

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

17500 Mana Road, Apple Valley, CA 92307 (760) 946-5414 (760) 946-9193 fax

Agenda for Special Meeting of the High Desert “Partnership in Academic Excellence” Foundation, Inc. Board of Directors

Meeting at Lewis Center for Educational Research, 17500 Mana Rd., Apple Valley, CA 92307

Additional Locations:

31 Gatewood Springs Dr., The Woodlands, TX 77381

608 Monterey St., Redlands, CA 92373

3179 Via Casita Place, Chico, CA

September 28, 2016 - Public Meeting – 7:00 a.m.

- 1.0 **CALL TO ORDER:** Chairman Bud Biggs
- 2.0 **ROLL CALL:** Chairman Bud Biggs
- 3.0 **PUBLIC COMMENTS:** Members of the general public may address the Board during Public Comments or as items appearing on the agenda are considered. A time limit of three (3) minutes shall be observed. Those wishing to speak are invited to fill out a Request to Speak Card and give it to the Secretary.
- 4.0 **FOUNDATION BOARD CONSENT AGENDA:**
 - .01 Approve June 13, 2016 Regular Meeting Minutes – Pg 1-4
 - .02 Approve June 13, 2016 Special Meeting Minutes – Pg 5
 - .03 Approve Sale/Disposal of IT Surplus Equipment – Pg 6-9
 - .04 Approve Sale/Disposal of Unusable Donated Vans
 - Dodge - WD8PD744455782777
 - Ford - FDXE45S21HA31654
- 5.0 **DISCUSSION/ACTION ITEMS:**
 - .01 Approve LCER Strategic Plan – Pg 10-31
 - .02 Approve Personnel Committee Recommendation for the President/CEO Hiring Process
 - .03 Approve Personnel Committee Recommendation for the President/CEO Job Description Revision – Pg 32-34
 - .04 Approve Personnel Committee Recommendation for the Interim President/CEO Evaluation Process – Pg 35-36
 - .05 Approve to retain the name "High Desert “Partnership in Academic Excellence” Foundation, Inc" for formal purposes only (banking, taxes, reporting, etc.), and refer to the organization by the "DBA" name Lewis Center for Educational Research, and refer to the Board as the Board of Directors of the Lewis Center for Educational Research
 - .06 Approve creating the Lewis Center Foundation as an organization operating under the auspices of and reporting to the Lewis Center Board of Directors
 - .07 Approve Changing the Name of the Fundraising Committee to the Lewis Center Foundation
 - .08 Approve an Executive Committee, comprised of the Board officers and Committee Chairs. Such committee will have and may exercise the authority of the Board in the interim time period between full Board meetings. The committee will meet at the discretion of the Chairman of the Board or the President/CEO. Actions taken by the Executive Committee will be ratified at the next regular Board meeting
 - .09 Approve Updated Bylaws – Pg 37-54
 - .10 Approve BP 9100 – Board Vacancies – Pg 55
 - .11 Approve BP 9110 – Terms and Officers – Pg 56
 - .12 Approve BP 1312.3 Update – Uniform Complaint Procedures – Pg 57 - 67
 - .13 Approve Resolution 2016-03 and Updated Conflict of Interest Code – Pg 68-74
 - .14 Chairman to Appoint Nominating Committee consisting of two members of the Board and the President/CEO, one of which will be the committee chair, for open Board Vacancy, Board Terms and Officers
 - .15 Bring Forward Dr. Steve Levin, Juno Project Scientist and GAVRT Lead Scientist, as a Candidate for the Board
 - .16 Approve Duberly Beck as the Chair of the NSAA School Board Committee
 - .17 Approve Changing the Name of the Norton Space and Aeronautics Academy (NSAA) to the Norton Science and Language Academy (NSLA)

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- 6.0** **INFORMATION THAT WAS NOT INCLUDED IN LAST PACKET ON 9-12-16:** *(Board members may ask questions on items for clarification.)*
- .01** Lewis Center Financial Reports
 - Comparatives – **Pg 75**
 - .02** AAE Financial Report – **Pg 76**
 - .03** NSAA Financial Report – **Pg 77-78**
- 7.0** **BOARD AND STAFF COMMENTS:** *(Board members and staff members may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities.)*
- 8.0** **ADJOURNMENT:** Chairman Biggs

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by calling (760) 946-5414 x201.

Any written materials relating to agenda items to be discussed in open session are available for public inspection prior to the meeting at 17500 Mana Rd., Apple Valley, CA.

**Regular Joint Meeting of the
High Desert “Partnership in Academic Excellence” Foundation, Inc. Board of Directors
Academy for Academic Excellence School Board Committee and
Norton Space and Aeronautics Academy School Board Committee**

**Minutes
June 13, 2016**

1.0 Call to Order

Vice Chairman Scott Johnson called the meeting to order at 7:15 a.m.

2.0 Roll Call

Foundation Board Members David Bains, Duberly Beck, Bud Biggs (8:00 a.m.), Buck Goodspeed, Andrew Jaramillo, Scott Johnson, Robert Lovingood, Kirt Mahlum, Jose Palafox (by phone), Kevin Porter, Donna Siegel, Russell Stringham, Marcia Vargas and Rick Wolf (7:50 a.m.) were present.

Foundation Board Members Tom Rosenbaum and Regina Weatherspoon-Bell were absent.

AAE School Board Committee Members David Bains, Robert Lovingood, Jose Palafox (by phone), Kevin Porter, Russell Stringham and Rick Wolf were present.

NSAA School Board Committee Members Duberly Beck, Scott Johnson, Andrew Jaramillo and Marcia Vargas were present.

NSAA School Board Committee Member Tom Rosenbaum was absent.

Staff members Valli Andreasen, Darren Dowd, Teresa Dowd, Lupita Girard, Wes Kanawyer, Lisa Lamb, Stacy Newman, Rena Payne, Sherri Pearson, Toni Preciado, Jim Quinn, Paul Rosell and Carolyn Schmidt were also present.

3.0 Public Comments: Kelli Cole informed the Board of the GAVRT trip and that the form is due today.

4.0 Special Presentations:

.01 Chairman Bud Biggs presented Employee of the Semester awards to George Armstrong, Karen Wilson and Beth Burns. Lisa also presented a thank you to Pat Caldwell.

.02 Ken Sockwell, VPA Department Chair, reported on the Opportunity Grant he received to attend Disney’s Leadership Institute.

.03 Rick and Linda Piercy were not in attendance to receive their Certificate of Appreciation.

5.0 Foundation Board Consent Agenda:

On a motion by Kevin Porter, seconded by David Bains, vote 14-0, the Foundation Board of Directors approved Consent Agenda Items 5.01 – 5.02.

.01 Approve March 14, 2016 Regular Meeting Minutes and May 12, 2016 Special Meeting Minutes

.02 Approve Foundation Board Meeting Schedule

6.0 AAE School Board Committee Consent Agenda

Kevin asked about the Costa Rica trip. It is the first time we have had a field trip there and is through a club. Jose asked how we were raising funds. The trip is voluntary and the club is fundraising and parents will cover the rest. On a motion by Robert Lovingood, seconded by David Bains, vote 6 - 0, the AAE School Board Committee approved Consent Agenda Items 6.01 – 6.16.

- .01 Approve May 12, 2016 Regular Meeting Minutes
- .02 Approve AAE Local Control and Accountability Plan
- .03 Approve ROTC Cadet Officer Candidate Training School, MRC campus - July 15-16, 2016
- .04 Approve ROTC Cadet Advanced Leadership Training School, MRC campus – August 5-6, 2016
- .05 Approve Annual ASB High School Leadership Camp, Fawnskin, CA – August 26-28, 2016
- .06 Approve Annual ASB MS Leadership Camp, Big Bear, CA - September 16-28, 2016
- .07 Approve ROTC USS Midway overnight program, San Diego, Ca – September 10-11, 2016
- .08 Approve ROTC Senior Cadet Wright-Patterson AFB, Ohio – October 4-9-2016
- .09 Approve ROTC Nellis AFB, Las Vegas, Nevada – November 12, 2016
- .10 Approve ROTC Cadet Advance Leadership Training School, MRC campus – January 3, 2017
- .11 Approve ROTC Drill Team & Color Guard SCIDM, El Segundo, CA – February 18-19, 2017
- .12 Approve Costa Rica Club Trip to Costa Rica – March 18-26, 2017
- .13 Approve ROTC 10TH Annual ROTC Leadership Camp, Fawnskin, CA – March 27-31, 2017
- .14 Approve ROTC Drill Team & Color Guard Drill Meet, Los Alamitos, Ca – April 28-29, 2017
- .15 Approve 9th Annual Special World Vision Event – MRC campus – May 26-27, 2017
- .16 Approve AAE School Board Committee Meeting Schedule

7.0 NSAA School Board Committee Consent Agenda

On a motion by Marcia Vargas, seconded by Duberly Beck, vote 4-0, the NSAA School Board Committee approved Consent Agenda Items 7.01- 7.04.

- .01 Approve May 17, 2016 Regular Meeting Minutes
- .02 Approve NSAA Local Control and Accountability Plan
- .03 Approve NSAA Local Educational Agency Plan
- .04 Approve NSAA School Board Committee Meeting Schedule

8.0 Standing Board Committee Reports

- .01 (a) Finance Committee – Russ Stringham reported that the committee has met several times regarding solar and has signed the contract with DS Solar. David Bains read notes he had from the June 10th meeting that he was not able to present before the contract was signed. Bud Biggs noted that when we first heard consultant Simeon Trotter’s recommendations in December, the Board recommended going forward with the first phase of the solar project and discussing storage as a later phase. He doesn’t understand why it has been delayed so long. Kirt Mahlum disavowed any representation David has made against staff and noted that Lisa and Jim were personally attacked by David at the meeting last Friday. Kevin and Buck agreed. Kevin noted that we need to get the first phase started and can then look at the next steps. He didn’t like that it got personal and we shouldn’t make allegations that are not factual or based on feelings. Robert would like to know more about our projected savings. Jim Quinn will be presenting a storage proposal at a future Finance Committee meeting. Rick Wolf met with staff at AVUSD and would like our contractor to talk with them to see what issues they’ve had.

- (b) Fundraising Committee – Donna Siegel noted that the Committee has a goal of raising no less than \$20K per year and this year’s art show should be just over that. Thank you to Kim, Teresa and the Board. Pat and Donna will be meeting with the Executive Director of St. Mary’s Foundation regarding restructuring the Fundraising Committee.
- (c) Personnel Committee – Duberly Beck reported that the committee Foundation Board of Directors Agreement has been updated. Please sign the agreement and return to Teresa.

9.0 Discussion/Action Items

- .01 BP3600 – Checks over \$10K are including in the Board packet quarterly. Transactions are being brought forward to the Finance Committee. On a motion by Robert Lovingood, seconded by Kirt Mahlum, vote 14 – 0, the Foundation Board of Directors approved BP3600.
- .02 On a motion by Kirt Mahlum, seconded by Marcia Vargas, vote 14 – 0, the Foundation Board of Directors approved BP9311.
- .03 Jim Quinn will be bringing forward a proposal for more solar panels and storage.
- .04 The Tetra contract was reviewed by BB&K and their response was included in the packet. It is an enforceable contract and they felt the terms were advantageous. The consultant recommended by BB&K is doing a preliminary review of the construction project and will provide results to the Finance Committee. Kevin asked if there was a way to make this a subsequent remedial review under BB&K so it can be protected by attorney/client privileges and for our use only.
- .05 Jim Quinn is working with a bond consultant for long term debt restructuring. Union Bank renewed our line of credit. The lease at NSAA is a factor in that we could restructure it all together.
- .06 Plans are to increase ADA by filling grades. We are adding TK classes at both schools and both are full and have waiting lists. NSAA’s 8th grade is going from 17 to 50 and AAE’s 12th grade is going from 76 to 115. Both campuses are focusing on attendance and providing incentives.
- .07 Lisa Lamb provided a NSAA charter renewal timeline in the packet. We will be providing a draft to Angel Arrington by August and are working on the MOU. We will need Board support and should be aware of what is in the charter, the academic program, and scores. We will let the Board know the dates for the hearings.
- .08 Lisa, Lupita, Toni, Erin and MS teachers are working on the schedule to have secondary academic pieces in place for NSAA to grow to HS. Marcia Vargas noted that a So Cal boys scholar athlete of the year was from a San Bernardino Dual Immersion program. We are meeting with HighMark regarding the potential to relocate or rebuild NSAA. We are also meeting with SB County and SB City regarding the lease.
- .09 We are discussing a collaborative math project with CSUSB. K16 Bridge is working on a grant with them as well. Kevin Porter felt the Board needs to be cognizant of Chris making commitments on behalf of the LCER. He recommends meeting with him and getting on the same page. K16 Bridge has been operating independently of LCER. We would like to establish an ad hoc committee to evaluate the program usage, personnel, finance and effectiveness. Robert Lovingood would like to see measurables and an understanding the program. On a motion by Robert Lovingood, seconded by Andy Jaramillo, vote 14-0, the Board of Directors approved a committee to include Finance Committee members, other board members and staff to bring back a report to the Board on the K16 Bridge program.

10.0 Information Included in Packet

- .01 Staff Reports
- .02 Foundation Financial Reports

- .03 Lewis Center Financial Reports
 - Checks Over \$10K
 - Balance Sheet
 - Revenue vs. Expense
 - Comparatives
 - By Department
- .04 AAE Financial Report
- .05 NSAA Financial Report
- .06 Board Attendance Log
- .07 Board Give and Get
- .08 Jeanne Stambaugh Consultant Report
- .09 Rick Piercy Consultant Report

12.0 Board and Staff Comments: Kirt Mahlum asked about terminations in the Human Resources report. We are an At Will employer and the term “termination” means ending the employment. It could be a resignation or termination. Kevin Porter noted that the Board is only brought in if there are legal issues. The Board would like it noted on the report if it was a resignation or termination.

13.0 Closed Session: Public Employment: Interim CEO

The Foundation Board of Directors convened into closed session at 9:30 a.m. and reconvened into open session at 10:28 a.m. Chairman Biggs reported that no action was taken.

14.0 Discussion/Action Items

- .01 On a motion by Buck Goodspeed, seconded by Duberly Beck, vote 14-0 the Foundation Board of Directors approved Resolution 2016-02 – Executive Compensation.
- .02 On a motion by Kevin Porter, seconded by Marcia Vargas, vote 14-0, the Foundation Board of Directors approved the At Will Employment Agreement for the Interim CEO.

15.0 Adjournment

Chairman Bud Biggs adjourned the meeting at 10:30 a.m.

**Special Meeting of the
High Desert “Partnership in Academic Excellence” Foundation, Inc. Board of Directors**

**Minutes
June 13, 2016**

1.0 Call to Order

Chairman Bud Biggs called the meeting to order at 10:35 a.m.

2.0 Roll Call

Foundation Board Members Duberly Beck, Bud Biggs, Buck Goodspeed, Scott Johnson, Robert Lovingood, Kirt Mahlum, Kevin Porter, Donna Siegel, Russell Stringham, Marcia Vargas and Rick Wolf were present.

Foundation Board Members David Bains, Regina Bell, Andrew Jaramillo, Jose Palafox, and Tom Rosenbaum were absent.

Staff members Valli Andreasen, Teresa Dowd, Darren Dowd, Lupita Girard, Wes Kanawyer, Lisa Lamb, Stacy Newman, Rena Payne, Toni Preciado, Jim Quinn and Paul Rosell were also present.

3.0 Public Comments: None

4.0 Ground Rules: Facilitator/Consultant Dr. Pat Caldwell reviewed our Values Statements.

6.0 Discussion/Action Items:

.01 Progress on Issues Carried Over from March 14, 2016 Regular Meeting: A draft of the strategic plan was distributed and the vision was reviewed with comments incorporated.

.02 Identify Critical Issues (to be addressed in next 1-3 years): The attendees split into groups and identified critical issues. These were brought together and the top issues were collectively decided on. They were:

1. Financial/Fiscal
2. Norton
3. Organizational Effectiveness

Others:

- Reorganization of fundraising committee
- Advertising, PR and Marketing
- K-16 Bridge and all funded programs –the Board has directed Lisa to vet the Bridge Program through a team of Board and staff and measure its effectiveness. There should be measurables to see where we are and have all the data before we schedule a presentation.

The following items were tabled.

.03 Turn Critical Issues into Goals

.04 Develop Measurable Objectives for Each Goal

.05 Assign Responsibilities for Developing Strategies and Action Plans for Each Objective

.06 Next Steps

7.0 Adjournment: Chairman Biggs adjourned the meeting at 12:15 p.m.

LCER Asset#	Item Type	Make/Model	ID Number
1005	Monitor	Cornea CT1904	MPKD03030775
1033	Computer	Dell Optiplex GX150	5XGK411
1135	Monitor	Dell	CN-04Y463-48220-49T-02Q8
1139	Monitor	Dell	CN-04Y463-48220-49T-03DF
1176	Computer	Dell Optiplex GX620	FQJZR71
1223	Computer	Dell Optiplex GX280	6TJZR71
1259	Computer	Dell Optiplex GX270	4XJ3451
1261	Computer	Dell Optiplex GX270	34K3451
1266	Monitor	Dell	CN-02Y315-71618-45M-ACQC
1273	Computer	Dell Optiplex GX620	CSJZR71
1278	Monitor	Dell	CN-02Y315-71618-45M-ACQ5
1280	Monitor	Dell	CN-02Y315-71618-4AB-ABFA
1308	Monitor	Dell	MX-02Y311-47605-45K-DNC3
1393	Monitor	Cornea CT1904	
1428	Computer	Dell Optiplex GX620	GSJZR71
1436	Computer	Dell Optiplex GX620	FRJZR71
1541	Monitor	Dell	CN-0CC299-64180-677-2Y9L
1542	Monitor	Dell	CN-0CC299-64180-677-2Y8L
1543	Monitor	Dell	CN-0CC299-64180-677-2YCL
1623	Laptop	Dell Latitude D620	96QY4D1
1687	Computer	Dell Optiplex 745	21HF4D1
1691	Laptop	Dell Latitude D620	16QY4D1
1961	Computer	Dell Optiplex GX280	
30065	Projector	ViewSonic PJD6831	
30085	Computer	Dell Optiplex GX280	CBTFW71
30321	DVD	Sony DVP-SR200P	
30348	Computer	Dell Optiplex GX280	FZF8Z51
30358	Printer	HP Deskjet 952C	MY03918101
30532	Computer	Dell Vostro 220	70S5NM1
30535	Computer	Dell Vostro 220	70S8NM1
30588	Computer	Dell Optiplex GX280	JVMVN71
30630	Computer	Dell Optiplex GX280	CCNF771
30631	Computer	Dell Optiplex GX280	2H0ZB71
30648	Projector	Epson PowerLite 83+	
30651	Computer	Dell Optiplex GX280	IT8H061
30661	Monitor	Dell	CN-0PM372-72872-843-5H35
30675	Monitor	Dell	CN-0PM372-72872-843-61KS
30701	Computer	Dell Optiplex GX280	61GPJ71
30702	Computer	Dell Optiplex GX280	F71W871
30707	Monitor	Dell	CN-0PM372-72872-843-5K9S
30712	Computer	Dell Optiplex GX280	871W871
30738	Monitor	Dell	CN-0PM372-72872-843-63CS
30752	Monitor	Dell	CN-0PM372-72872-843-5KJS
30757	Computer	Dell Optiplex GX280	89TFW71
30768	Computer	Dell Optiplex GX280	DCNPJ71
30773	Monitor	Dell	CN-0PM372-72872-843-5KKS

30778	Computer	Dell Optiplex GX280	11GPJ71
50254	Laptop	Dell Latitude D520	1M28ZC1
50326	Computer	Dell Optiplex SX270	F9HYF51
50456	Computer	Optiplex 755	428RTG1
50479	Projector	InFocus	
50497	Computer	Dell Optiplex D820	23BPWC1
50885	Monitor	Dell	MX-0W0256-47605-3C4-ACJC
50886	Computer	Dell Optiplex SX270	JBD0541
50887	Monitor	Dell	CN-0PM372-72872-843-5LGS
50888	Computer	Dell Optiplex SX270	23MY441
50891	Monitor	Dell	MX-0WD664-47605-41T-A3HG
50893	Computer	Dell Optiplex SX270	F5MY441
50894	Monitor	Dell	MX-0W0664-47605-41T-A3QU
50898	Computer	Dell Optiplex SX270	G8MY441
50905	Computer	Dell Optiplex SX270	2BD0541
50906	Monitor	Dell	MX-0W0664-47605-41T-A3GT
50907	Computer	Dell Optiplex SX270	76MY441
50911	Monitor	Dell	MX-0W0256-47605-356-E1MP
50917	Monitor	Dell	MX-0W0256-47605-351-AQTA
50918	Computer	Dell Optiplex SX270	4V33441
51001	Monitor	Dell	CN-02Y315-71618-4AB-ABEW
51041	Laptop	Dell Latitude D620	4D96DD1
51076	Monitor	Dell	MX-0W0256-47605-3C4-ACMK
51077	Computer	Dell Optiplex SX270	GY33441
51078	Monitor	Dell	MX-0W0256-47605-3C4-ACMT
51081	Computer	Dell Optiplex SX270	FCD0541
51082	Monitor	Dell	MX-0W0256-47605-3C4-ACQ6
51085	Monitor	Dell	MX-0W0256-47605-356-E1YA
51087	Monitor	Dell	MX-0W0256-47605-3C4-AD6T
51089	Computer	Dell Optiplex SX270	3343441
51093	Computer	Dell Optiplex SX270	1X33441
51094	Monitor	Dell	MX-0W0256-47605-3C4-ACNR
51121	DVD/VHS	Samsung V8600	6RAY515920B
51127	Monitor	Dell	CN-0VC323-71618-642-BE0X
51130	Monitor	Dell	CN0WH318-72872-73A-0AIU
51135	Computer	Dell Optiplex SX270	95MY441
51140	Projector	Epson EX51	
51175	Projector	Epson EX51	
51177	Computer	Dell Optiplex GX280	1X9DR61
51261	Printer	HP LaserJet 1300n	
51331	Monitor	Dell	CN-0PM372-72872-74G-04VI
51352	Monitor	Dell	CN-02Y315-71618-463-ACM6
51379	Monitor	Dell	MX-02Y311-47605-43A-AJTP
51380	Monitor	Dell	CN-0PM372-72872-74G-08RI
51392	Monitor	Dell	CN-0PM372-72872-74G-04UI
51420	Computer	Dell Vostro 220	1YCVML1
70346	Monitor	Dell	CN-0UH572-46633-65N-7NVL

70361	Monitor	Dell	CN-0UH572-46633-65N-88VL
70362	Computer	Dell Optiplex GX280	CTVQT71
70419	Monitor	Dell	CN-0FJ181-64180-6BS-25YS
70420	Computer	Dell Optiplex 755	2N3LTG1
70422	Computer	Dell Optiplex 755	H3DMTG1
70424	Computer	Dell Optiplex 755	F3QTTG1
70433	Computer	Dell Optiplex 755	CPYKTG1
70435	Computer	Dell Optiplex 755	35QTTG1
70436	Monitor	Dell	CN-0UH572-46633-65N-8H1L
70437	Computer	Dell Optiplex 755	6FB2TG1
70523	Tablet	InterWrite SP400	IWPAD0851060073
70524	Computer	Dell Optiplex 755	HJYKTG1
70915	Laptop	Dell Latitude D630	GMDLVD1
71024	Monitor	HP L1906	CDN63621YC
71833	DVD	Sony DVP-SR210P	
71859	Receiver	Sherwood RX4105	
72700	Printer	Lexmark	
30993	Macbook	A1181	W8745R0PZ62
70151	Macbook	A1181	W87442BFZ62
70123	Macbook	A1181	B10002492
70141	Macbook	A1181	W8735U85Z5V
50781	Macbook	A1181	W8743A9NZ62
1954	Macbook	A1181	W8746F2GZ62
70145	Macbook	A1181	B10002355
50785	Macbook	A1181	W87268BXA2
70110	Macbook	A1181	W87223EAYA6
70124	Macbook	A1181	B10002270
50747	Macbook	A1181	W8735V84Z5V
70132	Macbook	A1181	W87223BCYA6
70196	Macbook	A1181	451237EJF5W
50844	Macbook	A1181	W8746BE4Z62
70116	Macbook	A1181	45123ACSF5W
1952	Macbook	A1181	SC02N4P58G085
70107	Macbook	A1181	W87222SYA6
50791	Macbook	A1181	W09460BRM63HA
70136	Macbook	A1181	W87266KVYAB
70130	Macbook	A1181	W872218MYA6
51153	Macbook	A1181	W8745GLWZ63
70138	Macbook	A1181	W8735YR2Z5V
30450	Macbook	Unibody A1342	45020QUJFYN
71029	Macbook	Unibody A1342	W8017AMRFYN
71413	Macbook	Unibody A1342	450247C1FYN
50927	Macbook	A1181	W892127G4R1
50921	Macbook	A1181	W89211YAR1
70155	Macbook	A1181	W8735XWQZ5V
50786	Macbook	A1181	W8726D2HYA2
70007	Macbook	Unibody A1342	45020W8UFYN

71471	Macbook	Unibody A1342	4502310JFYT
71052	Macbook	Unibody A1342	45112EU7F5W
50782	Macbook	A1181	W8735TYV25V
71032	Macbook	A1181	4H7066N0WGL
70120	Macbook	A1181	W8735P54Z5V
50777	Macbook	A1181	W882OG5Z0P0
50529	Macbook	A1181	4H646X5JWGL
70119	Macbook	A1181	W8735Z7NZ5V
30517	Macbook	Unibody A1342	4502116RFYN
71420	Macbook	Unibody A1342	451237UWF5W
50797	Macbook	A1181	W8735VBSZ5V
1950	Macbook	A1181	W8745R1LZ62
50784	Macbook	A1181	W8726ANLYA2
50931	Macbook	A1181	W89212594R1
70115	Macbook	A1181	W8734NYFZ5V
1959	Macbook	A1181	W8746F29Z62

FINAL DRAFT

Lewis Center for Educational Research

STRATEGIC PLAN

July 1, 2016 – June 30, 2021

**The plan for our
future**

Adopted, , 2016

Lewis Center for Educational Research
STRATEGIC PLAN

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Lewis Center for Educational Research
STRATEGIC PLAN
The plan for our future

Introduction

The Lewis Center for Educational Research (LCER) is in a transitional period in its life cycle. With the retirement of our charismatic, visionary founder, the Board of Directors and Executive Team determined that we are facing a challenging future. To plan for that future, and to assure that it is the future we want it to be, we decided to engage in strategic planning. Board members and senior administrators became the planning team. This team convened several times over a two month period in the spring of 2016, and spent many hours examining issues and concerns, and to share thoughts, ideas and suggestions on the future of LCER and its two charter schools. The results of those sessions are contained in this strategic plan.

Process

In order to address immediate concerns, the planning team first held a five hour "strategic issues" session. Administrative staff presented update reports on issues identified at an earlier board retreat held in November, 2015. Staff asked for and received direction from the Board on most of these issues which are presented in Appendix A.

The strategic issues session was followed by a full day planning meeting. During the morning session, discussion continued on issues where, due to time constraints at the earlier meeting, direction was still desired by staff. The results of these discussions are presented in Appendix B.

The afternoon session was devoted to reviewing and modifying the LCER mission statement, developing a set of values, and completing a S.W.O.T. analysis. Statements to accompany the values were developed by a small volunteer task force who met a few days later. Those values and value statements are included in the body of the plan. The S.W.O.T. analysis is presented in Appendix C.

The third session was devoted to determining any remaining critical issues and developing strategic goals and objectives. Additionally, strategies for strategic management were discussed and responsibilities for developing and implementing action plans were assigned.

Our Plan

Our plan charts a course that is bold yet attainable. Our vision calls for the Lewis Center and its schools to be nationally recognized as successful role models for others wishing to provide relevant education and unlimited opportunity to those they serve – as we do. The plan lays out how we, an operator of two uniquely different charter schools serving two distinctly different demographics, will align our efforts over the next _____ years to achieve the goals our students, parents and communities have a right to expect and enjoy.

We recognize our responsibility and the leadership we have been entrusted to provide. We also recognize the value and impact of what becoming a model institution of our kind can mean. The stakes are high, but so is the opportunity when our vision is achieved.

Lewis Center for Educational Research
STRATEGIC PLAN

MISSION

Why we exist

The mission of the Lewis Center for Educational Research is to ensure our schools and programs prepare students for success in a global society through data-driven, innovative and research-proven practices in a safe and inclusive culture.

Lewis Center for Educational Research
STRATEGIC PLAN

VISION

What we want to be known for

The Lewis Center for Educational Research is nationally recognized as a leader in education for operating and supporting two unique TK-12 charter schools serving two vastly different demographic areas – the rural-suburban High Desert and the urban city of San Bernardino in San Bernardino County, California. Utilizing data-driven, innovative teaching methods while offering high quality educational programs, the schools are known for exceeding the needs of their students and communities.

The Lewis Center's focus on science and technology, starting with a unique, earlier partnership with NASA, has resulted in 95% graduation rates, high college-going rates, and high levels of success of its graduates in careers in medicine, business, military, and education. The Center's additional focus on bilingual, biliterate and multicultural education has enabled the expansion of its highly successful TK-8 dual immersion language academy to include Southern California's first dual immersion high school.

The Lewis Center's excellent reputation is in large part due to its highly qualified and enthusiastic faculty and staff who, with the support of engaged parents, community and Board members, translate an understanding of their students' abilities, interests and aspirations into pathways to success in college and/or their chosen careers. Partnerships with colleges, universities and businesses also contribute to helping students achieve at the highest academic levels and preparing them for living and working in a global society.

Lewis Center for Educational Research
STRATEGIC PLAN

VALUES

Ethical priorities to guide our decision-making and our treatment of one another

Integrity: We strive to engender trust in our abilities by acting courageously and adhering to a strong moral compass.

Excellence: We aspire to excellence through supporting our community of learners in the practice of continuous innovation, collaboration and growth.

Leadership: Being forerunners, pace-setters and cultivators, we demonstrate strong leadership rooted in principles of integrity, accountability, respect and communication.

Inclusiveness: We will leverage our diverse and inclusive community to achieve superior result in the field of education.

Lewis Center for Educational Research
STRATEGIC PLAN

GOALS

Goals to achieve our vision

Financial/Fiscal

Goal One: Improve the financial condition of the Lewis Center for Educational Research, including key provisions for sustainability.

Norton

Goal Two: Renew Norton's charter in December 2016 and continually strengthen the academic program.

Organizational Effectiveness

Goal Three: The Lewis Center for Educational Research will be unified under a common vision, mission goals and objectives.

Lewis Center for Educational Research
STRATEGIC PLAN

OBJECTIVES

The outcomes we expect

Financial/Fiscal

Goal 1: Improve the financial condition of the LCER, including key provisions for sustainability.

1.1 Objective: By 2021, increase total revenue by 5% (1% annually) through increases in new, alternative revenue sources and/or by increasing revenue from current sources (enrollment). These revenue increases would be in addition to state COLA increases.

Strategy: Increase the amount of dollars raised through fundraising by reorganizing the Fundraising Committee and implementing new fundraising programs.

Strategy: Increase the amount of dollars raised from grants that meet LCER established parameters.

Strategy: Increase and stabilize total enrollment at Norton which will increase ADA.

Strategy: Clear, consistent marketing and branding will help communicate the LCER's mission to funders and the communities in which it serves.

1.2 Objective: By June 2017, the Board of Directors and staff will perceive the budget to be stable and understandable with progress toward sustainability.

Strategy: Develop a more defined and understandable budget process and timeline for Board and staff.

Strategy: Develop budgets implementing LCER guidelines and parameters that define stability and sustainability.

Strategy: Identify and communicate sources of additional yearly budgetary costs such as: retirement increases, healthcare increases, etc.

Strategy: Involve staff and the Finance Committee in the budget development process utilizing an itemized budget planning worksheet.

Strategy: Conduct annual budget workshops for the Board and staff.

Strategy: Continue to enhance budget reports to assure clarity and the Board's understanding of the budget.

1.3 Objective: By June 2021, the LCER will have no less than two months of total payroll and costs in reserves (defined as unencumbered savings) based on current needs.

Strategy: Maintain conservative budgetary practices.

Strategy: Finance Committee and staff (those who manage a budget) will monitor current performance through monthly budgetary reporting.

Strategy: Conduct a cost benefit analysis of major programs.

Strategy: Decrease operating costs (i.e.: energy savings).

Strategy: Increase fund development efforts through the revised board structure.

1.4 Objective: Starting immediately, partnerships will be defined as initiatives that are substantially beneficial to the LCER and its students. Further, the partnerships must be aligned to the current LCER mission and goals and/or the schools' LCAPs.

Strategy: The Executive Team will research and evaluate all existing partnerships and report out to the Board of Directors.

Strategy: Future partnerships will be vetted by the Executive Team and be evaluated based upon their value added to the LCER. The impacted stakeholders will be involved in this process.

Norton

Goal: Renew Norton's charter in December 2016 and continually strengthen the academic program.

2.1 Objective: Renegotiate a mutually beneficial lease agreement with the City and County or secure an alternative campus on or before Fall 2017.

Strategy: Work with legal counsel and LCER Board of Directors to audit our existing lease and to seek resolution.

Strategy: Work with Highmark School Development Company to explore alternate campus locations that would meet the current and expanded needs of Norton TK-12.

2.2 Objective: By December 2016, the San Bernardino County Superintendent of Schools will approve Norton's Charter Renewal.

Strategy: Work closely with California Charter School Association (CCSA) through the Multiple Measures Review to ensure their continued support.

Strategy: Meet regularly with Angel Arrington from SBCSS throughout the renewal process.

Strategy: Involve Board of Directors and staff in all public board meetings with the County through the renewal process.

Strategy: Work with legal counsel for final review of the charter draft and throughout the renewal process.

2.3 Objective: By Spring 2017, increase student mastery as measured by CAASPP results, norm referenced assessments, student grades, attendance, and attrition.

Strategy: Review and evaluate the academic programs in place at Norton.

Strategy: Implement new ELA and SLA curriculum in grades TK-8.

Strategy: Continue intentional professional development for all instructional staff.

Strategy: Foster collaboration between the LCER schools in order to strengthen best instructional and assessment practices throughout the organization.

Strategy: Continue educational supports through the Rocket Lab, intervention programs and Rtl team.

Strategy: Implement an international collaboration based on engineering and applied sciences through GAVRT.

Strategy: Build out the secondary program to include electives, STEM and the arts.

2.4 Objective: Beginning in the Fall of 2019, the school will begin adding one high school grade level per academic year.

Strategy: Expand the middle school program to reflect the future high school program with a strong STEM focus.

Strategy: Solicit partnerships with local businesses and industry (JPL, Amazon, Tesla, etc.) that meet LCER defined parameters.

Strategy: Involve stakeholders and community in the high school development process.

Strategy: Build school leadership staffing and structure to support expansion.

2.5 Objective: By the end of the 2016-2017 school year, staff, student and parent perception will indicate a positive climate at Norton.

Strategy: Diagnose and implement programs to address low staff morale and turnover.

Strategy: Build relationship and unity amongst staff members.

Organizational Effectiveness

Goal: The Lewis Center for Educational Research will be unified under a common vision, mission, goals and objectives.

3.1 Objective: Staff and the Board of Directors will continue to engage in ongoing open, honest and constructive communication.

Strategy: The Board of Directors, Executive Team and principals will continue to participate in annual strategic planning.

Strategy: The Executive Team will have ongoing communication with the officers and standing committee chairs regarding critical issues.

Strategy: The President/CEO and LCER Board Chairperson will meet regularly to communicate as issues arise.

3.2 Objective: Throughout the 2016-2017 school year, the Executive Team, as supported by the Board of Directors, will intentionally build a positive climate throughout the organization.

Strategy: The Board of Directors will support the climate at our schools and programs through heightened visibility at both schools.

Strategy: The Board of Directors will highlight the strengths of our schools and programs throughout our communities. These strengths will be shared by staff at the monthly committee meetings and quarterly Foundation Board meetings.

Strategy: The Executive Team will communicate the support of the Board of Directors to all staff on an ongoing basis and will highlight noteworthy dedication and contributions.

Strategy: The Board of Directors and staff will partner together to achieve the vision, mission and goals set forth in annual strategic planning. The Board of Directors will focus on the strategic aspects of the plan, while the staff will implement the operational aspects. Clearly understanding these roles will positively impact the overall climate of the organization.

3.3 Objective: The Board of Directors will actively participate in the establishment and review of LCER policies.

Strategy: The staff will work with the standing committees and school boards to create and/or revise policies to stay in legal compliance. These policies will be presented as needed at the quarterly Foundation Board Meetings for approval.

Strategy: The staff will continue to be involved in professional networks (i.e. CCSA, SBCSS, AVUSD, CDE, CASBO, etc.) in order to stay apprised of current legislation and educational reform.

**Lewis Center for Educational Research
STRATEGIC PLAN**

APPENDIX A

**Summary of Issues Discussed at February 25, 2016 Session
(More Detail in Board Minutes)**

Issues

Board's Concerns/Direction

Finances

1. Policies and procedures need revision.
2. Some new policies and procedures need to be written.
3. Restructuring of debt need to be completed.
4. Tetra contract should be reviewed by legal counsel.
5. Concern that staff is not on top of these issues

Staffing

1. Grant writer position/person needs review.
2. Do we need a PR/Community relations position?
Can we afford it?
3. Consulting contracts/position/expenditures need review.
4. Concern that staff is not on top of these issues

Parity

1. What is the cost of offering step or stipend for hard-to-fill positions such as BCLAD. Can we afford it? Stacy was given direction to cost out this option.
2. Stacy was also given direction to cost out other options such as help with repaying student loans, improving leave and benefit package, absorbing health care cost increases, adding additional years to the salary schedule. Stacy to report costs with recommendations to Finance Committee. Finance Committee to bring recommendations to the full Board.

3. Recruiting teachers is difficult due to salary schedule. Board member suggestion: what if we offered to pay for the last year or two of college in exchange for a multi-year commitment to LCER?

Revenues opportunities

1. Board directed staff to pursue offering one TK class at each school starting fall 2016.
2. Board agreed with staff recommendation to try to fill grade levels, thus increasing ADA.
3. Staff floated several other ideas for increasing revenues. The three that the Board seemed most interested in were cell tower, selling surplus land, and fundraising.

Norton

1. Difficulty in filling upper grades because students must be bilingual and biliterate. Enrollment in upper grades will increase as students in lower grades move up.
2. Low test scores – student must answer questions by writing in English – no exceptions for English learners. No similar schools to use for comparison in California. This is a concern for charter renewal.
3. Lease – needs to be renegotiated. Who is responsible? Current lease requires LCER to provide facilities for Head Start – current requirement for a new parking lot.
4. Relocation/expansion – CSUSB not an option. Could expand on current property. Could apply for Prop 39 and/or SB 740 funds. Who's responsible?

**Lewis Center for Educational Research
STRATEGIC PLAN**

APPENDIX B

**Summary of Issues Discussed at February 29, 2016 Session
(More Detail in Board Minutes)**

<u>Issue</u>	<u>Board's Concerns/Direction</u>
<u>Use of Thunderbird</u>	<ol style="list-style-type: none">1. Board straw vote provided direction to Gordon to pursue after-school, joint program with AVUSD; keep Board informed of progress.2. Board expressed desire to explore option of selling TBC building, but only with consideration for improvements made by LCER. Can we sell if we don't own the land? Do we need AVUSD's approval to sell? Who's responsible for doing this?
<u>Norton</u>	<ol style="list-style-type: none">1. Board decided to have charter renewed as a TK-12 school; strengthen TK-8 program while high school being developed; explore alternative models for high school; to be implemented by next charter renewal; bring plan and timeline for implementation with cost analysis for both the high school and the planning effort to the Board; put timeline in the current charter renewal application; should someone be hired to lead the planning effort?2. Board agreed NSAA's name needs to be changed to reflect what is actually happening. The School Board committee, staff and parents should discuss and recommend name change

to the full Board. Some suggested name changes included:

- Norton Language and Science Academy
- Norton Science and Language Academy
- Norton Academy
- Norton Academy for Academic Excellence

3. Should Norton have an English Only strand for 5-8? NSAA School Board committee and staff should bring recommendation to the full Board along with implementation plan and cost analysis if recommendation is "yes."

Organizational issues

Should LCER change its name?

Board consensus was to keep the LCER name. Some of the reasons given were:

- Too costly to rebrand
- The community knows us as LCER; to change the name would confuse the community.
- The name gives us a priority (research), and we should develop more university partnerships to do research. (Who is responsible?)
- The name reflects our desire to try new things, innovate

Should there be more emphasis on fundraising?

Board consensus was "yes," and to explore the option of pulling the Fundraising Committee from the Board and make it a separate fundraising foundation. Who will be responsible for this?

Lewis Center for Educational Research
STRATEGIC PLAN

APPENDIX C

S.W.O.T. ANALYSIS

At the second planning session, planning team members engaged in a “mini” environmental analysis by brainstorming the organization’s strengths and weaknesses (internal) and opportunities and threats (external). Their determination of strengths that might be enhanced and weaknesses that might be corrected, along with opportunities and threats presented by the external environment, helped guide them when deciding what critical issues must be addressed. Their brainstormed S.W.O.T. follows:

Strengths

- Highly dedicated staff
- Parent support
- Engaged students
- Motivated Board
- Outside the box thinking
- Culture
- Safe environment
- Small class sizes
- Caring staff
- Private school environment
- Less bureaucracy
- Passionate about learning
- Tight community feel
- Non-union

- Successful K-12 program
- Technology rich
- Partnerships
- Enrichment programs
- Well-balanced education
- Parents that care
- Facilities
- Locations
- Relationships with chartering agencies
- Relationships with other agencies
- Pride
- GAVRT, Bridge, Local Outreach, HiDas,
- Successful alumni
- AFROTC
- Political connections
- Media connections
- Bi-literacy
- Chinese partnerships
- Board connections

Weaknesses

- Lack of planning
- GAVRT
- Lack of transparency
- Communication
- Facilities & Norton
- Lack of marketing
- Detailed budget planning
- No football team
- Weak in developing new partnerships
- Teacher turnover at NSAA
- Relationships between board & exec team
- Student attrition

- Fund development
- Low salaries
- No multi-year budget
- Lack of capital investment
- Current policies
- Lack of leadership transition planning
- Lack of stakeholder involvement
- Tracking alumni
- NSAA treated like stepchild
- Lack of proactive recruitment of teachers
- Lack of student recruitment
- Broken promises
- Weak Board
- Uninformed Board
- Lack of Board participation at Festival of Arts at AAE

Opportunities

- Business partnerships
- University partnerships
- Developing real estate at AAE & NSAA
- STEM partnerships
- Fund development
- Relationship with alliance for education
- Internships
- Political relationships
- Alumni
- Low interest rates, rising economy
- Partnership with community service agencies
- 740 program & Prop 39

Threats

- Other salary schedules elsewhere
- Competing dual immersion programs

- Shortage of teachers
- Uncertain revenues
- Common core vs. the unknown
- County/city involvement in our lease
- Anti-charter movement
- Unionization
- Teacher training institutions have bad impression of charter schools
- More legislation coming
- Needing more legal advice due to regulations
- Security
- LCAPS more regulated
- Charter renewals
- Desert Trails controversy

LEWIS CENTER FOR EDUCATIONAL RESEARCH
17500 Mana Road, Apple Valley, CA 92307 (760) 946-5414

JOB DESCRIPTION
President / Chief Executive Officer ("CEO")

~~**MISSION STATEMENT:** The Lewis Center for Educational Research ("LCER") is an organization grounded in our three core principles of Courage, Generosity and Honor. We are dedicated to offering high quality, innovative, data driven educational programs that support students to exceed expectations.~~

DESCRIPTION: The President/CEO is employed by and works under the direction of the High Desert "Partnership in Academic Excellence" Foundation, Inc. Board of Directors ("Foundation"). The President/CEO will provide executive leadership in administering the various aspects of the Foundation, LCER, the Academy for Academic Excellence ("AAE") Charter School, the Norton Space and Aeronautics ("NSAA") Charter School, as well as future program development and opportunities for growth and expansion. The President/CEO will be responsible for providing organizational direction and guidance in a collaborative and results-oriented fashion. As the President/CEO, he/she will be expected to provide consistent leadership through example, provide guidance and support, and make complicated decisions pertaining to personnel, budget and programs.

REQUIRED QUALIFICATIONS:

- ◆ Master's degree in education, school administration, business/leadership or related field.
- ◆ Five years of full time school administrative experience.
- ◆ Five years of successful full time teaching experience.
- ◆ Appropriate Administrative Services Credential.
- ◆ Valid California Drivers License.

PRE-EMPLOYMENT REQUIREMENTS:

- ◆ A certificate stating freedom from tuberculosis.
- ◆ Candidates selected for employment are required to be fingerprinted and cleared by the CA Department of Justice through the Lewis Center (LCER) and must provide the LCER with a certificate stating freedom from tuberculosis before beginning work.

JOB REQUIREMENTS (Skills, Knowledge and Abilities):

- ◆ Adeptness at dealing effectively with employees and others on a one-to-one basis and in groups. (a)
- ◆ Effective oral and written communication skills. (b)
- ◆ Ability to forge cooperative relationships with community members and other public agency personnel. (c)
- ◆ Operating procedures of an educational based organization. (d)
- ◆ Principles, practices and techniques related to areas of responsibility. (e)
- ◆ Applicable Federal, State and local laws, regulations and procedures. (f)
- ◆ Principles and practices of organization. (g)
- ◆ Administrative and personnel management. (h)
- ◆ School and community partnerships. (i)
- ◆ Student expulsion process. (j)

- ◆ Research and development of the LCER, AAE and NSAA; and curriculum development, course of study and scope and sequence in a comprehensive educational program. (k)
- ◆ Organize and present ideas effectively in oral and written form. (l)
- ◆ Maintain effective, cooperative working relationships with administrators, certificated and classified employees, parents, students and community members. (m)
- ◆ Effectively represent the Foundation in the community; plan, organize and direct programs, services and projects related to areas of assignment. (n)
- ◆ Budget and effectively manage budget; prepare clear, complete and concise reports and proposals. (o)
- ◆ Analyze situations carefully and adopt effective courses of action. (p)
- ◆ Supervise, train and evaluate assigned staff. (q)
- ◆ High moral and ethical character. (r)
- ◆ Demonstrate ability to maintain effective working relations with employees, parents, students, and the community. (s)
- ◆ Ability to work under pressure and meet deadlines. (t)
- ◆ Ability to organize work, lead and supervise associates. (u)
- ◆ Will be required to use personal vehicle to travel between campuses and attend meetings as needed.

JOB RESPONSIBILITIES/DUTIES:

- ◆ Provide leadership in planning, developing, implementing and evaluating the overall instructional programs provided under the umbrella of the **Foundation**. (1)
- ◆ Ensure that the various programs and projects are consistent with the established goals, objectives and policies, and implement the Vision of the **Foundation**. (2)
- ◆ Provide oversight for the Lewis Center's research-based, longitudinal study to ensure its compliance to proven scientific guidelines. (3)
- ◆ Direct the integration and coordination of services with other organizations, AVUSD, **SBCSS**, groups, schools, colleges, universities and individuals. (4)
- ◆ Represent the Foundation at various community functions and events. (5)
- ◆ Facilitate a friendly, “team orientated”, collaborative working environment for employees of the **Foundation** and LCER, and support informed decision-making among the team to effect improved communication, trust and efficiency throughout the organization. (6)
- ◆ Define quality indicators for the organization through the active participation of the staff. (7)
- ◆ Ensure the establishment of K-12 Common Core Standards, benchmarks, rubrics and curriculum guides that provide measurable student results-indicators to ensure instructional quality and accountability. (8)
- ◆ Serve as supervisor to the school principals; provide oversight to all schools of the Foundation.
- ◆ Oversee special education and student support services.
- ◆ Design, develop and implement a comprehensive evaluation program for employees of the **Foundation**. (9)
- ◆ Provide program evaluation utilizing research-based models. (10)
- ◆ Implement state-of-the-art Instructional Technology. (11)
- ◆ Direct and ~~prepare-observe thean~~ annual budget for all organizational factions of the **Foundation**. (12)
- ◆ Direct and oversee staff, ensuring compliance with procedural policies. (13)
- ◆ Oversee the development of board policies related to all areas of operation, including but not limited to personnel, fiscal management and educational issues. (14)
- ◆ Actively seek out partnerships with businesses, organizations and individuals to promote the goals and mission of the **Foundation**. (15)
- ◆ Actively seek grants to fund the programs and activities of the **Foundation** and its various organizations. (16)
- ◆ Communicate with political leaders to promote and clarify the goals and mission of the **Foundation**. (17)

- ◆ Oversee all building programs of the Foundations. (18)
- ◆ Act as the designated offer of the Board to initiate legal opinion from the Foundations' attorneys, secure Board approval before initiating any legal action on behalf of the Board. (19)
- ◆ Perform other duties as assigned by the Board.

WORKING CONDITIONS:

Environment:

- ◆ Indoor/Outdoor school campus environment.
- ◆ Subject to constant interruptions, public contact and multiple tasks and timelines.
- ◆ Occasional outside weather conditions.
- ◆ Occasionally works weekends and/or evenings.

Physical Abilities:

- ◆ Ability to observe, see, hear, and respond to children and youth's needs, emergencies, and conflicts that might occur in any form of program setting.
- ◆ Ability to stand, sit, stoop, walk, kneel, and perform grasping and handling motions and torso rotations on a continuous basis and the ability to reach in all directions.
- ◆ Ability to hear and speak clearly to exchange information in person and/or on the telephone.
- ◆ Seeing to read and compose written materials.
- ◆ Dexterity of hands & fingers to operate computer keyboard & other office equipment for extended periods of time.
- ◆ Lift or lift and carry up to 35 pounds.

Employment Policy: It is the policy of the Lewis Center, in accordance with applicable provisions of state and federal law, to be an equal opportunity employer, by providing and safeguarding the opportunity for all qualified persons to seek, obtain and hold employment at the Lewis Center without discrimination based on race, color, religious creed, political or union affiliation, national origin, sex, age (over 40), physical or mental handicap, medical condition as defined in the California Government Code, or marital status. The Lewis Center for Educational Research is an at-will employer. The conditions of the job, including hours, wages, and working conditions, may be changed at any time.

**Lewis Center for Educational Research
Confirmation of Receipt
of Job Description**

I have received my copy of the employee job description for the position of _____ at the Lewis Center for Educational Research. I understand and agree that it is my responsibility to read and familiarize myself with job qualifications, requirements, and working conditions contained in the job description.

I understand and agree that nothing in the job description creates or is intended to create a promise or representation of continued employment. I acknowledge that the Lewis Center is an at-will employer. I also understand that the conditions of the job, including hours, wages, and working conditions, may be changed at any time.

Employee's Signature

Date

**Lewis Center for Educational Research
Standard Operating Procedures
Evaluation of the Interim President/CEO**

NOVEMBER

1. By **November 21**, the Personnel Committee Chairperson ("Personnel Chair") or designee will solicit confidential input from members of the Executive Team by distributing the President/Chief Executive Officer ("CEO") Evaluation Instrument to be completed anonymously and returned to the Human Resources ("HR") Director.

DECEMBER

2. By **December 1**, the HR Director and Personnel Chair will tally the CEO Evaluation Instruments from the Executive Team and develop a non-binding Evaluation Report for the Foundation Board of Directors' ("Board") consideration.
3. By **December 1**, the Interim CEO will submit a Progress Report to the Personnel Chair for distribution to Board members. The report will include but is not limited to the following:
 - a. Summary of Interim CEO's accomplishments for the year
 - b. Summary of progress on Board established goals and objectives for the Interim CEO's performance, including any additional professional highlights the Interim CEO believes will demonstrate effective performance for the past year
 - c. Summary of progress on current year's Board established organizational goals
 - d. Report on student performance as required by the state
4. At the **December 12** Foundation Board meeting, the Personnel Chair will distribute to Board members the Interim CEO's Progress Report, the tally of the Executive Team's Evaluation Report, and the CEO's Evaluation Instrument with instructions for completion.

JANUARY

5. No later than **January 13**, Board members will return their Evaluation Instruments to the HR Director who, along with the Personnel Chair, will tally the results and prepare a Summary Report of the Board's collective judgment.

FEBRUARY

6. The Personnel Chair will call a special meeting of the Personnel Committee to be held no later than **February 15**, with the Interim CEO's Performance Evaluation as a closed session item on the agenda. Although this is a Personnel Committee meeting, all Foundation Board members will be invited to attend this properly posted and convened closed special meeting, without the Interim CEO present, to discuss their individual ratings and determine a consensus rating for each indicator.

The Personnel Chair will convene the special meeting of the Personnel Committee and bring the Board to consensus on each rating category. From a review of the Board's composite ratings, the Board will identify (a) agreed upon areas of strength, (b) agreed upon areas for

improvement, (c) specific improvements the Board would like to see in the areas that need improvement. Prior to the **March 13** Foundation Board meeting, the Personnel Chair will record the Board's consensus ratings, and the above areas of strength and needed improvement, on a President/CEO Evaluation & Summary Report to present to the Interim CEO, along with all of the comments from Board members' CEO Evaluation Instruments.

MARCH

7. In a properly posted closed session of the **March 13** regularly scheduled Foundation Board Meeting, the Board and Interim CEO will discuss Board members' agreement about the Interim CEO's areas of strength, areas needing improvement, and the specific improvements the Board would like the Interim CEO to make. The Personnel Chair will allow individual Board members to share opinions that differ from the majority of the Board. However, the Personnel Chair will clearly distinguish between directives that represent the majority of the Board and opinions of individual members. The Interim CEO is not expected to take action based on individual comments/opinions. The Board will allow the Interim CEO to ask questions, respond orally and to attach a written response to the formal evaluation per education code section 440321.
8. At the conclusion of the evaluation meeting with the Interim CEO, the Board and Interim CEO will jointly identify/develop areas for the Interim CEO's performance goals and objectives.
9. **Within two weeks** of the evaluation meeting, the Personnel Chair will submit to the Interim CEO and Foundation Board Chairperson a final President/CEO Evaluation & Summary Report that includes the following:
 - a. The CEO's performance goals and objectives
 - b. Any specific expectations the Board has regarding the CEO's areas needing improvement
 - c. The Board's consensus ratings and agreements about the CEO's performance
 - d. Individual Board members' instrument ratings and comments

APRIL

10. At a meeting **within six weeks** following the June Board meeting, the Personnel Chair, along with the Board Chairperson and Interim CEO will meet to discuss the Interim CEO's written action plan for each objective. The action plans shall identify the activities to be performed, expected results and timelines, and resources or constraints which may affect achievement (BP 2123). These will be included in the final CEO Performance Evaluation & Summary Report to be signed by the Foundation Board, Personnel Chair and the Interim CEO.

Board members who have concerns about the Interim CEO's performance between evaluation meetings may request that the Board Chairperson post "Interim CEO Evaluation" on any regular meeting agenda in order to discuss the concern with the full Board in closed session.

**BYLAWS OF THE
HIGH DESERT "PARTNERSHIP IN ACADEMIC EXCELLENCE"
FOUNDATION, INC.**

A California Nonprofit Public Benefit Corporation

ARTICLE I - NAME

Section 1.0 Name.

The name of this corporation shall be the High Desert "Partnership in Academic Excellence" Foundation, Inc. ("Corporation"). **Additionally, the Corporation shall do business as The Lewis Center for Educational Research and The Lewis Center Foundation.**

ARTICLE II - OFFICES

Section 2.0 Principal Offices.

The principal office of the Corporation is at the Lewis Center for Educational Research, 17500 Mana Road, Apple Valley, CA, 92307.

Section 2.1 Change of Address.

The "Board" (as that term is defined in Section ~~5.0~~ 7.0 hereof) hereby is granted full power and authority to change the location of the principal office of the Corporation. Any such change shall be noted by the Secretary in these Bylaws, but shall not be considered an amendment of these Bylaws

Section 2.2 Other Offices.

The Board may at any time establish branch or subordinate offices at any place.

ARTICLE III - PURPOSES

Section 3.0 Purposes.

The specific purposes of the Corporation are: (i) to promote and support the educational needs of the students, teachers and community members; and (ii) to receive and utilize funds acquired through the solicitation of donations, gifts, and bequests for the purposes for which this Corporation is formed. **The mission of the Lewis Center for Educational Research is to ensure**

that the schools and programs operated by the Corporation prepare students for success in a global society through data-driven innovative and research-proven practices in a safe and inclusive culture. In addition, the Corporation may manage, operate, guide, direct and promote public charter schools. In the context of these purposes, the Corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of the Corporation.

ARTICLE IV CONSTRUCTION AND DEFINITIONS

Section 4.0 Construction and Definitions.

Unless the context states otherwise, the general provisions, rules of construction and definitions in the California Nonprofit Corporation Law shall govern the construction of these bylaws. Without limiting the generality of the preceding sentence, the masculine gender includes the feminine and neuter, the singular includes the plural, and the plural includes the singular, and the term “person” includes both a legal entity and a natural person.

ARTICLE V DEDICATION OF ASSETS

Section 5.0 Dedication of Assets.

This corporation’s assets are irrevocably dedicated to public benefit purposes. No part of the net earnings, properties, or assets of the corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or to any director or officer of the corporation. On liquidation or dissolution, all properties and assets remaining after payment, or provision for payment, of all debts and liabilities of the corporation shall be distributed to a nonprofit fund, foundation, or corporation that is organized and operated exclusively for charitable purposes and that has established its exempt status under Internal Revenue Code section 501(c)(3). That organization shall be a public education organization serving students in San Bernardino County if it qualifies as a distributee under the provision of this Article.

ARTICLE VI - MEMBERS

Section 6.0 Members Prohibited.

In accordance with the Articles of Incorporation of the Corporation and with Section 5310 of the California Nonprofit Public Benefit Corporation Law, the Corporation shall have no members within the meaning of Section 5065 of the California Corporations Code (“CCC”). The Board of

Directors may, in its discretion, admit individuals to one or more classes of non-voting members; the class or classes shall have such rights and obligations as the Board of Directors finds appropriate. **The Corporation may allow members of the community to serve on its committees, but they will be considered volunteers, not members of the Corporation.**

Section 6.1 Effect of Prohibition. Pursuant to Section 5310 (b) of the CCC, any action that would otherwise require approval by a majority of all members shall only require the approval of the Board.

Section 6.2 Other Persons Associated with the Corporation. The Corporation may refer to persons or entities associated with it as “members,” even though those persons or entities are not voting members, but no such reference shall constitute anyone a member within the meaning of Section 5056 of the CCC. **The President/Chief Executive Officer of the Corporation shall serve in an ex officio capacity and will not be a voting member of the Corporation.**

ARTICLE VII - **BOARD OF DIRECTORS**

Section 7.0 Foundation Board of Directors.

The ~~Foundation~~ **Board of Directors for the Lewis Center for Educational Research** shall meet at a minimum ~~of on~~ a quarterly basis to carry out the overall business oversight of the Corporation. Scheduled meeting dates may be modified or cancelled as determined by the Board. The ~~Foundation~~ **Board of Directors** acts in the oversight capacity of the ~~sSchool b~~**Board Committees and all other committees.**

Subject to the provisions and limitations of the California Non-Profit Public Benefit Corporation Law and any other applicable laws, and subject to any limitations of the Articles of Incorporation or bylaws regarding actions that require approval of the members, the Corporation’s activities and affairs shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board of Directors (also known as the “Board”).

Section 7.1 Powers.

The Board shall perform such duties as are necessary to carry out the purposes of the Corporation as stated in the Articles of Incorporation, these Bylaws, and applicable laws and shall possess only those powers necessary and required to perform such duties.

(A) Specific Powers. The specific powers of the ~~Directors~~ **Board** include but are not limited to the following:

- (1) Select, **evaluate** and remove, at the pleasure of the Board, **the President/CEO and all any officers,– and/or agents,–and employees** of the Corporation; prescribe any powers and duties for them that are consistent with law, with the Articles of Incorporation and with these bylaws; and fix their compensation, **if any**.

- (2) ~~Appoint the Chair and~~ select and remove all directors appointed to the ~~school board committee~~ School Board Committee of any and all approved charter schools operating under this Corporation. The appointed directors will form that school's School Board Committee and will act in the capacity of a school board for that School. Each School Board Committee will be comprised of 5 members, all of whom shall also be members of the corporate Board of Directors.
- (3) Change the principal office or the principal business office in the State from one location to another; conduct business within or without the State; designate any place within or without the State for holding of any members' meeting including any annual meeting.
- (4) ~~Adopt, make and use a corporate seal, and alter the form of the seal and the certificate~~
- (5) Borrow money and incur indebtedness for the stated purposes of the Corporation, and cause to be executed and delivered therefore, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecation, or other evidences of debt and securities therefore

Section 7.4 2 Interested Person. (This section has been moved from Section 7.4 to become 7.2)

No persons serving on the Board may be interested persons as defined herein:

- (A) An interested person means either:
 - ~~(1)~~ any person compensated by the Corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise. ~~excluding any reasonable compensation paid to a Director as Director~~
 - ~~(2)~~ ~~(ii)~~ any ~~sibling brother, sister~~, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person.
- (B) The provisions of this paragraph shall not affect the validity or enforceability of any transaction entered into by the Corporation.

Section 7.2 3 Number and Qualifications of Directors.

- (A) The authorized number of persons to be ~~appointed~~ elected as members (“Directors”) of the Board of Directors of this corporation shall be not less than five (5) nor more than seventeen (17) until changed by an amendment to these Bylaws duly adopted in accordance with Article XV hereof. Collectively, the Directors shall be known as the Board of Directors (“Board”).

~~The minimum and maximum numbers of Directors may be changed only by amendment of paragraph (A) of this section.~~

(B) Any Director hereinafter elected to the Board must live in San Bernardino County or any contiguous county and have an interest in education and charter school governance.

Section 7.3 4 Nomination, Election and Term of Office.

(A) Any non-interested person may be nominated to be a Director by the method of nomination authorized by the Board in Board Policy or by any other method authorized by law.

(C) Directors shall be elected by the Board at the annual meeting.

(D) Directors are elected for a term of three (3) years.

(E) A vacancy occurring in the office of Director may be filled by the Board for the balance of the unexpired term and until a successor has been qualified and elected ~~and qualified~~.

~~(E) — Each elected Director shall hold office until the expiration of the term for which elected and until a successor has been elected and qualified.~~

(E) ~~The Terms to~~ will be staggered at the discretion of the Board, and in compliance with the CCC, including but not limited to section 5220 (a).

Section 7.5 Resignation and Removal of Directors.

(A) Except as provided in paragraph (C) of this Section 7.5, any Director may resign effective upon giving written notice to ~~the President~~, the Chairman of the Board, the Secretary, or the Board. The resignation shall be effective when the notice is given unless it specifies a later time for the effectiveness of such resignation. Unless such resignation specifies otherwise, its acceptance by the Corporation shall not be necessary to make it effective.

(B) ~~The Board may declare vacant the office of a Director for whom a conservator has been appointed by an order of court or convicted of a felony.~~ Any Directors may be removed without cause if such removal is approved by the affirmative vote of a majority of the Directors.

(C) ~~A Director may not resign if no director remains.~~ Except on notice to the CA Attorney General, no director may resign if corporation could be left without a duly elected director or directors.

Section 7.6 Vacancies on Board.

A vacancy or vacancies on the Board of Directors shall exist on the occurrence of the following:

(A) The death, resignation, or removal of any Directors,

(B) An increase in the authorized number of directors,

(C) The declaration by resolution of the Board of a vacancy in the office of a Director **who has been appointed a conservator and/or** declared of unsound mind by an order of a court,

convicted of a felony, or finding by final order or judgment of any court to have breached a duty under Article 3 of Chapter 2 of the CCC or otherwise.

Section 7.7 ~~Place of Meetings~~.

Meetings of the Board shall be held at the principal office of the Corporation unless another place is stated in the notice of the meeting. Notwithstanding any other provision in these bylaws, all meetings of the Board shall be held in compliance with the requirements of the Ralph M. Brown Act as set forth in Section 54950 of the California Government Code.

- (A) An annual meeting of the Board shall be scheduled each fiscal year. At the annual meetings, Directors and officers shall be elected and any other proper business may be transacted.
- (B) Regular meetings of the Board shall be held at such time and place specified by the Board. ~~as provided in a resolution adopted by the Board.~~
- (C) A special meeting of the Board may be called by the ~~Vice Chairman, or by a majority of the Directors or any other officer.~~ **President**, Chairman of the Board, .
- (D) Notice of the time and place of special meetings shall be delivered ~~personally or~~ by telephone **or electronic communication** to each Director or sent by first-class mail ~~or telegram, charges prepaid;~~ addressed to each Director at his or her address as it is shown upon the records of the Corporation. Notice of meetings shall be in accordance with the Brown Act.
- (E) Notwithstanding anything in this section to the contrary, the **President/CEO** or Chairman of the Board may call an emergency meeting of the Board, giving at least one hour notice to the media if such a meeting is, in the opinion of the President or Chairman of the Board, necessary to deal with an unforeseen emergency condition. An "emergency condition," is as defined by the Brown Act.
- (F) Directors may participate in a meeting through use of conference telephone or similar communications equipment, so long as Brown Act requirements are met.
- (G) A majority of the authorized number of Directors shall constitute a required quorum for the transaction of business, except to adjourn as hereinafter provided. Every act or decision done or made by a majority of the Directors present at a meeting duly held at which a required quorum is present shall be regarded as the act of the Board, subject to the provision of the California Nonprofit Public Benefit Corporation Law, especially those provisions relating to (i) approval of contracts or transactions in which a director has a direct or indirect material financial interest, (ii) appointment of committees, and (iii) indemnification of Directors.
- (H) A majority of the Directors present, whether or not constituting a quorum, may adjourn any meeting to another time and place. Notice of the adjourned meeting must be given in accordance with the Brown Act.

Section 7.9 ~~8~~ Fees and Compensation of Directors.

Directors shall serve without compensation except ~~that directors may receive such reimbursement of expenses; as the Board of Directors may establish by resolution to be just and reasonable as to the corporation at the time that the resolution is adopted. In addition,~~ that they shall be allowed reasonable advancement or reimbursement of expenses incurred in the performance of their regular duties as specified in Section 7.1(A). ~~No Director may serve the Corporation in any other capacity as an officer, agent, employee, or otherwise.~~

Section 7.~~10~~ 9 Required Vote of Directors.

(A) Every act or decision done or made by a majority of the Directors present at a meeting duly held at which quorum is present is the act of the Board. A meeting at which a quorum is initially present may continue to transact business notwithstanding the withdrawal of Directors, if any action taken is approved by at least a majority of the required quorum for such meeting.

(B) Notwithstanding paragraph (A) of this Section 7.9 ~~10~~ , the appointment or removal of the President/~~CEO~~ requires the affirmative approval of a majority of the authorized number of Directors.

ARTICLE VIII - OFFICERS

Section 8.0 Officers.

The officers of the Corporation shall be a Chairman of the Board, a Vice Chairman, a Secretary and a Treasurer, and such other officers with such titles and duties as shall be determined and deemed advisable by the Board. The same person may hold any two or more offices, except that neither the Secretary nor the Treasurer may serve concurrently as ~~either President or~~ Chairman of the Board (CCC §5213). ~~The Board shall be responsible for hiring and evaluating the President/CEO of the Corporation.~~

~~The President is the chief executive officer and general manager of the Corporation and, where appropriate, may be designated by the alternate title of "Chief Executive Officer" of the Corporation. The President shall, subject to the control of the Board, have general supervision, direction, and control of the business and affairs of the Corporation and of its officers, employees, and agents, including the right to employ, discharge, and prescribe the duties and compensation of all officers, employees, and agents of the corporation, except where such matters are prescribed in the Bylaws or by the Board. The President is authorized to sign all contracts, notes, conveyances, and other papers, documents, and instruments in writing in the name of the Corporation.~~

- (A) The Chairman of the Board shall preside at all meetings of the Board. The Chairman of the Board is authorized to sign all contracts, notes, conveyances, and other papers, documents, and instruments in writing in the name of the Corporation. ~~The Chairman shall appoint all committee chairs other than the chairs of the Finance Committee and School Board Committees. The Chairman of the Board shall appoint all members of any committee, other than the School Board Committees. The Chairman may remove any member of any committee, with the exception of the School Board Committees. The Chairman of the Board has the authority to suspend a Director.~~
- (B) The Vice Chairman shall, in the absence of the Chairman or the inability or refusal of the Chairman to act, carry on all duties and powers required by law or conferred by these Bylaws upon the Chairman of the Board.
- (C) The Secretary shall keep or cause to be kept the minute book ~~and/or electronic copies of the minutes of the Corporation.~~ The Secretary shall sign in the name of the Corporation, either alone or with one or more other officers, all documents authorized or required to be signed by the Secretary. ~~If the Corporation has a corporate seal, the Secretary shall keep the seal at the Corporation's principal office and shall affix the seal to documents as appropriate or desired. The Board may by resolution authorize one or more Assistant Secretaries to perform, under the direction of the Secretary, some or all the duties of the Secretary.~~
- (D) The Treasurer is the Chairperson of the Finance ~~Committee and shall assure that the duties of that committee, as defined in its Board-adopted committee job description, are carried out.~~

Section 8.1 Appointment Election of Officers.

The officers of the Corporation shall be ~~appointed~~ ~~elected~~ by the Board, and each shall serve at the pleasure of the Board., ~~subject to the right, if any, of an officer under any contract of employment.~~ The officers shall be elected annually from among the members of the Board.

Section 8.2 Removal of Officers.

- (A) Any officer ~~appointed~~ ~~elected~~ by the Board may be removed from office at any time by the Board, with or without cause or prior notice.
- (B) ~~This section was removed as members of the Board may not be an Interested Person as defined in Section 7.4.~~

Section 8.3 Resignation of Officers.

Any officer may resign at any time by giving written notice to the Corporation. Any such resignation shall take effect at the date of the receipt of such notice or at any later time specified therein; and, unless otherwise specified therein, the acceptance of such resignation shall not be

necessary to make it effective. Any such resignation is without prejudice to the rights, if any, of the Corporation under any contract to which the officer is a party.

Section 8.4 Vacancies in Office.

(A) A vacancy in any office because of death, resignation, removal, disqualification or any other cause shall be filled in the manner prescribed in these Bylaws for regular appointment to such office.

(B) The Chairman may appoint another Director to fill the vacant officer position, pending election by the Board.

**ARTICLE IX
CONTRACTS WITH DIRECTORS AND OFFICERS**

Section 9.0 **CONTRACTS WITH DIRECTORS AND OFFICERS.**

No director of this corporation nor any other corporation, firm, association, or other entity in which one or more of this corporation's directors are directors have a material financial interest, shall be interested, directly or indirectly, in the contract or transaction, unless allowed under the provisions of Government Code Section 1090.

This Section does not apply to a transaction that is part of an educational or charitable program of this corporation if it (a) is approved or authorized by the corporation in good faith and without unjustified favoritism and (b) results in a benefit to one or more directors or their families because they are in the class of persons intended to be benefited by the educational or charitable program of this corporation.

**ARTICLE X
INDEMNIFICATION OF DIRECTORS, OFFICERS, EMPLOYEES,
AND OTHER AGENTS**

Section 10.0 Right of Indemnity.

To the fullest extent permitted by law, this Corporation shall indemnify its Directors, officers, employees, and other persons described in Section 5238 of the CCC , including persons formerly occupying any such position, against all expenses, judgments, fines, settlements and other amounts actually and reasonably incurred by them in connection with any "proceeding," as that

term is used in that Section, and including an action by or in the right of the Corporation, by reason of the fact that the person is or was a person described in that section. "Expenses" as used in this bylaw shall have the same meaning as in Section 5238 of the CCC.

Section 10.1 Approval of Indemnity. On written request to the Board by any person seeking indemnification under Section 5238 (b) or Section 5238 (c) of the California Corporations Code, the Board shall promptly determine under Section 5238 (e) of the California Code whether the applicable standard of conduct set forth in Section 5238 (b) or Section 5238 (c) has been met and, if so, the Board shall authorize indemnification.

Section 10.2 Advance of Expenses. Expenses incurred in defending any proceeding may be advanced by the Corporation as authorized in Section 5238 of the CCC prior to the final disposition of such proceeding, upon receipt of an undertaking by or on behalf of the Director, officer, or employee to repay such amount unless it shall be determined ultimately that the Director, officer, or employee is entitled to be indemnified.

Section 10.3 Insurance. The Corporation may purchase and maintain insurance on behalf of any Director, officer, or employee of the Corporation against any liability asserted against or incurred by the Director, officer, or employee in such capacity or arising out of the Director's officer's, or employee's status as such, whether or not the Corporation would have the power to indemnify the Director, officer, or employee against such liability under the provisions of Section 5238 of the CCC, except as provided in subdivision (I) of Section 5238 of the CCC.

ARTICLE XI

STANDING COMMITTEES

Section 11.0 Authority of Committees.

An Executive Committee, comprised of the Board officers and Committee Chairs, may be designated if approved by the majority of the Directors present at a meeting at which a quorum is present. Such committee will have and may exercise the authority of the Board in the interim time period between full Board meetings. The committee will meet at the discretion of the Chairman of the Board or the President/CEO. Actions taken by the Executive Committee will be ratified at the next regular Board meeting.

Committees, not having and exercising the authority of the Board in the management of the Corporation, may be designated ~~by a resolution adopted~~ if approved by a majority of the Directors present at a meeting at which a quorum is present. ~~The President or Chairman of the Board shall appoint all members to any committee formed pursuant to this Article VIII of the Bylaws. Committee members may be removed by the person or persons authorized to appoint such member whenever his or her judgment such removal serves the best interest of the Corporation.~~ (Moved to a new 11.1) The Board may delegate some of its rights and duties to the committees other than the right to vote on any of the following matters:

- (A) for the election of a director, or the filling of a vacancy on the Board, or for the election of any officer; or
- (B) on the disposition of all or substantially all of the assets of the Corporation; or
- (C) on a merger; or
- (D) on a voluntary dissolution of the Corporation; or
- (E) on amendments to the Corporation's Articles of Incorporation or Bylaws.

Unless the Board passes a resolution delegating its authority on certain matters to a committee, the committee is a recommending body only.

Section 11.1 Duties of the Chairman of the Board Regarding Standing Committees (Excluding School Board Committees).

The ~~President or~~ Chairman of the Board shall appoint the committee chairman and all members to any committee formed pursuant to this Article XI of the Bylaws. Committee members and chairs may be removed by the Board Chairman ~~person or persons authorized to appoint such member~~ whenever in his or her judgment such removal serves the best interest of the Corporation

Section 11.2 Term of Office.

Each member of a committee shall continue as such until his or her successor is appointed, unless (i) the committee sooner shall have been terminated, (ii) such member sooner shall have been removed from such committee, or (iii) such member shall have ceased to be a member of the ~~Corporation Board~~.

Section 11.3 Standing Committees (Excluding School Board Committees).

Standing Committees shall be the following: Executive, Finance, Personnel, and Fundraising (also known as The Lewis Center Foundation). The Chairman of the Board will chair the Executive Committee. As noted in 11.1 above, Committee Chairmen of all Standing Committees shall be appointed by the ~~Board~~ Board Chairman. The Committee Chairman shall preside at all meetings of the appointed ~~Committee~~ committee and work to assure that the duties of the committee, as specified in its Board-adopted committee job description, are carried out. ~~Any committee chairman appointed by the Board may be removed from office at any time by the Board, with or without cause or prior notice.~~

**ARTICLE XII
INSPECTION RIGHTS**

Section 12. DIRECTORS' RIGHT TO INSPECT.

Every director shall have the right at any reasonable time to inspect the corporation's books, records, documents of every kind, physical properties, and the records of each subsidiary as permitted by California and federal law. The inspection may be made in person or by the director's agent or attorney. The right of inspection includes the right to copy and make extracts of documents as permitted by California and federal law. This right to inspect may be circumscribed in instances where the right to inspect conflicts with California or federal law pertaining to access to books, records, and documents.

Section 12.1 ACCOUNTING RECORDS AND MINUTES. On written demand on the corporation, any member may inspect, copy, and make extracts of the accounting books and records and the minutes of the proceedings of the members, the Board of Directors, and committees of the Board of Directors at any reasonable time for a purpose reasonably related to the member's interest as a member. Any such inspection and copying may be made in person or by the member's agent or attorney. This right of inspection extends to the records of any subsidiary of the corporation.

Section 12.3. MAINTENANCE AND INSPECTION OF ARTICLES AND BYLAWS.

This corporation shall keep at its principal California office the original or a copy of the article of incorporation and bylaws, as amended to the current date, which shall be open to inspection by the members at all reasonable times during office hours. If the corporation has no business office in California, the Secretary shall, on the written request of any member, furnish to that member a copy of the articles of incorporation and bylaws, as amended to the current date.

ARTICLE XIII

RECORDS AND REPORTS

Section 13.0 Minute Book. The Corporation shall keep or cause to be kept a minute book which shall contain:

- (A) The record of all meetings of the Board including date, place, those attending and the proceedings thereof, a copy of the notice of the meeting and when and how given, written waivers of notice of meeting, written consents to holding meeting, written approvals of minutes of meeting, and unanimous written consents to action of the Board without a meeting, and similarly as to meetings of committees of the Board established pursuant to

the Bylaws and as to meetings or written consents of the incorporator or incorporators of the Corporation prior to the appointment of the initial Directors.

- (B) A copy of the Articles and all amendments thereof and a copy of all certificates filed with the Secretary of State.
- (C) A copy of the Bylaws as amended, duly certified by the Secretary.

Section 13.1 Annual Report.

(A) The Board shall cause an annual report to be sent to each Director within 180 days after the end of the Corporation's fiscal year. That report shall contain the following information, in appropriate detail, of the fiscal year:

- (1) The assets and liabilities, including the trust funds, of the Corporation as of the end of the fiscal year.
- (2) The principal changes in assets and liabilities, including trust funds.
- (3) The revenue or receipts of the Corporation both unrestricted and restricted to particular purposes.
- (4) The expenses or disbursements of the Corporation for both general and restricted purposes; and
- (5) Any information required under these bylaws.

(B) If the income statements and balance sheets referred to in this section have not been audited, they shall be accompanied by the report of any independent accountants engaged by the Corporation or the certificate of an authorized officer of the Corporation that such financial statements were prepared without audit from the books and records of the Corporation.

(C) This requirement of an annual report shall not apply if the Corporation receives less than \$25,000 in gross receipts during the fiscal year, provided, however, that the information specified above for inclusion in an annual report must be furnished annually to all Directors.

Section 13.2 Report of Transactions And Indemnifications. As part of the annual report to all Directors, or as a separate document if no annual report is issued, the Corporation shall annually prepare and mail or deliver to each director a statement of any transaction or indemnification of the following kind within 180 days after the end of the Corporation's fiscal year:

(A) Any covered transaction during the previous fiscal year involving more than fifty thousand dollars (\$50,000), or which was one of a number of covered transactions in which the same "interested person" had a direct or indirect material financial interest, and which transactions in the aggregate involved more than fifty thousand dollars (\$50,000). For this purpose, an "interested person" is either of the following:

(1) Any Director or officer of the Corporation, its parent, or subsidiary (but mere common Directorship shall not be considered such an interest); or

(2) Any holder of more than ten (10) percent of the voting power of the Corporation, its parent, or its subsidiary.

The statement shall include a brief description of the transaction, the names of interested persons involved, their relationship to the Corporation, the nature of their interest in the transaction and, if practicable, the amount of that interest, provided that if the transaction was with a partnership in which the interested person is a partner, only the interest of the partnership need be stated.

(B) Any indemnifications or advances aggregating more than \$10,000 paid during the fiscal year to any officer or director of the Corporation, unless that indemnification has already been approved by the Directors under Section 5238 of the CCC.

Section 13.3 Audit Financial Statements. The financial books and records of the Corporation shall be audited annually, at the end of the fiscal year, by an independent auditor assigned by the Board, in connection with the rendering of the annual report required by Section 901 of this Article. The Independent Audit Report to be prepared in accordance with GAAS. In addition, the financial books and records of the Corporation shall be audited upon the resignation of the Chief Financial Officer of the Corporation and at any other time as the Board may direct.

ARTICLE XIV

GENERAL PROVISIONS

Section 14.0 Checks, Drafts, Evidences of Indebtedness, and Deposits. All checks, drafts or other orders for payment of money, notes or other evidences of indebtedness, issued in the name of or payable to the Corporation, shall be signed or endorsed by such person or persons and in such manner as, from time to time, shall be determined by resolution of the Board. All funds of the Corporation shall be deposited in a timely manner to the credit of the Corporation in such banks, trust companies, or other depositories as the Board may direct.

Section 14.1 Contracts. The Board, except as otherwise provided in these bylaws, may authorize any officer or officers, agent or agents, to enter into any contract or execute any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances; and, unless so authorized or ratified by the Board or within the agency power of an officer, no officer, agent or employee shall have any power or authority to bind the Corporation by any contract or engagement or to pledge its credit or to render it liable for any purpose or to any amount.

Section 14.2 Representation of Shares of Other Corporations. The President, Chairman of the Board, the Vice Chairman, or any other person authorized by resolution of the Board, is authorized to vote on behalf of the Corporation any and all shares of any Corporation or Corporations, foreign or domestic, standing in the name of the Corporation. This authority to such person to vote or represent on behalf of the Corporation any and all shares held by the Corporation in any other Corporation or Corporations may be exercised by any such person in person or by any person authorized to do so by duly executed proxy.

Section 14.3 Construction and Definitions. Unless the context requires otherwise, the general provisions, rules of construction and definition in the CCC shall govern the construction of the Bylaws. Without limiting the generality of this provision, the singular number includes the plural, the plural number includes the singular, and the term "person" includes both a Corporation and a natural person.

Section 14.4 Self Dealing. In the exercise of voting right by Directors, no Director shall vote on any issue, motion or resolution which directly or indirectly inures to his or her benefit or detriment financially, No director of this corporation nor any other corporation, firm, association, or other entity in which one or more of this corporation's directors are directors have a material financial interest, shall be interested, directly or indirectly, in the contract or transaction, unless otherwise allowed under the provisions of Government Code Section 1090. In the case of a matter to be voted on, which is not a contractual arrangement with a Board member, but a Board member has a financial interest, the non-interested members of the Board may take action as long as the provisions of the Political Reform Act are followed, namely 1) the interested board member discloses the financial interest at the public meeting; 2) the interested board member recuses him or herself from the discussion and action and leaves the room during the discussion; and 3) such disclosure and recusal is reflected in the minutes of the meeting.

Section 14.5 Gifts and Donations. The Board may accept on behalf of the Corporation any contributions, gifts, bequests, or devises for the general purpose or for any special purpose of the Corporation that do not violate the Corporation's Articles of Incorporation.

Section 14.6 Bonding. All employees handling funds shall be properly bonded.

ARTICLE XV

AMENDMENTS

Section 15.0 Amendment of Bylaws. The amendment of Bylaws requires the approval of seventy percent (70%) vote of the Board. If any provision of these bylaws requires the vote of a larger proportion of the Board than is otherwise required by law, that provision may not be altered, amended, or repealed except by that greater vote.

Section 15.1 Amendment of Articles. The amendment of Articles is provided for by California state law and requires the approval of not less than two-thirds majority of the Board and the filing of a certificate of amendment in the Office of the Secretary of State.

CERTIFICATE OF SECRETARY

I, the undersigned, do hereby certify that:

1. I am the duly elected and acting secretary of The High Desert "Partnership in Academic Excellence" Foundation, Inc., a California nonprofit public benefit corporation ("Corporation"); and

2. that the foregoing Bylaws to which this certificate is attached, comprising 15 pages, constitute the Bylaws of such Corporation as duly approved and adopted by the Board of Directors of this Corporation at a meeting duly held on September 28, 2016.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 28th day of September, 2016.

Lewis Center for Educational Research

**BP 9100: BOARD BYLAWS
 BOARD VACANCIES**

Adopted: September 12, 2016

Revised:

Persons wishing to serve on the Lewis Center for Educational Research Board of Directors will be asked to fulfill the role of:

- Governor - fulfilling governance functions
- Ambassador – Reaching out to the community
- Sponsor – Giving time and raising money
- Consultant – Using skills and expertise on behalf of the organization

When a vacancy occurs on the Board of Directors, the Chairman of the Board will appoint a Nominating Committee consisting of two members of the Board and the President/CEO, one of which will be the committee chair. The Nominating Committee will determine if there are any specific qualifications for the vacant position that are in need, and a solicitation for candidates will be made. Key skill sets for the Board include finance, instructional/ academic leadership, program evaluation, legal, fundraising, policy/political experience, community knowledge, and real estate/facilities.

Persons wanting to apply for the open position will submit a letter of intent along with a resume to the President/CEO. The names of the candidates will be submitted to the Board of Directors for initial review. Any Director who has reason to believe that one of the applicants should be precluded from serving on the Board, for any reason, shall bring those concerns to the Nominating Committee chair. If in the opinion of the Nominating Committee the concerns appear to disqualify the candidate, a determination will be made as to the disposition of the application.

The President/CEO will screen and orally interview the selected candidate(s) and bring forward a recommendation for approval to the Board at the next regularly scheduled meeting.

Lewis Center for Educational Research

**BP 9110: BOARD BYLAWS
TERMS AND OFFICERS**

Adopted: September 12, 2016

Revised:

Terms

Directors shall be elected for a term of three (3) years at the annual meeting in accordance with the Bylaws.

The Chairman of the Board will appoint a Nominating Committee consisting of two members of the Board and the President/CEO, one of which will be the committee chair. The Committee will meet at least 2 months prior to the annual meeting to review those Directors whose term is up for renewal. They will discuss with each Director if they wish to renew their term, take a leave of absence with a designated period of time, or resign from the Board. Board members who resign in good standing may, after one year, reapply to fill an open vacancy on the Board.

The committee will bring forward recommendations for renewal of terms to the Board at the annual meeting.

Officers

A Chairman of the Board, Vice Chairman, Secretary and Treasurer shall be elected annually from among the members of the Board in accordance with the Bylaws. The Treasurer is the Chairperson of the Finance Committee as per the bylaws.

The Chairman of the Board will appoint a Nominating Committee consisting of two members of the Board and the President/CEO, one of which will be the committee chair. The Committee will meet at least 2 months prior to the annual meeting to discuss nominations of the four (4) officer positions. They will discuss with each current officer if they wish to be considered a nominee for their current office. They will also ask Board members if they wish to be considered a nominee for one of the officer positions.

The committee will bring forward nominees for election at the annual meeting.

Lewis Center for Educational Research

**BP 1312.3: COMMUNITY RELATIONS
UNIFORM COMPLAINT PROCEDURES**

Adopted: June 11, 2012

**Revised: September 8, 2014
June 8, 2015**

The Lewis Center for Educational Research ("LCER") complies with applicable federal and state laws and regulations governing educational programs. This document policy contains rules and instructions about the filing, investigation and resolution of a Uniform Complaint Procedures ("UCP") complaint regarding an alleged violation by the above federal or state laws or regulations including allegations of unlawful discrimination, harassment, intimidation, bullying and non-compliance with laws relating to pupil fees and the LCER's Local Control and Accountability Plan ("LCAP").

The LCER is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. This document policy presents information about how the LCER processes UCP complaints concerning particular programs or activities for which it receives state or federal funding. A UCP complaint is a written and signed statement by a complainant alleging a violation of federal or state laws or regulations, which may include an allegation of unlawful discrimination, harassment, intimidation bullying or charging pupil fees for participation in an educational activity or non-compliance with the requirements of its LCAP. A complainant is any individual, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging violation of federal or state laws or regulations, including allegations of unlawful discrimination, harassment, intimidation, bullying and non-compliance with laws relating to pupil fees or non-compliance with the requirements of the LCER's LCAP. If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, the LCER shall assist the complainant in the filing of the complaint.

~~Programs or activities that are implemented by the LCER and subject to the UCP in which it receives state or federal funding are: Adult Education; After School Education and Safety; Agricultural Vocational Education; American Indian Education Centers and Early Childhood Education Program Assessments; Bilingual Education; California Peer Assistance and Review Programs for Teachers; Career Technical and Technical Education and Career Technical and Technical Training; Career Technical Education; Child Care and Development; Child Nutrition; Compensatory Education; Consolidated Categorical Aid; Course Periods Without Educational Content; Economic Impact Aid; Education of Pupils in Foster Care and Pupils who are Homeless; Every Student Succeeds Act/No Child Left Behind; Local Control Accountability Plans (including Charter Schools as described in EC §§ 47606.5 and 47607.3); Migrant Education; Physical Education Instructional Minutes; Pupil Fees; Reasonable Accommodations to a Lactating Pupil; Regional Occupational Centers and Programs; School Safety Plans; Special Education; State Preschool; and Tobacco Use Prevention Education.~~

Pursuant to this policy, persons responsible for conducting investigations shall be knowledgeable about the laws and programs which they are assigned to investigate. This complaint procedure is adopted to provide a uniform system of complaint processing for the following types of complaints:

- (1) — Complaints of unlawful discrimination, harassment, intimidation or bullying against any protected group including actual or perceived discrimination, on the basis of the actual or

~~perceived characteristics of age, ancestry, color, disability, ethnic group identification, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, sex, or sexual orientation, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any LCER program or activity as identified in Education Code sections 200 and 220 and Government Code section 11135, including actual or perceived characteristics as set forth in Penal Code section 422.55 to include disability, gender, nationality, race or ethnicity, religion, sexual orientation, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any LCER program or activity, which is funded directly by, or that receives benefits from any state financial assistance, discrimination, on the basis of characteristics of age, ancestry, color, disability, ethnic group identification, gender expression, gender, genetic information, nationality, national origin, race or ethnicity, religion, sex, or sexual orientation, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any LCER program or activity; and~~

~~(2)(1)~~

~~(3) Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: Adult Education Programs, Migrant Education, Career Technical and Technical Education and Career Technical and Technical Training Programs, Child Care and Development Programs, Special Education Programs, Consolidated Categorical Aid Programs, , Child Nutrition Programs.~~

(2) ~~Complaints of violations of state or federal law and regulations governing the following programs including but not limited to that are implemented by LCER, are subject to the UCP, and for which LCER receives state or federal funding: Programs or activities that are implemented by the LCER and subject to the UCP in which it receives state or federal funding are: Adult Education; After School Education and Safety; Agricultural Vocational Education; American Indian Education Centers and Early Childhood Education Program Assessments; Bilingual Education; California Peer Assistance and Review Programs for Teachers; Career Technical and Technical Education and Career Technical and Technical Training; Career Technical Education; Child Care and Development; Child Nutrition; Compensatory Education; Consolidated Categorical Aid; Course Periods Without Educational Content; Economic Impact Aid; Education of Pupils in Foster Care and Pupils who are Foster and Homeless Youth Services; Every Student Succeeds Act / No Child Left Behind; Local Control Accountability Plans (including Charter Schools as described in EC §§ 47606.5 and 47607.3); Migrant Education; Physical Education Instructional Minutes; Pupil Fees; Reasonable Accommodations to a Lactating Pupil ; Regional Occupational Centers and Programs; School Safety Plans; Special Education; State Preschool; and Tobacco - Use Prevention Education.~~

(4)(3) A complaint may also be filed alleging that a pupil enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below:

a. "Educational activity"²² means an activity offered by a school, school district, charter school or county office of education that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.

b. "Pupil fee"²² ~~means is~~ a fee, deposit or other charge imposed on pupils, or a pupil's parents or guardians, in violation of Section 49011 of the Education Code and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of

charge to all pupils without regard to their families' ability or willingness to pay fees or request special waivers. ~~Educational activities are those offered by a school, school district, charter school, or county office of education that constitute a fundamental part of education, including but not limited to, curricular and extracurricular activities.~~, as provided for in *Hartzell v. Connell* (1984) 35 Cal.3d 899.

A pupil fee includes, but is not limited to, all of the following:

- i. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
- ii. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.
- iii. A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.

~~b.c.~~ A pupil fees complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees.

~~e.d.~~ If the LCER finds merit in a pupil fees, ~~LCAP and/or a Course Period without Educational Content~~ complaint, the LCER shall provide a remedy. ~~Specifically, in Course Period without Educational Content complaints the remedy shall go to the affected pupil. In LCAP and pupil fees complaints, the remedy shall go~~ to all affected pupils, parents, and guardians, ~~which in the case of pupil fees, also that, where applicable,~~ includes reasonable efforts by the LCER to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.

~~d.e.~~ Nothing in this section shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or school districts, school, and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.

(4) Complaints ~~may also be filed alleging of~~ noncompliance with the requirements governing the Local Control Funding Formula ("LCFF") or Sections 47606.5 and 47607.3 of the Education Code ~~regarding Local Control Accountability Plans~~, as applicable. ~~The LCAP is an important component of the LCFF, the revised school finance system that overhauled how California funds its K-12 schools. Under the LCFF, LCER is required to prepare an LCAP, which describes how the LCER intends to meet annual goals for its pupils, with specific activities to address state and local priorities identified pursuant to Education Code Section 52060(d).~~

(5) ~~Complaints of noncompliance with the requirements of Education Code Section 222 regarding the rights of lactating pupils on a school campus. If the LCER finds merit in a complaint, or if the Superintendent finds merit in an appeal, the LCER shall provide a remedy to the affected pupil.~~

The LCER acknowledges and respects every individual's rights to privacy. Unlawful discrimination, harassment, intimidation or bullying complaints shall be investigated in a manner that protects [to the greatest extent reasonably possible] the confidentiality of the parties and the integrity of the process. The LCER cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. The LCER will attempt to do so as appropriate. The LCER may find it necessary to disclose information regarding the complaint/complainant to the extent necessary to carry out the investigation or proceedings, as determined by the President/Chief Executive Officer ("CEO") or designee on a case-by-case basis compliance officer investigating the complaint.

The LCER prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's filing of a complaint or the reporting of instances of unlawful discrimination, harassment, intimidation or bullying. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

The following complaints shall be referred to other agencies for appropriate resolution and are not subject to the LCER's UCP process set forth in this document policy unless these procedures are made applicable by separate interagency agreements:

- (1) Allegations of child abuse shall be referred to County Dept of Social Services (DSS), Protective Services Division or appropriate law enforcement agency.
- (2) Health and safety complaints regarding a Child Development Program shall be referred to the Dept. of Social Services for licensed facilities, and to the appropriate Child Development regional administrator for licensing-exempt facilities.
- (3) Employment discrimination, harassment, intimidation or bullying complaints shall be sent to the State Dept. of Fair Employment and Housing (DFEH).
- (4) Allegations of fraud shall be referred to the Legal, Audits and Compliance Branch in the California Department of Education (CDE).

Compliance Officers

The ~~Foundation Board of Directors designates the~~ following compliance officer(s) are responsible for) are responsible for to receiveing and investigateing complaints and ~~to ensureing~~ the LCER's compliance ~~with law~~:

Coordinator of Uniform Complaint Procedures:

CEO Executive Assistant

Compliance Officers:

Director, Human Resources

Director, Special Education

Director, Finance

Director, Categorical Programs

Lewis Center for Educational Research
17500 Mana Road
Apple Valley, CA 92307
(760) 946-5414

~~The CEO or designee~~The above, responsible for compliance and ~~shall ensure that employees designated to investigate~~ions, complaints are ~~is~~ knowledgeable about the laws and programs which they are for which they are responsible assigned to investigate. Designated employees may have access to legal counsel as determined ~~by~~ the CEO or designee.

Should the complaint be filed against the compliance officer, the compliance officer for that case shall be the CEO or designee.

Notifications

~~The CEO LCER or designee~~ shall ~~ensure annually provide~~ dissemination of the provide written notification ~~of its of the LCER's~~ uniform complaint procedures to its students, employees, parents and/or guardians of its students, school and district advisory committees members, the Foundation Board, appropriate private school officials or representatives, and other interested parties, as applicable, that includes information regarding unlawful pupil fees and LCAP requirements.

The annual notice shall also include information regarding the requirements of Education Code sections 49010 through 49013 relating to pupil fees and information regarding the requirements of Education Code section 52075 relating to the LCAP.

The annual notice shall be in English, and when necessary, in the primary language, pursuant to section 48985 of the Education Code, or mode of communication of the recipient of the notice, if fifteen (15) percent or more of the pupils enrolled in the school site speak a single primary language other than English.

The ~~CEO or designee~~LCER shall make available copies of the LCER's uniform complaint procedures free of charge.

The annual notice shall include the following:

- a) A statement that the LCER is primarily responsible for compliance with state and federal laws and regulations.
- b) A statement that a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.
- c) A statement ~~i-~~Identifying the person, position, or unit responsible for receiving complaints.
- d) A statement that the complainant has a right to appeal the LCER's decision to the CDE by filing a written appeal within 15 days of receiving the LCER's decision.

- e) A statement advising the complainant of any civil law remedies that may be available -under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal pursuant to Education Code § 262.3.
- f) A statement that copies of the local educational agency complaint procedures shall be available free of charge.

Procedures

The following procedures shall be used to address all complaints which allege that the LCER has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

- **Step 1: Filing of Complaint**

Any individual, public agency, or organization may file a written complaint of alleged noncompliance by the LCER.

A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six (6) months from the date when the alleged discrimination, harassment, intimidation, or bullying occurred, or six (6) months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination, harassment, intimidation, or bullying. The period for filing a discrimination, harassment, intimidation or bullying complaint may be extended by the CEO or his or her designee for good cause for a period not to exceed 90 calendar days following the expiration of the six--month time period. The CEO shall respond immediately upon a receipt of a request for extension.

A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation, or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination, harassment, intimidation, or bullying.

A pupil fees complaint and/or an LCAP complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

A Ppupil fee complaints shall be filed not later than one (1) year from the date the alleged violation occurred.

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and date stamp.

If a complainant is unable to put a complaint in writing due to conditions such -as a disability or illiteracy, LCER staff shall assist him/her in the filing of the complaint.

- Step 2: Mediation

Within three (3) days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process.

Before initiating the mediation of an unlawful discrimination, harassment, intimidation, or bullying complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the LCER's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

- Step 3: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within five (5) days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The ~~complainant and/or his/her representative~~ investigation shall ~~have~~ provide an opportunity ~~for the complainant or the complainant's representative, or both,~~ to present ~~the complaint and~~ evidence or information, ~~leading to evidence to support the allegations in the complaint.~~

~~A complainant's~~ ~~refusal by the complainant by the complainant~~ to provide the LCER's investigator with documents or other evidence related to the allegations in the complaint, or ~~his/her failure or to otherwise fail or~~ refusal to cooperate in the investigation or ~~his/her~~ engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

~~Refusal by the LCER's~~ ~~refusal~~ to provide the investigator with access to records and/or other information related to the allegation in the complaint, or ~~to otherwise its failure~~ or refusal ~~to cooperate in the investigation or its engagement~~ in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

- Step 4: Response

~~Except for pupil fees complaints, a~~ A UCP complaint will be investigated and a written report (also known as a Decision) issued to the complainant within sixty (60) days of the receipt of the complaint, ~~u~~nless ~~the complainant agrees in writing to an extension~~ of time ~~by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the LCER's investigation and decision, as described in Step #5 below, within (60) days of the LCER's receipt of the complaint.~~

- Step 5: Final Written Decision

The LCER's ~~shall issue a written decision~~ shall be based on the evidence and that will contain the following elements: be in writing and sent to the complainant. The LCER's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The Decision shall include:

1. The findings of fact based on evidence gathered.
2. The conclusion(s) of law.
3. Disposition of the complaint.
4. Rationale for such disposition.
5. Corrective actions, if any are warranted.
6. Notice of the complainant's right to appeal the LCER's Decision ~~within fifteen (15) days to the CDE and the complainant may appeal the LCER's decision of the UCP complaint regarding all specified federal and state educational programs subject to the UCP.-~~
- 6.7. ~~A~~ and procedures to be followed for initiating ~~such~~ an appeal to the CDE.
- 7.8. For unlawful discrimination, harassment, intimidation or bullying ~~complaints arising under state law, notice that the complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.~~
- 8.9. For unlawful discrimination, harassment, intimidation or bullying complaints arising under federal law such complaint may be made at any time to the U.S. Department of Education, Office for Civil Rights.

If an employee is disciplined as a result of the complaint, the decision shall simply state that effective action was taken and that the employee was informed of the LCER's expectations. The report shall not give any further information ~~as to the nature of the disciplinary action.~~

Appeals to the California Department of Education ("CDE")

~~If dissatisfied with the LCER's decision, t~~The complainant may appeal the LCER's Decision the LCER's Complaint Decision in writing to the CDE within fifteen (15) days of receiving the LCER's Decision. When appealing to the CDE, the complainant must specify fully explain the basis for the appeal, ~~of the decision and whether stating how~~ the facts of the LCER's Decision are incorrect and/or the law has been misapplied. The appeal shall be ~~accompanied by~~ sent with a copy of the locally filed complaint and a copy of the LCER's Decision.

Nothing in this document policy shall prohibit anyone involved in the complaint from utilizing alternative methods to resolve the allegations, such as mediation. Nor is the LCER prohibited from resolving complaints prior to the formal filing of a written complaint. Mediation is a problem solving activity whereby a third party assists the parties to the dispute in resolving the complaint.

Copies of these Uniform Complaint Procedures shall be available free of charge.

Upon notification by the CDE that the complainant has appealed the LCER's decision, the compliance officer or designee shall forward the following documents to the CDE:

1. A copy of the original complaint.
2. A copy of the decision.
3. A summary of the nature and extent of the investigation conducted by the LCER, if not covered by the decision.
4. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by all parties and gathered by the investigator.
5. A report of any action taken to resolve the complaint.
6. A copy of the LCER's complaint procedures.

Other relevant information requested by the CDE.

~~The CDE may directly intervene in the complaint without waiting for action by the LCER when one of the conditions listed in Title 5, California Code of Regulations, Section 4650 exists, including cases in which the LCER has not taken action within sixty (60) days of the date the complaint was filed with the LCER.~~

Civil Law Remedies

~~A complainant is advised of the right to may pursue available civil law remedies outside of the LCER's complaint procedures under state and federal discrimination, harassment, intimidation or bullying laws. Civil law remedies, including injunctions, restraining orders, or other remedies or orders may also be available at any time.~~ A complainant may pursue available civil law remedies outside of LCER's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For unlawful discrimination, harassment, intimidation or bullying complaints arising under state law, however, a complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the LCER has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

UNIFORM COMPLAINT PROCEDURE FORM

Last Name: _____ First Name/MI: _____

Student Name (if applicable): _____ Grade: _____ Date of Birth: _____

Street Address/Apt. #: _____

City: _____ State: _____ Zip Code: _____

Home Phone: _____ Cell Phone: _____ Work Phone: _____

School/Office of Alleged Violation: _____

For allegation(s) of noncompliance, please check the program or activity referred to in your complaint, if applicable:

- | | | |
|--|--|---|
| <input type="checkbox"/> <u>Adult Education</u> | <input type="checkbox"/> <u>After School Education and Safety</u> | <input type="checkbox"/> <u>Agricultural Vocational Education</u> |
| <input type="checkbox"/> <u>American Indian Education</u> | <input type="checkbox"/> <u>Consolidated Categorical Aid</u> | <input type="checkbox"/> <u>Career/Technical Education</u> |
| <input type="checkbox"/> <u>Child Development Programs</u> | <input type="checkbox"/> <u>Child Nutrition</u> | <input type="checkbox"/> <u>Foster/Homeless Youth</u> |
| <input type="checkbox"/> <u>Migrant Education</u> | <input type="checkbox"/> <u>No Child Left Behind/ESSA Programs</u> | <input type="checkbox"/> <u>Regional Occupational Programs</u> |
| <input type="checkbox"/> <u>Special Education</u> | <input type="checkbox"/> <u>State Preschool</u> | <input type="checkbox"/> <u>Tobacco-Use Prevention Education</u> |
| <input type="checkbox"/> <u>Pupil Fees</u> | <input type="checkbox"/> <u>Local Control Funding Formula</u> | <input type="checkbox"/> <u>Lactating Pupils</u> |

For allegation(s) of unlawful discrimination, harassment, intimidation or bullying, please check the basis of the unlawful discrimination, harassment, intimidation or bullying described in your complaint, if applicable:

- | | | |
|---|--|---|
| <input type="checkbox"/> <u>Age</u> | <input type="checkbox"/> <u>Gender / Gender Expression / Gender Identity</u> | <input type="checkbox"/> <u>Sex (Actual or Perceived)</u> |
| <input type="checkbox"/> <u>Ancestry</u> | <input type="checkbox"/> <u>Genetic Information</u> | <input type="checkbox"/> <u>Sexual Orientation (Actual or Perceived)</u> |
| <input type="checkbox"/> <u>Color</u> | <input type="checkbox"/> <u>National Origin</u> | <input type="checkbox"/> <u>Based on association with a person or group with one or more of these actual or perceived characteristics</u> |
| <input type="checkbox"/> <u>Disability (Mental or Physical)</u> | <input type="checkbox"/> <u>Race or Ethnicity</u> | |
| <input type="checkbox"/> <u>Ethnic Group Identification</u> | <input type="checkbox"/> <u>Religion</u> | |

1. Please give facts about the complaint. Provide details such as the names of those involved, dates, whether witnesses were present, etc., that may be helpful to the complaint investigator.

2. Have you discussed your complaint or brought your complaint to any LCER personnel? If you have, to whom did you take the complaint, and what was the result?

3. Please provide copies of any written documents that may be relevant or supportive of your complaint.

I have attached supporting documents. Yes No

Signature: _____ Date: _____

Mail complaint and any relevant documents to:

Stacy Newman
Director Human Resources
Lewis Center for Educational Research
17500 Mana Road
Apple Valley, CA 92307

**NOTICE OF INTENTION TO AMEND THE
CONFLICT OF INTEREST CODE OF THE
LEWIS CENTER FOR EDUCATIONAL RESEARCH**

NOTICE IS HEREBY GIVEN that the Board of Directors of the Lewis Center for Educational Research (the "Center") intends to amend the Center's Conflict of Interest Code (the "Code") pursuant to Government Code Section 87306.

The Appendix of the Code designates those employees, members, officers, and consultants who are subject to the Center's Code. The Center's proposed amendment adds a new position that must be designated, revises titles of existing positions, revises disclosure categories and updates language provided by the FPPC to help clarify requirements.

The proposed amended Code will be considered by the Members of the Board of Directors on September 28, 2016, at 7:00 a.m. at Lewis Center for Educational Research, 17500 Mana Road, Apple Valley, California. Any interested person may be present and comment at the public meeting or may submit written comments concerning the proposed amendment. Any comments or inquiries should be directed to the attention of Teresa Dowd, Executive Assistant, Lewis Center for Educational Research, 17500 Mana Road, Apple Valley, California, 92307; (760) 946-5414. Written comments must be submitted no later than September 28, 2016, at 7:00 a.m.

The proposed amended Code may be reviewed at, and copies obtained from, the office of the Executive Assistant.

RESOLUTION NO. 2016 – 03

Resolution of the Board of Directors of the Lewis Center for Educational Research Adopting an Amended Conflict of Interest Code Pursuant to the Political Reform Act of 1974

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the “Act”), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Lewis Center for Educational Research (the “Center”) and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the Board of Directors adopted a Conflict of Interest Code (the “Code”) which was last amended September 10, 2012, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the Center have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the Appendix of the Center’s Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the Center being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Directors on September 28, 2016, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Lewis Center for Educational Research that the Board of Directors does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Executive Assistant and available to the public for inspection and copying;

BE IT FURTHER RESOLVED that the said amended Code shall be submitted to the Board of Supervisors of the County of San Bernardino for approval and said Code shall become effective immediately after the Board of Supervisors approves the proposed amended Code as submitted.

APPROVED AND ADOPTED this 28th day of September, 2016

Chairman, Board of Directors
Lewis Center for Educational Research

ATTEST:

Secretary, Board of Directors
Lewis Center for Educational Research

LEGISLATIVE VERSION
(SHOWS CHANGES MADE)

CONFLICT OF INTEREST CODE

OF THE

LEWIS CENTER

FOR EDUCATIONAL RESEARCH

CONFLICT OF INTEREST CODE FOR THE
LEWIS CENTER FOR EDUCATIONAL RESEARCH

(Amended ~~September 10, 2012~~September 12, 2016)

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. § 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, regulation and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Lewis Center For Educational Research** (the "**Center**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **President/CEO Executive Assistant** as the Center's Filing Officer. The **President/CEO Executive Assistant** shall make and retain a copy of all statements filed by Members of the Board of Directors and the President, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Bernardino. The **President/CEO Executive Assistant** shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX

CONFLICT OF INTEREST CODE OF THE LEWIS CENTER FOR EDUCATIONAL RESEARCH

(Amended ~~September 10, 2012~~ September 12, 2016)⁴

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Center Officials who manage public investments, as defined by 2 Cal. Code of Regs. § ~~18701(b)~~ 18700.3, are NOT subject to the Center's Code but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments²:

Members of the Board of Directors

President/CEO

Director, Financial Officer

Financial Consultants

⁴ ~~Titles updated September, 2014.~~

² Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
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<u>Bridge Coordinator</u>	<u>5, 6</u>
Director, Facilities	4
Director, Information Technology	5
General Counsel	1, 2
Manager, Athletics <u>Athletics Director</u>	5
Principal (ALL)	5
Psychologist, Academic Training Coordinator <u>Director, Special Needs</u>	5
Consultants and New Positions ³	

³ Individuals providing services as a Consultant defined in Regulation ~~18704~~18700.3, or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The President may determine that due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The President's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

PART “B”

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.⁴ ~~Such economic interests~~ “Investment” means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the Center.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of the Center.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the Center.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the Center.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Center.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position’s department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, or income from a nonprofit organization, if the source is of the type to receive grants or other monies from or through the Center or its subdivisions.

⁴ This Conflict of Interest Code does not require the reporting of gifts from outside this agency’s jurisdiction if the source does not have some connection with or bearing upon the functions of the position. (Reg. 18730.1)

The High Desert Partnership in Academic Excellence Foundation, Inc.
Statement of Revenues and Expenditures
From 7/2/2015 Through 9/1/2015
From 7/1/2016 Through 9/1/2016

	7-2-15 to 9/1/15	2015-2016	Percent of Budget Remaining	7-1-16 to 9/1/16	2016-2017	Percent Budget Remaining
	Actuals - Year- to-Date	Annual Budget		Actuals - Year- to-Date	Annual Budget	
Revenue						
Revenue						
Revenue	3,488,471.46	20,200,167.00	(82.73)%	<u>684,321.21</u>	<u>21,616,683.50</u>	<u>(96.83)%</u>
Budget Carryover	<u>0.00</u>	<u>257,874.96</u>	<u>(100.00)%</u>			
Total Revenue	3,488,471.46	20,458,041.96	(82.95)%	684,321.21	21,616,683.50	(96.83)%
Interest						
Revenue - Interest	<u>74.68</u>	<u>0.00</u>	<u>0.00%</u>	<u>52.09</u>	<u>0.00</u>	<u>0.00%</u>
Total Interest	<u>74.68</u>	<u>0.00</u>	<u>0.00%</u>	<u>52.09</u>	<u>0.00</u>	<u>0.00%</u>
Total Revenue	<u>3,488,546.14</u>	<u>20,458,041.96</u>	<u>(82.95)%</u>	<u>684,373.30</u>	<u>21,616,683.50</u>	<u>(96.83)%</u>
Expense						
Salaries						
Certificated	1,237,358.08	8,236,913.00	84.97%	1,421,655.10	8,925,066.35	84.07%
Classified	<u>513,434.38</u>	<u>3,568,559.00</u>	<u>85.61%</u>	<u>554,206.79</u>	<u>3,527,341.28</u>	<u>84.28%</u>
Total Salaries	1,750,792.46	11,805,472.00	85.17%	1,975,861.89	12,452,407.63	84.13%
Benefits						
Total Benefits	<u>589,377.17</u>	<u>3,672,557.00</u>	<u>83.95%</u>	<u>696,273.90</u>	<u>3,790,168.98</u>	<u>81.62%</u>
	589,377.17	3,672,557.00	83.95%	696,273.90	3,790,168.98	81.63%
Books and Supplies						
Total Books and Supplies	<u>364,094.28</u>	<u>1,266,569.00</u>	<u>71.25%</u>	<u>132,705.34</u>	<u>1,434,193.20</u>	<u>90.74%</u>
	364,094.28	1,266,569.00	71.25%	132,705.34	1,434,193.20	90.75%
Services, Other Operating Expenses						
Total Services, Other Operating Expenses	<u>295,812.73</u>	<u>2,400,068.00</u>	<u>87.67%</u>	<u>338,989.36</u>	<u>2,306,323.50</u>	<u>85.30%</u>
	295,812.73	2,400,068.00	87.67%	338,989.36	2,306,323.50	85.30%
Capital Outlay						
Total Capital Outlay	<u>1,116,947.06</u>	<u>314,237.00</u>	<u>(255.44)%</u>	<u>328,682.36</u>	<u>458,000.00</u>	<u>28.23%</u>
	1,116,947.06	314,237.00	(255.45)%	328,682.36	458,000.00	28.24%
Other Outgo - Debt Service						
Total Other Outgo - Debt	<u>92,588.64</u>	<u>377,000.00</u>	<u>75.44%</u>	<u>202,731.80</u>	<u>1,175,040.00</u>	<u>82.74%</u>
	92,588.64	377,000.00	75.44%	202,731.80	1,175,040.00	82.75%
Total Expense	<u>4,209,612.34</u>	<u>19,835,903.00</u>	<u>78.78%</u>	<u>3,675,244.65</u>	<u>21,616,133.31</u>	<u>83.00%</u>
	4,209,612.34	19,835,903.00	78.78%	3,675,244.65	21,616,133.31	83.00%
Net Income (Loss)	<u>(721,066.20)</u>	<u>622,138.96</u>	<u>(215.90)%</u>	<u>(2,990,871.35)</u>	<u>550.19</u>	<u>(543,706.98)</u>
	(721,066.20)	622,138.96	(215.90)%	(2,990,871.35)	550.19	(543,706.98)

AAE - Budget Comparison 2015/16 to 2016/17

	2015-2016			2016-2017			Comparison
	Total Budget \$ - Revised	Current Period Actual thru August	Percent Total Budget-to-date	Total Budget \$ - Revised	Current Period Actual thru August	Percent Total Budget-to-date	
Revenue							
Revenue				2/12 of Budget			
Revenue	11,543,728.00	954,276.22	8.27%	13,138,739.50	2,189,789.92	16.67%	8.40%
Budget Carryover	0.00	0.00	N/A	0.00	0.00	N/A	
Total Revenue	11,543,728.00	954,276.22	8.27%	13,138,739.50	2,189,789.92	16.67%	8.40%
Expense							
Salaries							
Certificated							
Certificated Salaries	5,196,188.75	861,866.78	16.59%	5,491,477.87	901,503.07	16.42%	-0.17%
Total Certificated	5,196,188.75	861,866.78	16.59%	5,491,477.87	901,503.07	16.42%	-0.17%
Classified							
Classified Salaries	1,500,426.34	310,425.26	20.69%	2,253,050.88	330,733.46	14.68%	-6.01%
Total Classified	1,500,426.34	310,425.26	20.69%	2,253,050.88	330,733.46	14.68%	-6.01%
Total Salaries	6,696,615.09	1,172,292.04	17.51%	7,744,528.75	1,232,236.53	15.91%	-1.59%
Benefits							
Health Benefits	978,036.22	175,814.77	17.98%	1,179,800.95	179,928.76	15.25%	-2.73%
STRS	557,551.05	88,363.22	15.85%	633,390.92	100,487.87	15.87%	0.02%
PERS	177,755.51	38,399.75	21.60%	281,041.94	47,331.81	16.84%	-4.76%
Employer Costs	265,799.10	113,347.89	42.64%	428,979.36	137,089.24	31.96%	-10.69%
Total Benefits	1,979,141.88	415,925.63	21.02%	2,523,213.17	464,837.68	18.42%	-2.59%
Books and Supplies							
Approved Text Books	177,000.00	48,149.66	27.20%	100,800.00	14,818.71	14.70%	-12.50%
Classroom Books	6,500.00	0.00	0.00%	6,500.00	933.73	14.37%	14.37%
Class Supplies	163,750.00	70,457.61	43.03%	116,345.00	13,051.15	11.22%	-31.81%
Other Supplies			N/A	34,100.00	476.90	1.40%	N/A
Equipment (under 5K)	18,500.00	6,859.27	37.08%	133,186.80	129.84	0.10%	-36.98%
Reimbursables			N/A	0.00	2,244.46	N/A	N/A
Food	110,000.00	8,773.60	7.98%	120,000.00	8,369.04	6.97%	-1.00%
Office Supplies	12,500.00	4,685.62	37.48%	14,650.00	1,033.98	7.06%	-30.43%
Postage	6,250.00	1,755.85	28.09%	10,250.00	914.86	8.93%	-19.17%
Computers	28,600.00	43,684.26	152.74%	65,000.00	18,228.39	28.04%	-124.70%
Equipment for Resale		600.40	N/A	0.00	(381.99)	N/A	N/A
Software		41,530.07	N/A	0.00	15,244.64	N/A	N/A
Furniture	15,000.00	67,504.75	450.03%	75,000.00	5,664.38	7.55%	-442.48%
Books, Media, Library	15,000.00	421.04	2.81%	15,000.00	1,490.77	9.94%	7.13%
Total Books and Supplies	553,100.00	294,422.13	53.23%	690,831.80	82,218.86	11.90%	-41.33%
Services, Other Operating Expenses							
Employee Admin	1,600.00	486.94	30.43%	2,350.00	361.40	15.38%	-15.06%
Volunteer Fingerprinting		160.00	N/A		128.00	N/A	N/A
Testing	12,000.00	345.71	2.88%	15,250.00	222.10	1.46%	-1.42%
Referees	12,500.00	0.00	0.00%	12,650.00	1,457.00	11.52%	11.52%
Field Trip	5,000.00	0.00	0.00%	5,950.00	0.00	0.00%	0.00%
Travel	2,000.00	1,738.52	86.93%	27,889.60	1,782.16	6.39%	-80.54%
Training and Conferences	32,775.00	2,188.16	6.68%	83,614.00	5,570.59	6.66%	-0.01%
Dues and Memberships	13,000.00	3,098.70	23.84%	24,775.00	4,990.09	20.14%	-3.69%
Banking fees			N/A	0.00	0.00	N/A	N/A
AVUSD Fees	8,200.00	0.00	0.00%	9,000.00	0.00	0.00%	0.00%
S B Co Fees	2,500.00	2,460.01	98.40%	6,200.00	520.01	8.39%	-90.01%
Insurance		29,028.37	N/A	78,518.00	14,314.80	18.23%	N/A
Legal Fees	1,000.00	13,049.44	1304.94%	113,500.00	2,910.09	2.56%	-1302.38%
Consulting	10,000.00	2,665.00	26.65%	32,500.00	10,070.00	30.98%	4.33%
SELPA Services	0.00	0.00	N/A	43,984.00	0.00	0.00%	N/A
Trash-Sewer		5,254.38	N/A	49,350.00	8,549.52	17.32%	N/A
Gardening		0.00	N/A	13,200.00	542.74	4.11%	N/A
Janitorial		10,002.75	N/A	135,000.00	14,751.05	10.93%	N/A
Security		445.24	N/A	22,500.00	22,087.08	98.16%	N/A
Telephone		(1,930.80)	N/A	34,200.00	6,873.26	20.10%	N/A
Utilities		32,593.03	N/A	269,850.00	56,130.47	20.80%	N/A
Copier		8,654.81	N/A	0.00	6,585.44	N/A	N/A
Emergency-First Aid	1,500.00	0.00	0.00%	1,250.00	93.72	7.50%	7.50%
Rental - Leases	166,282.00	16,466.09	9.90%			N/A	N/A
Advertising - Marketing		83.76	N/A	1,000.00	0.00	0.00%	N/A
Public Relations		0.00	N/A	1,500.00	0.00	0.00%	N/A
Special Events	11,500.00	871.33	7.58%	17,570.00	1,950.41	11.10%	3.52%
Facilities - Maintenance		5,257.17	N/A	100,000.00	6,407.82	6.41%	N/A
Auto		491.56	N/A	2,500.00	16,589.23	663.57%	N/A
Bus	45,000.00	1,441.00	3.20%	39,000.00	2,240.00	5.74%	2.54%
Equipment Repairs	0	7010.71	N/A	60,000.00	11,334.77	18.89%	N/A
Total Services, Other Operating	324,857.00	141,861.88	43.67%	1,203,100.60	196,461.75	16.33%	-27.34%
Exp.							
Capital Outlay							
Site Improvements	103,812.00	0.00	0.00%	260,000.00	298,168.98	114.68%	114.68%
Bldg Improvements		1,044,638.42	N/A	80,000.00	9,559.56	11.95%	N/A
Capital Equipment (over 5K)		0.00	N/A	0	0	N/A	N/A
Total Capital Outlay	103,812.00	1,044,638.42	1006.28%	340,000.00	307,728.54	90.51%	-915.77%
Other Outgo							
Interest Expense	226,000.00	13,154.86	5.82%	262,000.00	31,209.20	11.91%	6.09%
Loan Principal	140,000.00	0.00	0.00%	140,000.00	0.00	0.00%	0.00%
Tetra		86,686.14	N/A	773,040.00	171,504.60	22.19%	N/A
Total Other Outgo	366,000.00	99,841.00	27.28%	1,175,040.00	202,713.80	17.25%	-10.03%
Total Expense	10,023,525.97	3,168,981.10	11.69%	13,676,714.32	2,486,197.16	1.70%	
Net	1,520,202.03	(2,214,704.88)	(11.61)	(537,974.82)	(296,407.24)	(1.54)	

NSAA - Budget Comparison 2015/16 to 2016/17

	2015-2016			2016-2017			Comparison
	Total Budget \$ - Revised	Current Period Actual thru August	Percent Total Budget-to-date	Total Budget \$ - Revised	Current Period Actual thru August	Percent Total Budget-to-date	Percent Budget-to-date Comparison
Revenue							
Revenue					2/12 of Budget		
Revenue	<u>7,191,771.89</u>	<u>460,986.83</u>	6.41%	<u>8,372,944.00</u>	<u>1,395,490.67</u>	16.67%	<u>10.26%</u>
Budget Carryover	<u>55,925.00</u>	<u>0.00</u>	0.00%			N/A	
Total Revenue	<u>7,247,696.89</u>	<u>460,986.83</u>	6.36%	<u>8,372,944.00</u>	<u>1,395,490.67</u>	16.67%	<u>10.26%</u>
Expense							
Salaries							
Certificated							
Certificated Salaries	<u>2,722,596.00</u>	<u>379,475.69</u>	13.94%	<u>3,311,104.04</u>	<u>501,595.28</u>	15.15%	<u>1.21%</u>
Total Certificated	2,722,596.00	379,475.69	13.94%	3,311,104.04	501,595.28	15.15%	1.21%
Classified							
Classified Salaries	710,796.00	192,711.16	27.11%	1,342,700.84	217,663.28	16.21%	-10.90%
Total Classified	<u>710,796.00</u>	<u>192,711.16</u>	27.11%	<u>1,342,700.84</u>	<u>217,663.28</u>	16.21%	<u>-10.90%</u>
Total Salaries	3,433,392.00	572,186.85	16.67%	4,653,804.88	719,258.56	15.46%	-1.21%
Benefits							
Health Benefits	455,661.00	77,338.82	16.97%	551,052.61	99,127.23	17.99%	1.02%
STRS	292,135.00	35,919.39	12.30%	371,310.82	54,145.99	14.58%	2.29%
PERS	84,208.00	24,241.71	28.79%	149,803.20	33,432.72	22.32%	-6.47%
Employer Costs	<u>132,651.00</u>	<u>32,838.18</u>	24.76%	<u>193,394.07</u>	<u>39,974.42</u>	20.67%	<u>-4.09%</u>
Total Benefits	964,655.00	170,338.10	17.66%	1,265,560.70	226,680.36	17.91%	0.25%
Books and Supplies							
Approved Text Books	58,000.00	23,053.86	39.75%	273,800.00	2,906.75	1.06%	-38.69%
Classroom Books	500.00	0.00	0.00%	2,200.00	0.00	0.00%	0.00%
Class Supplies	91,188.00	11,275.20	12.36%	38,100.00	1,829.60	4.80%	-7.56%
Other Supplies		0.00	N/A	3,700.00	179.60	4.85%	N/A
Equipment (under 5K)	27,500.00	7,358.73	26.76%	33,211.40	1,162.51	3.50%	-23.26%
Reimbursables			N/A			N/A	N/A
Food	205,000.00	6,620.77	3.23%	210,000.00	0.00	0.00%	-3.23%
Office Supplies	16,500.00	1,787.20	10.83%	20,000.00	1,834.37	9.17%	-1.66%
Postage	3,000.00	1,134.71	37.82%	6,000.00	724.76	12.08%	-25.74%
Computers	13,600.00	14,096.34	103.65%	65,000.00	11,816.72	18.18%	-85.47%
Equipment for Resale		453.02	N/A		0.00	N/A	N/A
Software	20,000.00	32,800.24	164.00%	49,600.00	13,718.66	27.66%	-136.34%
Furniture	0.00	3,735.33	N/A	30,000.00	16,767.08	55.89%	N/A
Books, Media, Library	<u>10,000.00</u>	<u>91.84</u>	0.92%	<u>5,000.00</u>	<u>0.00</u>	0.00%	<u>-0.92%</u>
Total Books and Supplies	445,288.00	102,407.24	23.00%	736,611.40	50,940.05	6.92%	<u>-16.08%</u>
Services, Other Operating Expenses							
Employee Admin	1,100.00	648.28	58.93%	2,350.00	213.60	9.09%	-49.85%
Volunteer Fingerprinting		160.00	N/A		32.00	N/A	N/A
Testing	13,000.00	415.83	3.20%	18,750.00	0.00	0.00%	-3.20%
Referees	4,500.00	0.00	0.00%	3,600.00	0.00	0.00%	0.00%
Field Trip	3,000.00	0.00	0.00%	5,000.00	0.00	0.00%	N/A
Travel	4,700.00	1,118.69	23.80%	27,641.40	779.84	2.82%	-20.98%
Training and Conferences	37,200.00	835.48	2.25%	89,112.50	5,138.73	5.77%	3.52%
Dues and Memberships	3,650.00	1,651.30	45.24%	6,398.00	1,803.89	28.19%	-17.05%
S B Co Fees	71,918.00	(58,882.30)	-81.87%	72,019.00	346.68	0.48%	82.36%
Provided Training	5,000.00	0.00	0.00%			N/A	N/A
Banking fees			N/A	0.00	0.00	N/A	N/A
Insurance		18,559.13	N/A	78,518.00	9,543.20	12.15%	N/A
Legal Fees	1,000.00	10,069.22	1006.92%	53,500.00	967.15	1.81%	-1005.11%
Consulting	30,600.00	2,380.00	7.78%	75,500.00	1,380.00	1.83%	-5.95%
SELPA Services		0.00	N/A	43,984.00	0.00	0.00%	N/A
Trash-Sewer	0.00	5,093.82	N/A	13,650.00	1,718.39	12.59%	N/A
Gardening	7,000.00	277.30	3.96%	13,050.00	396.82	3.04%	-0.92%
Janitorial	78,940.00	10,327.81	13.08%	73,000.00	10,502.00	14.39%	1.30%
Pest Control		0.00	N/A	2,000.00	240.00	12.00%	N/A
Security	25,000.00	8,270.76	33.08%	72,000.00	9,010.40	12.51%	-20.57%

Telephone		6307.51	N/A	23,700.00	6,217.70	26.24%	N/A
Utilities	67,223.00	29,292.02	43.57%	85,000.00	19,018.89	22.38%	-21.20%
Copier	20,250.00	5,407.80	26.71%	0.00	4,071.60	N/A	N/A
Emergency-First Aid	500.00	65.40	13.08%	750.00	0.00	0.00%	-13.08%
Rental - Leases	144,000.00	25,066.14	17.41%	150,000.00	25,542.29	17.03%	-0.38%
Advertising - Marketing	8,500.00	73.54	0.87%	8,000.00	400.00	5.00%	4.13%
Public Relations	3,280.00	0.00	0.00%	2,000.00	0.00	0.00%	0.00%
Special Events	6,000.00	626.98	10.45%	2,950.00	702.48	23.81%	13.36%
Facilities Maintenance	50,000.00	5,461.75	10.92%	50,000.00	2,711.15	5.42%	-5.50%
Auto	6,000.00	304.80	5.08%	1,500.00	11,059.49	737.30%	N/A
Bus	0.00	0.00	N/A	12,000.00	0.00	0.00%	N/A
Equipment Repairs		6,354.23	N/A	40,000.00	13,854.40	34.64%	N/A
Total Services, Other Operating	592,361.00	79,885.49	13.49%	1,025,972.90	125,650.70	12.25%	-1.24%
Exp.							
Capital Outlay							
Site Improvements	75,925.00	82,208.64	108.28%	68,000.00	10,703.82	15.74%	-92.54%
Bldg Improvements	5,000.00	0.00	0.00%	50,000.00	10,250.00	20.50%	20.50%
Capital Equipment (over 5K)		0.00	N/A		0.00	N/A	N/A
Total Capital Outlay	80,925.00	82,208.64	101.59%	118,000.00	20,953.82	17.76%	-83.83%
Other Outgo							
Interest Expense	0.00	0.00	N/A	0.00	0.00	N/A	N/A
DCB- Loan Principal	0.00	0.00	N/A	0.00	0.00	N/A	N/A
DCB- LOC Loan Fees		0.00	N/A		0.00	N/A	N/A
Tetra		0.00	N/A		0.00	N/A	N/A
Total Other Outgo	0.00	0.00	N/A	0.00	0.00	N/A	N/A
Total Expense	5,516,621.00	1,007,026.32	0.71	7,799,949.88	1,143,483.49	0.53	-18.28%
Net	1,731,075.89	(546,039.49)	(0.64)	572,994.12	252,007.18	(0.36)	0.29
Total Revenue	7,247,696.89	460,986.83		8,372,944.00	1,395,490.67		
Total Expense	7,436,092.89	496,919.57		8,579,597.20	1,430,752.99		
Net	1,731,075.89	(546,039.49)		572,994.12	252,007.18		

STEVEN M. LEVIN

Education

Ph.D., Physics, University of California at Berkeley (1987)

A.B., Physics, University of California at Berkeley (1981)

Interests

- Microwave observations of Jupiter.
- Modeling the inner Jovian radiation belts and associated synchrotron emission.
- Search for ExtraTerrestrial Intelligence (SETI) by surveying for narrow-band microwave emission.
- Measuring magnetic fields in cold molecular cloud cores using the Zeeman effect in CCS.
- Measurements of the Cosmic Microwave Background Radiation
- Education, volunteerism in public schools

Roles

Project Scientist for Juno (<http://www.nasa.gov/juno>)

Lead Scientist for GAVRT (<http://galileo.gavrt.org>)

President of the Culver City Unified School District Board of Education
(<http://www.ccusd.org>)

Professional Experience

Jet Propulsion Laboratory (1990 – present)

University of California at Berkeley (1987-1990)

Pomona College, Guest Lecturer; Astro 1 (2000)

University of Southern California, Guest Lecturer; Astro 100 (1996-1998)

Awards

NASA Exceptional Achievement Medal (2012)

NASA Group Achievement Award (18 times)

Volunteer of the Year, Farragut Elementary School (2013)

PTA Honorary Service Award (2012)

Selected Publications:

"Multifrequency analysis of the Jovian electron-belt radiation during the Cassini flyby of Jupiter", D. Santos-Costa *et al.*, *A&A*, **568**, A61 (2014)

"ARCADE 2 Measurement of the Absolute Sky Brightness At 3-90 GHz", D.J. Fixsen *et al.*, *ApJ*, **734**:5, 2011

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"Design and Calibration of a Cryogenic Blackbody Calibrator at Centimeter Wavelengths", A. Kogut, E. Wollack, D. J. Fixsen, M. Limon, P. Mirel, S. Levin, M. Seiffert, P. M. Lubin, *Review of Scientific Instruments*, Dec 2004. Vol.75, Iss.12; p.5079-5083.

"The Temperature of the CMB at 10 GHz", D.J. Fixsen, A. Kogut, S. Levin, M. Limon, P. Lubin, P. Mirel, M. Seiffert, E. Wollack, *ApJ*, Sep 1, 2004. Vol.612, Iss.1; p.86-95.

"An Instrument to Measure the Temperature of the Cosmic Microwave Background Radiation at Centimeter Wavelengths", A. Kogut, D. J. Fixsen, S. Levin, M. Limon, P. M. Lubin, P. Mirel, M. Seiffert, E. Wollack, 2004, *ApJS*, Oct 2004. Vol.154, Iss.2; p.493-499

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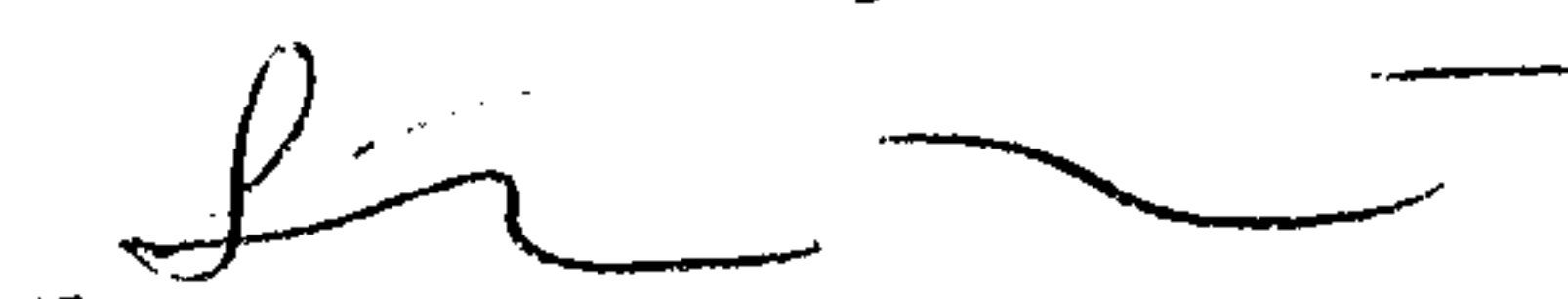
Lisa Lamb
Interim President/CEO
Lewis Center for Educational Research
17500 Mana Road
Apple Valley, CA 92307

Dear Lisa,

As I mentioned when you and Ryan Dorsey first mentioned the possibility, I would be pleased and honored to be considered for the opportunity to serve on the board of directors of the Lewis Center. I've been involved with the GAVRT project for over a decade, and during that time I've seen some of the impact the LCER has had on students and learning. I've been proud to be associated with the partnership between JPL and LCER for GAVRT, and would love to deepen my personal involvement with LCER. Education has always been important to me, and I believe that my experience as a scientist, as president of the Culver City Unified Board of Education, and as the parent of 3 children will help me to make a meaningful contribution.

I understand that the process and any potential decision by the LCER board may take weeks or months. Because of the working relationship between LCER and JPL, I need to seek agreement from management at JPL that this potential personal relationship would not pose any conflict of interest. I've already informed JPL of the possibility, and my intention is to seek approval from JPL at the same time as the process is unfolding on the LCER side, with the hope and expectation of a positive result from both, on a similar time frame. Regardless of the result, I look forward to our continuing work on GAVRT and to further accomplishments on behalf of educating children.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven M. Levin". The signature is fluid and cursive, with a long horizontal stroke at the end.

Steven M. Levin, PhD.