatement notice with eligibility date and instructions for providing proof of student's compliance for reinstatement, appeal process and options for enrollment; and
- if the Student is eligible for Special Education, the Charter School must provide documentation related to expulsion pursuant to IDEA including conducting a manifestation determination IEP prior to expulsion. If the student is eligible for Section 504 Accommodations, the Charter School must provide evidence that it convened a Link Determination meeting to address two questions:
 - A. Was the misconduct caused by, or directly and substantially related to the student's disability:
 - B. Was the misconduct a direct result of the Charter School's failure to implement 504 Plan?

Outcome Data

New Millennium Secondary School shall maintain all data involving placement, tracking, and monitoring of student suspensions, expulsions, and reinstatements, and make such outcome data readily available to the District upon request.

Special Education Students

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

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

Gun Free Schools Act

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

Student Suspension and Expulsion Policy

The NMSS Suspension and Expulsion Guide, as found in the Parent and Student Handbook⁴⁶, has been established in order to promote learning and protect the safety and well-being of all students at the New Millennium Secondary School. In creating this policy, New Millennium Secondary 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 regarding the grounds for suspension and expulsion closely mirrors the language of current LAUSD policy and Education Code Section 48900 *et seq.* New Millennium Secondary School is committed to annually review of policies and procedures related to suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion. This annual review of policies and procedures shall be conducted with a panel that includes parents, students, and staff members.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as New Millennium Secondary 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. New Millennium Secondary 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 and Parent Handbook and will clearly describe discipline expectations.

New Millennium Secondary School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that these Policy and Procedures are available on request at the Principal's office in addition to being provided in the Parent and Student Handbook.

⁴⁶ Appendix Y

Suspended or expelled students shall not be allowed to attend any school and school-related activities, such as athletic events and school dances, unless otherwise agreed during the period of suspension or expulsion.

Code of Conduct

Student responsibilities include, but are not limited to:

- Following all rules of behavior and conduct set by the classroom teacher and contained within this policy
- Respecting fellow students and school personnel
- Attending classes regularly and on time
- Completing all assigned work (to the best of the student's ability)
- Being prepared for class (bring materials, e.g., books, homework)
- Respecting the property of the school and others
- Keeping the campus clean
- Wearing school uniform. One uniform is provided at no cost for each student.

New Millennium Secondary School believes in a student discipline philosophy that is progressive in nature, and at all points, tries to provide students with supports and opportunities to improve.

Students who violate the school rules are subject to, but not limited to the following progressive actions:

- Verbal warning
- Loss of privileges
- Detention
- Written notice to parents
- Conference with student/parent
- Suspension
- Expulsion

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 New Millennium Secondary School or at any other school or a New Millennium Secondary School sponsored event, 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

Students may be suspended or expelled for any of the following acts, consistent with the requirements for Category I through III offenses defined below, when it is determined the pupil:

Annotated Excerpts from the Current California Education Code § 48900. Grounds for Suspension or Expulsion

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

- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.

- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.

- (e) Committed or attempted to commit robbery or extortion.

- (f) Caused or attempted to cause damage to school property or private property.

- (g) Stolen or attempted to steal school property or private property.

- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.

- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.

(j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

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

(l) Knowingly received stolen school property or private property.

(m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is as substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

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

(o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

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

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

(r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

- (1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

(A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.

(B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.

(C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.

(D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

(2) "Electronic act" means the transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager.

(3) "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, 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 his or her exceptional needs.

(s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:

(1) While on school grounds.

(2) While going to or coming from school.

(3) During the lunch period whether on or off the campus.

(4) During, or while going to or coming from, a school-sponsored activity.

(t) 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, pursuant to this section, 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 (a).

(u) As used in this section, "school property" includes, but is not limited to, electronic files and databases.

(v) A superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and an anger management program, for a pupil subject to discipline under this section.

(w) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

Expulsion (Mandatory and Discretionary Offenses)

New Millennium Secondary School shall follow provisions outlined in LAUSD Bulletin-4655.1 from Office of the Deputy Superintendent of Instruction dated August 22, 2011 for the Matrix for student suspension and expulsion recommendations: E.C. 48900 and 48915.

LOS ANGELES UNIFIED SCHOOL DISTRICT
 Student Discipline & Expulsion Support Unit
MATRIX FOR STUDENT SUSPENSION AND EXPULSION RECOMMENDATIONS
 (State Law: Applicable to School Principals)

| Category I Student Offenses with No Principal Discretion (except as otherwise precluded by law) | Category II Student Offenses with Limited Principal Discretion | Category III* Student Offenses with Broad Principal Discretion |
|---|--|---|
| Principal shall immediately suspend and recommend expulsion when the following occur at school or at a school activity off campus. (E.C. 48915(c)) | Principal must recommend expulsion when the following occur at school or at a school activity off campus unless the principal determines that the expulsion is inappropriate. (E.C. 48915(a)) | Principal may recommend expulsion when the following occur at any time, including, but not limited to, <u>while on school grounds, while going to or coming from school, during the lunch period, whether on or off the campus, or during or while going to or coming from, a school-sponsored activity.</u> (E.C. 48915(b) and (e)) |
| 1. Possessing, selling, or furnishing a firearm. E.C. 48915(c)(1); 48900(b) | 1. Causing serious physical injury to another person, except in self-defense. E.C. 48915(a)(1); 48900(a)(1), maybe also 48900(a)(2) | 1. Caused, attempted to cause, or threatened to cause physical injury to another person. (Unless, in the case of "caused," the injury is serious. [See II.1]) E.C. 48900(a)(1); 48915(b) 2. First offense of possession of marijuana of not more than one ounce, or alcohol. E.C. 48900(c); 48915(b) 3. Sold, furnished, or offered a substitute substance represented as a controlled substance. E.C. 48900(d); 48915(b) |
| 2. Brandishing a knife at another person. E.C. 48915(c)(2); 48900(a)(1) and 48900(b) | 2. Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil. E.C. 48915(a)(2); 48900(b) | 4. Caused or attempted to cause damage to school or private property. E.C. 48900(f); 48915(e) 5. Stole or attempted to steal school or private property. E.C. 48900(g); 48915(e) 6. Possessed or used tobacco. E.C. 48900(h); 48915(e) 7. Committed an obscene act or engaged in habitual profanity or vulgarity. E.C. 48900(i); 48915(e) |
| 3. Unlawfully selling a controlled substance. E.C. 48915(c)(3); 48900(c) | 3. Unlawful possession of any controlled substance, except for the first offense of no more than an ounce of marijuana. E.C. 48915(a)(3); 48900(c) | 8. Possessed, offered, arranged, or negotiated to sell any drug paraphernalia. E.C. 48900(j); 48915(e) 9. Disrupted school activities or willfully defied the valid authority of school personnel. E.C. 48900(k); 48915(e) 10. Knowingly received stolen school or private property. E.C. 48900(l); 48915(e) 11. Possessed an imitation firearm. E.C. 48900(m); 48915(e) |
| 4. Committing or attempting to commit a sexual assault or committing a sexual battery (as defined in 48900(h)). E.C. 48915(c)(4); 48900(n) | 4. Robbery or extortion. E.C. 48915(a)(4); 48900(e) | 12. Engaged in harassment, threats, or intimidation against a pupil or group of pupils or school district personnel. E.C. 48900.4**; 48915(e) 13. Engaged in sexual harassment. E.C. 48900.2**; 48915(e) 14. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence. E.C. 48900.3**; 48915(e) 15. Made terrorist threats against school officials or school property, or both. E.C. 48900.7; 48915(e) |
| 5. Possession of an explosive E.C. 48915(c)(5); 48900 (b) | 5. Assault or battery upon any school employee. E.C. 48915(a)(5); 48900(a)(1) and 48900(a)(2) | 16. Willfully used force or violence upon the person of another, except in self-defense. E.C. 48900(a)(2); 48915(b) 17. Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a disciplinary action. E.C. 48900(o); 48915(e) 18. Any behavior listed in Category I or II that is related to school activity or school attendance but that did not occur on campus or at a school activity off campus. E.C. 48915(b) 19. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. E.C. 48900(p); 48915(e) 20. Engaged in, or attempted to engage in, hazing, as defined in Section 32050. E.C. 48900(q); 48915(e) 21. Engaged in an act of bullying, including, but not limited to, bullying committed by means of electronic act directed specifically toward a pupil or school personnel. E.C. 48900(r); 48915(e) |

* For Categories II and III, the school must provide evidence of one or both of the following **additional findings**: (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct, (2) Due to the nature of the act, the student's presence causes a continuing danger to the physical safety of the pupil or others.
 ** Grades 4 through 12 inclusive.

Category I

The Principal of New Millennium Secondary School shall immediately suspend and recommend expulsion when the following occur on school campus or at a school activity off campus, for any of the following reasons:

1. Possessing, selling, or furnishing a firearm, as defined below. E.C. 48915(c)(1); 48900(b)
2. Brandishing a knife at another person. E.C. 48915(c)(2); 48900(a)(1) and 48900(b)
3. Unlawfully selling a controlled substance. E.C. 48915(c)(3); 48900(c)
4. Committing or attempting to commit a sexual assault or committing a sexual battery, as defined in the enumerated offenses, above. (As defined in 488900[n]). E.C. 488915(c)(4); 48900(c)
5. Possession of an explosive, as defined below. E.C. 48915(c)(5); 48900(b)

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

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

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

Category II

The Principal of New Millennium Secondary School has limited discretion with Category II student offences listed below. The Principal must suspend and recommend expulsion when any of the following occur at school or at a school activity off campus, unless the Principal determines that expulsion is inappropriate (E.C. 48915[a]):

1. Causing serious physical injury to another person, except in self-defense. E.C. 48915(a)(1); 48900(a)(1), maybe also 48900(a)(2).
2. Possession of any knife or other dangerous object of no reasonable use to the pupil. E.C. 48915(a)(2); 48900(b)
3. Unlawful possession of any controlled substance, except for the first offence of less than an ounce of marijuana. E.C. 48915(a)(3); 48900(c).

4. Robbery or extortion. E.C. 48915(a)(4); 48900(e).
5. Assault or battery upon any school employee. E.C. 48915(a)(5); 48900(a)(1) and 48900(a)(2)

Category III

The Principal of New Millennium Secondary School may suspend and recommend expulsion when any of the following Category III offenses occur at any time, including, but not limited to, while on school grounds; while going to or coming from school; during the lunch period, whether on or off the campus; or during, or while going to or coming from, a school-sponsored activity:

1. Category I and II offenses that are related to a school activity or school attendance, but that did not occur on school campus or at a school activity.
2. Caused or attempted to cause, or threatened to cause physical injury to another person, unless the injury is serious, as set forth under the Category II offenses. (Unless, in the case of "caused," injury is serious. [See II.1]). E.C. 48900(a)(1); 48915(b)
3. First offense of possession of marijuana of not more than one ounce, or possession of alcohol. E.C. 48900(c); 48915(b)
4. Sold, furnished, or offered a substitute substance represented as a controlled substance. E.C. 48900(d); 38915(b)
5. Caused or attempted to cause damage to school or private property. E.C. 48900(f); 48915(e)
6. Stole or attempted to steal school or private property. E.C. 48900(g); 48915(e)
7. Possessed or used tobacco. E.C. 48900(h); 48915(e)
8. Committed an obscene act or engage in habitual profanity or vulgarity. E.C. 48900(i); 48915(e)
9. Possessed, offered, arranged, or negotiated to sell any drug paraphernalia. E.C. 48900(j); 48915(e)
10. Disrupted school activities or willfully defied the valid authority of school personnel. E.C. 48900(k); 48915(e)
11. Knowingly received stolen school or private property. E.C. 48900(l); 48915(e)
12. Possessed an imitation firearm. E.C. 48900(m); 48915(e)
13. Engaged in harassment, threats, or intimidation against a pupil or group of pupils or school district personnel. E.C. 48900.4**; 48915(e)
14. Committed sexual harassment (applicable to grades 4 through 12 only). E.C. 48900.2**; 48915(e)
15. Caused or attempted to cause, threatened to cause, or participated in an act of hate violence (applicable to grades 4 through 12 only). E.C. 48900.3**; 48915(e)

16. Made terrorist threats against school officials or school property, or both. E.C. 48900.7; 48915(e)
17. Willfully use force or violence upon the person of another, except in self-defense. E.C. 48900(a)(2); 48915(b)
18. Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a disciplinary action. E.C. 48900(o); 48915(e)
19. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. E.C. 48900(p); 48915(e)
20. Engaged in, or attempted to engage in, hazing, as defined in Section 32050. E.C. 48900(q); 48915(e)
21. Engaged in an act of bullying, including, but not limited to, bullying committed by means of electronic act directed specifically toward a pupil or school personnel. E.C. 48900(r); 48915 (e)

Additional Findings

For all Category II and III offenses, the student may be expelled only if one or both of the following findings are substantiated:

- a) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- b) Due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others.

Process for Suspension

Informal Conference:

Suspension is preceded by an informal conference conducted by the Principal or Principal's designee with the student and the student's parent. The conference may be omitted if the Principal or Principal's designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the student is suspended without a conference, the parent is notified of the suspension, a request for a conference to be made as soon as possible and the conference to be held as soon as possible.

Notice to Parents

At the time of suspension, the Principal or Principal's designee makes a reasonable effort to contact the parent by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing by the Principal or Principal's designee of the suspension and the date of return following suspension. This notice shall state the specific of-

fense(s) committed by the student. In addition, the notice also shall state the date and time the student may return to school. If the school officials wish to ask the parent to confer regarding matters pertinent to the suspension, the notice may note that the parents are required to respond to this request, by phone, email, or in person, without delay and that student violations of school rules can result in student expulsion from the school.

Length of Suspension

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 Principal or Principal's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Principal 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. Students will be provided work in the interim through our on-line teacher class pages and email correspondence with the teachers. If a student does not have access to the internet, the guardian of the student may pick up work for the student in the front office. Students suspended for more than ten (10) days will be provided off-campus in person instruction once a week by a certified NMSS teacher.

In addition, New Millennium Secondary School will abide by LAUSD **Bulletin 5655**, Health and Human Services, **2011**, which states:

"C. For all students, a single suspension may not be issued for more than 5 consecutive school days. However, in instances where the student is being recommended for expulsion, E.C. section 48911 (g) authorizes school districts to extend student suspensions beyond 5 consecutive school days.

D. The number of days for which a student in general education, including any student being served under Section 504, may be suspended from school shall not exceed 20 days in any school year unless the student is transferred to another school or program for adjustment purposes, in which case, the number of days of suspension may be increased by 10, making the total number of suspension days from school in any school year 30. Every attempt, however, shall be made to address student misconduct by implementing interventions and alternatives to suspension.

E. The maximum number of days in a school year a student who receives special education services can be suspended shall not exceed 10, unless a court order stipulates otherwise"

Suspension Appeals

The suspension of a student is at the discretion of the Principal or designee of New Millennium Secondary School (or the administrative staff designee). Parents are notified in advance of the enactment of the suspension and can appeal a student's suspension. A suspension appeal is heard within 5 days of notification of suspension by the Principal or designee. The administrator hearing the appeal will not be the same administrator that assigned the suspension. Upon consideration, the Principal or designee's decision is final. The student is considered suspended until a meeting is convened to hear the appeal, or until their assigned suspension period is completed. For students who are recommended for expulsion, any appeal of the suspension will be considered concurrently with the expulsion process.

Authority to Expel

A student may be expelled either by the Board following a hearing before it, or by the Board upon the recommendation of an Administrative Panel to be assigned by the Board as needed. The eligible Administrative Panel members are selected from a list of candidates that has been reviewed and approved by the NMSS governing board. The selected Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil nor a Board member of New Millennium Secondary School's governing board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

Process for Expulsion

Upon a recommendation of Expulsion by the Principal or Principal's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Principal or designee upon a finding that the student committed a mandatory expulsion offense in Category I or II, above, or, for discretionary Category III offenses, a finding of 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 such a determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

Expulsion Hearing

A hearing to determine whether the student should be expelled is required for recommendations for expulsion if requested. The hearing is held within 30 school days after the principal determines that the student committed an act expellable act and a recommendation for expulsion is made. The hearing shall be presided over by the expulsion panel of 3-5 members. The panel includes certificated New Millennium Secondary School staff. The panel members are selected with the following criteria: 1) no knowledge of the student or situation, and 2) the panel members are not a teacher of the pupil or members of the New Millennium Secondary School Board.

The Principal or designee of New Millennium Secondary School provides written notice of the hearing to the student and the student's parent at least 10 calendar days before the date of the hearing. This notice shall include:

- a) The date and place of the expulsion hearing.
 - b) A statement of the specific facts, charges, and offenses upon which the proposed expulsion is based.
 - c) A copy of the Charter School's disciplinary rules which relate to the alleged violation;
 - d) Notification of the student's or parent/guardian's obligation to provide information about the student's status at the school to any other school district or school to which the student seeks enrollment;
 - e) The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
 - f) The right to inspect and obtain copies of all documents to be used at the hearing;
 - g) 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.

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 presented at the hearing that the student committed an expellable offense.

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay and sworn declarations may be admitted as testimony from witnesses of whom the Board of Directors, administrative panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the 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 who will make a final determination regard-

ing the expulsion. The Board will review these findings in a closed session at a board meeting within 10 days of the Panel meeting. The Board decision will be announced as the Board reconvenes to public session in the board meeting. The Board must accept or deny the expulsion within 10 days from the Panel's recommendation for expulsion. The decision of the Board of Directors is final.

If the administrative panel decides not to recommend expulsion, or the Board does not accept the recommendation of the panel to expel, the pupil shall immediately be returned to his/her educational program. Should the School Board conduct the hearing and accept the recommendation for expulsion, or accept the administrative panel's recommendation for expulsion, the student and parent will receive notification as described in the following "Written Notice of Expulsion" section, and is to no longer attend the charter school or any charter school functions, and begin seeking a different school environment with the help of the student's home district and New Millennium.

Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. New Millennium Secondary School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the administrative designee conducting the expulsion or administrative panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.

4. The Administrative designee conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The Administrative designee conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding Administrative designee finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, New Millennium Secondary School must present evidence that the witness' presence is both desired by the witness and will be helpful to New Millennium Secondary School. The Administrative designee 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 Administrative designee from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hear-

ing 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.

Written Notice to Expel

Following a decision of the Board of Directors to expel, the Principal or designee shall send to the student and parent/guardian written notice of the decision to expel, including the Board of Directors' adopted findings of fact. This notice to expel a student will include the following:

- a) The reinstatement eligibility review date.
- b) A copy of the rehabilitation plan.
- c) The type of educational placement or study plan during the period of expulsion.
- d) Appeal procedures.
- e) The specific offense(s) committed by the student
- f) Notice of the student's or parent's obligation to inform any new school district in which the student seeks to enroll of the student's status with NMSS.

Record of Hearing

Expulsion hearings are conducted before the designated 3-5 member Expulsion Panel and are recorded on audio transcripts. The Expulsion Panel will also summarize the evidence presented at the hearing and their determination in a "Finding of Facts" document to be presented to the Board of Directors for final consideration.

Appeal of Expulsion

An expulsion decision may be appealed within 30 calendar days of the date of the Board's decision to expel. The student and/or parent/guardian must submit the appeal in writing to the Los Angeles County Board of Education.

Expelled Pupils/Alternative Education

In the event of a decision to expel a student from New Millennium Secondary School, the school will work cooperatively with the district of residence, county, and/or private schools to assist with the appropriate educational placement of the student who has been expelled. Any incident of violent and/or serious student behavior is communicated to the district/school to which the student matriculates. New Millennium Secondary School has the responsibility to facilitate expulsion placements and enrollment to ensure that expelled students do not get lost in the system.

Rehabilitation Plans

Pupils who are expelled from New Millennium Secondary School shall be given a rehabilitation plan upon expulsion as developed by the Charter School's governing board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. Terms of expulsion should be reasonable and fair with the weight of the expelling offense taken into consideration when determining the length of expulsion. Therefore, the rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the pupil may reapply to the Charter School for readmission.

Readmission

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

Reinstatement

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

Element 11– Retirement Programs

New Millennium Secondary School will make participation in State Teachers' Retirement System (STRS) available to certificated staff, and a 403b plan and federal social security available to non-certificated persons working at the school. NMSS will make any contribution that is legally required of the employer, including STRS, 403b, social security, and unemployment insurance. All withholdings from employees and the charter school will be forwarded to the STRS fund as required.

Administrative Services

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

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

Staff Retirement Allocations

1. STRS: All certificated personnel including teachers, Principal, and guidance counselor
2. Non-certificated staff will be offered a 403b
3. Federal Social Security: Non-certificated staff, including the Chief Operating Officer, Administrative Assistants, Front Desk/Registrar

Responsible Staff Member

The Chief Operating Officer is responsible for ensuring that appropriate arrangements for the aforementioned coverage will be made with approval of the Board.

STRS Reporting

New Millennium Secondary School will submit all retirement data through LACOE and will comply with all policies and procedures for payroll reporting. Employees will accumulate service credit years in the same manner as all other members of STRS. The New Millennium Secondary School Chief Operating Officer shall be solely responsible for ensuring that such retirement coverage is arranged and shall forward any required payroll deductions and related data to LACOE as required by Education Code Section 47611.3.

Work Basis

NMSS agrees to comply with the provisions of No Child Left Behind (NCLB) as they apply to certificated and paraprofessional employees of charter schools. It will conform to the legal requirement that all teachers shall hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. NMSS will meet all requirements for employment set forth in applicable provisions of law. NMSS will maintain current copies of all teacher credentials and ensure that they are readily available for inspection. NMSS will take all steps necessary to hire fully credentialed teachers, including active recruitment of duly credentialed teachers through local colleges and universities, EdJoin, Teach for America, and local newspapers.

Employee work calendars, hours per week, and vacation time are determined in individual employment contracts. Principals typically work a calendar year of 12 months with a standard week of approximately 40 hours. Teachers typically work a regular calendar year of 10 months and up to 1 additional month to provide extended instruction time, with a standard week of approximately 38.5 hours, including instructional hours, meetings, and professional development (teachers may work longer hour weeks for evening parent conferences, meetings, and professional development). Office personnel and classified staff typically work a calendar year of 12 months with a standard week of approximately 40 hours.

Job applicants for positions at New Millennium Secondary School are considered through an open process, and if hired, enter into a contractual agreement with the school. Any district union employee who is offered employment and chooses to work at New Millennium Secondary School is not covered by his or her respective collective bargaining unit agreement, although New Millennium Secondary School may extend the same protections and benefits in individual employee contracts.

Benefits

Sick days are provided for each eligible full-time employee to the extent of 10 paid sick days per year. Employees earn sick days at the rate of one day per month. Eligible part-time employees are provided with a portion of the sick days that corresponds to the number of hours worked. The first five sick days unused may be banked and rolled over at the end of each year. Full-time employees are provided with three bereavement days for immediate family members. Family members are defined as members of the employee's or spouse's immediate family, which means the parents, grandparents, child, or grandchild, brother, sister (step or foster) or any other relative living in the immediate household of the employee. Eligible employees receive not less than 15 paid legal holidays each contract year. Mandatory benefits such as workers' compensation, unemployment insurance, Medicare, and social security (for non-STRS members) are provided by New Millennium Secondary School. Health benefits are also provided to eligible full-time employees within the school's budget. Employees on charter school leave from LAUSD elect to give up district-offered coverage during the term of their employment with New Millennium Secondary School.

Code of Conduct

Employees are expected to engage in professional behavior with fellow employees, students, parents, and others with whom interaction is made on behalf of or while representing New Millennium Secondary School⁴⁷. Unprofessional behavior includes unlawful harassment including, but not limited to jokes, threats, put-downs, decorations, and innuendoes related to gender, sex, race, ethnicity, religion, age, disability, and/or sexual orientation. Employees are expected

⁴⁷ Appendix E

to refrain from such activity and to report alleged improprieties in accordance with state and federal laws.

Due Process

All staff members have due process rights that include a right to just cause discipline and dismissal and mediation and a fair hearing, if necessary. The Due Process is defined, policy described, and steps of corrective action are delineated in the NMSS Employee Handbook (Appendix E).

Grievance Procedure

The NMSS Grievance Procedure is defined, policy described, and steps of action are delineated in the NMSS Employee Handbook (Appendix E, p24).

Corrective Action

If it is determined that an employee has engaged in unprofessional behavior including, but not limited to, harassment, use or possession of alcohol or a controlled substance, excessive tardiness and/or absenteeism, or non-performance of job duties, the progressive corrective actions include:

- Verbal warning,
- Written warnings,
- One-day suspension without pay,
- Five-day suspension without pay,
- Dismissal.

New Millennium Secondary School complies with all provisions of the Educational Employment Relations Act (EERA).

Element 12 – Attendance Alternatives

Attendance Alternatives

Pupils who choose not to attend New Millennium Secondary School may choose to attend other public schools in their district of residence or pursue an interdistrict-transfer in accordance with existing enrollment and transfer policies of the District.

Parent Notification

Parents and guardians of each student enrolled in New Millennium Secondary School will be informed on admissions forms that the students have no right to admission in a particular school of a local education agency as a consequence of enrollment in New Millennium Second-

ary School, except to the extent that such a right is extended by the local education agency. If space is available, traveling students will have the option to attend.

New Millennium Secondary School is a public school of choice. No student is required to attend the Charter School.

Element 13 – Rights of District Employees

Leave and return rights for union-represented employees who accept employment with New Millennium Secondary School will be administered in accordance with applicable collective bargaining agreements between the employee’s union and the District and also in accordance with any applicable judicial rulings.

Job applicants for positions at New Millennium Secondary School are considered through an open process, and if hired, enter into a contractual agreement with the Charter School. Any district union employee who is offered employment and chooses to work at New Millennium Secondary School is not covered by his or her respective collective bargaining unit agreement, although New Millennium Secondary School may extend the same protections and benefits in individual employee contracts.

Former LAUSD employees must consult with LAUSD to determine their eligibility for leave.

Element 14 – Mandatory Dispute Resolution

Dispute Resolution

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

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

- 4) If the mediation is not successful, then the parties agree to resolve the Dispute by binding arbitration conducted by a single arbitrator. Unless the parties mutually agree otherwise, arbitration proceedings shall be administered in accordance with the commercial arbitration rules of the American Arbitration Association. The arbitrator must be an active member of the State Bar of California or a retired judge of the state or federal judiciary of California. Each party shall bear its own attorney's fees, costs and expenses associated with the arbitration. The arbitrator's fees and the administrative fees of the arbitration shall be shared equally among the parties. However, any party who fails or refuses to submit to arbitration as set forth herein shall bear all attorney's fees, costs and expenses incurred by such other party in compelling arbitration of any controversy or claim.

Disputes Arising Within New Millennium Secondary School

Disputes arising from within New Millennium Secondary School, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and governing board members of the school are resolved by the New Millennium Secondary School Board of Directors and/or Principal.

Element 15 – Exclusive Public School Employer

New Millennium Secondary School is deemed the exclusive public school employer of the employees of the Charter School for the purposes of the Educational Employee Relations Act (EERA). NMSS will comply with the EERA.

Element 16 – Charter School Closure

Revocation

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

- New Millennium Secondary School committed a material violation of any of the conditions, standards, or procedures set forth in the charter.

- New Millennium Secondary School failed to meet or pursue any of the pupil outcomes identified in the charter.
- New Millennium Secondary School failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
- New Millennium Secondary School violated any provision of law.

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

Closure Action

The decision to close New Millennium Secondary School either by the New Millennium Secondary School governing Board or by the LAUSD Board of Education will be documented in a Closure Action. The Closure Action shall be deemed to have been automatically made when any of the following occur: the charter is revoked or non-renewed by the LAUSD Board of Education; the Charter School board votes to close the Charter School; or the Charter lapses.

Closure Procedures

The procedures for charter school closure are guided by California *Education Code* sections 47604.32, 47605, 47605.6, and 47607 as well as *California Code of Regulations*, Title 5 (5 CCR), sections 11962 and 11962.1. A closed charter school must designate a responsible entity to conduct closure activities and identify how these activities will be funded. The procedures outlined below are based on “Charter School Closure Requirements and Recommendations (Revised 08/2009)” as posted on the California Department of Education website. References to “Charter School” applies to the charter school’s nonprofit corporation and/or governing board.

Documentation of Closure Action

The revocation or non-renewal of a charter school must be documented by an official action of the authorizing entity. Notice of a charter school’s closure for any reason must be provided by the authorizing entity to the California Department of Education (CDE). In addition, the charter school must send notice of its closure to:

1. Parents or guardians of students. Written notification to parents/guardians/caregivers of the enrolled students of New Millennium Secondary School will be issued by New Millennium Secondary School within 72 hours after the determination of a Closure Action and the effective date of closure. A copy of the written notifications to parents is also to be sent to LAUSD within the same time frames.
2. The authorizing entity
3. The county office of education. Written notification to the Los Angeles County Office of Education of the Closure Action shall be made by the New Millennium Secondary School by registered mail within 72 hours of the decision to Closure Action. Charter School shall provide a copy of this correspondence to the CSD.
4. The special education local plan area in which the school participates. Written notification to the Special Education Local Planning Area (SELPA) in which the Charter School participates of the Closure Action shall be made by New Millennium Secondary School by registered mail within 72 hours of the decision to Closure Action. Charter School shall provide a copy of this correspondence to the CSD.
5. The retirement systems in which the school's employees participate. The Charter School will within fourteen (14) calendar days of closure action contact the State Teachers Retirement System (STRS), Public Employees Retirement System (PERS), and the Los Angeles County office of Education and follow their procedures for dissolving contracts and reporting. Charter School shall provide a copy of this correspondence to the CSD.
6. The CDE. Written notification to the California Department of Education of the Closure Action shall be made by New Millennium Secondary School by registered mail within 72 hours of the decision to Closure Action. Charter School shall provide a copy of this correspondence to the CSD.

Notice must be received by the CDE within ten calendar days of any official action taken by the chartering authority. Notification of all the parties above must include at least the following:

1. The effective date of the closure
2. The name(s) of and contact information for the person(s) handling inquiries regarding the closure
3. The students' school districts of residence

4. How parents or guardians may obtain copies of student records, including specific information on completed courses and credits that meet graduation requirements

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

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

In addition to the four required items above, notification to parents, guardians, and students should also include:

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

The charter school shall announce the closure to any school districts that may be responsible for providing education services to the former students of the charter school within 72 hours of the decision to Closure Action. This notice will include a list of returning students and their home schools. Charter school closures should occur at the end of an academic year if it is feasible to maintain a legally compliant program until then. If a conversion charter school is reverting to non-charter status, notification of this change should be made to all parties listed in this section.

School and Student Records Retention and Transfer

New Millennium Secondary School shall observe the following in the transfer and maintenance of school and student records:

1. The Charter School will provide the District with original cumulative files and behavior records pursuant to District policy and applicable handbook(s) regarding cumulative records for secondary and elementary schools for all students both active and inactive at the Charter School. Transfer of the complete and organized original student records to the District will occur within seven calendar days of the effective date of closure.

2. The process for transferring student records to the receiving schools shall be in accordance with LAUSD procedures for students moving from one school to another.
3. The Charter School will prepare an electronic master list of all students to the Charter Schools Division. This list will include the student's identification number, Statewide Student Identifier (SSID), birthdate, grade, full name, address, home school, enrollment date, exit code, exit date, parent/guardian name(s), and phone number(s). If the Charter School closure occurs before the end of the school year, the list should also indicate the name of the school that each student is transferring to, if known. This electronic master list will be delivered in the form of a CD.
4. The original cumulative files should be organized for delivery to the District in two categories: active students and inactive students. The CSD will coordinate with the Charter School for the delivery and/or pickup of the student records.
5. The Charter School must update all student records in the California Longitudinal Pupil Achievement Data System (CALPADS) prior to closing.
6. The Charter School will provide to the CSD a copy of student attendance records, teacher grade books, school payroll records, and Title I records (if applicable). Submission of personnel records must include any employee records the charter school has. These include, but are not limited to, records related to performance and grievance.
7. All records are to be boxed and labeled by classification of documents and the required duration of storage.

Financial Close-Out

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

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

1. An accounting of all financial assets. These may include cash and accounts receivable and an inventory of property, equipment, and other items of material value.

2. An accounting of all liabilities. These may include accounts payable or reduction in apportionments due to loans, unpaid staff compensation, audit findings, or other investigations.
3. An assessment of the disposition of any restricted funds received by or due to the charter school.

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

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

New Millennium Secondary School shall ensure the completion and filing of any annual reports required. This includes:

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

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

For apportionment of categorical programs, the CDE will count the prior year average daily attendance (ADA) or enrollment data of the closed charter school with the data of the authorizing entity. This practice will occur in the first year after the closure and will continue until CDE data

collection processes reflect ADA or enrollment adjustments for all affected LEAs due to the charter closure.

Disposition of Liabilities and Assets

The closeout audit must determine the disposition of all liabilities of the charter school. Charter school closure procedures must also ensure disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed. Such disposal includes, but is not limited to:

1. The return of any donated materials and property according to any conditions set when the donations were accepted.
2. The return of any grants and restricted categorical funds to their source according to the terms of the grant or state and federal law.
3. The submission of final expenditure reports for any entitlement grants and the filing of Final Expenditure Reports and Final Performance Reports, as appropriate.

Net assets of the charter school may be transferred to the authorizing entity. If the Charter School is operated by a nonprofit corporation, and if the corporation does not have any other functions than operation of the Charter School, the corporation will be dissolved according to its bylaws.

- a. The corporation's bylaws will address how assets are to be distributed at the closure of the corporation.
- b. A copy of the corporations bylaws containing the information on how assets are to be distributed at the closure of the corporation, are to be provided to LAUSD prior to approval of this Charter.

For six (6) calendar months from the Closure Action or until budget allows, whichever comes first, sufficient staff as deemed appropriate by the New Millennium Secondary 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.

The New Millennium Secondary School Board shall adopt a plan for wind-up of the school and, if necessary, the corporation, in accordance with the requirements of the Corporations Code.

The Charter School shall provide LAUSD within fourteen (14) calendar days of closure action prior written notice of any outstanding payments to staff and the method by which the school will make the payments.

Prior to final closure, the Charter School shall do all of the following on behalf of the school's employees, and anything else required by applicable law:

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

This Element 16 shall survive the revocation, expiration, termination, cancellation of this charter or any other act or event that would end New Millennium Secondary School right to operate as a Charter School or cause New Millennium Secondary School to cease operation. New Millennium Secondary 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 Charter School breach any obligation under this Element 16. The District, therefore, shall have the right to seek equitable relief to enforce any right arising under this Element 16 or any provision of this Element 16 or to prevent or cure any breach of any obligation undertaken, without in any way prejudicing any other legal remedy available to the District. Such legal relief shall include, without limitation, the seeking of a temporary or permanent injunction, restraining order, or order for specific performance, and may be sought in any appropriate court.

Facilities

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

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

In the event of an emergency, all LAUSD facilities (i.e., schools) are available for use by the American Red Cross and public agencies as emergency locations which may disrupt or prevent Charter School from conducting its educational programs. If Charter School will share the use of LAUSD facilities with other LAUSD user groups, Charter School agrees it will participate in and observe all LAUSD safety policies (e.g., emergency chain of information, participate in safety drills).

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

- Use. Charter School will be restricted to using the LAUSD facilities for the operation of a public school providing educational instruction to public school students consistent with the terms of the charter petition and incidental related uses. LAUSD shall have the right to inspect LAUSD facilities upon reasonable notice to Charter School.
- Furnishings and Equipment. LAUSD shall retain ownership of any furnishings and equipment, including technology, (“F&E”) that it provides to Charter School for use. Charter School, at its sole cost and expense, shall provide maintenance and other services for the good and safe operation of the F&E.
- Leasing; Licensing. Use of the LAUSD facilities by any person or entity other than Charter School shall be administered by LAUSD. The parties may agree to an alternative arrangement in the use agreement.
- Minimum Payments or Charges to be paid to LAUSD Arising from the Facilities.
 - (i) Pro Rata Share. LAUSD shall collect and Charter School shall pay a Pro Rata Share for facilities costs as provided in the Charter School Act of 1992 and its regulations. The parties may agree to an alternative arrangement regarding facilities costs in the use agreement; and
 - (ii) Taxes; Assessments. Generally, Charter School shall pay any assessment or fee imposed upon or levied on the LAUSD facilities that it is occupying or Charter School’s legal or equitable interest created by the use agreement.

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

Facility Status: The charter petitioner must demonstrate control of a facility such as a commitment from the landlord, to ensure that the property is actually available to the charter developer, and that the facility is usable with or without conditions (such as a conditional code permit.) The charter school facility shall comply with all applicable building codes, standards and regulations adopted by the city and/or county agencies responsible for building and safety standards for the city in which the charter school is to be located, and the Americans with Disabilities Act (ADA). Applicable codes and ADA requirements shall also apply to the construction, reconstruction, alteration of or addition to the proposed charter school facility. The Charter School shall implement any corrective actions, orders to comply, or notices issued by the authorized building and safety agency. The Charter School cannot exempt itself from ap-

plicable building and zoning codes, ordinances, and ADA requirements. Charter schools are required to adhere to the program accessibility requirements of Federal law (Americans with Disabilities Act and Section 504).

Occupancy of the Site: The charter petitioner or developer shall provide the District with a final Certificate of issued by the applicable permitting agency, allowing the petitioner to use and occupy the site. The Charter School may not open without providing a copy of the Certificate of Occupancy for the designated use of the facility. If the Charter School moves or expands to another facility during the term of this charter, the Charter School shall provide a Certificate of Occupancy to the District for each facility before the school is scheduled to open or operate in the facility or facilities. Notwithstanding any language to the contrary in this charter, the interpretation, application, and enforcement of this provision are not subject to the Dispute Resolution Process outlined in Element 14.

Health & Safety: The school will comply with the Healthy Schools Act, California Education Code Section 17608, which details pest management requirements for schools. Developers may find additional information at:

www.laschools.org/employee/mo/ipm
www.laschools.org/employee/mo/ipm

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