

**NESTLE AVENUE CHARTER SCHOOL**  
Home of the Nestle Neutrons  
We are fundamental to what matters.

Los Angeles Unified School District  
Charter School Division

## **Petition for Conversion to Affiliated Charter**

**Submitted by**

**Nestle Avenue Charter School**



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## Introduction

### **Purpose**

The Nestle Avenue Charter School community is in agreement to pursue the goal of becoming an affiliated charter school in the Los Angeles Unified School District.

Nestle Avenue Charter School intends to build on its identified strengths by adding to its existing research-based outstanding practices in instruction and governance. We plan to supplement the core curricula so we can continue to exceed the goals set by the state and LAUSD.

Nestle Avenue Charter School will infuse the instruction in every classroom with the enrichment theme of understanding the origin, history, and development of humans and their evolution through the ages and across cultures leading to present accomplishments and projecting into the future.

Our school will continue to ensure the use of higher-order thinking skills, project-based learning, multiple intelligences, and multi-media literacy across the instructional day.

Nestle Avenue Charter School will use its increased autonomy to manage its budget resourcefully. We will continue our traditional collaboration among parents, teachers, administrators, and other staff in making financial decisions centered on our goal of fulfilling each student's potential and educating the whole child.

### **Goals**

Nestle Avenue Charter School will address the needs of the entire student population by meeting and exceeding the state's standards. Teachers will, through differentiated instruction, utilize a variety of instructional techniques and programs appropriate to the special needs of our charter school's population including the following:

- Use innovative teaching practices such as those described by Doug Lemov in *Teach Like a Champion*.
- Increase interactive, hands-on learning for all students to build conceptual understanding across all subjects.
- Expose and explore the history and origin of concepts across all subjects.
- Ensure all students score proficient and advanced on state assessments.
- Nurture and maintain the natural curiosity within our students.
- Establish the habits of mind to make students and adults lifelong learners.

## **Endorsements**

The Nestle Avenue Charter School Governance Council has asked teachers, parents, staff, administrators and interested community members to be co-petitioners for the school's charter petition for conversion to affiliated charter. These stakeholders have requested that the Board of Education for the Los Angeles Unified School District grant Nestle Avenue Charter School status as a charter school for the years 2013-2018 pursuant to the Charter Schools Act. The Nestle Avenue Governance Council and its co-petitioners have authorized the lead petitioners listed below to negotiate any amendments to the charter renewal document necessary to secure the approval of the Board of Education of the Los Angeles Unified School District. The lead petitioners are:

- Ibia Gomez, Principal
- Kathryn Chevront, Teacher
- Jennifer Stern, Teacher
- Paul Shelton, Teacher
- Heather Davis, Parent
- Darlene Yamauchi, Parent

## **The Charter Agreement/Contract**

Nestle Avenue Charter School shall become an affiliated charter with the Los Angeles Unified School District under the terms of this charter. If, at any point, during the term of this charter, Nestle Avenue Charter elects to operate as a nonprofit public benefit corporation, or to become an independent charter school, then Nestle Avenue shall prepare and submit a new charter proposal to the Los Angeles Unified School District. While operating as an affiliated charter with the Los Angeles Unified School District, Nestle Avenue shall continue to be covered under the self insurance and property coverage program of the LAUSD as provided to all other schools in the Los Angeles Unified School District.

This charter school shall incorporate all revisions to the Charter Schools Act that may be enacted by the California State Legislature during the life of this charter.

Nestle Avenue Charter School will continue to be affiliated with the Los Angeles Unified School District and receive funding through the Categorical Block Grant Model which will be administered by LAUSD. As an affiliated charter, Nestle Avenue Charter School will refer to the ICSD business unit for purchasing specific services. While choosing not to separate from the District and to continue the use of LAUSD teachers, Nestle Avenue Charter will participate in District level professional development and school site level professional development as per Board recommendation and the LAUSD Policy on Charter School authorizing of the reciprocal sharing of professional and best practices.

Aligned with the culture of being an affiliated charter school within LAUSD, Nestle Avenue Charter will continue to look towards adopting LAUSD curriculum materials and LAUSD will continue to allocate to Nestle Avenue all the necessary financial resources for adopting curriculum materials only to the extent that

similar allocation is to regular schools. Nestle Avenue Charter shall have site control of the categorical block grant in order to address the spirit and the mission of the charter.

The responsibility of categorical block grant shall fall upon the Nestle Avenue Governance Council and the control of the categorical block grant funds must address class size reduction, technology, professional development, enrichment opportunities, character education, intervention opportunities, supervision, and safety in order to meet our goals and the needs of our students.

It is understood that Nestle Avenue Charter will undergo at least a yearly Charter Oversight Review from the Los Angeles Unified School District as part of the charter contract with the District. Oversight also includes monitoring of the Charter School's progress and attainment of measurable pupil outcomes, as well as adherence with all applicable laws and regulations, court orders, and the terms of the charter, and financial reporting requirements. Nestle Avenue Charter School will also expect that oversight shall include a review of the school's performance in the areas of academic achievement, governance, organizational management, finance, and the attainment of applicable benchmarks as well as a review of adherence with applicable law, regulations, and the terms of the charter. It is also understood that the District will identify the school's strengths, underdeveloped areas, develop specific goals to facilitate year-to-year oversight, and review the school's self study process to facilitate school improvement. It is also understood that the Los Angeles Unified School District's Policy on Charter School Authorizing is subject to change upon Board approval and with input from Charter School leaders. At any time, the LAUSD Innovation and Charter School's Division can visit or call the school with inquiry on matters, policies or situations that may arise.

If granted, the term of this initial 5 year charter begins on August 14, 2012 and expires on June 30, 2017. To request a renewal of this charter petition beyond June 2017, Nestle Avenue Charter School will submit a new petition to the District for approval by January 31 2017.

### **Description of the School**

Nestle Avenue Charter School, an affiliated charter school for grades kindergarten through fifth, is located at 5060 Nestle Avenue, Tarzana, CA 91356, in District 1 of LAUSD.

Nestle is a K-5 school serving 560 students. It is composed of 25 self contained classrooms, one Wonder of Reading library, a Parent Center, one Learning Center, a fully refurbished auditorium, a school community garden, and a large playground with an enclosed play area for the kindergarten students.

Nestle currently employs 23 teachers in grades k-5, 1 special education resource teacher, one special day teacher class teacher for grades 3-5, 2 limited contract teachers serving as categorical program advisor and intervention

coordinator, a 3-hour library aide, seven teacher assistants, and three special education aides. All our students receive music education one day a week, and theater education is rotated annually.

### **Nestle Avenue Charter School and Its Community**

Nestle Avenue Charter School is situated in the West San Fernando Valley city of Tarzana. With a land area of approximately 6.05 square miles, Tarzana contains a population of 27,407 and 42% of its residents have earned a bachelor's degree or higher. The real estate in the area ranges in price from \$350,000 to multi-million dollar estates. The estimated median household income is \$51,420. About 72% of its population is white, 13% Hispanic, 4% black, and 5% Asian.

### **Demographic Information for Prospective Site (Surrounding School Data)**

In the immediate geographic area of Tarzana, there are over 25 private and public school options available for families that reside within a three-mile radius of our school (see chart).

## Academic Achievement of Surrounding Schools

LAUSD Schools	# of Students	Multi-Track School?	Program Improvement?	Met School wide Growth Target?	Met All Subgroup Growth Targets?	API Score	API State Ranking	Similar Schools Rank	% of Students Eligible for Free/Reduced Lunch	% of Special Ed. Students	% of ELL Students	% Major Ethnicity #1	% Major Ethnicity #2	% Major Ethnicity #3
Emelita	413	No	No	No	No	846	7	7	57%	16%	28%	46% Latino	34% White	10% African American
Encino	502	No	No	Yes	Yes	936	10	9	22%	8%	9%	52% White	24% Latino	11% African American
Tarzana	495	No	Yes	Yes	Yes	815	6	7	67%	8%	29%	43% Latino	28% White	15% African American
Vanalden	438	No	Yes	Yes	No	794	5	3	74%	7%	34%	68% Latino	14% White	6% African American
Wilbur	666	No	No	Yes	Yes	917	10	1	9%	8%	9%	82% White	9% Latino	4% African American
LAUSD Schools	# of Students	Multi-Track School?	Program Improvement?	Met School wide Growth Target?	Met All Subgroup Growth Targets?	API Score	API State Ranking	Similar Schools Rank	% of Students Eligible for Free/Reduced Lunch	% of Special Ed. Students	% of ELL Students	% Major Ethnicity #1	% Major Ethnicity #2	% Major Ethnicity #3
Chime	444	No	No	Yes	Yes	839	6	1				68% White	17% Latino	7% Asian
Ivy Academia (k-12)	1153	No	Yes	Yes	No	846	7	8	13%	.05%	.05%	62% White	16% Asian	11% African American

## **Assurances**

- Nestle Avenue Charter School shall be nonsectarian in its programs, admission policies, employment practices, and all other operations.
- Nestle Avenue Charter School will not charge tuition and will admit all pupils who wish to attend the school according to EC 47605(d) (2) (A).
- Nestle Avenue Charter School shall not discriminate against any student on the basis of ethnicity, national origin, gender, physical or mental disability, race, 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) –
- Not enroll pupils over nineteen (19) years of age unless continuously enrolled in public school and making satisfactory progress toward high school diploma requirements.
- Nestle Avenue Charter School will 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 the pupils who reside in the District.
- Nestle Avenue Charter School will not require any child to attend the charter school nor any employee to work at the charter school.
- Nestle Avenue Charter School shall notify the superintendent of the District if a pupil is expelled or leaves the charter school without completing the school year for any reason within 30 days, and shall, upon request, provide the District with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information.

## Element 1: The Educational Program

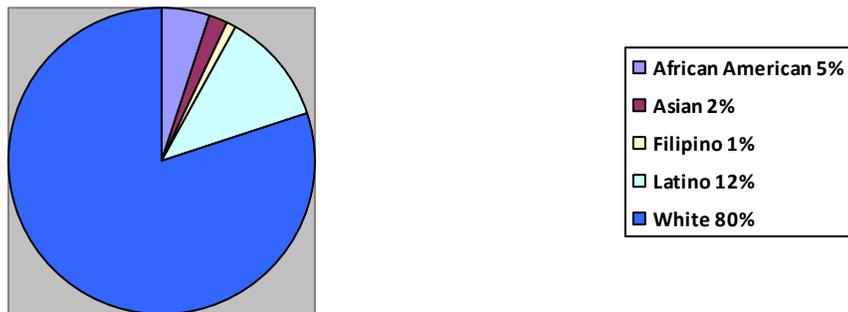
*“A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an ‘educated person’ in the 21<sup>st</sup> century, and how learning best occurs. The goals identified in that program shall include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

### **School Information**

School Name	Nestle Avenue Charter School
Address	5060 Nestle Avenue, Tarzana, CA 91356
Telephone No.	(818) 342-6148
Fax No.	(818) 609-9864
Contact Person	Ibia Gomez, Principal
Grade Configuration	K-5
Current Enrollment	560
Operational Capacity	600
Term of Charter	2013-2017
Projected No. of Students for First Year	560
Grade Levels for First Year	K –5
Opening Date	August 14, 2012
Instructional Calendar	LAUSD Traditional

### **Students the School Proposes to Serve**

Nestle is a true example of the rich diversity found in Los Angeles. About 47% of Nestle’s students are eligible for free or reduced price lunch. Approximately 31% of its students are English Learners with 19 different languages spoken at home including Assyrian, Romanian, Farsi, Hebrew, and Russian. Nestle’s demographics include 5% African American, 2% Asian, 1% Filipino, 12% Latino, and 80% White composed of various nationalities including Israeli, Iranian, Russian, and Armenian.



Nestle's Gifted & Talented Program has an enrollment of 80 students, which encompasses 15% of the entire school population. These students are clustered in groups of five or more and are taught by teachers trained to provide depth and complexity in the school's Advanced Studies classes.

### **Mission**

Nestle Avenue Charter School provides a safe, clean, and enthusiastic environment where all teachers, parents, and staff promote high academic achievement and foster citizenship and good character by nurturing sportsmanship, self-esteem, and respect for individual differences.

### **Vision**

Nestle Avenue Charter School and its community are partners in promoting a safe environment of academic excellence, intellectual curiosity, innovation, and responsibility in which all students reach proficiency in all subjects – culminating in a lifelong love of learning.

### **Motto**

We are fundamental to what matters.

### **What Does It Mean to Be an Educated Person in the 21<sup>st</sup> Century?**

The educated person of the 21<sup>st</sup> century is open to diversity, technologically savvy, and readily able to decipher and analyze information. The process of being educated is constant; ongoing throughout one's life, and as such requires self-motivation. The educated person also needs to have top-notch social skills, charisma, and the ability to see other sides of a situation. One challenge foremost in this century has been incorporating technology into the process of lifelong learning. Technology is important because society is moving in that direction with regards to social and academic discourse.

Since information in the 21<sup>st</sup> century travels fast, students need to be taught how to decipher it, respond to it quickly, if need be, and make decisions that will move them forward. As a new paradigm emerges in the world that is technologically driven, the education of our students needs to change with it. That being said, any detriment that could occur from constant interaction with technology should be self-monitored. Limiting this reliance in certain ways, even in terms of social media, keeps the educated person from becoming too dependent on the delivery of quick information, and thus able to retain knowledge and access it readily from memory.

Although in the future many members of society may inevitably work from home, people will still need to be able to cooperate and communicate well with others. Students may, in the future, be dependent on technology to learn daily lessons. However, an educated person needs to be a self-learner who is motivated; inquisitive enough to seek answers, does research, asks more questions, and

has an idea regarding which direction to go for answers. Charisma and communication abilities will be important and desirable, as face-to-face interaction will continue to occur. Therefore, the educated person needs to be able to communicate with and present information to a group.

Students also need to be taught problem-solving skills without resorting immediately to technology. It is important that students learn to work together, whether technologically or in person. Social skills can be taught and fostered, along with the ability to communicate well. Deadlines need to be met in any type of society that moves forward, so scheduling time appropriately and wisely, using good time management skills, and making daily decisions are important to the 21<sup>st</sup> century learner.

The educated person of the 21<sup>st</sup> century requires sensitivity to various cultures, exhibits respect for others, and is open to the cultural diversity of the future. A person needs to be educated to understand the culture of another. Education can help to clear up misconceptions about one's fellow citizens by adding layers of understanding that will serve as a foundation for future social interactions.

The educated, successful person of the 21st century is a self-thinker, seeking knowledge on various subjects, taking in and analyzing information, and forming opinions. This person is able to discourse on many subjects and continually adds to his or her formal education. The educated person interacts responsibly with the environment, takes steps to appreciate and protect the arts, and makes healthy choices not only for personal benefit but for the greater good of society.

### **How Learning Best Occurs**

Learning best occurs for students when the environment provides quality instruction, ample discussion, and active participation by "doing." Whole and small group discussion, cooperative learning, and application of what has been learned or discussed takes place on a daily basis. The learning environment of a school fosters thinking and creating and is supported by relevant objects that have been provided for students to see, touch, and feel.

The thoughts, ideas, and feelings of students are validated in the classroom and around school. Active participation is ensured, strengths are broadened, and areas of need are identified. All students engage in exploration, see connections, work individually and cooperatively, and are encouraged to excel beyond standards. As Eric Jensen states in *Teaching with the Brain in Mind*, "Start by removing threats from the learning environment." (p. 30)

Teachers work collaboratively, share best practices, and incorporate differentiated instruction based on the needs of their students. Educators grow through professional development, exposure to new and research based practices, and high expectations of the principal, who is an involved and

supportive instructional leader. Scholarly behavior is cultivated through the examination and modeling of concepts and traits.

The principal and staff empower school community members to be constant and positive forces in the education of their children. Families are involved in quality learning experiences through events such as Back-to-School Night, Math and Science Night, and Literacy Night. Our Parent Center offers educational presentations, and parents are invited to help with school projects and other classroom needs. Encouraged participation in these activities helps to ensure a well-rounded basis of learning for students by keeping parents informed about the school's educational program, and giving them the tools to support their child's learning. Having parents understand they are an integral part of their child's education provides a foundation of lifelong learning.

Nestle Avenue Charter School incorporates a "Parent-Teacher-Student Compact" signed by teachers, students, and families to foster learning in a safe, mutually respectful classroom environment where children:

- Actively participate in their learning
- Have strengths broadened, extended, and developed
- Have areas of need identified, addressed, and strengthened (ongoing progress monitoring)
- Engage in experimentation, exploration, and discovery
- See the connections between what they learn and the world around them
- Work both individually and cooperatively as members of a group
- Are encouraged to excel beyond the standards-based curriculum
- Benefit from collaboration across various subject areas

### **How the Goals of the Program Enable Students to Be Self-Motivated, Competent, Lifelong Learners**

According to *The Dirt on Learning*, "Learning occurs best when learners enjoy the process. Learning is effective when it creates learner appetite for more learning and an insatiable desire to share the learning with others (Schultz & Schultz 46)." When we as educators provide an engaging educational program, students believe learning is fun, and enjoyment of the educational process encourages them to explore and learn other concepts. An eagerness to learn is fostered through exciting opportunities that connect past learning to new concepts. The instructional program at Nestle Avenue Charter School is based on the Common Core Standards. With this as our foundation, we create authentic assessments that involve students in real-world application. Meaningful feedback, taking responsibility for one's own learning, and rigorous academic expectations all play a part in enabling students to become competent and lifelong learners.

Arts appreciation and expression are included in the education of Nestle students. Math and Science Night and NASA Explorer School events such as Rocket Day help to promote learning through exploration. The types of hands-on learning experiences inherent in these activities also foster lifelong learning that is shared with families. Technology continues to be incorporated into the curriculum, helping students to deepen their understanding of concepts and refine their skills. Having technological competence is an integral part of preparing students for their life as learners in the 21st century. Ample opportunities to do research and see visual and creative presentations are excellent ways to keep learning interesting and engaging.

Nestle educators create motivation and confidence by providing students with successful educational experiences and directing their sights on future academic goals and milestones such as middle school, high school, and college. Ongoing social work that promotes the greater good of society through involvement in local and global causes like clothes and food drives and other fundraising efforts connect our learners with the world outside the school walls. Students and their families are involved in donating reading materials for others, using programs such as Project Goodness to raise funds and provide awareness of organizations like Operation Smile, and supporting other community service learning programs. Educators, students, and families also work hand in hand on school beautification programs to enhance their immediate surroundings.

All of these opportunities serve to motivate the students to investigate further and learn about the world around them and how they fit in. Realizing that one's own competence, knowledge, and expertise can be the basis for the welfare and success of another person or group is a powerful tool that keeps students curious about the world around them. Fitting into that world and having a positive impact on it is a goal for all students at Nestle.

### **A Walk Through Nestle on a Typical Day**

Nestle Avenue School opened its doors in 1951 and recognized its 60<sup>th</sup> anniversary last November. From its inception to the present, the Nestle Avenue family has provided a rigorous learning environment that also promotes creativity and community spirit.

When visitors approach the front entrance to Nestle Avenue School, they are greeted by the awesome sight of a towering sycamore tree that pre-dates the construction of the campus. Upon entering the office, visitors are met by a friendly and knowledgeable staff that is eager to assist.

Continuing into the school grounds, visitors find themselves in the quad area, which serves as a central hub for Nestle Avenue's campus. The grassy quad area is lined with smaller sycamore trees that mirror the larger one standing guard out front. The coziness of this area is the perfect backdrop for assemblies,

carnivals, Halloween parades, and simply finding a shady spot to read a good book.

The quad area also served as the stage for Nestle Avenue's 60<sup>th</sup> anniversary celebration, where alumni, school officials, the entire student body, parents, teachers, and staff came together to commemorate this momentous event. Nestle Avenue School has seamlessly bridged the past and the present. Having grown in size over the last six decades, our school population reflects our multicultural neighborhood. Our students represent over 25 cultures and languages, with diverse values, beliefs, and customs.

From the quad area, visitors are sure to notice colorful murals, most of which were designed by our own teachers and created by Nestle students! Some of the murals of planets and other celestial bodies reflect Nestle Avenue School's collaboration with NASA and Jet Propulsion Laboratory as a NASA Explorer School. Other murals welcome visitors to read in the Wonder of Reading library or to eat healthy snacks in the cafeteria alongside giant vegetables. Large banners also reflect our school rules: Be Safe, Be Respectful, Be Responsible!

As visitors head to the playground, they see a huge, park-size apparatus obtained by a grant written by our dedicated staff. The blacktop is also flanked with handball, tetherball, volleyball, and basketball courts. It is hard to miss the lush green field outlined with trees used for baseball, soccer, other sports, and the highly-anticipated annual teachers versus fifth graders softball game. The playground is also the setting for school wide events like Rocket Day, Jump for Heart, the Health Fair, and Walk-a-thon.

Our physical education teacher uses the playground to work with students on standards-based skills. At other times of the week, general education teachers, parent volunteers, and aides continue to assist in developing those skills during our psychomotor program. These physical activities are an important component of our goal to guide our students to develop healthy minds and bodies.

Off to one side of the playground is our garden. The pre-k and Special Day Program (SDP) classes are in charge of our garden, with parents providing the supplies and support. Students clamor to plant and water the flowers and trees. Additionally, the garden is home to a mini-farm where rabbits and chickens are raised. Learning about life sciences has never been more hands-on!

Next, you may walk back to the cafeteria area and into our newly renovated auditorium, which is used by our Theater Arts, Dance, and Music teachers. Teachers also conduct awards ceremonies and grade-level parent meetings here. The auditorium is the ideal location for the PTA-sponsored book drive and annual talent show. Before leaving the auditorium, visitors will see a portrait of Ange DiNardo, who volunteered at Nestle Avenue School for over 40 years. The

dedication ceremony in 1998 commemorating her years of service sums up the integral and esteemed role that community members have at our school.

The Parent Center, which is a short stroll down the yard, is an extension of this volunteerism. Visitors can join our volunteer parents who are busy copying, collating, cutting, drawing, and carrying on a myriad other activities to support our teachers and PTA.

When visitors venture into any classroom, they see students eagerly engaged in learning. The students' work areas are well-organized and carefully planned, inviting and accessible. Teacher assistants, under the direction of the classroom teacher, can be seen assisting with instruction and promoting student learning on a daily basis. In every classroom, students can be seen working independently, with partners, in small groups, or as a whole group depending on the needs of disparate learners. Students are engaged in rigorous, standards-based instruction with teachers who explicitly define and articulate the state and national standards that students are expected to meet and exceed. Students participate in hands-on cooperative learning, use manipulatives, and are involved in project-based learning with differentiated instruction. Each classroom displays a variety of student work that reflects current standards being taught and shows flexibility in how students can demonstrate their understanding.

Nestle Avenue School's priority is to expand technology. We recently purchased a portable computer cart with 30 laptops. The online access allows students and teachers to explore the enVision Math series and California Treasures reading program. Students are often found in front of a computer using the Accelerated Reader program earning points toward a reading trophy. The use of document cameras makes lessons more engaging and colorful. Lucky visitors may see the students absorbed in an interactive computer lesson or on a video conference with astronauts.

Each classroom is unique, but the spirit of cooperation permeates through the walls. You may witness our RSP teacher working in collaboration with general education teachers to support students with special needs. That cooperation among teachers and support staff is an integral part of our Walk to Differentiation program, which is our version of Response to Instruction and Intervention. Based on Susan L. Hall's model described in her book *Jumpstart RTI*, this model incorporates all teachers within a grade level, along with the resource teacher, and an additional intervention teacher to provide leveled instruction to meet the needs of students from remediation to enrichment. In addition, grade-level teachers work toward a mutual purpose. Team teaching is prevalent in the upper grades, and the collaboration of ideas is reflected in shared assignments, criteria charts, and projects.

Our entire school community takes pride in beautifying our outdoor areas by cleaning, pruning, and planting during our annual School Sparkle Day. As a

result of this hard work, our school has won the District 1 School Beautification award several years in a row.

As visitors leave our school, they will realize that our campus is quite beautiful on the outside, but that does not compare to the dedication, heart, creativity, and hard work of all our stakeholders behind the scenes, who make Nestle Avenue School an ideal learning community.

### **Instructional Framework**

All components of the Nestle Avenue Charter School's curriculum plan conform to the instructional frameworks for California public schools. As our state transitions to the adoption of the common core state standards, so will Nestle Avenue Charter School. Our instruction will be based on well researched programs and will include examination of assessments and data to drive student learning.

Our school year begins with an in-depth examination of data from the California Standards Test (CST) to identify trends within skills and standards, to identify strengths and challenges demonstrated by our student population, and to target students in need or at risk who will benefit from any of the three tiers of intervention. This includes all subgroups of student learners: at risk, special needs, socioeconomically disadvantaged, English Learners, gifted and talented students, subgroups by ethnicity, and students with IEPs and Section 504 plans.

Lauren Resnick's Nine Principles of Learning provide the driving force that guides instruction at Nestle Avenue Charter School. We provide critical thinking strategies through Bloom's Taxonomy, depth and complexity through the theories and practices of Dr. Sandra Kaplan, scaffolded support through Specially Designed Academic Instruction in English (SDAIE), patterns of organizational thinking through Thinking Maps, and other types of differentiated instruction, including compacting, acceleration, and novelty. Meeting the needs of the whole child requires an understanding that people learn in different ways, and learn best when provided instruction in their dominant learning style as best describe by Dr. Howard Gardner's Theory of Multiple Intelligences.

Commitment to Lauren Resnick's Principles of Learning is evident in all classrooms. Organizing for Effort, we embrace Dr. Resnick's belief that, "An effort-based school replaces the assumption that aptitude determines what and how much students learn with the assumption that sustained and directed effort can yield high achievement for all students. Clear Expectations are set through the application of rubrics and criteria charts. The establishment of clear expectations then leads to Fair and Credible Evaluations that students and parents can understand and for which students can prepare and parents can support. Academic Rigor in a Thinking Curriculum is apparent through the use of depth and complexity as well as adherence to the teaching of the standards and big ideas and concepts. Accountable Talk compels the students to use the

language of the discipline, while they learn to set and achieve goals using self-evaluation. When our teachers use Thinking Maps, problem-solving techniques, and accountable talk, they are teaching and establishing the habits of mind students need to internalize in order to be able to fully utilize their intelligence. Part of that training is students learning to self-monitor/manage their learning and learning to be responsible learners through Self-Management of Learning. Our teachers help students by modeling effective thinking and by creating the opportunities for students to learn from each other through projects and presentations, which Dr. Resnick calls Learning as Apprenticeship. Recognition of Accomplishments takes place monthly during our Citizenship and Academic Awards assemblies.

Nestle Ave. Charter will continue to expand its use of Sandra Kaplan's icons for depth and complexity. These include big ideas, multiple perspectives, patterns, trends, rules, details, ethics, changes over time, language of the discipline, unanswered questions, across disciplines, origins, contributions, paradox, and parallels. These higher level prompts are applied as students discuss, write, and read across the curriculum and are integrated into instruction, projects, and assignments. Dr. Kaplan's idea of "origin" is the central focus of our program and will permeate the way our students are introduced to new concepts.

The six levels of questioning in Bloom's Taxonomy complement the acquisition and application of higher level thinking. Levels progress from simple to complex and include knowledge, comprehension, application, analysis, synthesis, and application. Teachers utilize these six levels when developing assignments in order to meet the varying needs of developing students. In time, students internalize and master these levels until they can use them independently and with ease.

SDAIE is a teaching approach geared for English language learners. It is intended for teaching any academic subject by carefully choosing content, connecting grade level themes to students and their previous learning, making oral and written language comprehensible through essential language forms and functions, realia, and target vocabulary, and through frequent interaction between students and teacher.

Consistent use of Thinking Maps provides students with the visual basis for organized thinking. This tool helps students gain a deeper understanding and the ability to communicate abstract concepts. Increased metacognition, self-assessment, and the application of these skills across the curriculum are other benefits to using Thinking Maps.

Differentiating instruction is imperative in meeting the needs of our diverse students. In order to eliminate repetition of already mastered skills, teachers use pre-assessment to determine how to compact and accelerate the lessons to provide time for more challenging interest-based projects.

In educating the whole child, Nestle Avenue Charter School teachers adhere to the tenets of Dr. Howard Gardner's Theories of Multiple Intelligences. It is important to be cognizant of and attend to the varied intelligences of our students. According to Gardner, intelligence is "the ability to create an effective product that is valued in a culture; a set of skills that make it possible for a person to solve problems in life; the potential for finding or creating solutions for problems which involves gathering new knowledge." (pbs.org). Additionally, he believed, "...that the brain has evolved over millions of years to be responsive to different kinds of content in the world; language content, musical content, spatial content, numerical content, etc." Application of these theories can be seen through direct instruction, projects, group work, and independent study across the curriculum.

### **The Teaching Methodologies**

All components of the Nestle Avenue Charter School's Plan conform to the California Department of Education Curriculum Frameworks. All instruction will be standards based and assessed by the California Standards Tests as scheduled by the Department of Education and Los Angeles Unified School District.

Teachers at Nestle Avenue Charter School research best learning practices, participate in external professional development, and share acquired information at school based professional developments.

Academic Rigor - Teachers design lessons that are engaging and meaningful. Students are held accountable for developing a firm understanding of the connection between thinking and knowledge. Our methodologies encourage students to gain a deep understanding of topics and concepts and to maintain a high level of achievement. Rigor is achieved through constant evaluation of our learning results and acceleration of learning where appropriate.

Clear Expectations - Teachers explicitly define and articulate the state standards in student friendly language. Descriptive criteria and models of work that elaborate these standards are displayed in every classroom, as well as in the Daily Instructional Focus.

Collaborative Groupings - Teachers create flexible small groups in order for students to interact with their peers on various levels. Students share their thinking processes to maximize learning. Cooperative groups promote diverse perspectives, student-centered learning, and teamwork. Collaborative groupings also allow for increased affective and psycho-social growth and the development of multiple intelligences. This allows teachers to make observations and assess students while facilitating their work.

Criteria Charts and Rubrics - These tools help focus students to effectively meet and exceed expectations and objectives of the assignment. Charts and rubrics

are based on curricular standards and allow students to understand and evaluate their own work. When students fully understand what is asked of them they can reach their full potential towards mastery of the standards. Rubrics and criteria charts also give teachers an objective measurement tool to accurately rate student achievement.

**Direct instruction** -Teachers provide strategically planned direct instruction using multiple modalities including the infusion of technology. Direct instruction provides explicit direction and focus to students to meet and exceed the grade level standards.

**Guided and Independent Practice** - Teachers provide their students with ample time and resources to practice and incorporate what they have learned. Guided practice is a transitional scaffold that prepares students for independent practice. Students will achieve at a high level when they are given the time, resources, and strategies for working independently.

**Small Group Instruction** - Teachers create flexible small groupings to target individual student needs. Groupings target everything from specific language acquisition needs to specific concepts for the gifted and high achieving students.

**Differentiated Instruction** - The diversity of the student body makes it necessary and highly effective for teachers to plan differentiated lessons based on the needs of the sub-groups present at the school. Teachers utilize the core curriculum and supplement with materials and methods specific to the goals of the lesson concepts taught.

**Higher-Level Thinking** - To develop a truly rigorous, innovative, and engaging curriculum, teachers plan lessons and activities that incorporate many higher level thinking skills. Teachers use the core curriculum and materials along with project based learning to help students demonstrate skills such as analysis, synthesis, and application.

**Integration of the Arts** - The Arts are an important component of our school. Teachers use visual arts, theater, music, and dance to deepen and enhance the core curriculum.

**Experiential Learning** - Students participate in a variety of direct experiences in order to enhance their comprehension and appreciation for the curriculum. Field trips, plays, science labs, simulations, experiments, and real world presentations all provide rich experiences for students to gain conceptual knowledge.

By adhering to the instructional frameworks and teaching methodologies proposed, Nestle Avenue Charter School will meet the needs of all students including Gifted and Talented, English Language Learners, Socio-Economically Disadvantaged, Students with IEPs, and General Education students.

### **How Teaching Methodologies and Instructional Program Address the Needs of the Targeted Student Population**

Nestle Avenue Charter School will address the needs of the entire student population by meeting and exceeding the state's standards. Teachers will, through differentiated instruction, utilize a variety of instructional programs appropriate to the special needs of the charter's population.

#### **Academically Low Achieving Learners**

Nestle is committed to maximizing the learning potential for low achieving students. High expectations are held for all of our students, and students who are identified as low achieving receive all of the additional scaffolding, resources and strategies at our disposal to address the particular, individual needs of low achieving students. Nestle firmly believes that our students are capable of succeeding. This is realized by providing multiple opportunities and pathways for low achieving students to access the curriculum, make it comprehensible, and improve their potential for achievement. Nestle identifies all low achieving students and monitors their progress on a periodic basis. Primary students are assessed using an array of assessments; including but not limited to grade-level created and commercially available performance assessments, diagnostic assessments, formative and summative assessments to identify specific areas of needs. Nestle's Learning Center is staffed with a full time teacher. In addition, our intervention coordinator works directly with classroom teachers to provide in-class support for small groups and intervention outside of the classroom. Low achieving students also receive small group instruction, hands-on activities, and differentiation. Low achieving students receive support from a weekly afterschool tutoring program. Student Success Team (SST) meetings are held with their classroom teacher, parent, Intervention Coordinator and administrator. Together the team helps gather information, identify needs and create a plan to help the student access the curriculum. Our goal is to have every student performing at the proficient level and striving for advanced.

#### **Gifted/Talented Students**

We are committed to engaging in comprehensive strategies for all students enrolled at Nestle Avenue Charter School. Students are identified as gifted/talented via CST scores and OLSAT 8 scores, and assessments administered by District psychologists. Students in 4<sup>th</sup> and 5<sup>th</sup> grades may also be identified in a single subject area. Teachers provide GATE students with lessons and assignments that encourage the students to strengthen their cognitive thinking skills and creativity. Curriculum is differentiated by the classroom teacher and professional development opportunities to meet the needs of the gifted students are done on a yearly basis. Students identified as gifted are instructed using strategies from, but not limited to, Sandra Kaplan's depth and complexity,

thinking maps, and Bloom's Taxonomy. Furthermore, Nestle's partnership with NASA allows teachers to use webcasts and video conferencing technology to help extend curriculum. Students are asked to demonstrate their comprehension and thorough knowledge of each subject by defining, describing and identifying what they have learned through analysis and synthesis of this information. Additionally, the students will present an outcome whether verbal, written, arts-based, or technology-based at their appropriate academic level. All identified students are assessed on a yearly basis using the LAUSD assessment tools and files are maintained by the classroom teacher in the students' CUM folders.

### **Socioeconomically Disadvantaged Students (SED)**

Forty-seven percent of Nestle's student population qualifies for free or reduced priced meals. Of these students 65.5% are scoring in the proficient to advanced range on the ELA portion of the CST, compared to 44% in LAUSD with the same achievement. In mathematics, 76.9% of Nestle economically disadvantaged students scored in the proficient to advanced range in comparison to just 43% in LAUSD scoring the same proficiencies. Nestle supports socioeconomically disadvantaged students through intervention (if needed), field trips, and access to technology. Nestle Avenue Charter School will continue to ensure that all students are provided with the necessary tools and nutrition to succeed academically and socially. In addition, PTA supports funding for various activities during school. Inability to donate will not mean exclusion from activities. Our goal is success of all students, regardless of economic status or advantage.

### **English Language Learners**

Nestle currently uses the LAUSD Master Plan for English Language Learners to provide opportunities for non-English speaking students to become fluent in and literate in English. Teachers will use the California Treasures English Language Development Program to allow all students the opportunity to perform the comprehension of the content in a format that exhibits their understanding of the lesson. We will continue to reclassify all students as they meet district criteria.

Every student that enrolls at Nestle receives a Home Language Survey included in the enrollment package. Based on the response to the Home Language Survey, the students will be assessed using the CELDT to determine possible identification and eligibility for EL services. Parents are informed of the Master Plan instruction program options and are then able to select a program by completing the "Initial Assessment of Home Language Results and Confirmation of Program Placement" form. English Learners are grouped according to the LAUSD Master Plan guidelines. Students receive daily district mandated minutes of ELD instruction. EL students receive small group instruction, home-language assistance from teachers and aides, and hands-on activities. Additionally, Nestle's newest EL students are enrolled in the Imagine Learning Online Program to further help these newcomers learn the English language while being supported via their home language. The progress of the EL children is monitored through the use of ELD portfolios and a yearly CELDT examination.

When the child progresses through the 5 levels of ELD, earns scores of 3 or 4 on Progress Reports, and scores Basic on the ELA portion of the CST, the child is ready for reclassification. The Language Appraisal Team evaluates candidates and gets input from the parent and then recommends them for reclassification. Parents are notified that their child has successfully completed the ESL criteria. All RFEP students are monitored for two years after redesignation. The Categorical Program Advisor is responsible for EL monitoring and updating English Learners SIS data.

**General Educational Population** will meet and exceed the state standards/benchmarks through the lessons being taught, and we will provide the opportunity to participate in differentiated lessons.

**Evidence That the Proposed Instructional Program Will be Successful with the Charter's Targeted Population**

Nestle maintains a high level of achievement with its student population. Our proposed instructional program will be successful at Nestle Avenue Charter School's because it is based on the current effective practices we implement. With a focus on best strategies in the instructional program, Nestle Avenue's API has met district/state goals for the past five years. The API for 2010-2011 was 886. Over the past three years, our API has grown from 860 to 886. Nestle Avenue is rated 8 out of 10 on the California Statewide ranking. Last year, 33% of the English Language Learner population reclassified by the end of year. Teachers utilize ongoing assessments, collaboration, the English Language Development program, and Walk to Differentiation approaches to ensure our ELL students progress in a solid foundation of reading, writing, listening and speaking. Nestle Avenue Charter School has met and in most cases exceeded district mandates.

All teachers, with direction from administration, adhere to each individual student's IEP, as well as conduct SSTs (Student Success Teams) for students who are not making unsatisfactory progress in academics, work habits, or behavior. SST meetings recognize the RTI approach, in terms of assisting teachers to attempt a hierarchy of intervention strategies with the goal of enabling struggling students to meet grade-level standards. Nestle's fall 2011 District Validation Review (DVR) score was 100 % in Least Restrictive Environment Instructional Practices. 100 % of instructional accommodations in the general education setting were found to be implemented. This evidence shows that our special education teams are meeting the needs of special education students. Although we are only required to have 51% of our special needs students in the general education setting for 40% or more of the instructional day, we have 100% of our students meeting this goal.

We are dedicated to identifying and addressing the needs of our gifted and talented and high achieving population by incorporating experiential learning and differentiated planning into daily instruction. As a result, 14% GATE identification is higher in comparison to the district's norm of 6%. Each year, teachers offer a

challenging daily program of standards-based and differentiated instruction to give our students an opportunity to meet and exceed their levels of proficiency. All of Nestle's identified GATE students score proficient or advanced on the CST.

An integral part of Nestle Avenue Charter School's instructional program is a dedication to providing enriching experiences throughout the core curriculum. Nestle teaching staff, together with professional experts in science, language arts, math, social studies, the arts, and technology, infuse excitement, motivation, and high interest into the learning experiences of each and every child. Project-based learning plays a large role in the success of our population.

### **Special Education**

Special Education Students will be mainstreamed, if applicable pursuant to their IEP, and given the opportunities to perform knowledge of content in a multi-modality format that exhibits their understanding of the lesson. Although we are only required to have 51% of our special needs students in the general education setting for 40% or more of the instructional day, we have 100% of our students meeting this goal.

Nestle Avenue's special education population benefits from the wide variety of materials and methods used by teachers that are specifically selected to help them meet the grade-level standards.

The District shall continue to serve the needs of special education students enrolled in the affiliated Charter Schools in the same manner as at any other public school of the District, and shall be responsible for meeting all the requirements of the Modified Consent Decree.

### **Conversion Affiliated Charter**

Nestle Charter School will support movement of students with disabilities into less restrictive environments and increase interactions of students with disabilities with non-disabled students. The Charter School general program of instruction for students with disabilities shall be responsive to the required sequence of courses and related curricular activities provided for all students in the Charter School. Assessment and standardized testing procedures shall be implemented, including guidelines for modifications and adaptations, to monitor student progress.

## **1. Charter School Special Education Responsibilities**

### **a. General Requirements**

The Charter School will adhere to the provisions of the IDEA and California special education laws and regulations to assure that all students with disabilities are accorded a free appropriate public education ("FAPE"). The Charter School will also ensure that no student otherwise

eligible to enroll in their Charter School will be denied enrollment on the basis of their special education status.

The Charter School will comply with Section 504 of the Federal Rehabilitation Act, the Americans with Disabilities Act, and all Office of Civil Rights mandates for students enrolled in the Charter School.

The Charter School will adhere to the requirements of the *Chanda Smith* Modified Consent Decree and court orders imposed upon the District pertaining to special education and will submit documents and information, participate in reviews, and attend informational sessions and meetings at the District's request.

The Charter School will use District forms to develop, maintain, and review assessments and Individualized Education Programs ("IEPs") in the format required by the District and will enter accurate assessment and IEP data into the District's designated data system (Welligent) in accordance with LAUSD policies and procedures. The Charter School will maintain copies of assessments and IEP materials for District review. The Charter School will submit to the District all required reports, including but not limited to CASEMIS, SESAC and Welligent IEPs, in a timely manner as necessary to comply with state and federal and Modified Consent Decree requirements.

The Charter School shall keep daily attendance for each student which shall be reported and certified according to District policies and procedures.

The Charter School will participate in the state quality assurance process for special education (i.e. verification reviews, coordinated compliance self-reviews, complaints monitoring, procedural safeguards, and the local plan). The Charter School will participate in internal validation review ("DVR").

The Charter School is responsible for the management of its, personnel, programs and services. The Charter School will ensure that its special education personnel or contracted personnel are appropriately credentialed, licensed or on waiver consistent with California laws and regulations.

The Charter School will implement the programs and services, including providing related services, required by the IEPs of the students enrolled at the Charter School.

**b. Transferring Students**

For students transferring to the Charter School from District schools or District affiliated charter schools, the Charter School will provide those related services required by the students' IEPs immediately upon the students' enrollment.

For students transferring to the Charter School from other school districts, the Charter School shall provide related services required by the students' IEPs upon the students' enrollment regardless of the type of service provider (school, NPA or private). IEP team meetings for such students will be held within thirty (30) days of the student's enrollment in accordance with state and federal law.

**c. Assessments**

The referral process shall include Student Success Team (SST) meetings to review prior interventions, accommodations and modifications and to recommend further interventions as appropriate. The referral process shall be supported by the Response to Intervention (RtI) model approach using data to identify student strengths and weaknesses. Upon review of accumulated data, observation and review of records, the Charter School may determine that assessment is necessary to determine possible eligibility for special education programs and related services.

Upon a parent's request for assessment, the Charter School will convene a meeting to review and discuss the request in light of student records, acquired data and student performance to agree with or deny the request for assessment. If the Charter School determines that assessment for special education eligibility is not warranted, prior written notice must be given to the parent/guardian with a clear rationale for such refusal within 15 days of the request. If the Charter School concludes that there are suspected disabilities, the school must develop an assessment plan for each student with suspected disabilities within the 15 day timeline. The assessment plan will describe the types of assessments that may be used to determine the eligibility of students for special education instruction and services. Assessments will be conducted, within legal timelines, after receiving the parents' written consent. The Charter School shall conduct an IEP team meeting that includes required team members within mandated timelines for each student assessed to discuss results, determine eligibility, and (if eligible) specify special education instruction and services. The Charter School will make decisions regarding eligibility, goals, program, placement, and exit from special education through the IEP process according to federal, state and District timelines.

**d. Alternative Placements**

In the event that the Charter School is unable to provide an appropriate placement or services for a student with special needs, the Charter School will contact the District to discuss placement and service alternatives. Charter schools are expected to provide services to all enrolled students with disabilities (mild to severe). If an Individualized Education Program (IEP) team that includes Charter School personnel places a student in a special education program provided by another entity, the Charter School will be fully responsible for the quality of the program and for any costs incurred for such a placement.

**e. Least Restrictive Environment**

instructional strategies and curriculum adaptations to address the diverse learner, and interaction with non-disabled peers.

The Charter School will maintain responsibility for monitoring progress towards IEP goals for the student with special needs. The Charter School will assess, develop, and implement Individual Transition Plans to help students with disabilities transition to adult living in accordance with District policies and procedures.

**f. Staffing Requirements**

The Charter School shall participate in available appropriate District trainings to support access by students with disabilities to the general education classroom, general education curriculum, integration of student in the general education setting.

**g. Student Discipline/Inclusion**

The Charter School will ensure that it makes the necessary adjustments to comply with the mandates of state and federal laws, including the IDEA regarding discipline of students with disabilities. Discipline procedures will include positive behavioral interventions and the District's Discipline Foundation Policy. Prior to recommending expulsion and/or prior to the eleventh day of cumulative suspension for a student with disabilities, the Charter School will convene a manifestation determination IEP that includes District representation as set forth in the District's Policies and Procedures Manual. The Charter School will collect data pertaining to the number of special education students suspended or expelled.

The Charter is committed to achieving population balance that includes students with disabilities. The Charter will conduct outreach activities to attract and enroll a range of mild to severe special education students that is diverse and comparable with resident schools with similar demographics. The current District-wide average percentage of students with disabilities is 10-13%. The Charter School's outreach efforts should be geared toward aligning with the District-wide average. The Charter

School may not refuse to admit a student based on special education eligibility, needs or services identified in the student's IEP. The District will provide the Charter with MCD reports indicating range of services and number of students served at individual Charter Schools.

## **2. Procedural Safeguards/Due Process Hearings**

The District may invoke dispute resolution provisions set out in the charter petition, initiate due process hearings, and/or utilize other procedures applicable to the Charter School if the District determines that such action is legally necessary to ensure compliance with federal and state special education laws and regulations or the Modified Consent Decree.

In the event that a parent or guardian of a student attending the Charter School initiates due process proceedings, both the Charter School and the District will be named as respondents. Whenever possible, the District and the Charter School shall work together in an attempt to resolve the matter at an early stage (informal settlement or mediation).

## **3. Complaints**

The District will investigate and respond to all special education complaints the District receives pertaining to the Charter Schools including the District's Uniform Complaint Procedures, Office for Civil Rights and California Department of Education Special Education Compliance Complaints. The Charter School will cooperate with the District in any such investigations and provide the District with any and all documentation that is needed to respond to complaints.

## **4. Funding of Special Education**

The Charter School will adhere to all District policies and procedures regarding special education and special education funding, as they may be amended from time to time. The District shall retain all state and federal special education funding for charter school students which is allocated to the SELPA. The District shall be responsible for providing all appropriate special education and related services in accordance with all applicable state and federal laws. The Charter School will contribute their fair share of SELPA-wide unfunded special education costs from their general purpose block grant monies.

## **5. District Responsibilities Relating to Charter School Special Education Program**

As long as Charter Schools operate as public schools within the District, the District shall provide information to the school regarding District special education

decisions, policies, and procedures to the same extent as they are provided to other schools within the District.

To the extent that the District provides training opportunities and/or information regarding special education to other school site staff, such opportunities and/or information shall be made available to Charter School staff.

### **Modified Consent Decree Requirements**

All Charter Schools chartered by the Los Angeles Unified School District (“LAUSD or the District”) Governing Board 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 eighteen statically 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 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 12<sup>th</sup> Grade Students Enrolled on December 1, due at the end of June every school year.

The District is currently in the process of developing an Integrated Student Information System (“ISIS”) as required by the MCD. Although most charter

schools are not currently utilizing the District's current SIS, the MCD requires all charter schools to implement the use of ISIS once it is developed.

### **Textbooks and Other Resources**

Language Arts:

Nestle Ave. Charter School will provide its students with a rigorous curriculum that assists all students in meeting or exceeding the Common Core State Standards for language arts K-5. We will develop students' reading, writing, listening, and speaking skills to support academics across the curriculum by using the district approved reading program California Treasures, Core Literature, Student Treasures, Walk to Differentiation, incorporate Theater Arts, Accelerated Reader incentive program, projects and book reports, and participate in Read Across America and other motivational programs.

Math: enVision, John Van de Walle ideas and activities, Marilyn Burns ideas and activities, manipulative-based lessons to provide conceptual learning for each topic, all students are registered to use the math website at home

Science: FOSS provides investigation-based science lessons/NASA Explorer School, Rocket Day, Science and Math Night, Science Fair, field trips, Robotics,

Social Studies: Scott Foresman, Gold Rush Day, Colonial Day, field trips, Living Wax Museum, Heritage and Family Trees, Charitable and Community Events: Clothes Corner, Project Goodness,

ELD: Treasures, Imagine Learning Computer Program 30-45 minutes of intensive English Language Development instruction each day, peer assistance, SDAIE

Arts: MUSIC Foundation, Arts Prototype which includes Theater and Dance (Performing Arts), and Visual Arts, Annual school wide winter performances,

Health and Physical Education: 60 minutes of psychomotor each week, 30 minutes with the PE teacher every other week, Health and Wellness by McMillan McGraw Hill, Second Step, Service Projects, Too Good for Drugs, Jump for Heart, Walk-a-thon, Health and Fitness Fair, 5<sup>th</sup> Grade Fitness Gram.

### **How the School Will Recruit Teachers Qualified to Deliver the Proposed Instructional Program**

Teachers will be recruited in accordance with district policy, procedures, and collective bargaining agreements. Teacher staff will be asked to submit an application in accordance with Personnel Commission and district policies.

### **How the School Will Provide On-going Professional Development**

The teachers and the administrators at Nestle Ave. Charter School plan the professional development schedule at the start of each year. It is created according to the identified needs in the instructional program. There are topics covered each month – language arts, mathematics, science, and ELD. Other topics also included are art, depth & complexity, discipline, and special education.

We find presenters for our professional development days in a multitude of ways. There is an extraordinary knowledge and expertise base among our faculty so we regularly allow teachers to share best practices. There may be times when an outside presenter is invited to our school or the faculty may attend a PD at another neighboring school. We also tap into web-based trainings for programs such as Accelerated Reader, EnVision, and Treasures.

Nestle Avenue Charter School makes sure to train its staff in all District initiatives that may include ELD, reading/language arts, RTI, discipline, etc. In such cases, the school sends volunteers for training who come back to the school to train the rest of the faculty/staff.

### **Academic Calendar**

Nestle Avenue Charter School will follow the LAUSD calendar with 180 days of instruction in an academic year. Nestle will file a minimum and shortened day schedule with the local district superintendent on a yearly basis as done by all District schools. The Bell Schedule adheres to LAUSD and California Ed Code minimum number of minutes, as set forth in E.C. 47612.5.

### **Daily Schedule**

#### **Regular Schedule (grades K – 5)**

7:45 AM	Breakfast
8:10	First Bell
8:15 AM	Instructional day begins
10:00 – 10:20	1 <sup>st</sup> Recess
10:15 – 10:35	2 <sup>nd</sup> Recess
11:55 – 12:35	1st Lunch
12:20 – 1:00	2nd Lunch
2:38 PM	Dismissal

#### **Banked Day Schedule (grades K – 5)**

7:45 AM	Breakfast
8:10	First Bell
8:15 AM	Instructional day begins
10:00 – 10:20	1 <sup>st</sup> Recess
10:15 – 10:35	2 <sup>nd</sup> Recess
11:55 – 12:35	1st Lunch
12:20 – 1:00	2nd Lunch
1:38	Dismissal

### **Shortened Day Schedule (grades K – 5)**

7:45 AM	Breakfast
8:10	First Bell
8:15 AM	Instructional day begins
10:00 – 10:20	1 <sup>st</sup> Recess
10:15 – 10:35	2 <sup>nd</sup> Recess
11:55 – 12:35	1st Lunch
12:20 – 1:00	2nd Lunch
2:03 PM	Dismissal

### **Minimum Day Schedule (grades K – 5)**

7:45 AM	Breakfast
8:10	First Bell
8:15 AM	Instructional day begins
10:30 – 11:00	1st Brunch
11:00 – 11:30	2nd Brunch
12:58 PM	Dismissal

## **Element 2: Measurable Student Outcomes**

*“The measurable pupil outcomes identified for use by the charter school. ‘Pupil outcomes,’ for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program.” Ed. Code § 47605 (b)(5)(B)*

### **Accountability to Demonstrating Skills Mastery, Knowledge, and Attitudes Assessments**

Nestle Avenue Charter School will measure students’ mastery of skills including knowledge, application, synthesis, and evaluation of all standards as delineated in California Instructional Frameworks for Language Arts, Math, Science, Social Studies, English Language Development, Art, Health, Technology, and Physical Education. Our school will gradually begin to transition from the existing content standards to the newly adopted Common Core State Standards. (Attachments)

### **STAR – API – AYP**

Nestle will measure student outcomes in the same way other LAUSD and state schools determine growth and achievement. We will participate in the California Department of Education’s Standardized Testing and Reporting (STAR) Program. The STAR Program includes four tests: the California Standards Tests, the California Modified Assessment, the California Alternate Performance Assessment, and the Standards-based Tests in Spanish.

Students in 2<sup>nd</sup> through 5<sup>th</sup> grade take tests in math, reading, writing, and science. Each student takes the test determined by specific needs as

established by the District and the state requirements. Teachers and parents use test results to improve student learning.

The Academic Performance Index (API) is used annually as a means to gauge how well our students are learning the state content standards. Additionally, the state reports the Adequate Yearly Progress (AYP) as mandated by the federal requirements under No Child Left Behind. Nestle will continue to be part of this accountability system.

### **CELDT**

Students identified as English Learners through the home language survey are assessed with the California English Language Development Test annually. Students found to need support in the development of their English language skills, receive ELD instruction for 30-45 minutes a day. They are expected to complete one ELD level or more per year and to reclassify at the end of 5 years or earlier.

Nestle Avenue Charter School will continue to utilize the School Performance Meter and the established school and District goals stated on the performance meter table below.

GOAL 1: 100% GRADUATION	School Baseline				School Annual Targets			LAUSD Annual Targets		
	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2011-12	2012-13	2013-14
A. Four-Year Cohort Graduation Rate								60	63	70
B. Students On-Track for Meeting A-G Requirements								38	50	75
GOAL 2: PROFICIENCY FOR ALL	School Baseline				School Annual Targets			LAUSD Annual Targets		
	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2011-12	2012-13	2013-14
A. English Language Arts, Elementary: Proficient & Advanced	60	70	68	73	76	78	80	60	67	74
C. Mathematics, Elementary: Proficient & Advanced	79	77	78	83	85	87	88	69	75	82
E. 3rd Grade Proficiency Rate in English Language Arts	46	69	60	58	62	66	69	49	55	62
G. Reclassification Rates	45	10	20	33	36	39	42	21	24	27
GOAL 3: 100% ATTENDANCE	School Baseline				School Annual Targets			LAUSD Annual Targets		
	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2011-12	2012-13	2013-14
A. Percentage of students with 96% or higher attendance	66	58	59	64	66	71	76	66	71	76
B. Percentage of staff with 96% or higher attendance	65	73	66	74	79	84	89	69	74	79
GOAL 4: PARENT AND COMMUNITY ENGAGEMENT	School Baseline				School Annual Targets			LAUSD Annual Targets		
	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2011-12	2012-13	2013-14
A. Percentage of parents who talk with the teacher about their child's schoolwork		61	64	66	70	75	80	65	70	75
B. Parent participation on School Experience Surveys		37	31	38	43	48	53	35	40	50
GOAL 5: SCHOOL SAFETY	School Baseline				School Annual Targets			LAUSD Annual Targets		
	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2011-12	2012-13	2013-14
A. Instructional days lost to suspension	1	3	3	9	3	2	1	40,876	38,376	35,876
B. % of students who feel safe on school grounds (agree or strongly agree)		88	93	96	98	99	99	86	88	90

### Periodic Assessments

Nestle Avenue Charter School shall determine the development, implementation or use of periodic assessments according to the needs of its students, within the limits permitted by the Education Code. Nestle Avenue Charter School may choose to use District assessments or design its own and will determine the timing of such assessments and coordinate with the respective Local District.

### Other Assessments

Teachers will continue to use other tools to assess student mastery of the standards. These tools include teacher observation, student journals, work samples, publisher created tests, rubrics, projects, teacher-generated tests, and on-line assessments.

### Nestle Proficiency Outcomes

API	Base	Growth	Points	Met	State Rank	Similar Schools Rank
2010-11	869	886	17	Yes	8	6
2009-10	860	869	9	Yes	8	5
2008-09	860	860	0	Yes	9	8
2007-08	874	862	-12	Yes	9	6
2006-07	859	878	19	Yes	9	5

ELA AYP (Subgroup)	2008-09 % Prof./Adv.	2009-10 % Prof./Adv.	2010/11 % Prof./Adv.
ELs	59.4	62.4	61.4
Socioeconomic Disadvantaged	63.5	58.8	65.2

Nestle Avenue Charter School met AYP on the 2010-11 CST in all areas except English Learners while our Socioeconomic Disadvantaged students made safe harbor. An increase in the new immigrant population in the upper grades accounts for a lower percentage of English Learners who scored proficient/advanced on the ELA section of the STAR assessments. However, we have focused our intervention efforts on targeted assistance for our ELs. In addition, Nestle purchased a computer-based program, Imagine Learning, to supplement the instruction of our English Learners.

Math AYP Subgroup	2008-09 % Prof./Adv.	2009-10 % Prof./Adv.	2010-11 % Prof./Adv.
ELs	70.2	73.0	75.2
Socioeconomic Disadvantaged	68.2	68.7	75.4

3 <sup>rd</sup> Grade CST ELA	2009-10 % Prof./Adv.	2010-11 % Prof./Adv.	Change
	59.6	57.7	-1.9

Reclassification Rate	2008-09	2009-10	2010-11
	10.5	20.1	33.3

ELs Accountabilities	Met	2009-10	2010-11
AMAO 3 Prof. in ELA	No	62.4	61.4

### **Element 3: Method by Which Student Outcomes Will Be Implemented**

*“The method by which pupil progress in meeting those pupil outcomes is to be measured.”  
Ed. Code § 47605 (b)(5)(C)*

Nestle Avenue Charter School will use a variety of assessments to measure student progress. We will use systematic and ongoing diagnostic, formative and summative information gathered from CST scores, periodic assessments, publisher tests, teacher-created tests, performance assessments, teacher observations, rubrics used for writing assignments/assessments & projects, and computer/online assessments.

Teachers use the data from these assessment tools to inform their instruction during meetings before the start of school, on Tuesdays’ banked-time professional development meetings, and during weekly grade-level meetings. All these opportunities to collaborate, allow our teachers to plan instruction, create intervention groups, and target individual students for specific intervention during the time for differentiation.

Teachers and the principal share the established annual goals with parents during Back to School Night, through the monthly newsletter, and through the teachers’ weekly letters to parents.

## Methods for Assessing Attainment of Student Outcomes

Subject	Method	Tools
Language Arts Writing	<ul style="list-style-type: none"> <li>▪ Critique, justify, and theorize in compositions--</li> <li>▪ writing across disciplines</li> <li>▪ Defend, critique and illustrate in oral and written formats</li> <li>▪ Apply vocabulary development in written and oral format</li> <li>▪ Demonstrate critical thinking skills specific to upper Bloom's Taxonomy</li> <li>▪ Inquiry-based research projects aligned to thematic teaching in various disciplines</li> <li>▪ Creative Writing: stories and poetry</li> <li>▪ Thinking like a disciplinarian--emulating masters</li> <li>▪ Select appropriate thinking map for independent writing</li> <li>▪ Use thinking map to create a written product</li> </ul>	<ul style="list-style-type: none"> <li>▪ State mandated tests</li> <li>▪ Periodic Literacy Assessments</li> <li>▪ Teacher-developed assignments, tests, and activities</li> <li>▪ Publisher assessments</li> <li>▪ Journals</li> <li>▪ Digital portfolios</li> <li>▪ Presentations and project exhibits</li> <li>▪ Debate and speech</li> </ul>
Language Arts Reading	<ul style="list-style-type: none"> <li>▪ Synthesize and evaluate thematic literature tied across disciplines</li> <li>▪ Discern relevant information after careful examination and exploration of text</li> <li>▪ Distinguish between fact vs. fiction</li> <li>▪ Understand cause and effect and hypothesize based on altered facts develop critical reading skills</li> <li>▪ Select and evaluate material while participating in a leveled individualized reading program</li> </ul>	<ul style="list-style-type: none"> <li>▪ Literature circles</li> <li>▪ Use of Thinking Maps</li> <li>▪ Think, Pair, Share</li> <li>▪ Unit assessments</li> <li>▪ Periodic Literacy Assessments</li> <li>▪ DIBELS (k-3)</li> </ul>
Math	<ul style="list-style-type: none"> <li>▪ Apply math skills to daily problem-solving situations</li> <li>▪ Recognize relevant information and review process by checking work</li> <li>▪ Discern operations necessary to solve word problems</li> <li>▪ Connect math to other disciplines</li> <li>▪ Understand mathematical "big ideas" and concepts</li> </ul>	<ul style="list-style-type: none"> <li>▪ State mandated tests</li> <li>▪ Periodic Math Assessments</li> <li>▪ Teachers developed assignments, tests, and activities</li> <li>▪ Publishers tests from enVision Math</li> <li>▪ Online math tests</li> <li>▪ Manipulatives</li> <li>▪ Constructed response assessments</li> </ul>
Science	<ul style="list-style-type: none"> <li>▪ Hypothesize and develop experiments utilizing scientific method</li> <li>▪ Use hands-on experiments during science lessons to further research and prove/disprove conjectures</li> <li>▪ Integrate science and writing by using the Kaplan prompts "Think like a Disciplinarian" to theorize and view other subjects such as music, art, and history as a scientist</li> <li>▪ Understand the need for eco-friendly products and life changes to better our</li> </ul>	<ul style="list-style-type: none"> <li>▪ Teachers developed assignments, tests, and activities</li> <li>▪ Field Studies</li> <li>▪ Interactive Units and simulations</li> <li>▪ Digital Portfolios</li> <li>▪ Exhibits and Presentations</li> <li>▪ Garden activities</li> <li>▪</li> </ul>

	local and global community	
History and Social Studies	<ul style="list-style-type: none"> <li>▪ Understanding cause and effect</li> <li>▪ Relating over time</li> <li>▪ Using Kaplan prompts to analyze historical information</li> <li>▪ Analyzing different points of view and ethics</li> <li>▪ Finding parallels and patterns</li> <li>▪ Critical thinking skill</li> <li>▪ Critical reading skills</li> <li>▪ Interpreting information to draw conclusions</li> <li>▪ Using role play, drama and interactive units to gain “first hand” experiences</li> </ul>	<ul style="list-style-type: none"> <li>▪ Teacher-developed assignments, tests, and activities</li> <li>▪ Field studies such as fifth grade overnight to Riley Farms</li> <li>▪ Interactive units and simulations</li> <li>▪ Portfolios</li> <li>▪ Exhibits and presentations</li> <li>▪ Integration of the arts such as musicals</li> </ul>
Technology	<ul style="list-style-type: none"> <li>▪ Use of internet for research</li> <li>▪ Communication/Broadcasting</li> <li>▪ Portfolio creation</li> <li>▪ Use of applications such as word processing, power point presentations, and spreadsheets</li> <li>▪ IMovie and Photoshop</li> </ul>	<ul style="list-style-type: none"> <li>▪ Teacher developed assignments, tests, and activities</li> <li>▪ Digital Portfolios</li> <li>▪ Presentations</li> <li>▪ Inquiry-based projects</li> <li>▪ Presentations and project exhibits</li> </ul>
Physical Education	<ul style="list-style-type: none"> <li>▪ Master the basic motor skills appropriate to each grade level</li> <li>▪ Develop agility and endurance</li> <li>▪ Learn to play basic games</li> <li>▪ Develop good sportsmanship</li> <li>▪ Prepare for the 5<sup>th</sup> grade Fitnessgram</li> </ul>	<ul style="list-style-type: none"> <li>▪ Teacher observation</li> <li>▪ Skills assessments</li> </ul>

### **In-house Benchmark Assessments**

Methods by which student progress is measured include authentic and standardized assessments

- Authentic assessments are ongoing and can better evaluate the child over time and in a variety of settings. Examples of authentic assessments are teacher-developed assignments and activities, homework, anecdotal records, journals, work samples, grade-level and teacher-developed tests, rubrics, criteria charts, short-term/ long-term projects, and learning contracts.
- Standardized Assessments:  
California Standards Test(CST), California English Development Test (CELDT), California Modified Assessment (CMA), California Alternate Performance Assessment (CAPA as stated on the student IEP), Treasures Reading Assessments/Fluency, District Periodic Literacy, Math Assessments, and District Science Assessments for Grades four and five. The district is currently testing all second graders to qualify for gifted identification.

### **Testing**

Nestle Avenue Charter School agrees to comply with and adhere to the State requirements for participation and administration of all state mandated tests. As a District affiliated charter school, Nestle Avenue Charter School will test with

the District and adhere to District testing calendars and procedures for all state mandated assessments.

### **How Data Will be Used**

Nestle Avenue Charter School strongly believes in data-based decision making to meet the needs of all students, to monitor the school's progress and to establish future goals and interventions. Specific examples of this include:

- Data from combined assessments is evaluated continuously by teachers and administration in order to meet each student's educational needs. Data is also used to identify and prioritize professional development priorities as well as to provide topics for discussion during grade level planning.
- District assessment results and authentic assessments are communicated to parents by the teaching staff throughout the school year in a variety of ways such as email communication, weekly progress reports, and online grade books.
- School-wide data is also shared in a public forum at monthly governance meetings, when it's available, in order to discuss upcoming program development and intervention priorities.
- Data regarding our SLL's is shared at ELAC meetings. Data from CELDT is communicated to parents.
- MYDATA may be available to all parents, teachers, and students for immediate access to grades, scores, and attendance. Instantaneous access to this information provides all stakeholders the ability to monitor student performance and academic growth. In addition, intervention can take place in a timely manner. This information will be utilized to assist administration and teachers in critiquing and examining data and to develop an effective professional development program on an ongoing basis.

### **Identification of Grading Policy**

Individual classroom teachers will be primarily accountable for assessing their students' progress with regard to grade-level work and content standards. Student progress toward meeting expected student outcomes is monitored on an ongoing basis at each grade level by assessments aligned to the state's standards. Student progress toward achieving the school's desired grade-level standards will be communicated to parents by providing immediate feedback on class assignments and homework assignments as well as by means of the unsatisfactory progress report and regular conferences with the student's teachers. Proficient levels of the district and state standards are summarized on the progress report that was introduced by the LAUSD in the 1999-2000 school year.

The LAUSD Progress Report uses a 4-point scoring rubric that aligns with classroom teachers' daily work assignments. Students earn a "4" for Advanced; "3" for Proficient; "2" for Partially Proficient; and "1" for Not Proficient Levels.

The academic standards include specific learning topics in the different subject areas for each grade level: language arts is divided into reading, writing, listening, and speaking; mathematics; history and social science; science; health education; physical education; and the arts.

The standards for lifelong learning (i.e., work and study habits) include use of time, independence, organizational skills, and quality and completeness of work. The standards for character development (i.e., learning and social skills) include respect, cooperation, dependability, responsibility, self-control, and fair play.

Progress is reported to the parents three times annually using the LAUSD Progress Report. Teachers hold face to face conferences with parents at least twice a year. Additionally, parent conferences are conducted as needed throughout the year.

### **Element 4: Governance**

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

Nestle Avenue School is an elementary school grades K-5 that proposes to be converted to an Affiliated Charter within the Los Angeles Unified School District and to be known as Nestle Avenue Charter School. As an Affiliated Charter, Nestle Avenue Charter School will continue to follow all established LAUSD policies and guidelines.

Nestle Avenue Charter School is subject to the governance of the LAUSD Board of Education, which has a fiduciary responsibility over Nestle Avenue Charter School. Governance at the school site level shall be in accordance with the provisions of this petition and will be consistent with all applicable state, federal laws and regulations and the provisions of collective bargaining agreements. Any governance model in conflict with the above shall be null and void unless the appropriate parties have agreed to a waiver or exemption. Absent agreed upon waivers between the District and UTLA, Article XXVII of the LAUSD-UTLA CBA must be adhered to, particularly in regards to Local School Leadership Council composition and responsibilities.

In the event that Nestle Avenue Charter School changes from affiliated charter status to independent charter status, Nestle Avenue Charter School and/or its non-profit corporation will be a separate legal entity and will be solely responsible for the debts and obligations of the Charter School. If Nestle Avenue Charter School changes its status to an independent charter school, Nestle Avenue Charter School shall submit a petition for material revision with articles of incorporation and bylaws for District’s approval.

The school site governance structure is the Nestle Avenue Charter School Governance Council where decisions are made that involves various aspects of the school within the authority of the Local District Superintendent and LAUSD Board of Education. The Governance Council's actions and decisions shall be bound by the decisions of the Local District Superintendent, Los Angeles Unified School Board, LAUSD policies and procedures and State laws applicable to charter schools. The District reserves the right to appoint a non-voting single representative to the Charter School governing council.

Nestle Avenue Charter School Governance Council responsibilities include, but are not limited to:

- categorical block grant budget
- curriculum/instruction
- personnel selection pursuant to District policies and procedures
- scheduling of school events
- determination of site level calendar
- implementation of students admissions and/or enrollment policies in accordance with the District policy
- student conduct
- community relations
- categorical block grant management
- school operations

All attempts will be made to gain consensus, the preferred method of decision-making. In the event that consensus cannot be reached, decisions can be reached by a quorum. Any decision made cannot impact LAUSD personnel including; salaries, health benefits and job security. LAUSD personnel issues will be dealt with according to the Collective Bargaining Agreements between LAUSD and the respective bargaining unit.

This Governance Council, also known as our School Site Council, shall consist of 12 members: principal, 5 staff members (including 1 classified representative), teacher union chapter chair, and 5 parent/guardian representatives. Council members are elected for 2 year terms. The District reserves the right to appoint a non-voting single representative to the Charter School governing council. The Nestle Avenue Charter School Governance Council operates under its bylaws and may from time to time revisit the policies and procedures and amend its bylaws accordingly.

Members of the Charter School's governing council, any administrators, managers or employees, and any other committees of the Charter 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. Nestle Avenue Charter School will participate in any and all audits and inspection of records as would any other typical LAUSD elementary school. A vacancy in

any office is filled at the earliest opportunity by a special election of the council, for the remaining portion of the term of office.

The Nestle Avenue Governance Council and committees shall comply with the Brown Act and meet at least 8 times per year. All meetings are open to the public and members of the school community in accordance with the Brown Act. Notifications on Governance Council meetings shall be published on the school website and/or school display cases at least 72 hours in advance. In addition, an agenda for each meeting will be posted online and/or school display cases at least 72 hours prior to the meeting. Furthermore, 24 hours notice must be given in the case of emergency meetings. Each year, the Governance Council will vote for a chairman, secretary, and a parliamentarian. Minutes of each meeting shall be taken and available for review online upon approval. Every person has a right to inspect and copy these public records.

Nestle Avenue Charter School recognizes that the principal is the school leader. In the event that the Governance Council should take a vote of non-confidence in the school principal, LAUSD will work with the Governance Council to change the principal in accordance with the appropriate collective bargaining agreement and District policy.

The work of the Nestle Avenue Charter School Governance Council shall be accomplished through the activities, reports, and recommendations of its various advisory committees. Issues arising before the Governance Council will be referred to the appropriate committee for consideration and its recommendations shall be presented to the Leadership Council for final approval. Each committee shall be chaired by a teacher and a parent representative may serve as an advisor. All committees may have both parent and teacher representation. All committee meeting will be open to the public and meeting notices advertised one week prior. Everyone interested will be encouraged to attend. Involvement in the Governance Council and the various committees will provide for direct parent and teacher involvement regarding the ongoing process of reviewing and revising the school's educational program to meet the unique and changing needs of our students. Any parent of a child enrolled at Nestle can nominate themselves as a candidate to sit on a committee for the at large position then each candidate is invited to speak to the respective committee to present their qualifications before the Council selects one candidate. The Governance Council will then elect the candidate into the position of parent at large through a quorum vote.

Staff members are elected by their peers to sit on committees during a staff meeting. The representatives must be confirmed by the Governance Council with a quorum vote. It is noted that each committee is headed by a teacher that will be selected and ratified by the Governance Council at the first meeting of the new school year. Every teacher will serve on at least one committee or subcommittee. Committees meet at least four times per year, but when

circumstances arise, it is expected that committee members meet to address any pressing need.

The budget plan for the financial operation is consistent with the requirements of any school district budget and is designed to identify the costs associated with the operation of an affiliated charter school serving a population of students kindergarten through fifth grades. Nestle Avenue Charter School will open with grades K-5 and remain at that level in the subsequent years. Nestle Avenue Charter School budget will flow from the LAUSD and be allocated to Nestle. At present time, the District does not provide Nestle with three-year financial projections. The District ensures adequate cash flow for Nestle. Nestle Avenue Charter School will be operated as an affiliated charter with LAUSD. As a District affiliated charter school, Nestle will be afforded resources in the same manner used for all District Schools. Nestle does not invest funds and deposit any received funds through the District process.

Budget decisions will also be made by taking into account the priorities of the school as well as the parent community. Prior to creating budgets for the upcoming fiscal year, a meeting will be held with the Nestle parent community to determine their goals with respect to the school's educational program. The results of this meeting will assist the committee in determining how the budget for the upcoming year might be allocated.

Nestle will participate in any and all audits inspection of records as would any other typical LAUSD elementary school. Nestle will be subject to District oversight and that this oversight shall continue throughout the life of the charter school. Oversight also includes monitoring of the school's progress and attainment of measurable pupil outcomes, as well as adherence with all applicable laws and regulations, court orders, and the terms of the charter, and financial reporting requirements. Nestle will also expect that oversight shall include a review of the school's performance in the areas of academic achievement, governance, organizational management, finance, and the attainment of applicable benchmarks as well as a review of adherence with applicable law, regulations, and the terms of the charter. It is also understood that the District will identify the school's strengths, underdeveloped areas, develop specific goals to facilitate school improvement.

### **LAUSD Charter Policy**

Nestle will comply with the District policy related to charter schools, including the Affiliated Charter Schools bulletin, as it may be changed from time to time. In the event that the charter needs to be amended, the Nestle Avenue Charter School Governance Council will need a resolution raised and a quorum vote for approval of the amendment in order for the amendment to move forward for submission to the Innovation and Charter Division for approval from the LAUSD Board within the legal timeline.

\*Members of the Nestle Avenue Charter School governing council, any administrators, managers or employees, and any other committees of the Charter 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.

### **Grievance Procedure for Parents and Students**

As a District affiliated charter, Nestle Avenue Charter School shall comply with District's Grievance policy and procedure for Parents and Students.

### **Responding to Inquiries**

Nestle Avenue Charter School shall promptly respond to all inquiries, including but not limited to, inquiries regarding financial records. Nestle Avenue Charter School 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 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 Nestle Avenue Charter School.

### **Involvement Policy**

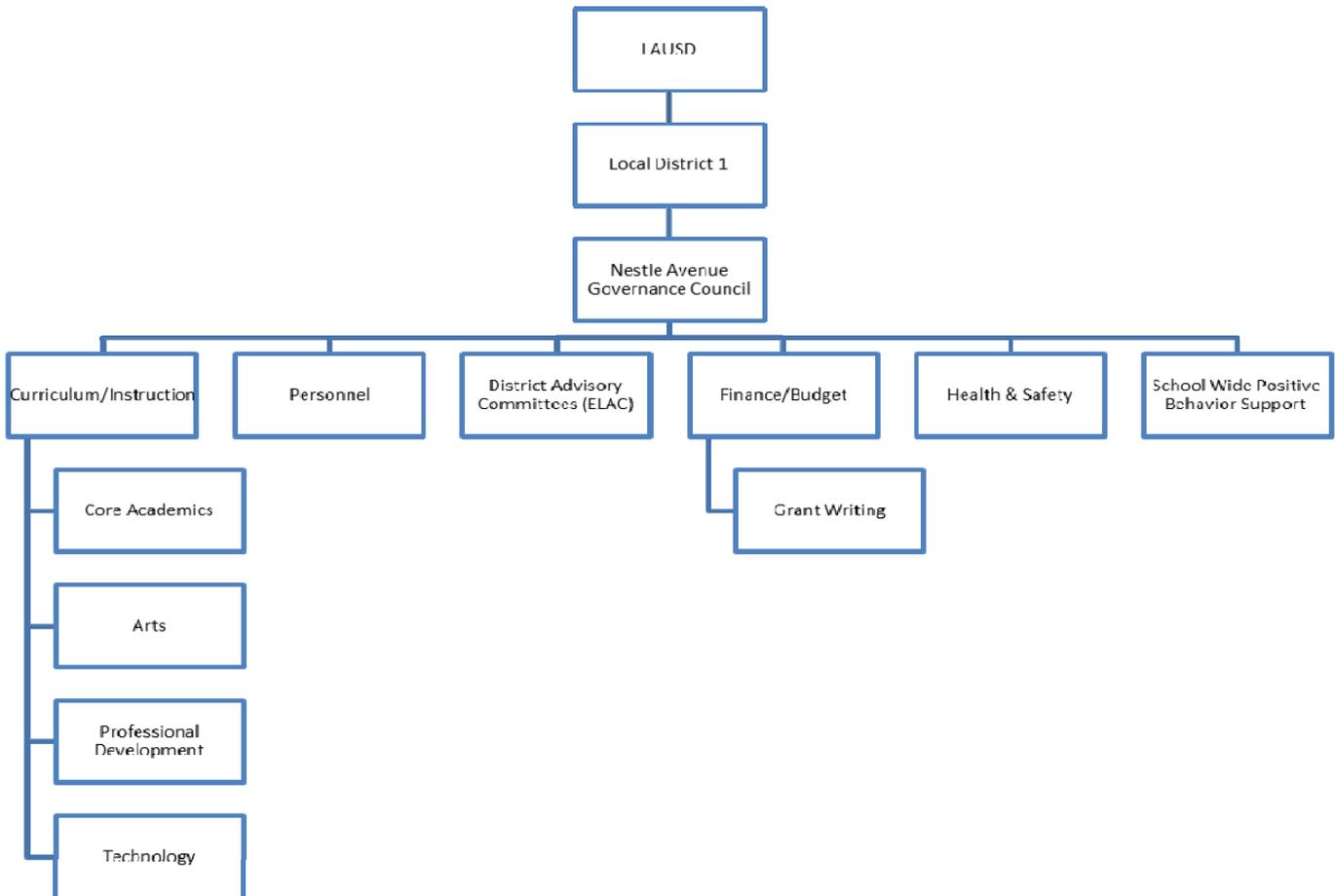
Nestle reaches out to the parents and the community through its Parent Center and its Parent Teacher Association. The parent center director schedules classes no less than 2 times per month geared to educate the parents on ways to support the education of their students. There is a very active PTA that sponsors events such as the Fall Family Fun Fair, Lunch Bunch, Nestle's Talent Show, Fridays' School Spirit Wear Day, Annual Health Fair, School Sparkle Day, and many more events that support the school and encourage parent participation. Additionally, Nestle maintains its community informed through its monthly newsletter, its website, and Blackboard Connect telephone/email messages and monthly ELAC and SSC meetings.

### **Process for Communication with Parents & Teachers about Educational Programs**

Nestle makes sure to keep parents well informed about the academic growth of its students. The principal and teachers conduct an annual Back to School meeting for parents to share API and AYP results. At that meeting, the parents also receive the goals for the current academic year. Teachers send home reports of student progress regularly and meet with the parents to discuss the

progress report of each child. We keep in mind the languages spoken at our school and strive to hire individuals who will support those languages.

## Nestle Avenue Charter School



## **Governance & Advisory Committees for Nestle Avenue Charter School**

### **Nestle Avenue Governance Council**

- 5 Staff members (including 1 classified representative)
- UTLA chapter chair
- 5 parents
- School principal

### **Curriculum & Instruction**

- **Subcommittees**
  - **Arts**
  - **Core Academics**
  - **Professional Development**
  - **Technology**

- 1 Teacher per grade level
- 1 Parent Advisor

### **Personnel**

- Principal or Designee
- 1 Teacher per grade level
- 1 Parent Advisor
- 

### **District Advisory Committee – ELAC**

- Principal
- 3 Teachers
- 1 Staff member
- 5 Parents

### **Finance/Budget**

- Principal
- 1 Teacher per grade level
- 1 Parent advisor

### **Health & Safety**

- 1 Teacher per grade level
- 1 Parent Advisor

### **School Wide Positive Behavior Support**

- 1 Teacher per grade level
- 1 Parent Advisor

## **Element 5: Employee Qualifications**

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

Nestle Avenue Charter School believes that all persons are entitled to equal employment opportunity. Nestle Avenue Charter 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 to the same extent as all LAUSD schools.

### **Personnel**

Nestle Avenue Charter School shall follow all applicable state and federal laws and regulations and collective bargaining agreements. Any conflict with the above shall be null and void unless the appropriate parties have agreed to a waiver or exemption. Absent agreed upon waivers between the District and UTLA, Article XXVII of the LAUSD – UTLA CBA must be adhered to, particularly in regard to Local School Leadership Council composition and responsibilities.

### **Staff Selection**

#### **Certificated Personnel**

Selection of certificated staff will be aligned with current Education Code, District Policy, and collective bargaining agreements. Nestle Avenue Charter School will have the autonomy to interview and select teachers and school-funded support staff from District approved lists of eligible candidates. Available lists will be determined by Human Resources and may be limited to Priority Placement Lists (displaced teachers) and Rehire Lists depending on the current hiring situation in each subject area. While every effort will be made to avoid assigning any certificated employee to any [Charter School] campus, the District retains the right to make such assignments in cases where no other alternative is available (i.e. Reasonable Accommodation).

#### **Classified Personnel**

Selection of classified staff will be in compliance with the current merit system provisions of the Education Code, the Personnel Commission Rules and applicable collective bargaining agreements. Unless valid reemployment lists exist, Nestle Avenue Charter School will have the autonomy, when selecting employees for regular assignment, to select from the top three eligible candidates on current valid eligibility lists promulgated by the Personnel Commission. When valid reemployment lists exist, every effort will be made to avoid assigning classified staff to Nestle Avenue Charter School, however, the Personnel Commission retains the right to make such assignments in cases where no alternative is available (e.g. reductions-in-force or reasonable

accommodations required in compliance with the Americans with Disabilities Act.)

Unless the District has assigned all employees in a classification to a specific basis, Nestle Avenue Charter School will have autonomy in assigning positions to specific working basis.

Nestle Avenue Charter School will follow all district personnel policies and practices. The school retains the right to select and evaluate teaching and administrative staff, including the coordinator, the special education teachers, the resource teacher and the full inclusion specialist.

Nestle Avenue Charter School will abide by district policy, procedures, and collective bargaining agreements for employee selection. The school will make its recommendations to the local district superintendent for administrative candidates and the local district superintendent will make the final decision. All administrative positions at Nestle Avenue Charter School will be filled in accordance to district and personnel commission policies and filled by individuals with the appropriate credentials for such administrative positions. Credentialed administrators will be recommended to the local district superintendent for a final determination.

While Nestle Avenue Charter School recommends employees through an interview process and in accordance to district and personnel commission policies, the district is the employer and all candidates must be processed through the district. As an affiliated charter school, Beckford Charter for Enriched Studies will abide by all present and future employee-related contractual agreements with UTLA, AALA, Local 99 and other collective bargaining units and LAUSD. All employees will be compensated according to district contracts and the respective collective-bargaining agreements. Staff is subject to district decisions regarding reduction in force and layoffs.

We will adhere to all court mandates and state and federal laws including the Rodriguez Consent Decree and OCR guidelines. Each self-contained classroom teacher will have appropriate credentials issued by the State Commission on Teacher Credentialing for his/her teaching assignment. Non-self-contained classroom teachers will have appropriate credentials consistent with state legislation and Title I, No Child Left Behind legislation. The district will monitor all credentials. At the close of each school year, the principal will evaluate the faculty consistent with district policy. Such evaluation will include the areas of professional development, teaching performance, the integration of science, technology and enrichment and student performance as demonstrated by previously discussed district assessment methods.

Nestle Avenue Charter School will continue to recruit qualified bilingual personnel

(teachers, paraprofessionals, office staff, etc.) consistent with district hiring policies and will staff programs, which will attract and serve English Learner students.

### **Staff Selection Process**

Nestle Avenue Charter School will abide by district policy, procedures, and collective bargaining agreements for employee selection. The school will make its recommendation to the local district superintendent who will make the final decision. Staff is subject to district decisions regarding reduction in force, mandated furloughs, layoffs, and any other district personnel decisions regarding salaries, classifications and assignments. The Nestle Avenue Charter School staff will consist of persons who are committed to the Nestle Avenue philosophy.

Selection of Certificated and Classified Personnel (to include teachers, administrators, support personnel, office manager and staff, cafeteria manager and staff) will be conducted as follows:

- The selection process will include the following steps in accordance with district policy and collective bargaining agreements
- Obtain district job description
- Announce opening(s)
- Recruit applicant(s)
- Request an application, resume, references, records of experiences, credentials, licenses, etc.
- Verify previous employment
- Final teacher candidates will be interviewed by the Selection Committee using questions specifically directed to the applicant's understanding. The candidate will present a demonstration lesson from the Curriculum of the Nestle Avenue Charter School, which will incorporate the methods outlined in this Charter. The selection of the top candidate will be recommended.

District will verify:

- Medical clearance: proof of medical exam and TB testing.
- Fingerprinting. Applicant will submit prints that will be forwarded to appropriate agencies for
- Criminal record check prior to employment in a manner consistent with applicable state law.
- Check for employment eligibility, including authorization to work in the United States and
- require child-abuse sign-off.

### **Selection of Teacher(s)**

Teaching staff members will be selected as follows:

With regard to selection, the Beckford Charter for Enriched Studies will adhere to all court mandates and state and federal laws including the Rodriguez Consent Decree and Office of Civil Rights guidelines. Credentialed teachers interested in filling a position will be asked to submit a resume plus three letters of

recommendation from former employers or other references. An applicant who is being considered for selection will be interviewed by the Governance Council. Members of the council will prepare questions specifically directed to the applicant's understanding of the practices indicated in the teacher criteria (see "Selection of Certificated and Classified Personnel" above). Final candidates will be asked to present a demonstration lesson at a particular grade level while being observed by members of the committee. When an applicant is selected, he or she must be processed through the district.

### **Selection of Administrator(s)**

In addition to the above procedures, prospective administrators will be interviewed by faculty and parent representatives and will be recommended for approval based upon a two-thirds majority vote at a governance committee meeting. The district board and the designated representatives of the Nestle Avenue Charter School will select the administrator(s) from the list of candidates recommended by the Governance Council. The principal will be responsible to the LAUSD Local District 1 Superintendent and the Nestle Avenue Charter School Governance Council.

### **Selection of Paraprofessionals**

Paraprofessionals will be required to pass a basic skills/competency test. The teacher of the class that has the opening and the administrator will do interview and selection. Paraprofessionals hired after January 8, 2002, who work in a program supported with funds under NCLBA, will meet the following qualifications:

- Will have completed at least two years of study at an institution of higher education;
- Will have obtained an associate's (or higher) degree; or
- Will meet a rigorous standard of quality and can demonstrate through a formal state or local academic assessment in knowledge of, and the ability to assist in instructing, reading readiness, writing, writing readiness, mathematics, and mathematics readiness. The exceptions for paraprofessionals are for those who act as translators or whose duties consist solely of conducting parental involvement activities.

### **Selection of Day-to-Day Substitutes**

Nestle Avenue Charter School will establish and maintain a list of qualified district approved substitutes who will be contacted as needed. All substitute teachers will be credentialed teachers.

### **Description of Duties**

#### **Teachers**

- Provide a quality, enriched, and integrated curriculum.
- Provide continual assessment of student progress and maintain records.
- Continually evaluate classroom performance to meet the changing needs of students.

- Provide an effective room environment that reflects and facilitates the academic program.
- Provide peer assistance to fellow teachers.
- Continue to work on professional growth.
- Actively strive for continuous and open communication with parents.
- Regular, punctual attendance.
- Professionally attired.

### **Administrator(s)**

- Ensure effective collaboration with the Nestle Avenue Charter School Governance Council.
- Oversee the business practices of the school.
- Attract new resources to the school.
- Oversee the instructional program.
- Provide opportunities for professional growth.
- Facilitate communication among staff, parents and community.
- Assist with student discipline.
- Assist with scheduling when necessary.
- Regular, punctual attendance.
- Professionally attired.

### **Principal Essential Functions**

- Provides assistance, guidance, and supervision in instructional practices and curriculum.
- Provides assistance, guidance, and supervision in instructional practices and curriculum development specific to the language, social, and academic needs of the student population, including bilingual, Special Education, and Gifted and Talented students.
- Provides leadership for and facilitates collaboration with all stakeholders on the writing of the school plans, self-study, and program quality reviews and on identifying goals for student achievement and standards for assessing the outcome of these goals.
- Prepares school budgets and is responsible for and monitors the expenditures of all school funds in accordance with federal, state and district guidelines
- Develops the partnership among students, parents, community members, teachers and support staff that will enable the Nestle Avenue Charter School to become a learning community with high expectations and achievement for all students.
- Works enthusiastically with the Nestle Avenue Charter School to develop and operate the school and maintains collaborative relationships with other formal or informal educational institutions.
- Educates all students and demonstrates improved student achievement with standards-based instruction, focused learning opportunities, and appropriate use of all resources.
- Evaluates the performance of certificated and classified personnel assigned to the school site.

- Maintains a school climate that ensures the safety, health and welfare of students and personnel; organizes and implements an emergency operation plan; and complies with mandated child abuse reporting procedures.
- Provides staff development and training for all stakeholders to improve student achievement.
- Will be evaluated by the local district superintendent.
- Establishes and enriches the state standards.

### **Classified and Other Personnel**

- Teacher Assistants will assist with instruction and will assist the teacher with other classroom duties.
- Office personnel will perform daily school business.
- Other personnel will perform duties as described by the administrative team.

### **Plant Manager and Custodians**

The plant manager and all custodians will be employees of the district and will be assigned to Nestle Avenue Charter School. They will perform the maintenance and operations for the school.

### **Parent Volunteers**

The developers of the Nestle Avenue Charter recognize that it will not succeed without relying upon the community and its resources. To achieve its goal of creating a superior learning environment in which students can succeed academically far beyond conventional expectations, there must be an unprecedented level of community ownership of the school: local residents, business people, community leaders and especially parents. They must be deeply involved in setting school policy and supporting school programs. To best meet the needs of the students, families, and community, Nestle Avenue Charter School will continue partnerships with many institutions. The school's primary partnerships are with the local community, the PTA and a number of other community groups and agencies. The strengths and resources of these institutions will greatly enhance the quality and variety of programs at Nestle Avenue Charter School, improving the School's ability to positively impact the students and community now and in the years to come.

### **Accountability**

Good performance will be acknowledged, rewarded, and replicated if possible. Fair and poor performance will be immediately acknowledged and corrected. Performance measures to assist in evaluation follow:

### **Teachers**

- Certificated personnel will continue to be evaluated by the STULL process.
- Student Progress:
  - Annual pre- and post-publisher's tests measuring reading levels will reflect a minimum 1.0 grade level increase for at least 75% of the students.

- District-sponsored test scores will show an average one percentile point increase from the previous year.
- Other measures as developed by the school.
- Completion of required job duties.
- Initial sub-standard STULL evaluation by principal will result in additional support from staff.
- Nestle Avenue Charter School reserves the right to investigate other evaluation practices, which may include, but are not limited to:
  - Establishing goals and objectives for growth through collaboration with the principal.
  - Observation (s) by the principal indicating the progress of goals and implementation of objectives.
  - Post-evaluation conference(s).
  - Partner coaching.
  -

### **Administrator(s)**

- Business practices
- Balanced budget
- New financial resources
- Instructional program
- School achieved educational outcomes (in Elements 2 and 3)
- Parental/community involvement
- Completion of other required job duties
- Will be evaluated yearly by the Governance Council. Commendations as well as recommendations will be given.
- The administrator(s) may be removed after two-thirds majority vote at a Governance
- Council meeting and a majority vote at a LAUSD Board meeting, with both meetings occurring within a period of thirty (30) days.

### **Classified and Other Personnel:**

- Evaluation will be based upon adequate completion of assigned job duties and regular, punctual attendance as determined by the administration.
- These measures will be evaluated annually and upgraded as necessary.

### **Salary Schedule**

Nestle Avenue Charter School will adhere to all collective bargaining agreements signed by LAUSD in establishing staff compensation.

### **Work Basis**

Each staff member will work the number of days designated in his/her specific collective bargaining agreement.

### **Method for Reporting Alleged Improprieties**

Current methods for reporting child abuse, acts of violence, and other improprieties will be followed as

mandated by district guidelines, federal and state law, and local agencies.

### **Due Process**

All staff members will have due process rights, as spelled out in collective bargaining agreements, which include:

- Right to just cause discipline and dismissal.
- Right to mediation and a fair hearing if necessary.
- Right to binding arbitration conducted by a paid arbitrator.

### **Benefits-Mandatory Benefits for all Staff Members**

Nestle Avenue Charter School will provide the following benefits as applicable through Los Angeles Unified School District:

- Workers Compensation.
- Unemployment Insurance Medicare.
- Social Security (for non-STRS/PERS members) or other appropriate retirement plan mutually negotiated by employee and employer, as allowed by state and federal law.

### **Professional Development**

In addition to any District-mandated professional development, Nestle Avenue Charter School shall have full autonomy in the selection of professional development programs for their employees to meet their site-specific needs. Any professional development required by the District for newly-adopted curriculum selected by Nestle Avenue Charter School will, in turn, be funded by the District consistent with its practice for other District schools.

## **Element 6: Health & Safety**

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

As an affiliated charter school, Nestle Avenue Charter School will comply with all LAUSD policies and practices to guarantee the health and safety of pupils and staff, including but not limited to, criminal background checks, examination of faculty and staff for tuberculosis, immunization of pupils as a condition of attendance, screening of pupils’ vision and hearing and screening of pupils for scoliosis.

Nestle Avenue Charter School will comply with all regulations as required by the federal, state, county, and city laws, such as fire and safety codes. In the event that Nestle Avenue Charter School changes its status to independent charter school during the term of this Charter, Nestle Avenue Charter School shall submit a petition for material revision for District’s approval including provisions

for insurance and indemnification for independent charter schools pursuant to District requirements.

### **Insurance**

Coverage shall be provided to the affiliated Nestle Avenue Charter School by the District under any of the District's self-insured programs or commercial insurance policies. The District shall secure and maintain insurance, to protect Nestle Avenue Charter School from claims which may arise from its operations, as provided to all other schools in the Los Angeles Unified School District.

It shall be the District's responsibility, to monitor the Charter School vendors, contractors, partners or sponsors for compliance with District insurance requirements for third parties. Charter School shall adhere to current District Procurement Manual policies and procedures prior to accepting any services from vendors, partners or sponsors.

As an affiliated charter school, [Charter School] will adhere to District's Health, Safety and Emergency Plans. Nestle Avenue 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 in line with District's procedures.

Nestle Avenue Charter School, its employees and officers will comply with the Family Educational Rights and Privacy Act (FERPA) at all times.

## **Element 7: Means to Achieve Racial Balance**

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

### **Court-ordered Integration**

Nestle Avenue Charter School shall comply with all requirements of the Crawford v. Board of Education, City of Los Angeles court order and the LAUSD Integration Policy adopted and maintained pursuant to the Crawford court order, by the Office of Student Integration Services (collectively the "Court-ordered Integration Program"). The Court-ordered Integration Program applies to all schools within or chartered through LAUSD. The Charter 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 schools goal of 70:30, or 30:70, 60:40 or 40:60 ratio.

Nestle Avenue Charter School shall be responsible for following the requirements of the Crawford desegregation court order, and shall take all reasonable steps to attract and maintain a racially integrated student body. Integration Program resources currently provided to certain affiliated charter schools (Magnet, Permits

with Transportation, Transportation) are subject to change, in whole or in part, for budgetary and other reasons.

## **Element 8: Admission Requirements**

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

### **McKinney-Vento Homeless Assistance Act**

Nestle Avenue Charter 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

## **Element 9: Financial Audits**

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

### **Categorical Funds**

Nestle Avenue Charter School shall have control over the budgeting and expenditure of its categorical block grant funds, including, but not limited to, the right to maintain such funds and/or establish reserves for carry over for future school year expenditures.

As an affiliated charter, Nestle Avenue Charter School shall receive a portion of categorical block grant funding, from the District, as part of the Targeted Instructional Improvement Grant, which is and will be used to support class size reduction for schools identified as Desegregated Receiver and Predominantly Hispanic Black Asian and Other (PHBAO).

Nestle Avenue Charter School must cover the cost of class size reduction commensurate with its Integration Court Order designation (Desegregated Receiver or PHBAO).

Nestle Avenue Charter School will oversee the receipt and management of the categorical block grant and other fund allocations, and shall adhere to generally accepted accounting principles. Nestle Avenue Charter School may also be subject to audits to verify the accuracy of the school’s financial statements and the books and records relating to its expenditures, as well as its attendance records, accounting practices and internal controls.

### **Timing for Distribution of Categorical Block Grant Funds**

Except as provided above, the District will continue to partially front-fund the categorical block grant allocation to Nestle Avenue Charter School. The categorical block grant is subject to adjustment in funding levels and deferrals on

the part of the California Department of Education. Consequently, allocations from the categorical block grant to Nestle Avenue Charter School may also be subject to adjustment in funding levels and deferrals. In addition, Nestle Avenue Charter School may also be subject to District “freezes” in a manner consistent with other District schools.

### **Other Sources of Funds**

The District shall retain general purpose entitlement funds and any other state or federal funding, with the exception of grants separately applied for and received by Nestle Avenue Charter School, to maintain the Charter School in accordance with their annually adopted budget and consistent with staffing norms and support at the District norm levels. Funding from Nestle Avenue Charter School will be used to enable the school to receive norm levels at the PBHAO or desegregated receiver level, as appropriate.

### **Administrative Fees**

The District will retain an administrative fee from the categorical block grant to cover part of oversight costs. This administrative fee is approximately 2 percent of the categorical block grant.

### **Payment for Other Services**

Services for programs funded through the categorical block grant, such as assessments for the GATE program, will be separately charged to the Charter School. In addition, it will be the responsibility of Nestle Avenue Charter School, from site based discretionary resources, to pay for any different or additional level of service above the norm provided to District schools generally. The District shall, upon request, provide a listing of the costs of providing such services.

### **Documentation**

Nestle Avenue Charter School’s financial reports shall remain a part of the District’s single report to the Los Angeles County Office of Education or other regulatory body, as applicable. Nestle Avenue Charter School shall prepare and submit all required financial data and reports for inclusion in the District’s report.

### **Per-Pupil Budgeting**

Where possible, Nestle Avenue Charter School will have the ability to implement the District’s per-pupil budgeting model.

### **\*Audit and Inspection of Records**

Nestle Avenue Charter 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 school financial information,
- The school’s debt structure,
- Governance policies, procedures and history,
- The recording and reporting of attendance data,
- The school’s enrollment process,
- Compliance with safety plans and procedures, and
- Compliance with applicable grant requirements.

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

The Nestle Avenue Charter School will develop and maintain internal fiscal control policies governing all financial activities.

### **Element 10: Student Expulsion**

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

As an affiliated charter school of the Los Angeles Unified School District, Nestle Avenue Charter School will follow all discipline proceedings established by the District. In LAUSD, the Student Discipline and Expulsion Support Unit provides technical assistance to schools considering recommendations for expulsion, ensures that students recommended for expulsion are afforded a fair and impartial hearing and all due process rights, and provides for post-expulsion placement and services as required by law.

Nestle Avenue Charter 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, in accordance with District policies and procedures.

Nestle Avenue Charter School shall utilize alternatives to suspension and expulsion with students who are truant, tardy, or otherwise absent from compulsory school activities.

### **Outcome Data**

Nestle Avenue Charter 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 in accordance with District policies and procedures.

### **Rehabilitation Plans**

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

### **Readmission**

The Nestle Avenue Charter School shall follow District policies and procedures with regard to requests for readmission and the process for the required review of all expelled pupils for readmission. 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. The Charter School is responsible for reinstating the student upon the conclusion of the expulsion period whether the student seeks readmission or not.

### **Special Education Students**

In the case of a student who has an IEP, or a student who has a 504 Plan, the Charter 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 and the Modified Consent Decree. 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 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's failure to implement 504?

### **Gun Free Schools Act**

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

### **Element 11: Retirement Programs**

*“The manner by which staff members of the charter schools will be covered by the State Teachers’ Retirement System, the Public Employees’ Retirement System, or federal social security.” Ed. Code § 47605 (b)(5)(K)*

Employees of the Nestle Avenue Charter School will continue to receive compensation and benefits for their services according to the provisions of their collective bargaining agreements of their respective bargaining units with LAUSD inclusive of, but not limited to, salaries, unemployment benefits, and retirement benefits including organizations such as STRS/PERS, health insurance, life insurance and all other assigned compensation and benefits.

As LAUSD employees, administrators, faculty and staff will receive all appropriate benefits in compliance with state and federal laws regarding employee benefits.

### **Element 12: Attendance Alternatives**

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

Pupils who choose not to attend Nestle Avenue Charter 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.

### **Element 13: Employee Rights**

*“A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.” Ed. Code § 47605 (b)(5)(M)*

As an affiliated charter school, all administrators, faculty and staff of the Nestle Avenue Charter School are LAUSD employees. All employees will be hired by the District and maintain the same relationships in all bargaining units.

### **Element 14: Dispute Resolution**

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

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

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

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

To Charter School:  
c/o School Director

Nestle Avenue Charter School  
c/o School Principal  
5060 Nestle Avenue  
Tarzana, CA 91356

To Director of Charter Schools:

Director of Charter Schools  
Los Angeles Unified School District  
333 South Beaudry Avenue, 25<sup>th</sup> Floor  
Los Angeles, California 90017

- 2) A written response (“Written Response”) shall be tendered to the other party within twenty (20) business days from the date of receipt of the Written Notification. The parties agree to schedule a conference to discuss the Dispute identified in the Written Notice (“Issue Conference”). The Issue Conference shall take place within fifteen (15) business days from the date the Written Response is received by the other party. The Written Response may be tendered by personal delivery, by facsimile, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00p.m., or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail.
- 3) If the Dispute cannot be resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by the Local District.

## **Element 15: Employer Status and Collective Bargaining**

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

The Los Angeles Unified School District is the exclusive public school employer of the employees of the Nestle Avenue Charter School for the purposes of the Educational Employee Relations Act (EERA).

## **Element 16: Procedures to Be Used if the Charter School Closes**

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

Nestle Avenue Charter School will be an affiliated charter school so it will adhere to the LAUSD guidelines and procedure in all aspects of school closure.

### **Revocation**

The district may revoke the charter of Nestle Avenue Charter School if Nestle commits a breach of any terms of its charter. Further, the district may revoke the charter if Nestle 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. Furthermore, the District may revoke the charter of the Nestle Avenue Charter School on any of the following grounds:

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

Prior to revocation, and in accordance with Cal. Ed. Code section 47607(d), the district will notify the Nestle Avenue Charter School in writing of the specific violation and give the Nestle Avenue Charter School a reasonable opportunity to cure the violation, unless the District determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils. Notwithstanding the immediately preceding language, revocation proceedings are not be subject to the dispute resolution clause set forth in this charter.

### **Charter Renewal**

Nestle Avenue Charter School must submit its renewal petition to the district's Innovation and Charter Schools Division no earlier than September of the year before the charter expires.

### **Closure Procedures**

The following are closing procedures that abide by Cal. Educ. Code §47605(b)(5)(P), should the Nestle Avenue Charter School close for any reason. The decision to close Nestle Avenue Charter School either by Nestle Avenue Charter School or by the LAUSD Board will be documented in a Closure Action. The Closure Action will 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 Nestle Avenue Charter School board votes to close the school; or the Charter lapses. In the event of such a Closure Action, the following steps are to be implemented:

- Written notification to parents/guardians/caregivers of the enrolled students of the Nestle Avenue Charter School within 72 hours after the determination of a Closure Action. A sample copy of the language used in the written notification is also to be made to LAUSD within the same time frame.
- The written notification will also include information on assistance in transferring each student to another appropriate school and a process for the transfer of all student records.
- The process for transferring student records to the receiving schools will be in accordance with LAUSD procedures for students moving from one school to another.
- Parents will be provided with student information that includes closure notice, grade reports, discipline records, immunization records, completed coursework, and credits that meet graduation requirements.
- Written notification to LAUSD of the list of returning students and their home schools will be made within 72 hours of the determination of the Closure Action.
- Transfer of student records to the receiving schools will occur within seven calendar days from the determination of an Action to Close.
- Written notification to the California Department of education and the Los Angeles County Office of Education of the Closure action will be made by the Nestle Avenue Charter School by registered mail within 72 hours of the decision to Closure Action.
- The Nestle Avenue Charter School will allow LAUSD access, inspection and copying of all school records, including financial and attendance records, within 24 hours after receiving a written request by LAUSD.

Nestle Avenue Charter School reverts back to a district traditional school in the event of a closure.

Element 16 will survive the revocation, expiration, termination, cancellation of this charter or any other act or event that would end Nestle Avenue Charter School's right to operate as a charter school or cause Nestle Avenue Charter School to cease operation.

Nestle Avenue Charter 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 will suffer irreparable harm should Nestle Avenue Charter School breach any obligation under Element 16. The district, therefore, will have the right to seek equitable relief to enforce any right arising under this Element 16 or any provision of 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 will 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**

- Petitioner: Nestle Avenue Charter School
- Petitioners' Mailing Address: 5060 Nestle Avenue, Tarzana CA 91356
- LAUSD Attendance Area, District 1, Nestle Avenue Charter School
- Proposed charter school location: 5060 Nestle Avenue, Tarzana CA 91356
- Proposed charter school will be located within the boundaries of LAUSD.

In the event that Nestle Avenue Charter School changes its status to an independent charter, it understands that it must adhere to the following district guidelines:

### **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 will 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. The Nestle Avenue Charter School will also comply with the Americans with Disabilities Act (ADA). Applicable codes and ADA requirements will also apply to the construction, reconstruction, alteration of or addition to the proposed charter school facility. The charter school cannot exempt itself from applicable building and zoning codes, ordinances, and ADA requirements.

### **Occupancy of the Site**

The charter petitioner or developer will provide the district with a final Certificate of Occupancy at least 45 days prior to the date the school is scheduled to open, issued by the applicable permitting agency, allowing the petitioner to use and occupy the site. The charter school may not open without a Certificate of Occupancy for the designated use of the facility unless an exception is made by LAUSD's Innovation and Charter Schools Division. If the charter school moves or expands to another facility during the term of this charter, the charter school will provide a Certificate of Occupancy to the district for each facility at least 45 days before the school is scheduled to open or operate in the facility or facilities.

Charter school will not open in any location for which it has failed to provide a Certificate of Occupancy to the district in a timely manner, unless otherwise discussed with and approved by the Innovation and Charter Schools Division. 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](http://www.laschools.org/employee/mo/ipm).

### **Asbestos Management**

The Nestle Avenue Charter School will comply with district guidelines related to 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 will maintain an asbestos management plan.

### **Use of LAUSD-Owned Property Facility**

It is the intent of Nestle Avenue Charter School to utilize an existing district facility currently used by Beckford Avenue Elementary School. During the time of this charter, Nestle Avenue Charter School will abide by and adhere to all LAUSD standards and established policies relating to Maintenance & Operations. As a condition to the approval of the charter petition, if the charter school is using or will use any of LAUSD facilities during the term of this charter petition, Nestle Avenue Charter School will execute an agreement provided by LAUSD for the use of LAUSD facilities: (a) if the charter school is currently using LAUSD facilities, the charter school will execute the agreement provided by LAUSD for the use of LAUSD facilities within sixty (60) days of the approval of this charter petition; or (b) if the charter school requests and will use LAUSD facilities at any time during the term of this charter petition, the charter will execute the agreement provided by LAUSD for the use of LAUSD facilities prior to occupying or using the LAUSD facilities; and (c) if the charter school has the opportunity to continue in occupancy and use without vacating the LAUSD facilities on an annual basis, the charter school agrees it will execute the agreement provided by LAUSD for the use of the LAUSD facilities within sixty (60) days of delivery of the agreement. In the event of any conflict between references in this charter petition to LAUSD facilities and an agreement executed by the charter school and LAUSD for the use of LAUSD facilities by the charter school, the agreement for the use of the LAUSD facilities will supersede.

## **LAUSD Owned Property/Facilities**

*The following are disclosures and conditions that will apply in the event the charter school elects to use district-owned facilities at any time during the term of the proposed charter:*

**Fiscally-Independent Charter Schools using District Facilities:** If district facilities are used during the term of the proposed charter, the Nestle Avenue Charter School will abide by all LAUSD policies including, but not limited to, Maintenance & Operations standards.

**Pro Rata Share:** Fiscally-independent charter schools using district facilities will be charged a prorata share of the facilities costs as permitted by the Charter School Act of 1992. The pro-rata share will cover deferred maintenance work, which will be provided subject to district-wide priorities and the availability of State funding.

**Maintenance & Operations Services:** The Charter will be required to use the following district provided services and reimburse LAUSD accordingly:

- Pest Management: Charters must utilize district pest management services on a fee-for-service basis in accordance with the Board-approved Integrated Pest Management policy.
- In the event the charter school shares district facilities with another user(s), the charter school will pay its proportionate share of the cost of the pest management services.
- Utilities: Charters will be required to reimburse the district for all electricity, gas, water, sewer and related charges.
- Charters will reimburse the district for all regulatory licenses, fees and permits and the cost of any required inspections.

A charter school that is the sole occupants of district facilities may request the following Maintenance & Operations services which are provided and charged on are available to charter schools using district facilities on a fee-for-service basis. In the event the charter school shares district facilities with another user(s), LAUSD will provide the following Maintenance & Operations services and may include the cost

of such services in the facilities cost for the district facilities and the charter school will pay its proportionate share of such costs:

- Routine Maintenance
- Preventive Maintenance
- Building Equipment Operations (e.g., water treatment and air filter changes). Exception: Charters sharing a site with a traditional district school are required to reimburse the LAUSD for services related to maintaining any shared systems (e.g., filter changes for shared air handling systems)
- Alterations and Improvements: All Alterations and Improvements (A&I) on district-owned sites will be approved by LAUSD prior to the start of any planning, design and construction. The charter school will reimburse LAUSD

for all expenses including but not limited to the design, review, construction, and inspection of alterations or improvements. All A&I work will conform to district design guidelines and specifications, Office of Environmental Safety (OEHS) requirements and Division of State Architect (DSA), as appropriate.

- Custodial
- Gardening
- Landscaping
- Tree Trimming
- Gasoline Delivery (secondary sites only)

### **Health & Safety**

The Nestle Avenue Charter 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](http://www.laschools.org/employee/mo/ipm)

Charters using district facilities will need to ensure that the Asbestos Technical Unit prior to occupancy has inspected the facilities. Maintenance and Operations reserves the right to conduct a baseline inspection when facilities are initially provided to the charter school and periodically thereafter to ensure facilities are maintained to district standards. The inspection costs will be covered under the supervisory oversight fee.

### **Affiliated Charter Schools using District Facilities**

LAUSD will provide Maintenance and Operations services to affiliated charter schools at a level comparable to other LAUSD schools.

### **Use Agreement**

Fiscally independent charter schools using district facilities (occupying the entire site or sharing the site with other user(s)) will be required to enter into a written agreement setting forth the terms, conditions and covenants for the charter school's use of the district facilities prior to occupancy. Further, if LAUSD provides furnishings, equipment and/or other technology, Charter school will enter into a written agreement containing the terms and conditions of its use prior to occupancy.