

APPLE VALLEY UNIFIED SCHOOL DISTRICT

ACADEMY FOR ACADEMIC EXCELLENCE

CHARTER

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Submitted by the
High Desert “Partnership in Academic Excellence” Foundation, Inc.

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ELEMENT ONE (1): Educational Program

The mission of the Academy for Academic Excellence (AAE) is to research, develop and implement innovative educational programs based on applied science to maximize each student's potential to become honorable, courageous, generous citizens and highly effective learners. Students graduating from the AAE will be effective communicators, have the ability to analyze and use critical thinking skills, and be responsible citizens in the school and community. The AAE maintains high academic and behavioral standards, and stresses both academic skills and a broad understanding of content knowledge. A cornerstone of the AAE philosophy is maintaining and deepening a connectedness between parents, students, and the school.

Standards Based Content

The content of the K-12 curriculum is aligned with the current California Content Standards, and when applicable, with national content standards. The AAE offers a full range of courses including: Language Arts, Mathematics, History/Social Studies, Science, Visual and Performing Arts, and Physical Education/Health. Courses stress the application of content knowledge to solve real-life problems. This is accomplished by:

- Focusing on essential skills of reading, written and oral communications, mathematics, science, and history.
- Emphasizing experiential learning by providing hands-on projects in core subjects
- A focus on information literacy, giving students the tools necessary to access relevant information and applying it to specific situations.
- Providing access to state of the art technology through community partners such as NASA/JPL, AQMD, Mojave Water Agency, and Department of Defense.
- Research-based designed strategies that provide students with opportunities to implement projects using advanced technologies such as:
 - Goldstone-Apple Valley Radio Telescope (GAVRT)
 - Computer lab
 - Video Studio

In addition, students participate in internships in the local community, mentoring programs and volunteer activities. A partnership with Victor Valley College allows our students to take classes there while they are enrolled at the AAE. The AAE works with Victor Valley College to provide our students with a variety of advanced classes, delivered in a variety of ways, including concurrent enrollment, supervised distance-learning, and classes otherwise not delivered at the AAE. The AAE articulates with other institutes of higher learning including aligning courses with the University of California "a – g" requirements.

Instructional Settings

Instructional activities take place in a variety of different settings. The AAE offers a full-time classroom program employing a combination of traditional and block scheduling. Students select from a full menu of courses and all programs meet the minimum instructional minute requirements by California Education Code and charter law, as well as all state requirements for classroom-based charter schools. The AAE will have the ability to add additional minutes to its educational day and/or year and increase graduation requirements when necessary to enhance the educational opportunities for its students. In all programs and by agreement, parents will be active participants in the educational activities of their students. Parents, school, and students are equally accountable for the success of each student in the AAE.

In addition to classroom settings, instructional activities occur in other non-traditional classroom settings. These include the Mission Control Center for the GAVRT program, and outdoors in the rich biome of the Mojave River campus. The AAE's Mojave River campus is situated on 150 acres that include a 133-acre natural riparian environment and a fresh water marsh. The "wildlands" are used as a natural laboratory setting to study ecology, biology, geology, and natural and human history.

The AAE is a member of the National Association of Laboratory Schools, and the educational research laboratory for the Lewis Center for Educational Research and its University Partners. All parents of students in the school will be given information on any and all studies to be carried out at the AAE and must sign a Certification of Acknowledgement of Research Involving Human Subjects form to allow their child to participate. Parents will also be required to fill out a family survey to provide the researchers with critical data for the studies. The surveys will be considered a highly sensitive and confidential document, and will be handled as such. When releasing information from any of the studies, student identification or personal information will not be divulged or released without the expressed written consent of the parent or legal guardian.

ELEMENT TWO (2): Measurable Pupil Outcomes

Expected Schoolwide Learning Results

The Academy for Academic Excellence staff, faculty, parents and students have adopted the following Expected Schoolwide Learning Results:

Academic Achievement

- Use acquired knowledge and skills to connect school to life by being able to prioritize goals, access information, and use time effectively.
- Demonstrate academic excellence by achieving and exceeding California Content Standards.
- Identify academic strengths and career interests.

Analytical Thinking

- Demonstrate problem solving skills and critical thinking.
- Logically evaluate, synthesize, and apply new information.
- Use acquired skills to be a responsible citizen at the school and in the community.

Effective Communication

- Articulate ideas, opinions, and information clearly.
- Use verbal, written, technical, and creative expression.
- Develop individual and collaborative working skills.

WASC Accreditation

These Expected Schoolwide Learning Results (ESLRs) are also part of the self study for accreditation awarded the AAE by the Western Association of Schools and Colleges (WASC), the accrediting body for all California public high schools. The AAE was awarded a six year accreditation with a midterm review expiring on June 30, 2012. In April 2009 the WASC visiting team reaffirmed the accreditation through June 2012.

Students at the Academy for Academic Excellence will demonstrate the following skills upon graduation:

Core Academic Standards

Appropriate age or grade-level mastery of:

- **History/Social Studies:** Students will understand and apply civic, historical, and geographical knowledge in order to serve as responsible citizens in today’s world of diverse cultures.
- **Mathematics:** Students will demonstrate logical reasoning, understand and apply mathematical processes and concepts, including those within arithmetic, algebra, geometry, and other mathematical subjects deemed appropriate by school staff and administration.
- **Language Arts:** Students will demonstrate strong reading, writing, listening, speaking, and presentation skills, using multiple forms of expression (written, oral, multimedia), with skills appropriate to the setting and audience. They will comprehend and critically interpret multiple forms of expression, including literature from various time periods and cultures.
- **Science:** Students will successfully utilize scientific research and inquiry methods to understand and apply the major concepts underlying various branches of science, including physics, biology, ecology, astronomy, and earth sciences.
- **Second language:** Students will move toward proficiency in speaking, reading, writing, and listening comprehension in at least one language in addition to their native tongue. Students will also understand aspects of the culture, both past and present, of the second language.
or Visual/Performing Arts: Students will demonstrate a better understanding of creative expression through participation in various forms of the arts, e.g., music, visual/studio arts, drama, dance.
- **Health/P.E.:** Students will gain knowledge of pertinent issues relating to health and the development of physical fitness.

Mastery of Core Academic Standards will be demonstrated with a variety of assessment methods including:

- California STAR scores (or other standardized tests adopted by the State)
- Passing scores on the California High School Exit Exam
- Standards based benchmark assessments
- Teacher developed assessments

Life-Long Learning Skills

Students will develop skills that will enable them to pursue their own path of learning throughout their adult lives, including:

- **Study skills/habits:** Students will develop the ability to plan, initiate, and complete a project, and then reflect on and evaluate their own learning.

Social/Interpersonal Skills:

Students will demonstrate:

- Ability to collaborate and work effectively with others in cooperative groups.

Life Skills:

Students will demonstrate the skills necessary for a healthy adult life including:

- Financial management skills (budget development, balancing a check book, etc.)
- Job readiness and career development skills (developing a resume, job internship skills, etc.)
- Higher education continuance skills (college applications, financial aid forms, etc.)

Student outcomes are further divided into grade level skills and focus standards. These specific grade level skills and standards are based on the California Content Standards, and when applicable, national standards. Students wishing to enroll in a public university in California will have the opportunity to pursue a course of study at the AAE that meets the “a-g” requirements for the University of California campuses. In addition to attaining specific content area and grade/skill-level standards, students will also demonstrate their overall progress toward graduation readiness through a series of benchmark performances each year. The AAE will also administer the California High School Exit Exam and the STAR (or other state mandated) test in accordance with state law.

In order to best serve our students and community, the AAE will continue to examine and refine its list of student outcomes to reflect the Academy’s mission and changes in California Content Standards.

Graduation Requirements:

Courses offered in the AAE high school program will meet or exceed the California State High School Graduation requirements and are listed in a Course Catalog. The methods and procedures for notifying parents of credit transfer to other schools will be published annually in the Parent/Student Handbook. The handbook is also provided as part of the registration process.

Students must pass both the Mathematics and Language Arts portions of the California High School Exit Exam (CAHSEE) to receive a diploma from the AAE. The AAE will follow state law in regards to students with disabilities and the requirement for the CAHSEE.

ELEMENT THREE (3): Methods to Assess Progress Toward Meeting Outcomes

An Assessment and Accountability Plan has been developed by the Academy for Academic Excellence. Students at the AAE will be assessed in each core academic skill area (mathematics, literacy, writing, history, science, and technology) by a combination of ongoing multiple methods of assessment that are aligned to the State of California Content Standards. These assessment methods include the

- California STAR test (or other State adopted test)
- California High School Exit Exam
- Standards Based Benchmark Assessments
- Teacher developed assessments
- Technological assessments such as Accelerated Reader and Accelerated Math programs
- LCER research related assessments

AAE students will demonstrate academic mastery in all of the core academic areas. For non-Special Needs and non-Limited English Proficient (LEP) students, mastery is defined as:

- Performance at proficient or higher on standardized norm-referenced tests, including the STAR (or other State adopted) test
- Or a score of 70% or better on standards-based assessments (Standards-Based Benchmark Assessment, Teacher developed assessments)
- Students must pass both the Mathematics and Language Arts portions of the California High School Exit Exam to receive a diploma from the AAE The AAE will follow state law in regards to students with disabilities and the requirement for the CAHSEE.

Mastery for Special Needs and LEP students will be defined appropriately based on their Individualized Educational Plans and/or English proficiency levels. Instruction will focus on closing the achievement gap. Alternative assessments and accommodations noted in the IEP will be used to determine mastery.

Exit Outcome	Curriculum	Assessment
Mastery of core academic skills California State content standards	<ul style="list-style-type: none"> • AAE coursework in core academic areas of mathematics, science, history, language arts • Cooperative group work • College classes 	<ul style="list-style-type: none"> • STAR test • California High School Exit Exam • Standards-Based Benchmark Assessments • On-going teacher assessments • Accelerated Math • Accelerated Reader
Social skills (citizenship, leadership, character)	<ul style="list-style-type: none"> • AAE coursework • Cooperative group work • ASB • Ambassadors 	<ul style="list-style-type: none"> • Leadership class project • On-going teacher assessments
School to work transition	<ul style="list-style-type: none"> • AAE coursework (Career Planning, Career Exploration) • K-16 Bridge – My Mentor 	<ul style="list-style-type: none"> • K-16 Bridge – Eureka Assessments • On-going teacher assessments

The Assessment and Accountability plan in place at the AAE will ensure all students perform at mastery level using a variety of multiple methods of assessment.

ELEMENT FOUR (4): Governance Structure of the AAE

Background

The High Desert “Partnership in Academic Excellence” Foundation, Inc was established in 1992 to bring community leaders into the educational process and to oversee the Apple Valley Science and Technology Center, an educational facility built primarily through community donations and located on a campus of

Apple Valley Unified School District. In July of 1997, the Academy for Academic Excellence charter was granted by the Apple Valley Unified School District and approved by the California State Board of Education. In April 1998, the Apple Valley Science and Technology Center was renamed the Lewis Center for Educational Research (LCER).

Governance

The AAE is governed by the Board of Directors of The High Desert “Partnership in Academic Excellence” Foundation, Inc., a California (“nonprofit”) Public Benefit Corporation pursuant to California law and doing business as the Lewis Center for Educational Research. The corporate Board of Directors will appoint no less than 5 members to a School Board Committee that will act in the capacity of a school board for the AAE, all of whom shall also be members of the corporate Board of Directors. At least one must be a parent of a child currently or previously enrolled in the AAE, and one will be a representative of the Apple Valley Unified School District and shall be recommended by District Superintendent and approved by the AVUSD Board of Trustees. The school is governed pursuant to the bylaws adopted by the incorporators, as subsequently amended pursuant to the amendment process specified in the bylaws. The AAE School Board Committee will meet monthly or as otherwise specified by its members.

The corporate board’s major roles and responsibilities as pertaining to the AAE will include establishing and approving all major educational and operational policies, approving all contracts issued by the Foundation or any of its agents or loans made to the Foundation or any of its agents and which obligate the Foundation for more than \$10,000. The governing board’s roles will also include approving the school’s annual budget and overseeing the school’s fiscal affairs, selecting an independent auditor annually, and selecting and evaluating the President and CEO of the Lewis Center for Educational Research. The President and CEO will evaluate and review the work of the school principal and administrators of the AAE.

Corporate Board Composition

The corporate board is comprised of not less than five (5) nor more than seventeen (17) members unless changed by an amendment to the Bylaws, Members of the Board will represent the community in which the Foundation and its businesses operate and be people of high moral character and integrity. Members are nominated by other Directors or by the President/CEO of the Lewis Center for Educational Research and approved by a majority vote of the Board. Members will serve terms of three years, which terms may be renewed by vote of the Directors at an annual meeting. The members of the Board may not be employed or compensated by the AAE or Lewis Center for Educational Research other than normal reimbursement for meals or lodging associated with a scheduled meeting of the Board away from the principle offices. The school and the LCER maintain in effect general liability and board errors and omissions insurance policies.

Parents Role in Governance

Parents are an important component of the school governance process. Administration actively works at gathering parental input from a variety of means and will continue to look for ways to make this process more efficient. Parents also have access to the Board to address concerns publicly at each Board meeting.

Parents of AAE students are required to complete a family survey to provide the LCER with research demographics and attitudinal measures, including satisfaction levels with all aspects of the AAE and its programs. AAE administrators use these data as important input in the ongoing operational and policy-making activities of the school administration and the Board. All parents are encouraged to attend periodic all-school meetings, and have access to appropriate representatives of the school to assure successful communication among parents, students and the school. Parents and students are also

provided with a handbook, which establishes procedures and guidelines for the means and methods of engagement among staff, parents and students in the school and which must be read and acknowledged by both parent and student.

Non-Sectarian Education

The AAE is non-sectarian in its programs, admissions policies, employment practices, and all other operations. The AAE is a public school and does not charge tuition. The AAE does not discriminate on the basis of race, ethnicity, national origin, gender, or disability in the admission of students or in its employment practices.

Special Education

The AAE charter school, for purposes of providing special education services, is an independent local education agency (LEA). By working closely and in conjunction with the Desert/Mountain Special Education Local Plan Area (SELPA) and with its chartering agency, the Apple Valley Unified School District, the AAE ensures that all students with exceptional needs who attend the school are provided a free and appropriate education according to applicable law. The AAE will provide education programs designed to remediate deficits in reading, language arts, and math in order to pass the High School Exit Exam. Students with disabilities who cannot be served appropriately at the AAE will be referred to the Desert Mountain SELPA for appropriate placement.

Use of Facilities

The Lewis Center for Educational Research will be granted the exclusive use of the property and facility currently occupied by the AAE at 20702 Thunderbird Road, Apple Valley, California, as provided in a Memorandum of Understanding between the District and the School.

District Policies

It is the goal of the school to conform to all adopted District policies except those that may negatively affect or interfere with the innovative methods and processes of the school as allowed by Charter Law and as may be defined by the terms of this Charter. The Foundation Board will affirmatively adopt existing District policies upon its sole determination that the policies are appropriate to and consistent with goals, methods and procedures of the school. Except as noted, in the absence of Foundation-adopted policies, the School will rely on District policies.

Other Agreements

The Foundation and the District will establish additional agreements (Memoranda of Understanding) that are of mutual benefit to, including but not limited to use of facilities, field trips, astronomy and aeronautics programs, evening and non-school hour events, teacher training, and other programs.

The Foundation Board and the Board of Trustees of the Apple Valley Unified School District will meet as needed to review all individually negotiated agreements including facilities, operational, educational and other agreements that have been accomplished additionally to the charter and any existing Memoranda of Understanding. The evaluation and recommendations pertaining to those agreements will be forwarded to both the Foundation Board and the AVUSD Board of Trustees for review.

Both boards must approve changes to the agreements. Where either organization is found to be out of compliance with any agreement or where new laws or policies preclude or substantially limit the ability of either party to be compliant, a reasonable amount of time as agreed upon by both parties will be granted for the non-compliant party to become compliant. In the event that new laws provide a specific time allocation for compliance, both the District and the Foundation will work together to ensure that both parties are compliant within the timeframe. If it is appropriate to seek a waiver of compliance requirements, both parties will cooperate in the application and waiver approval process.

ELEMENT FIVE (5): Employee Qualifications

The Academy for Academic Excellence will retain or employ certificated teaching staff who hold appropriate California teaching certificates, permits, or other documents issued by the Commission on Teacher Credentialing or equivalent body. These teachers will be certified as Highly Qualified teachers in accordance with No Child Left Behind (NCLB) requirements. These teachers will teach the core academic classes, as defined under NCLB, of English, Reading/Language Arts, Mathematics, Science, Foreign Languages, Economics, Arts, History, and Geography. These teachers will be responsible for overseeing the student's academic progress and for monitoring grading and matriculation decisions as specified in the school's operational policies.

The AAE may also employ or retain non-certificated instructional support staff in non-core or non-college preparatory courses, as defined by NCLB and as provided for in Charter School law. Non-certificated instructors will possess subject matter expertise, professional experience and the demonstrated capacity to work successfully in an instructional support capacity.

ELEMENT SIX (6): Health and Safety Procedures

The Academy for Academic Excellence will adopt and implement a comprehensive set of health, safety, and risk management policies. These policies will be developed in consultation with the school's insurance carriers and at a minimum will address the following:

- A requirement that all enrolling students and staff provide records documenting immunizations to the extent required for enrollment in non-charter schools.
- Policies and procedures for response to natural disasters and emergencies, including fires and earthquakes.
- Policies relating to preventing contact with blood-borne pathogens.
- A policy requiring that a number of designated classified, instructional and administrative staff receives training in emergency response, including appropriate "first responder" training or its equivalent.
- Policies relating to the administration of prescription drugs and other medicines.
- A policy that the school will be housed in facilities that have received state Fire Marshal approval and that have been evaluated by a qualified structural engineer who has determined that the facilities present no substantial seismic safety hazard.
- A policy establishing that the school functions as a drug, alcohol, and tobacco free workplace.
- A requirement that each employee of the school submit to a criminal background check and furnish a criminal record summary as required by Education Code Section 44237.

The AAE will adopt and publish a comprehensive safety plan that conforms to District safety policies and practices to assure the safety of our students, staff, faculty and visitors. Additionally, the AAE and District may enter into separate agreements pertaining to shared services and mutual aid plans for the health and safety of District and AAE students and staff.

These policies and plans will be incorporated as appropriate into the school's student and staff handbooks and will be reviewed on an ongoing basis in the school's staff development efforts and governing board policies.

ELEMENT SEVEN (7): Means To Achieve Racial and Ethnic Balance

The Academy for Academic Excellence seeks to achieve a racial and ethnic balance reflective of the Apple Valley Unified School District by working with various groups in the community to educate parents about the waiting list and lottery process. The AAE does not discriminate in any way in its recruitment or admissions policies against persons of any race, creed, color, national origin, or for any other reason. As a public school and in accordance with charter law, the AAE admits students based on the capacity of the school. Enrollment at the AAE is optional for all students and no student can be compelled to attend the AAE by any other school authority or entity.

The AAE will provide information about the school and its programs to the widest possible audience whenever there is new capacity for admission. Families and community groups are encouraged to visit the AAE campuses and tour our facilities. Applications and informational materials are available in English and Spanish as requested.

ELEMENT EIGHT (8): Admission Policies

The AAE will determine at its sole discretion, the number of students admitted to any grade level and during which time periods. The AAE reserves the right to refuse admissions whenever it determines there is no capacity in any grade level. The AAE may admit students in some grade levels and not in others, at its sole discretion. The AAE will cap its enrollment at approximately 100 students per grade level, or approximately 1,300 students total. There are some considerations that may cause the total to fluctuate, such as special education students in SDC classes or the SELPA's desire for us to partner with them on special programs.

Definitions

The AAE will admit students into its full-time program as space allows.

- The AAE requires all parents who desire admission to the AAE to complete an application. Applications and informational material will be available in English and Spanish as requested. Only completed applications will be considered.
- The AAE will accept applications throughout the year, however admission periods for any semester will be determined by the AAE, and a cut-off date for new applicants will be announced in informational meetings and application materials.
- When applications have been received and processed, the following admission priorities will be applied:
 1. Siblings of current AAE students, space permitting by class.
 2. Children of LCER salaried-regular full time employees, children of LCER salaried-regular part time employees (employed in the aforementioned position for a minimum of two consecutive years), and coaches (with a minimum of two consecutive coaching seasons), space permitting by class.
 3. Students residing within the boundaries of Apple Valley Unified School District, space permitting by class.
 4. All other students from San Bernardino and contiguous counties only, space permitting by class.
 5. Whenever the number of applicants in any of the priority groups exceeds the classroom capacity, they will be admitted by public random drawing as required by state and federal law, and under the observation of a qualified independent observer.

The School will maintain and promptly report to the District enrollment figures representing students previously enrolled in other District schools and seek mutually beneficial outcomes in enrollment impacts, if any.

Admission Process

Applicants will be maintained on a waiting list until the admission period begins. Applicants will be considered according to the priorities described above only, and not by date of application except that applications must be completed by published deadlines for consideration during any semester.

- Once all selections have been processed according to the priority and lottery policies above, parents are required to attend an enrollment confirmation meeting during which important policies and agreements will be discussed.
- To complete admission, parents are required to sign written agreements that they and their students will abide by the rules and policies of the AAE. These policies may include but are not limited to:
 - Compliance with AAE attendance requirements.
 - Compliance with AAE behavior and dress code requirements.
 - Active, actual daily parent support for student work according to the parent agreements and class assignments.

ELEMENT NINE (9): Financial and Program Audit

Each fiscal year, the Academy for Academic Excellence charter school's governing board of directors will establish a committee comprised of the President/CEO, the Chief Academic Officer and at least one supervising member of the governing board. The purpose of the committee is to select an independent auditor and to supervise completion of an annual audit of the school's financial affairs. The audit will verify the accuracy of the school's financial statements, attendance and enrollment accounting practices, and review the school's internal controls. The audit will be conducted in accordance with generally accepted accounting principles applicable to the school. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in any applicable Office of Management and Budget Circulars.

A copy of the auditor's findings will be forwarded to the Superintendent of Apple Valley Unified School District, the Academy for Academic Excellence charter school's charter granting agency. The school's audit committee will review any audit exceptions or deficiencies and report to the school's board of directors with recommendations on how to resolve them. The board will report to the charter-granting agency regarding how the exceptions and deficiencies will be referred to the dispute resolution process contained in Element Fourteen (14). The final unaudited actual report for the full prior year will be submitted to the Superintendent on or before September 1 and the final audited actual report on or before December 15. The school shall also prepare and submit on or before June 15 a preliminary budget and instructional minutes for the upcoming year; on or before December 1, a Board approved interim financial report reflecting changes through October 31; and on or before March 1 a second Board approved interim financial report reflecting changes through January 31. In addition to the required reports, an organization wide report with charter schools broken out will be supplied.

In addition, the AAE will compile and present to the governing board of the charter school and to the Board of Trustees of the Apple Valley Unified School District, the school's charter-granting agency, an annual report containing the following:

- Summary data showing student progress toward the goals and outcomes specified in Element Two (2), derived from assessment instruments and techniques listed in Element Three (3).
- A summary of major decisions and policies established by the school's governing board during the year.
- Data on the level and efficacy of parent involvement in school governance and student educational programs.
- Data on the staff working at the school, including their qualifications for current assignments.
- Information demonstrating that the school implemented the means listed in charter Element Seven (7) to achieve a racial and ethnic representation which reflects the characteristics of the District as a whole.
- An overview of the school's admission practices during the year and data regarding the numbers of students enrolled, the number of students on waiting lists, and the numbers of students expelled and/or suspended.

The charter school and granting agency will jointly develop the content, evaluation criteria, timelines, and process for the annual performance reports.

The school and the charter-granting agency will also jointly develop an annual site visitation process and protocol to enable the grantor to gather information needed to confirm the schools' performance and compliance with the terms of the charter, and consistent with the terms of site visits described in Element Fourteen (14).

ELEMENT TEN (10): Pupil Suspension and Expulsion

The Academy for Academic Excellence has developed and maintains a current and comprehensive set of student expectations and discipline policies. Together, students, parents, and staff of the AAE will exemplify the highest standards of behavior and work ethics to ensure continued excellence. The student expectations and policies are clearly delineated in the AAE Parent/Student Handbook. These expectations and policies address dress code, attendance patterns, respect for school authority, substance abuse, school violence, safety, work habits, and respectful interactions with others. Every student and his/her parent or guardian is required to sign and return an Acknowledgement Form at the beginning of each academic year establishing that they have read and understand the expectations and policies.

Any student who is in repeated violation of the AAE's academic and/or behavioral expectations and policies will be required to attend a meeting with the AAE principal (or designee), AAE staff, and the student's parent or guardian. During the meeting the AAE will develop a written remediation plan outlining future student conduct, timelines, and consequences for failing to meet the agreement that may include expulsion. The principal, or designee, may, pursuant to California Education Code and the AAE adopted policies, discipline, and ultimately suspend or expel students who fail to comply with the terms of the remediation plan.

Students who present an immediate threat to health and safety may also be immediately suspended, later expelled, by the Foundation Board upon recommendation of an Expulsion Review Panel. The Apple Valley Unified School District and the AAE may, upon mutual agreement, share resources regarding Expulsion Review Panels. The AAE policies provide all students with an opportunity to due process and the AAE will follow all applicable state and federal law regarding students with exceptional needs.

ELEMENT ELEVEN (11): Retirement System

Full time staff at the Academy for Academic Excellence will participate in the State Teachers Retirement System (STRS) and/or the Public Employees Retirement System (PERS). Members of STRS do not participate in federal social security programs. Members of PERS do contribute to federal social security programs. In lieu of social security programs, part-time employees will participate in Accumulation Program for Part time Limited-Service Employees (APPLE).

ELEMENT TWELVE (12): Attendance Alternatives

Students who opt not to attend the charter school may attend other district schools or pursue an inter-district transfer in accordance with existing enrollment and transfer policies of their district or county of residence.

ELEMENT THIRTEEN (13): Employee Rights

Employees of the Academy for Academic Excellence who have left permanent employment status in other schools within the Apple Valley Unified School District may be allowed to return to other schools within the District, only as provided under ED CODE 44931 – The Reemployment of Permanent Employee Rule (“39-month Rule”), should the District, at its sole discretion, decide to reemploy the staff member.

ELEMENT FOURTEEN (14): Disputes, Oversight, Reporting, And Renewal:

The Charter Act was amended in 1996 to require that charter contracts contain a description of the process for resolving disputes between the charter school and the sponsor district. The intent of this dispute resolution process is to (1) resolve disputes within the school pursuant to the school’s policies, (2) minimize the oversight burden on the district, (3) ensure a fair and timely resolution to disputes, and (4) frame a charter oversight and renewal process and timeline so as to avoid disputes regarding oversight and renewal matters.

Public Comments:

The staff and governing board members of the Academy for Academic Excellence and the Apple Valley Unified School District (AVUSD) agree to attempt to resolve all disputes regarding the charter school, the Lewis Center for Educational Research and the Foundation pursuant to the terms of this section. Both shall refrain from public comment regarding any disputes until the matter has progressed through the dispute resolution process.

Disputes Arising from Within the School:

Disputes arising from within the school, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and governing board members of the school, shall be resolved pursuant to the policies and procedures developed by the Lewis Center for Educational Research and the AAE and approved by its governing Board.

The AVUSD shall not intervene in any such internal disputes without the consent of the governing Board or its designee, the President/CEO, and shall refer any complaints or reports regarding such disputes to the President/CEO within a timely manner for resolution pursuant to the Lewis Center for Educational Research’s policies. The AVUSD agrees not to intervene or become involved in the dispute unless the dispute has given the district reasonable cause to believe that a violation of the charter or related laws or

agreements has occurred, or unless the governing board of the Lewis Center/AAE has requested the district to intervene in the dispute.

Disputes between the Foundation Board and Apple Valley Unified School District:

In the event that the Foundation representing the Lewis Center for Educational Research and Academy for Academic Excellence is found to be in dispute with the Apple Valley Unified School District regarding the terms of this charter or any other agreements or issues regarding the school and grantor's relationship, both parties agree to follow the process outlined below.

In the event of a dispute between the Foundation and AVUSD, the staff and governing board members of the Foundation and the District agree to first frame the issue in written format and refer the issue to the Superintendent of the Apple Valley Unified School District and President / CEO of the Lewis Center for Educational Research. In the event that the grantor believes that the dispute relates to an issue that could lead to revocation of the charter, this shall be specifically noted in the written dispute statement.

The President/CEO and the Superintendent shall informally meet and confer in a timely fashion to attempt to resolve the dispute. In the event this informal meeting fails to resolve the dispute, both parties shall identify two governing board members from their respective boards who shall jointly meet with the Superintendent and President/CEO and attempt to resolve the dispute. If this joint meeting fails to resolve the dispute, the Superintendent and President/CEO shall meet to jointly identify a neutral, third party arbitrator. The format of the arbitration session shall be developed jointly by the Superintendent and President/CEO, and shall incorporate informal rules of evidence and procedure unless both parties agree otherwise. The findings or recommendations of the arbitrator shall be non-binding, unless the governing boards of the school and grantor jointly agree to bind themselves.

Oversight, Reporting, Revocation, and Renewal:

The Apple Valley Unified School District may inspect or observe any part of the Academy for Academic Excellence at any time, but shall provide reasonable notice to the principal prior to any observation or inspection. In the event that the Apple Valley Unified School District believes and can show probable cause that notification would substantially compromise the inspection or allow evidence to be hidden, the Superintendent may authorize a non-noticed inspection with a detailed written description of the reasons for the inspection and the specific focus of the inspection.

If the Apple Valley Unified School District Board of Trustees believes it has cause to revoke this charter, the Board of Trustees agrees to notify the Foundation Board in writing, noting the specific reasons for which the charter may be revoked, and grant the AAE reasonable time to respond to the notice and take appropriate corrective action.

The Apple Valley Unified School District agrees to receive and review the annual fiscal and programmatic audit and annual performance report as specified in Element 9. Within 60 days of the receipt of this annual review, the AVUSD must notify the Foundation Board as to whether it considers the school to be making satisfactory progress relative to the goals specified in this charter. This annual notification will include the specific reasons for the AVUSD conclusions. If, in its review of the school's annual report, the AVUSD determines that the school is making satisfactory progress toward its goals, this charter, and any mutually agreeable amendments, is renewed for a term of no less than five years.

ELEMENT FIFTEEN (15): Labor Relations

The Academy for Academic Excellence charter school shall be deemed the exclusive public school employer of the charter school for purposes of the Education Employment Relations Act.

ELEMENT SIXTEEN (16): Term

The term of this Charter shall begin on June 7, 2010 and expire five years thereafter unless renewed according to provisions of ELEMENT FOURTEEN.

ELEMENT SEVENTEEN (17): Severability and Amendments

The terms of this charter contract are severable. In the event that any of the provisions are determined to be unenforceable or invalid for any reason, the remainder of the charter shall remain in effect, unless mutually agreed otherwise by the Apple Valley Unified School District and the governing board of the Academy for Academic Excellence charter school. The district and school agree to meet to discuss and resolve any issues or differences relating to invalidating provisions in a timely, good faith fashion.

Any amendments to this charter shall be made by the mutual agreement of the governing boards of the charter school and the Apple Valley Unified School District.

Either party may propose amendments to the charter by written communication between representatives of the Foundation Board and District Superintendent. Representatives of the School and the District Superintendent will agree to meet to consider amendments to the charter and seek to reach mutual agreement. Amendments must then be presented and adopted by the Foundation Board and the Board of Trustees of the District in open session to become effective.