

High Desert "Partnership in Academic Excellence" Foundation, Inc. dba
LEWIS CENTER FOR EDUCATIONAL RESEARCH

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

**Agenda for Regular Meeting of the Lewis Center for Educational Research Board
November 12, 2019 - Public Meeting**

**Meeting at Apple Valley Center for Innovation
20702 Thunderbird Rd., Apple Valley, CA, D1 Portable – Upper Campus**

Additional Location: 503 E. Central Ave., San Bernardino, CA 92408, K5

3:30 p.m.

1. **CALL TO ORDER AND PLEDGE OF ALLEGIENCE:** Duberly Beck
2. **ROLL CALL:** Duberly Beck
3. **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. **CLOSED SESSION:** Duberly Beck
 - .01 Public Employee Performance: President/Chief Executive Officer

4:00 p.m.

5. **CLOSED SESSION:** Duberly Beck
 - .01 Pupil Personnel Administrative Hearing Panel Recommendation on AAE Expulsion Case #101619
6. **SPECIAL PRESENTATIONS:**
 - .01 CAASPP Testing Scores Presentation – Heather Juarez, Valli Andreasen, Fausto Barragan
 - .02 Chile Delegation Presentation – Marco Lara, Toni Preciado – Pg 3
 - .03 AAE Charter Renewal Draft Presentation – Lisa Lamb, Valli Andreasen – Pg 4
7. **CONSENT AGENDA:**
 - .01 Approve Minutes of October 14, 2019 Special Meeting – Pg 69
 - .02 Approve AAE World Literature Honors Getty Center Field Trip – April 24-25, 2020 – Pg 72
 - .03 Approve Resolution 2019-03 – Education Protection Account for AAE – Pg 76
 - .04 Approve Resolution 2019-04 – Education Protection Account for NSLA – Pg 80
 - .05 Approve Lewis Center Foundation Bylaws and Job Description Revision – Pg 84
 - .06 Approve Resolution 2019-00 – Transferring Real Property to LLC - Addendum
8. **DISCUSSION/ACTION ITEMS:**
 - .01 Discuss Architect Plans for NSLA to include Interior and Exterior Designs – TSK Architects
 - .02 Discuss Budget for NSLA Construction Project – Larry Rieder, CSPS
 - .03 Discuss Lewis Center Foundation Update – Marcia Vargas
 - .04 Discuss LCER Board Member Representation on Lewis Center Foundation Board – Lisa Lamb
9. **INFORMATION INCLUDED IN PACKET:** *(Board members may ask questions on items for clarification.)*
 - .01 President/CEO – Lisa Lamb – Pg 96
 - .02 LCER Financial Reports
 - Checks Over \$10K – Pg 103
 - Budget Comparisons – Pg 104

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.03 Lewis Center Foundation Financial Report

- September 2019 – Pg 106

.04 LCER Board Attendance Log – Pg 107

.05 LCER Board Give and Get – Pg 108

10. BOARD/STAFF COMMENTS:

.01 Ask a question for clarification

.02 Make a brief announcement or report on his or her own activities

.03 Future agenda items

11. ADJOURNMENT: Duberly Beck

6:00 p.m.

12. NASA NIGHT: Members of the LCER Board are invited to attend NASA night at AVCI.

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.

**Lewis Center for Educational Research
Board Packet Agenda Items**

Date of meeting: November 12 , 2019

Title: Colegio Concepcion and NSLA Learning Exchange Student Delegation Presentation

Presentation: x Consent: Action: Discussion: Information:

Background:

In October 2019, six NSLA students and 2 teachers traveled to Concepcion, Chile to participate in a science, language and cultural exchange. This was an initiative to expand our decade-long partnership with Chilean educators through GAVRT and bring real-world global learning experiences to our students.

Fiscal Implications (if any):

none

Impact on Mission, Vision or Goals (if any):

This learning experience expanded students knowledge of science, and understanding of language and culture. This aligns with NSLA’s vision of creating global citizens who are bilingual and biliterate.

Recommendation:

It is recommended that the Lewis Center Board of Education continue to support future learning experiences for the NSLA community.

Submitted by: Fausto Barragán Jr., Principal

**Lewis Center for Educational Research
Board Agenda Item Cover Sheet**

Date of meeting: November 12, 2019

Title: AAE Charter Renewal Draft Presentation

Presentation: x Consent: Action: Discussion: Information:

Background:

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

Charter petitions must satisfy at least three requirements to be renewed:

1. Education Code Section 47607(a)(3)(A) states: “The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal.”

AND

2. Education Code Section 52052(f) states: “For purposes of paragraphs (1) to (3), inclusive, of subdivision (b) of Section 47607, alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among numerically significant pupil subgroups shall be used.”

OR

3. Education Code Section 47607(b)(4) states: “The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.”

AND

4. Title 5, California Code of Regulations Section 11966.4(b)(1) states: “When considering a petition for renewal, the district board of education shall consider the past performance of the school's academics, finances, and operation in evaluating the likelihood of future success, along with future plans for improvement, if any.”

These requirements are met through the documentation presented in the charter renewal petition and appendices per Education Code Sections 47607(a)(3)(A), 52052(f), and 47607(b)(4).

Fiscal Implications (if any):

In compliance with the California law referenced above, AAE must renew its charter with its authorizer, Apple Valley Unified School District, every five years to continue to operate. The charter outlines the fiscal management policies and practices and is the legal agreement between the Lewis Center and AVUSD.

Impact on Mission, Vision or Goals (if any):

As AAE's governing law, the Charter provides the foundation for all academic programs and operations at the school site.

Recommendation:

We recommend that the Board Directors familiarize themselves with AAE's charter draft that will be submitted to Apple Valley Unified School District Superintendent for review. The AVUSD Superintendent, or designee, will work with LCER CEO and AAE Principal to finalize the charter renewal document. The goal is to have a final draft ready for LCER Board approval in December and AVUSD approval in January. This will renew the AAE Charter for the term July 2020- July 2025.

Submitted by: Lisa Lamb, President/CEO, Lewis Center for Educational Research

AFFIRMATIONS AND DECLARATION

Academy for Academic Excellence (“AAE” or the “Charter School”), operated by the High Desert ‘Partnership in Academic Excellence’ Foundation, Inc., and authorized and overseen by Apple Valley Unified School District (“AVUSD” or the “District”), will follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

1. The Charter School will meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
2. The High Desert ‘Partnership in Academic Excellence’ Foundation, Inc. doing business as the Lewis Center for Educational Research, declares that it shall be deemed the exclusive public school employer of the employees of the Academy of Academic Excellence for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(6)]
3. The Charter School shall, on a regular basis, consult with its parents, legal guardians and teachers regarding AAE's education programs. [Ref. Education Code Section 47605(c)]
4. The Charter School will be non-sectarian in its programs, admissions policies, employment practices, and all other operations, will not charge tuition, and will not discriminate against any student on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]
5. The Charter School will admit all students who wish to attend Academy for Academic Excellence. If the number of students who wish to attend AAE exceeds AAE’s capacity, admission, except for existing students of AAE, shall be determined by a public random drawing process. Except as required by Education Code Section 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B)(i)-(iv). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C). [Ref. Education Code Section 47605(d)(2)(A)-(C)]
6. If a pupil is expelled or leaves AAE without graduation or completing the school for any reason, AAE shall notify the superintendent of the school district of the pupil’s last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to AAE

within 30 days if AAE demonstrates that the pupil had been enrolled in AAE. [Ref. Education Code Section 47605(d)(3)]

7. The Charter School will adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities Education Improvement Act of 2004.
8. The Charter School will meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
9. The Charter School shall at all times maintain all necessary and appropriate insurance coverage.
10. The Charter School shall ensure that teachers in the Charter School hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher's certificated assignment. The Charter School may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in the same manner as a governing board of a school district. Teachers employed by charter schools during the 2019–20 school year shall have until July 1, 2025, to obtain the certificate required for the teacher's certificated assignment. [Ref. Education Code Sections 47605(l) and 47605.4(a)]
11. The Charter School will, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
12. The Charter School may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School. [Ref. Education Code Section 47605(n)]
13. The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Education Code Section 47612.5(a)(2)]
14. The Charter School shall comply with any applicable jurisdictional limitations to the location of its facilities. [Ref. Education Code Sections 47605 and 47605.1]
15. The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Sections 47612(b) and 47610]
16. The Charter School shall comply with the Ralph M. Brown Act ("Brown Act").
17. The Charter School shall comply with the Political Reform Act.
18. The Charter School shall comply with the Public Records Act.
19. The Charter School shall comply with Government Code Section 1090, *et seq.*, as set forth in Education Code Section 47604.1.
20. The Charter School shall comply with the Family Educational Rights and Privacy Act.
21. The Charter School shall comply with all applicable portions of the Elementary and Secondary Education Act ("ESEA"), as reauthorized and amended by the Every Student Succeeds Act ("ESSA").
22. The Charter School shall meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]

Signature

Date

I. INTRODUCTION

Founding Group

The High Desert ‘Partnership in Academic Excellence’ Foundation, Inc. was established in 1992 to bring community leaders into the educational process and to oversee the Apple Valley Science and Technology Center, an educational facility built primarily through community donations and located on the Mojave Mesa Elementary campus of Apple Valley Unified School District. In July of 1997, the Academy for Academic Excellence charter was approved by AVUSD. In April 1998, the Apple Valley Science and Technology Center was renamed the Lewis Center for Educational Research (“LCER”). The current LCER administration is listed in the organization chart (see Appendix A).

Schoolwide Successes and Accomplishments	
<ul style="list-style-type: none"> ● Graduation Rates have consistently been 95% or higher ● High School ‘a-g’ completion rates have raised from 51% in 2016 to 73% in 2019 ● Attendance rates of 97% ● Victorville Daily Press “Best of the Desert” ● <i>US World & News Report</i> Best High School and Best Charter School ● WASC accreditation for 2018-2024, 6-year accreditation ● Strong waiting list of more than 2,400 students ● More than 600 active parent volunteers 	

Program Successes and Accomplishments	
Athletics	<p>AAE has a successful middle school and high school athletic program which includes: Cross Country, Volleyball, Cross Country, Tennis, Volleyball, Basketball, Cheer, Soccer, Baseball, Softball, Track and Field.</p> <p>2018-19 (140 high school athletes)</p> <ul style="list-style-type: none"> ● 102 3.0 or higher GPA ● Sportsmanship awards for: <ul style="list-style-type: none"> ○ Varsity Girls Volleyball ○ High School Girls Cross Country ○ High School Boys Cross Country ● 3 athletes signed to play at the college level ● Varsity Baseball and Softball took 3rd place in league <p>2017-18 (138 high school athletes)</p> <ul style="list-style-type: none"> ● 91 3.0 or higher GPA

	<ul style="list-style-type: none"> ● Coach of the Year - Girls Soccer ● Sportsmanship awards for Varsity Girls Volleyball, Varsity Girls Basketball ● 1 athlete signed to play at the college level <p>2016-17 (191 high school athletes)</p> <ul style="list-style-type: none"> ● 142 3.0 or higher GPA ● Varsity Girls Soccer Cross Valley Champions ● Varsity Baseball Cross Valley Champions ● 2 athletes signed to play at the college level ● School was recipient of CIF Champions for Character Award ● 3 All CIF athletes ● 3 athletes of the week with Daily Press ● Coach of the Year – Girls Soccer ● Coach of the Year – Baseball ● Sportsmanship award for Varsity Girls Volleyball, Varsity Boys Basketball, Varsity Softball <p>2015-16 (172 high school athletes)</p> <ul style="list-style-type: none"> ● 101 3.0 or higher GPA ● Girls Track and Field Cross Valley Champions ● 4 athletes of the week with Daily Press ● 3 All CIF athletes ● 2 future college athletes ● Student was Recipient of CIF Champions for Character ● #1 ranked high jumper in the state of California ● Coach of the Year – Varsity Girls Volleyball ● Coach of the Year – Varsity Baseball ● Sportsmanship award for Varsity Girls Basketball
<p>Air Force Junior ROTC</p>	<p>AAE is only California charter school to be granted an Air Force Junior ROTC (AFJROTC) unit. This program has become a fundamental co-curricular offering at the high school. Approximately 30% of high school students enroll in AFJROTC each year.</p> <ul style="list-style-type: none"> ● Awarded Distinguished Unit for 12 years straight ● Awarded “Silver Star” Community Service with Excellence for 5 years (since inception of award) ● Worldwide Instructor of the Year Award ● Received AFJROTC Outstanding Instructor Awards in multiple years ● Earned a combined 3.62 average gpa for all cadets in the most recent, available grading period

<p>Visual and Performing Arts</p>	<p>AAE has built a well-rounded visual and performing arts department which continues to grow to best serve students in elementary, middle and high school. AAE visual and performing arts programs, students and teachers have been recognized for their achievements at the local, state and national level.</p> <ul style="list-style-type: none"> ● UC Approved Concert Band Honors course started 2019-2020 ● AAE alumni featured guest performer with VVC Wind Ensemble ● AAE Band Director nominated for Grammy Foundation Outstanding Music Instructor Award ● AAE 11th grade student won second place award in the 2018-19 San Bernardino County Art Show ● AAE 9th grade student won first place ribbon for sculpture at San Bernardino County Fair ● Added Animation 1 to course offerings ● Hosts annual school-wide Art show to showcase student artwork <p>Knights Marching and Concert Bands Featured Performances:</p> <ul style="list-style-type: none"> ● San Bernardino County Celebration of the Arts ● San Bernardino County Superintendent’s Holiday Celebration ● Walt Disney World, Orlando Florida ● Disneyland, Anaheim ● California Adventure, Anaheim ● Knott’s Berry Farm, Buena Park ● Los Angeles County Fair, Pomona ● Life Stream Recognition Banquet, High Desert ● High Desert High School/Junior High Honor Bands, multiple participants ● Hesperia Days Parade, Hesperia, “Spirit Award” recipient multiple years ● Pomona Christmas Parade, Pomona ● Adelanto Christmas Parade, placed in the top three bands every year of participation ● Silver Lakes Christmas Parade, 1st place <p>The AAE Digital Film Studio offers students the basic instruction of Digital Short Film Production in a creative environment. The studio offers HD Edit bays and Equipment as well instruction in Screenwriting, Storyboarding, Producing, Directing, Acting, Camera Operation, Editing, Sound Reinforcement, Lighting, Set Construction, Special FX, Make-up and Costuming.</p>
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	<ul style="list-style-type: none"> ● Produced two community documentaries, <i>The History of Apple Valley</i> and <i>Remembering Victorville</i>, which are available at the Apple Valley Chamber of Commerce ● Produced instructional student content for GAVRT program ● Hosted a popular High Desert Student Film Festival at local theaters for 18 years ● Alumni currently working in the film and television industry as well as producing independent film, events, and TV programs
<p>GAVRT Radio Astronomy Project</p>	<p>GAVRT is an ongoing educational partnership with NASA/JPL which has served students in 44 states, 3 US territories and 14 countries over the past 21 years. AAE offers GAVRT and Space Science opportunities in elementary, middle and high school. GAVRT has received a number of recognitions and has opened the door for several additional STEAM opportunities for AAE students.</p> <ul style="list-style-type: none"> ● Featured in the Smithsonian National Air and Space Museum’s “STEM in 30” episode, “How Do We Know What’s Out There?”- May 2018 ● Highlighted in NASA Science article, “10 Things: 2 Years of Juno at Jupiter,” citing GAVRT as “The Ultimate Classroom”- July 2018 ● AAE operates the 13th Allsky camera in NASA's Meteorite Tracking and Recovery Network in California. Students work with scientists at NASA's Ames Research Center and the SETI Institute to detect, plot the trajectory of, and eventually recover meteorites that make landfall- 2019 ● Collection of data in partnership with Citizen Weather Observer Program (CWOP), via campus weather station ● Installed Purple Air Real Time Air Quality Monitoring Sensor 2019
<p>Local Outreach Program</p>	<p>Local Outreach extends the classroom to the community and beyond with local science and social studies programs, which align with the State Standards. Students, teachers, and parents have opportunities to participate in field trips, clubs, and other hands-on educational activities.</p> <p>Field Trips:</p> <ul style="list-style-type: none"> ● Mineral City field trips (Pioneer Kids, Trails West,

	<p>Pumpkin Patch, and the California Gold Rush)</p> <ul style="list-style-type: none"> ● Apple Valley Center for Innovation STEM field trips <p>After School Programs:</p> <ul style="list-style-type: none"> ● NASA’s Beginning Engineering, Science and Technology ● GAVRT Radio Astronomy Project ● Aerospace Education Excellence Award Program (AEX)
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Individual Awards and Recognition
<ul style="list-style-type: none"> ● Three AAE teachers recognized by El Dorado Broadcasters and Victor Valley College as “Teachers ‘R’ Heroes” ● High School Math teacher recognized by Assemblyman Jay Obernolte as Extraordinary Teacher of the Month ● Two high school students have won the Mojave Water Agency Conservation Essay Contest and the middle school team placed 3rd in the Curiosity Quest division. ● UC Davis C-STEM Robotics Winners- Most Interesting Talk

Charter Renewal Criteria

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

Charter petitions must satisfy at least three requirements to be renewed:

1. Education Code Section 47607(a)(3)(A) states: “The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal.”

Such increases are documented below.

AND

2. Education Code Section 52052(f) states: “For purposes of paragraphs (1) to (3), inclusive, of subdivision (b) of Section 47607, alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among numerically significant pupil subgroups shall be used.”

The alternative measures that show increases at the Charter School are documented below.

OR

3. Education Code Section 47607(b)(4) states: “The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.”

This determination, which requires a comparison to other public schools, is documented below.

AND

4. Title 5, California Code of Regulations Section 11966.4(b)(1) states: “When considering a petition for renewal, the district board of education shall consider the past performance of the school's academics, finances, and operation in evaluating the likelihood of future success, along with future plans for improvement, if any.”

This requirement is met through the documentation presented in the charter renewal petition and appendices.

The following shall serve as documentation confirming that the Charter School meets the statutory criteria required for renewal as set forth in Education Code Sections 47607(a)(3)(A), 52052(f), and 47607(b)(4) (Also see Appendix D: CDE DataQuest/CAASPP Reports):

Analysis of AAE’s Student Academic Achievement (Education Code Section 52052(f))

AAE California Assessment of Student Performance and Progress (“CAASPP”) scores, 2015-2019: Percentage of Students Meeting or Exceeding Standards for ELA and Math as measured by the Smarter Balanced Assessment (“SBA”).

AAE SBA Proficiency Results 2015-2019

Demographic	SBA Assessment	2015	2016	2017	2018	2019
Schoolwide	ELA	58%	58%	61%	57%	60%
	Math	36%	36%	36%	38%	41%
Hispanic/Latino	ELA	N/A	50%	54%	48%	48%
	Math	N/A	28%	30%	27%	34%
White	ELA	57%	61%	64%	61%	67%
	Math	34%	39%	40%	43%	46%
Economically Disadvantaged	ELA	52%	47%	52%	50%	50%
	Math	30%	27%	28%	30%	30%
Students with Disabilities	ELA	17%	19%	28%	16%	22%
	Math	6%	14%	13%	10%	17%

As demonstrated by student proficiency on the SBA over the last five years, academic achievement in both areas of ELA and Math show a general upward trend, including growth in nearly every subgroup.

Analysis of Comparison Schools Data (Education Code Section 47607(b)(4))

Comparison Schools That AAE Students Would Otherwise Be Required to Attend

School	SBA Assessment	2015	2016	2017	2018	2019
Phoenix Academy	ELA	20%	23%	21%	23%	23%
	Math	7%	9%	8%	9%	7%
Apple Valley High School	ELA	52%	52%	54%	49%	51%
	Math	22%	21%	19%	22%	17%
Granite Hills High School	ELA	51%	55%	45%	48%	39%
	Math	15%	18%	10%	14%	10%
Desert Knolls Elementary	ELA	35%	31%	30%	36%	44%
	Math	21%	19%	24%	29%	23%

Comparison Schools That Are Demographically Similar in the District

School	SBA Assessment	2015	2016	2017	2018	2019
Rio Vista School of Applied Learning	ELA	56%	62%	61%	59%	51%
	Math	43%	45%	45%	44%	39%
Sitting Bull Academy	ELA	47%	53%	46%	54%	54%
	Math	32%	40%	37%	41%	42%
Desert Knolls Elementary	ELA	35%	31%	30%	36%	41%
	Math	21%	19%	24%	29%	23%
Sycamore Rocks Elementary	ELA	51%	46%	42%	48%	44%
	Math	29%	33%	33%	38%	38%

AAE continues to perform above or similar to comparison schools that AAE students would attend and schools demographically similar.

B. Additional Justification for Charter Renewal

Analysis of Charter Renewal Criteria – Student Subgroups

Education Code Section 47607(a)(3) states:

The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school (defined as “a numerically significant pupil subgroup, as defined by paragraph (3) of subdivision (a) of Section 52052.” EC §47607(a)(3)(B)) as the most important factor in determining whether to grant a charter renewal.

AAE California Assessment of Student Performance and Progress (“CAASPP”) Scores by Subgroup, 2015-2019: Percentage of Students Meeting or Exceeding Standards for ELA and Math as measured by the Smarter Balanced Assessment (“SBA”). Subgroups represented are numerically significant (30 or more pupils).

AAE SBA Subgroup Proficiency Results 2015-2019

Subgroup	SBA Assessment	2015	2016	2017	2018	2019
Black/African American	ELA	62%	57%	46%	62%	56%
	Math	29%	19%	18%	27%	22%
Asian	ELA	74%	69%	76%	71%	78%
	Math	49%	66%	64%	65%	70%
Filipino	ELA	63%	56%	80%	64%	71%
	Math	50%	43%	47%	55%	36%
Hispanic/Latino	ELA	N/A	50%	54%	48%	48%
	Math	N/A	28%	30%	27%	34%
White	ELA	57%	61%	64%	61%	67%
	Math	34%	39%	40%	43%	46%
Two or More Races	ELA	57%	59%	60%	64%	66%
	Math	41%	45%	38%	39%	42%
Students with Disabilities	ELA	17%	19%	28%	16%	22%
	Math	6%	14%	13%	10%	17%
English Learners	ELA	N/A	N/A	N/A	9%	7%
	Math	N/A	N/A	N/A	5%	17%
Economically Disadvantaged	ELA	52%	47%	52%	50%	50%
	Math	30%	27%	28%	30%	30%

Most subgroups have made steady growth or remained constant over the last five years as demonstrated by both ELA and Math SBA results.

II. ELEMENT 1: EDUCATIONAL PHILOSOPHY AND PROGRAM

Governing Law: The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners. Education Code Section 47605(b)(5)(A)(i).

The annual goals for the charter school, for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in paragraphs (2) to (8), inclusive, of subdivision (d) of Section 52060, that apply for the grade levels served by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals. Education Code Section 47605(b)(5)(A)(ii).

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

MISSION

“The Academy for Academic Excellence exists to prepare students for post-secondary success through a relevant, rigorous college preparatory education.”

Students graduating from AAE will be effective communicators, have the ability to analyze and use critical thinking skills, and be responsible citizens in the school and community. AAE maintains high academic and behavioral standards, and stresses both academic skills and a broad understanding of content knowledge. A cornerstone of the AAE philosophy is maintaining and deepening a connectedness between parents, students, and the Charter School.

EDUCATIONAL PHILOSOPHY

AAE is committed to meeting each student at his or her academic level and guiding him or her toward mastery of Common Core State Standards (“CCSS”), Next Generation Science Standards (“NGSS”), History-Social Science Framework, English Language Development (“ELD”) Standards, and the remaining State Content Standards (collectively, “State Standards”). AAE desires that all students graduate either meeting or exceeding Schoolwide Learner Outcomes (“SLOs”). Mastery of these SLOs will be assessed in the context of standards-based academic tasks, projects and assignments.

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

- Smarter-Balanced Assessments [CAASPP and the California Science Test (“CAST”)] scores or other standardized tests adopted by the State

- Scholastic Aptitude Test (“SAT”)/American College Testing (“ACT”)
- Early Assessment Program (“EAP”)
- Norm-referenced Diagnostic Assessments
- Common Core State Standards (“CCSS”) aligned Benchmark Assessments
- CCSS, NGSS, History-Social Science Framework, and State Content Standards Aligned, Teacher Created Assessments

Schoolwide Learner Outcomes

AAE staff, faculty, parents and students have adopted the following SLOs:

Academic Achievement

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

Analytical Thinking

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

Effective Communication

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

WASC Accreditation

The SLOs are also part of the self-study for accreditation awarded to AAE by the Western Association of Schools and Colleges (“WASC”), the accrediting body for all California public schools. AAE was once again awarded a six-year accreditation with a midterm review in. In April 2018, the WASC visiting team reaffirmed the accreditation through June 2024 (see Appendix B).

AN EDUCATED PERSON IN THE 21ST CENTURY

Life-Long Learning Skills

Students will develop skills that will enable them to pursue their own path of learning throughout their adult lives. Students will develop the ability to plan, initiate, and complete a project, and then reflect on and evaluate their own learning.

Social/Interpersonal Skills

Students will demonstrate the ability to collaborate and work effectively with others in cooperative groups.

Life Skills

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

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

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

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

It is the objective of AAE to enable students to become self-motivated, competent, lifelong learners.

HIGH SCHOOL PROGRAMS

Courses offered in AAE’s high school program will meet or exceed the California State High School Graduation requirements and their transferability to other public high schools is identified in a Course Catalog, which is available to students and parents annually. High school “a-g” courses are submitted to the UC system for approval. Advanced Placement (“AP”) Courses are approved through College Board and submitted for addition to the UC “a-g” Course List (see Appendix C). Courses eligible to meet college entrance requirements are also identified in the Course Catalog.

The methods and procedures for notifying parents of credit transfer to other schools will be published annually in the AAE Parent-Student Handbook. Access to the handbook is also available online and provided as part of the registration process (see Appendix F).

STUDENTS TO BE SERVED

AAE serves students in grades TK-12 in a traditional academic program. Currently, the student population is approximately 1,450 for grades TK-12. There is an increased emphasis on science and technology, including a one to one laptop program for all students in grades 4-12. The student population is at capacity due to facility limitations at the Mojave River Campus at 17500 Mana Road.

CURRICULUM AND INSTRUCTIONAL DESIGN – HOW LEARNING BEST OCCURS

Standards Based Content

The content of the TK-12 curriculum is aligned with State Standards. AAE offers a full range of courses including: Language Arts, Mathematics, History/Social Studies, Science, Visual and

Performing Arts, and Physical Education/Health. Courses stress the application of content knowledge to solve real-life problems. This is accomplished by:

- Focusing on essential skills of reading, written and oral communications, mathematics, science, and history
- Emphasizing experiential learning by providing hands-on projects
- A focus on information literacy, giving students the tools necessary to access relevant information and apply it to specific situations
- Providing access to state of the art technology through partners such as: Apple Computers, National Aeronautics and Space Administration (“NASA”)/Jet Propulsion Laboratory (“JPL”), Mojave Water Agency (“MWA”), and the Department of Defense Education Activity (“DoDEA”)
- Research-based designed strategies that provide students with opportunities to implement projects using advanced technologies, such as:
 - Goldstone-Apple Valley Radio Telescope (“GAVRT”)
 - Apple One to One Laptop Program
 - Video Studio
 - Technology courses

In addition, students are encouraged to participate in internships in the local community, mentoring programs and volunteer activities. AAE works closely with Victor Valley College (“VVC”) through the K-16 Bridge Program. Students are provided the opportunity to concurrently enroll in VVC in order to accelerate their college preparedness or to take advantage of courses not offered. AAE articulates with other institutions of higher learning including aligning courses with the UC “a – g” requirements and meeting College Board’s AP standards (see Appendix C).

Instructional Settings

Instructional activities occur in a variety of settings. AAE offers a traditional, full-time classroom program employing a combination of traditional and block scheduling. Students select from a full menu of courses and all programs meet applicable legal requirements. AAE will have the ability to add additional minutes to its educational day and/or year and increase graduation requirements when necessary to enhance the educational opportunities for its students. In all programs and by agreement, parents will be active participants in the educational activities of their students. Parents, staff and students are equally accountable for the success of each student in AAE.

AAE may use short and long term independent study programs, in compliance with Education Code Section 51745, *et seq.*, to meet the diverse needs of students.

Student learning not only occurs in the classroom, but instructional activities occur in other non-traditional settings. These include the Mission Control Center for the GAVRT program and outdoors in the rich biome of the Mojave River campus. AAE’s Mojave River campus is situated on 150 acres that include a 133-acre natural riparian environment and a freshwater

marsh. The wildlands are used as a natural laboratory setting to study ecology, biology, geology, and natural and human history.

AAE is a member of the National Association of Laboratory Schools (“NALS”), and is an educational research laboratory for the LCER to include its university partners. Parents of students in the Charter School will be given information on studies to be carried out at AAE.

ANNUAL GOALS AND ACTIONS IN THE STATE PRIORITIES

Attached in Appendix K, please find AAE’s Local Control and Accountability Plan, which provides a reasonably comprehensive description of the Charter School’s annual goals and actions in the state priorities, schoolwide and for all numerically significant student subgroups.

PLAN FOR STUDENTS WHO ARE ACADEMICALLY LOW/HIGH ACHIEVING

AAE has implemented the Professional Learning Communities (“PLC”) philosophy. Through this approach, the instructional staff strategically and regularly monitors student achievement and progress. By giving regular assessments and analyzing data, teacher teams are able to determine which students are academically low or high achieving. Assessments used to monitor progress are:

- Teacher-made formative mini-assessments
- Unit and/or end of study assessments both formative and summative
- Informal assessments for progress monitoring
- Benchmark assessments quarterly or tri-annually
- End of semester teacher-made final exams, summative
- Norm-referenced diagnostic assessments tri-annually
- CAASPP Interim Assessments, formative for ELA and Math

Teachers review these results in the PLC, at grade levels, and individually to align instruction based on the needs of students. Some elementary grades build in common instructional time to differentiate and flex across the grade level while other grade levels differentiate within the classroom. In middle school, differentiated instruction takes place within the classroom. For students who need more intensive instruction in math, one period of the school day is devoted to math intervention taught by a credentialed math teacher. This program is flexible as students make progress towards their goals.

All students in high school have the opportunity to take Advanced Placement (“AP”) courses in the following areas:

- Spanish
- English
- Mathematics
- History/Social-Sciences

(See Appendix C for a full list of AP course offerings)

In both the middle school and high school, students have the opportunity to take Honors level courses in the areas of Mathematics and English Language Arts.

PLAN FOR ENGLISH LEARNERS

As designated by the State of California, AAE will administer the home language survey upon a student’s initial enrollment into the Charter School (on enrollment forms). Students with a

primary home language other than English, will be assessed for English proficiency by the English Language Proficiency Assessment for California (“ELPAC”).

Students identified as an English Learner (“EL”), are provided in-class supports and accommodations. Additional supports are provided based on specific student needs. Annual analysis of both ELPAC, CAASPP, and Site Benchmark assessments, assist in determining redesignation of English Learners.

English Language Proficiency Assessment

All students who indicate that their home language is other than English will be tested with the ELPAC. The ELPAC has four proficiency levels (Level 4: well developed; Level 3: moderately developed; Level 2: somewhat developed; and Level 1: minimally developed) and is aligned with the 2012 California ELD Standards.

The ELPAC consists of two separate assessments:

- **Initial Assessment (“IA”)**

The ELPAC IA is used to identify students as either an English Learner, or as fluent in English. The IA is administered only once during a student’s time in the California public school system based upon the results of the home language survey. The locally scored IA will be the official score. The IA is given to students in grades K–12 whose primary language is not English to determine their English proficiency status.

- **Summative Assessment (“SA”)**

ELs will take the SA every year until they are reclassified as fluent English proficient. The ELPAC SA is only given to students who have previously been identified as an EL based upon the IA results, in order to measure how well they are progressing with English development in each of the four domains. The results are used as one of four criteria to determine if the student is ready to be reclassified as fluent English proficient, to help inform proper educational placement, and to report progress for accountability.

Both the ELPAC SA and IA are paper–pencil assessments administered in seven grade spans—K, 1, 2, 3–5, 6–8, 9–10, and 11–12. In kindergarten and grade 1, all domains are administered individually. In grades 2–12, the test is administered in groups, exclusive of speaking, which is administered individually.

Testing times will vary depending upon the grade level, domain, and individual student. Both the ELPAC IA and SA are given in two separate testing windows throughout the school year.

The IA testing window will be year-round (July 1–June 30). Any student whose primary language is other than English as determined by the home language survey and who has not previously been identified as an English Learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English language proficiency within 30 calendar days after the date of first enrollment in a California public school, or within 60 calendar days before the date of first enrollment, but not before July 1 of that school year.

The SA testing window will be a four-month window after January 1 (February 1–May 31). The English language proficiency of all currently enrolled English Learners shall be assessed by administering the test during the annual assessment window.

The Charter School will notify all parents of its responsibility for ELPAC testing and of ELPAC results within thirty days of receiving results from publisher. The ELPAC shall be used to fulfill the requirements under the Every Student Succeeds Act for annual English proficiency testing.

Reclassification Procedures

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

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the ELPAC.
- Participation of the pupil’s classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil’s curriculum mastery.
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents’ opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process.
- Comparison of the pupil’s performance in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

Monitoring and Evaluation of Program Effectiveness

The Charter School evaluates the effectiveness of its education program for ELs by:

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

PLAN FOR SPECIAL EDUCATION

AAE, for purposes of providing special education services, is an independent local education agency (“LEA”). As such, AAE shall comply with all applicable state and federal laws in serving students with disabilities, including but not limited to, Section 504 of the Rehabilitation Act (“Section 504”), the Americans with Disabilities Act (“ADA”) and the Individuals with

Disabilities Education Improvement Act (“IDEA”). The educational program developed and implemented will include a continuum of educational services in order to meet state and federal statutory guidelines in providing a Free and Appropriate Public Education (“FAPE”). Special Education teachers are well qualified and possess the credentials required to meet the needs of their students.

AAE has established policies and procedures, including the development of an intervention team to assist with students who require assessment(s) for special education and may qualify for special education services. Through the PLC process, students needing additional academic support are referred to the intervention team.

Once a child is referred for an assessment, all required referral paperwork will be completed, to include an assessment plan (15 day timeline). An Individualized Education Program (“IEP”) meeting will be held within 60 calendar days to determine eligibility for special education services. The IEP team will determine and monitor compliance of all aspects of the IEP.

Determination of any and all special education services will be accomplished through the IEP team process. Additionally, AAE is a local educational agency member of the Desert Mountain Special Education Local Planning Area (“SELPA”) in accordance with Education Code Section 47641(a), and partners with the SELPA for support and oversight in regard to the implementation and compliance of special education services. AAE will participate in any and all state review programs to ensure program compliance and effectiveness.

III. ELEMENTS 2 AND 3: MEASURABLE STUDENT OUTCOMES AND OTHER USES OF DATA

Governing Law: The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in paragraph (2) to (8), inclusive, of subdivision (d) of Section 52060, that apply for the grade levels served by the charter school. Education Code Section 47605(b)(5)(B).

Governing Law: The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card. Education Code Section 47605(b)(5)(C).

Attached as Appendix K, please find AAE’s Local Control and Accountability Plan, which provides a reasonably comprehensive description of the Charter School’s pupil outcomes aligned with state priorities.

MEASURABLE STUDENT OUTCOMES

AAE will work toward ensuring that students who graduate from the educational program are prepared for post secondary success. The following student outcomes will be sought to ensure success:

- Increase in student attendance
- Proficiency in the areas of writing and mathematics
- The ability to effectively utilize technology
- Growth in the number of students who have completed the “a-g” requirements

ACADEMIC ACHIEVEMENT

The results from the administration of the CAASPP will render standard met and standard exceeded rates for students in grades three (3) through eight (8), and also eleven (11). Each year’s data will serve as a baseline reference for future years. The AAE will expect to see a positive growth target to be determined by the Charter School's PLC. The aforementioned goals are expected to be met with the school wide implementation of the PLC and Response to Intervention (“RtI”) models. These proven processes not only work to ensure that staff pedagogy is continually improved and refined, but also focus multiple resources around identified student need (see Appendix D).

METHOD(S) OF ASSESSMENT

- Statewide Assessments
 - Smarter Balanced Summative Assessments
 - California Physical Fitness Test (“PFT”)
 - California Assessment Science Test (“CAST”)
 - English Language Proficiency Assessments for California (“ELPAC”)
- Nationally-Normed Assessments

- Advanced Placement Examinations (“AP”)
- ACT
- Armed Services Vocational Aptitude Battery (“ASVAB”)
- Preliminary Scholastic Assessment Test (“PSAT”)
- Scholastic Assessment Test (“SAT”)
- School Site Diagnostic and Formative Assessments, such as:
 - iReady for Math and Reading
 - Key Data System Items
 - Renaissance Learning STAR Math and Reading
 - Developmental Reading Assessment (“DRA”)
 - Phonemic Awareness Inventory
 - Words Their Way Spelling Inventory
 - Smarter Balanced Interim Assessments
- Teacher Created Assessments
- Informal Formative Assessments
- Data analyzed through Student Information System

USE AND REPORTING OF DATA

AAE is a Professional Learning Community. Following the PLC process, data is not only gathered, but is the foundation from which the academic program is continually improved to better meet student needs. With this said, the bell schedule itself, which governs each school day has been designed around the need for professional collaboration, disaggregation of student data and formulating specific interventions. Currently, all AAE Teachers have a weekly early release day for the purpose of professional development, collaboration and planning. The ongoing PLC collaborative process is generally as follows: a teaching team plans instruction, designs a common assessment, analyzes results, groups students based on need, and implements intervention tied to a specific skill during designated intervention time. These intervention times vary based on grade level. Students who do not adequately respond to the prescribed intervention may be referred to the AAE Intervention Team through the prescribed referral process. This team consists of Site Administration, Counseling Department, and Special Education Department.

On a macro level, summative data from the CAASPP, CAST, AP, SAT, ACT, and PSAT can be collected and analyzed by the LCER Assessment Department and made available to show trend data. Such data is available to review program effectiveness and student growth. Through analysis of this trend data, school wide improvement goals can be established to support AAE’s strive toward excellence.

IV. ELEMENT 4: GOVERNANCE STRUCTURE

Governing Law: The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement. Education Code Section 47605(b)(5)(D).

GOVERNANCE

AAE is governed and operated by the Board of Directors of The High Desert “Partnership in Academic Excellence” Foundation, Inc., a California Nonprofit Public Benefit Corporation, pursuant to California law and doing business as the Lewis Center for Educational Research (“LCER”). LCER operates two charter schools, AAE and Norton Science and Language Academy (“NSLA”) as well as local and global programs.

The LCER Board’s major roles and responsibilities include: establishing and approving all Charter School policies, approving AAE’s annual budget and overseeing fiscal affairs, and selecting and evaluating the President/CEO of the LCER. The Board and any committee created by the Board receives annual training on the Brown Act, its legal obligations, and its roles and responsibilities with regard to the Charter School. The President/CEO of the LCER evaluates and reviews the work of the Charter School principal and administrators of AAE.

LCER BOARD COMPOSITION

The LCER Board is comprised of not less than five (5) or more than nine (9) members unless changed by an amendment to the bylaws. LCER makes every effort to balance membership between the AAE and NSLA communities. Up to four (4) Board members may be a parent of a child currently enrolled in AAE or NSLA, and one Board may be a representative of the Apple Valley Unified School District, in accordance with Education Code Section 47604(c). The Charter School is governed pursuant to the LCER bylaws (see Appendix E).

Directors of the LCER Board represent the community in which the LCER and its businesses operate. As such, they demonstrate high moral character and integrity. Directors are nominated by other Directors or by the President/CEO of the LCER and are approved by a majority vote of the Board at the annual December Board Meeting. Directors shall be elected to a three (3) year term, and may serve two (2) consecutive three (3) year terms at the pleasure of the Board. A director may be re-elected after a one (1) year term off the Board. The members of the LCER Board may not be employed or compensated by the AAE, NSLA, or LCER other than normal reimbursement for meals or lodging associated with a scheduled meeting of the Board away from the principal offices. The LCER maintains insurance policies for general liability and board errors and omissions (see Appendix E).

PARENTS’ ROLE IN GOVERNANCE

Parents are an important component of the Charter School governance process. Administration actively works at including parental representation and input in governance. Parents can serve as LCER Board members and also have access to the LCER Board to address concerns publicly at each Board meeting. Parents have an opportunity to serve on the School Site Council which is comprised of parent members, classroom teachers, principal, classified school personnel, and student representatives.

Parents of students are invited to complete family surveys throughout the school year to provide the Charter School with current data. AAE administrators use these results as important input in the ongoing operational and policy-making activities of the Charter School administration and the Boards. All parents are encouraged to attend regularly scheduled open-forum and PTC meetings, and have access to appropriate representatives of the Charter School to assure successful communication among parents, students, and the Charter School. Parents and students are given access to the AAE Parent-Student Handbook, which establishes procedures and guidelines for the means and methods of engagement among staff, parents and students in the Charter School and which must be read and acknowledged by both parent and student.

V. ELEMENT 5: EMPLOYEE QUALIFICATIONS

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

AAE recruits professional, effective, and qualified personnel to serve in administrative, instructional, instructional support, and non-instructional support capacities. AAE believes that all of its employees play a key role in creating a successful learning environment and fulfilling the school's mission. As such, AAE will continue to recruit qualified employees.

Offers of employment are extended contingent upon successful completion of current fingerprinting and background report to include clearance through the Department of Justice and Federal Bureau of Investigation. Further, at least three references are a prerequisite for all candidates for employment.

Additionally, all employees, and volunteers who have frequent or prolonged contact with students, must submit a certificate showing that within the last 60 days the person has submitted a tuberculosis risk assessment and if tuberculosis risk factors were identified, has been examined by a physician, nurse practitioner, registered nurse or local health department and has been found to be free of infectious tuberculosis, as required by Education Code Section 49406.

Principal

Minimum Qualifications

- Bachelor's Degree
- Current California Teaching Credential

Desired Qualifications

- Current California Administrative Services Credential
- Minimum of five (5) years of successful teaching experience
- Four years of successful administrative experience in a school setting

Job Requirements (Skills, Knowledge and Abilities)

- Knowledge of WASC accreditation process & implementation
- Knowledge of conflict resolution, facilitation skills & shared decision making
- Knowledge of teaching & learning strategies for all learners
- High academic standards
- Ability to be flexible, adjust easily to change, work under pressure and meet deadlines
- Ability to recognize and support the parent as an integral partner in the student's total educational experience
- Ability to establish and maintain effective organizational, public and community relationships
- Ability to manage personnel while demonstrating sensitivity to individual differences and promoting mutual respect of others
- Ability to promote teamwork, trust and a cooperative work environment.
- Ability to adapt to a collegial model, in which the AAE teachers, parents and students are partners and accountable to the academic success of each student
- Ability to work confidently, with discretion and make skillful decisions
- Ability to organize and present ideas effectively in oral and written form
- Ability to operate a computer, copier, and other office machines

- Knowledge of applicable aptitude, interest and achievement appraisal instruments, techniques and procedures
- Knowledge of appropriate curriculum and instructional programs and strategies pertaining to students with a variety of aptitudes and interests. (GLAD, WRITE, differentiated instruction, guided reading, cooperative learning, etc.)
- Knowledge of special education laws & timelines
- Knowledge of electronic media, computer programs and laptop technology
- Knowledge of public school reform efforts

Teachers

Required Qualifications

- Bachelor’s degree
- Appropriate California teaching credential, permit or other document required for the teacher’s certificated assignment
- English Learner Authorization
- Demonstrated core academic subject competence

Credentialing

AAE shall comply with Education Code Section 47605(I), which states:

Teachers in charter schools shall hold a Commission on Teacher Credentialing certificate permit or other document required for the teacher’s certificated assignment.

These documents shall be maintained on file at the charter school and shall be subject to periodic inspection by chartering authority. A governing body of a direct-funded charter school may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in accordance with all of the requirements of the applicable statutes or regulations in the same manner as a governing board of a school district. A charter school shall have authority to request an emergency permit or a waiver from the Commission on Teacher Credentialing for individuals in the same manner as a school district.

Teachers employed by charter schools during the 2019–20 school year shall have until July 1, 2025, to obtain the certificate required for the teacher’s certificated assignment. (Education Code Section 47604.5.) AAE makes every effort to hire teachers with Cross-cultural Language and Academic Development (“CLAD”) certification.

Experience and Desired Qualifications:

AAE, whenever possible, prefers to hire teachers with three or more years of experience working as a teacher in a public school. In addition, an AAE teacher should possess:

- High academic standards with an emphasis on project-based learning
- Ability to teach subject area in which they are assigned
- Ability to be flexible and adjust easily to change
- Ability to recognize and support the parent as an integral partner in the student’s total educational experience
- A desire to continue growth as an educator within a standards-based education reform model using a variety of progressive and innovative teaching strategies
- Ability to adapt to the collegial model, in which the AAE, teachers, parents, and students are partners and accountable to the academic success of each student

- Ability to implement technology into classroom instruction
- The knowledge of the applications from Apple iLife and iWork, as well as the use of Interwrite pads, iPods, MacBooks, and iPads is preferred
- Ability to design lesson plans using California State Standards; i.e. Common Core.
- Ability to organize and present ideas effectively in oral and written form
- Ability to make skillful decisions
- Ability to work under pressure and meet deadlines
- Regular attendance and punctuality required

Education

AAE seeks to hire teachers and administrators with advanced coursework in education: e.g. a masters or doctoral degree.

Other Key Employees

Qualifications for other key employees—classified and certificated—are compliant with human resource guidelines and are available upon request. These positions include, but are not limited to: instructional assistants, character development officers, office staff, facilities, and food service workers.

VI. ELEMENT 6: HEALTH AND SAFETY PROCEDURES

Governing Law: The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:

(i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.

(ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.

(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.) Education Code Section 47605(b)(5)(F).

In order to provide safety for all students and staff, AAE has adopted and implemented full health and safety procedures and risk management policies in consultation with its insurance carriers and risk management experts.

The LCER Board and AAE Administration maintains and approves Health and Safety policies (see Appendix J).

AAE employs a school nurse who:

- Assesses and evaluates the health and development status of pupils to identify specific disorders relating to the learning process
- Assures immunization status of pupils and screenings are in compliance with state health and education codes
- Refers pupils and parents or guardian to appropriate community resources for necessary services
- Consults with and conducts in-service training to teachers, appropriate staff and administrators in implementing health care for students
- Teaches classes on health, as requested

The following is a brief summary of some of the health and safety policies of AAE:

Medication in School

AAE adheres to Education Code Section 49423 regarding administration of medication in school. AAE will adhere to Education Code Section 49414 regarding epinephrine auto-injectors and training for staff members.

Immunizations

All enrolled students and staff will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster. Students and staff with insurance are referred to their health care provider/clinic for required or recommended immunizations. Those without insurance are referred to clinics that are free or low cost.

Vision and Hearing/Scoliosis

AAE adheres to Education Code Section 49450, et seq., as applicable to the grade levels served by AAE. Students are screened for vision, hearing, and scoliosis. Female students in grade seven and male students in grade eight are given scoliosis screening again unless a written exclusion is provided in advance of the scheduled screening.

Diabetes

The school nurse provides an information sheet regarding Type 2 diabetes to the parent/guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet includes, but is not limited to the following:

- Description of Type 2 diabetes
- Description of the risk factors and warning signs associated with Type 2 diabetes
- Recommendation that students displaying or possibly suffering from risk factors or warning signs associated with Type 2 diabetes should be screened for Type 2 diabetes
- Description of treatments and prevention methods of Type 2 diabetes
- Description of the different types of diabetes screening tests available

Blood-borne Pathogens

AAE meets state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. AAE conducts annual infectious disease control training to protect employees and students from possible infection due to contact with blood borne viruses, including human immunodeficiency virus (“HIV”) and hepatitis B virus (HBV). Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

Drug Free/Alcohol Free/Smoke Free Environment

AAE functions as a drug, alcohol and tobacco free workplace.

Procedures for Background Checks

Employees and contractors of AAE are required to submit to a criminal background check and a criminal record summary as required by Education Code Sections 44237 and 45125.1. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. AAE shall not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law, pursuant to Education Code Section 44830.1 and 45122.1. The Director of Human Resources shall monitor compliance with this policy. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

Role of Staff as Mandated Child Abuse Reporters

All employees are mandated child abuse reporters and will follow all applicable reporting laws. AAE shall provide mandated reporter training to all employees annually in accordance with Education Code Section 44691.

Facility Safety

AAE complies with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the State Building Code. AAE agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to

ensure that they are maintained in an operable condition at all times. The AAE shall conduct fire drills as required under Education Code Section 32001.

AAE Parent-Student Handbook

AAE annually updates the AAE Parent-Student Handbook for distribution to families. The handbook is accessible on the school website. At a minimum, the handbook includes detailed expectations for student attendance, behavior and discipline, including policies and consequences for bullying and harassment, due process rights related to discipline (including suspension, expulsion, and special education), and a description of both informal and formal complaint procedures that parents may pursue in the event of disagreements. Amendments to the handbook by AAE may be made throughout the year (see Appendix F).

Comprehensive Anti-Discrimination and Harassment Policies and Procedures

AAE is committed to providing a school that is free from sexual harassment, as well as any harassment based upon actual or perceived characteristics of race, religion, creed, color, gender, gender identity, gender expression, nationality, national origin, ancestry, ethnic group identification, genetic information, age, medical condition, marital status, sexual orientation, sex and pregnancy, physical or mental disability, childbirth or related medical conditions, military and veteran status, denial of family and medical care leave, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, local law, ordinance or regulation. AAE has developed a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at AAE. Misconduct of this nature is very serious and will be addressed in accordance with LCER Board Policy.

Suicide Prevention Policy

The LCER Board shall maintain a policy on student suicide prevention in accordance with Education Code Section 215. The Charter School shall review, at minimum every fifth year, its policy on pupil suicide prevention and, if necessary, update its policy.

Prevention of Human Trafficking

The Charter School shall identify and implement the most appropriate methods of informing parents and guardians of students in grades 6 through 12 of human trafficking prevention resources.

Feminine Hygiene Products

The Charter School will stock at least 50% of its restrooms with feminine hygiene products, and shall not charge students for these products, pursuant to Education Code Section 35292.6.

Nutritionally Adequate Free or Reduced Price Meal

The Charter School shall provide each needy student, as defined in Education Code Section 49552, with one nutritionally adequate free or reduced-price meal, as defined in Education Code Section 49553(a), during each school day. AAE will comply with state and federal mandates regarding food services.

California Healthy Youth Act

The Charter School shall teach sexual health education and human immunodeficiency virus ("HIV") prevention education to students in grades 7-12, at least once in middle school and at

least once in high school, pursuant to the California Healthy Youth Act (Education Code Section 51930, *et seq.*).

School Safety Plan

The Charter School shall adopt a School Safety Plan, to be reviewed and updated by March 1 of every year, which shall include identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the Charter School's procedures for complying with applicable laws related to school safety, including the development of all of the following pursuant to Education Code Section 32282(a)(2)(A)-(H):

- child abuse reporting procedures
- routine and emergency disaster procedures
- policies for students who committed an act under Section 48915 and other Charter School-designated serious acts leading to suspension, expulsion, or mandatory expulsion recommendations
- procedures to notify teachers of dangerous students pursuant to Education Code Section 49079
- a discrimination and harassment policy consistent with Education Code Section 200
- provisions of any school wide dress code that prohibits students from wearing "gang-related apparel," if applicable
- procedures for safe ingress and egress of pupils, parents, and employees to and from the Charter School
- a safe and orderly environment conducive to learning
- procedures for conducting tactical responses to criminal incidents

Bullying Prevention

AAE shall adopt procedures for preventing acts of bullying, including cyberbullying. The Charter School shall annually make available the online training module developed by the CDE pursuant to Education Code Section 32283.5(a) to certificated school site employees and all other school site employees who have regular interaction with children.

VII. ELEMENT 7: STUDENT POPULATION BALANCE

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

AAE seeks to achieve a racial and ethnic balance among its student population that is reflective of the general population residing within the territorial jurisdiction of AVUSD by working with various groups in the community to educate parents about the Charter School and its admission process. AAE does not discriminate in any way in its recruitment or admissions policies on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). As a public school and in accordance with charter law, AAE admits students based on the capacity of the school. Enrollment at AAE is optional for all students and no student can be compelled to attend AAE by any other school authority or entity.

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

VIII. ELEMENT 8: ADMISSION POLICIES AND PROCEDURES

Governing Law: Admission policies and procedures, consistent with [Education Code Section 47605] subdivision (d). Education Code Section 47605(b)(5)(H).

AAE admits all students who wish to attend. No test assessment shall be administered to students prior to acceptance and enrollment into AAE. Admission, except in the case of a public random drawing, shall not be determined by the place of residence of the pupil or the pupil's parent or legal guardian within the state. In accordance with Education Code Section 49011 and 47605(d)(2)(b)(iv), admission preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

In accordance with Education Code Section 47605(d)(4)(A), the Charter School shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(d)(2)(B)(iii), including pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation. Similarly, in accordance with Section 47605(d)(4)(C), the Charter School shall not encourage a pupil currently attending the Charter School to disenroll from the Charter School or transfer to another school for any reason, including, but not limited to the academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(d)(2)(B)(iii), as listed above.

Pursuant to Education Code Section 47605(d)(4)(D), the Charter School shall post a notice developed by the CDE on the Charter School website, outlining the requirements of Section 47605(d)(4), and make this notice available to parents.

- AAE requires all parents who desire admission to AAE to complete an application. Applications and informational materials are available in English and Spanish as requested. Only completed applications will be considered.
- AAE accepts applications throughout the year for all existing grade levels. However, admission periods for any semester will be determined by AAE.
- In the event that any grade level has received more applications than availability, the Charter School will hold a public random drawing (or “lottery”) three times a year to determine admission for the impacted grade level, with the exception of existing students, who are guaranteed admission in the following school year. Admission preferences in the case of a public random drawing shall be given to the following students in the following order:
 1. Siblings of students admitted to or attending AAE.
 2. Children of LCER salaried-regular employees and LCER Governing Board Members.

3. Children of all other LCER employees (employed in the position for a minimum of two consecutive school years).
4. Students residing within the boundaries of AVUSD.
5. Students from San Bernardino County and contiguous counties only.
6. All other applicants.

AAE and AVUSD agree to adhere to the requirements related to admission preferences as set forth in Education Code Section 47605(d)(2)(B)(i)-(iv).

Whenever the number of applicants in any of the priority groups exceeds the grade level capacity, students will be admitted by public lottery as required by state and federal law. Applicants are held in abeyance until the lottery is conducted. Applicants are considered according to the priorities described above only, and not by date of application except that applications must be completed by published deadlines for consideration during any lottery period.

The LCER President/CEO, or designee, will take all necessary efforts to ensure lottery procedures are fairly executed. Lottery spaces are pulled in order of grade level by the designated lottery official (appointed by the LCER President/CEO) in a single location. There is no weighted priority assigned to the preference categories; rather, within each grade level, students will be drawn from pools beginning with all applicants who qualify for the first preference category, and shall continue with that preference category until all vacancies within that grade level have been filled. If there are more students in a preference category than there are spaces available, a random drawing will be held from within that preference category until all available spaces are filled. If all students from the preference category have been selected and there are remaining spaces available in that grade level, students from the second preference category will be drawn in the lottery, and the drawing shall continue until all spaces are filled and preference categories are exhausted in the order provided above. When no vacancies are available in a grade level, students from the lottery are placed on a wait list

Any wait list for an existing grade level will roll over to the following school year. Applications for Transitional Kindergarten (“TK”) and Kindergarten for the upcoming school year will be accepted for students who will be school age eligible for those programs. This policy allows AAE to support its pre-enrollment Kindergarten program, Knights-in-Training (“KIT”). All previously accepted applications for TK and Kindergarten will have grandfathered rights. Parents will be informed of AAE’s policies, programs, and agreements through the standard enrollment process.

VIII. ELEMENT 9: ANNUAL INDEPENDENT FINANCIAL AUDITS

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

An annual independent fiscal audit of the books and records of AAE is annually conducted as required by Education Code Sections 47605(b)(5)(I) and 47605(m). The books and records of AAE are kept in accordance with generally-accepted accounting principles, as required by applicable law. The audit employs generally-accepted auditing standards. The audit is conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller's K-12 Audit Guide.

The LCER Board selects an independent auditor. At a minimum, the auditor will be a certified public accountant, have educational institution audit experience, and be approved by the State Controller on its published list as an educational audit provider. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

The annual audit is to be completed and forwarded to AVUSD, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The President/CEO or designee, along with the budget/audit committee, if any, reviews any audit exceptions or deficiencies and reports to the LCER Board with recommendations on how to resolve them. The LCER Board submits a report to AVUSD describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of AVUSD along with an anticipated timeline for the same. Audit appeals or requests for summary review are submitted to the Education Audit Appeals Panel in accordance with applicable law.

The independent fiscal audit of AAE is public record to be provided to the public upon request.

X. ELEMENT 10: SUSPENSION AND EXPULSION PROCEDURES

Governing Law: The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five school days before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform the pupil, the pupil's parent or guardian, or the pupil's educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii). Education Code Section 47605(b)(5)(J).

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

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at AAE. In creating this policy, AAE has reviewed Education Code Section 48900 *et seq.* which describes the non-charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* AAE is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which

students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the AAE's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. AAE staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be distributed as part of the Student Handbook and will clearly describe discipline expectations.

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

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

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

A student identified as an individual with disabilities or for whom AAE has a basis of knowledge of a suspected disability pursuant to the Individuals with IDEA or who is qualified for services under Section 504 is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. AAE will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by AAE for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five school days before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the basis for which the pupil is being involuntarily removed and his or her right to request a hearing to challenge the involuntary removal. If a parent, guardian, or educational rights holder requests a hearing, AAE shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until AAE issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

Procedures

A. Grounds for Suspension and Expulsion of Students

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

B. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:
 - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force or violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented the same as controlled substance, alcoholic beverage or intoxicant.
 - e) Committed or attempted to commit robbery or extortion.
 - f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
 - g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
 - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
 - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.

- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. This section shall apply to pupils in any of grades 9 to 12, inclusive.
- l) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- q) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive

educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
 - 2) “Electronic Act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - i. A message, text, sound, video, or image.
 - ii. A post on a social networking Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.

- (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photographs or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
- w) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee’s concurrence.

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

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.
 - b) Brandishing a knife at another person.
 - c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, *et seq.*
 - d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n).
3. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:
- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force or violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented the same as controlled substance, alcoholic beverage or intoxicant.
 - e) Committed or attempted to commit robbery or extortion.
 - f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
 - g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
 - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
 - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
 - k) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.

- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
- 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2) “Electronic Act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- i. A message, text, sound, video, or image.
 - ii. A post on a social networking Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

- (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
 - u) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).
 - v) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee’s concurrence.
- 4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:
 - a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee’s concurrence.
 - b) Brandishing a knife at another person.
 - c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, et seq.

- d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n)

If it is determined by the Administrative Panel and/or Board of Directors that a student has brought a firearm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

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

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

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

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

The conference may be omitted if the Principal or designee determines that an emergency situation exists. An “emergency situation” involves a clear and present danger to the lives, safety or health of students or AAE personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student’s right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense, in accordance with Education Code Section 47605(b)(5)(J)(i). This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil’s parent or guardian to attend a conference with AAE officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil’s parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If AAE officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Principal or Principal's designee, the pupil and the pupil's parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when AAE has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

This determination will be made by the Principal or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

D. Authority to Expel

As required by Education Code Section 47605(b)(5)(J)(ii), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled either by the neutral and impartial LCER Board of Directors following a hearing before it or by the LCER Board of Directors upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board of Directors as needed. The Administrative Panel shall consist of at least three members who are certificated and neither a member of the AAE Staff or LCER Board of Directors. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the LCER Board of Directors shall make the final determination.

E. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Principal or designee determines that the pupil has committed an expellable offense.

In the event an Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the pupil makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten (10) calendar days before the date of the hearing. Upon mailing the notice, it shall be deemed served upon the pupil. The notice shall include:

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of the Charter School's disciplinary rules which relate to the alleged violation;
4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student and/or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

F. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

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

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

5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

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

H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board or Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Board of Directors, which will make a final determination regarding the expulsion. The final decision by the Board of Directors shall be made within ten (10) school days following the conclusion of the hearing. The decision of the Board of Directors is final.

If the Administrative Panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

I. Written Notice to Expel

The Principal or designee, following a decision of the Board of Directors to expel, shall send written notice of the decision to expel, including the Board of Directors' adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: (a) Notice of the specific offense committed by the student; and (b) Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with AAE.

The Principal or designee shall send a copy of the written notice of the decision to expel to the authorizer. This notice shall include the following: (a) The student's name; and (b) The specific expellable offense committed by the student.

J. Disciplinary Records

AAE shall maintain records of all student suspensions and expulsions at AAE. Such records shall be made available to the authorizer upon request.

K. No Right to Appeal

The pupil shall have no right of appeal from expulsion from AAE as the LCER Board of

Directors' decision to expel shall be final.

L. Expelled Pupils/Alternative Education

Parents/guardians of pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. AAE shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

M. Rehabilitation Plans

Students who are expelled from AAE shall be given a rehabilitation plan upon expulsion as developed by the Board of Directors at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one year from the date of expulsion when the pupil may reapply to AAE for readmission.

N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board of Directors following a meeting with the Principal or designee and the pupil and parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Principal or designee shall make a recommendation to the Board of Directors following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon AAE's capacity at the time the student seeks readmission.

O. Notice to Teachers

AAE shall notify teachers of each pupil who has engaged in or is reasonably suspected to have engaged in any of the acts listed in Education Code Section 49079 and the corresponding enumerated offenses set forth above.

P. Special Procedures for the Consideration of Suspension and Expulsion or Involuntary Removal of Students with Disabilities

1. Notification of SELPA

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

2. Services During Suspension

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

3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, AAE, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

- a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b. If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.

If AAE, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

If AAE, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:

- a. Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that AAE had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed, unless the parent and AAE agree to a change of placement as part of the modification of the behavioral intervention plan.

If AAE, the parent, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a direct result of the failure to implement the IEP/504 Plan, then AAE may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

4. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or AAE believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or AAE, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 U.S.C. Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent and AAE agree otherwise.

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if AAE believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, the parent/guardian or AAE may request a hearing.

In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

5. Special Circumstances

AAE personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

The Principal or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

- a. Carries or possesses a weapon, as defined in 18 U.S.C. Section 930, to or at school, on school premises, or to or at a school function;
- b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function;
or
- c. Has inflicted serious bodily injury, as defined by 20 U.S.C. Section 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim Alternative Educational Setting

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

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

A student who has not been identified as an individual with disabilities pursuant to IDEA and who has violated AAE's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if AAE had knowledge that the student was disabled before the behavior occurred.

AAE shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

- a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to AAE supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b. The parent has requested an evaluation of the child.
- c. The child's teacher, or other AAE personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other AAE supervisory personnel.

If AAE knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEA-eligible children with disabilities, including the right to stay-put.

If AAE had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. AAE shall conduct an expedited evaluation if requested by the parents; however the student shall remain in the education placement determined by AAE pending the results of the evaluation.

AAE shall not be deemed to have knowledge that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

XI. ELEMENT 11: RETIREMENT SYSTEMS

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

Annually, AAE conducts an in-house compensation survey with AVUSD to offer wages and benefits sufficient to attract, hire and retain the most qualified individuals.

The AAE endeavors to offer employees similar types and amounts of retirement benefits that they would receive in most school districts:

- California State Teachers' Retirement System ("CalSTRS"): Eligible employees
- California Public Employees' Retirement System ("CalPERS"): Eligible employees
- Social Security: Eligible Employees
- Alternate Retirement System ("APLE"): Part-time, non-STRS/PERS eligible employees.

The Director of Finance shall be responsible for ensuring that the required contributions are made equivalent to current and future regulations.

XII. ELEMENT 12: PUBLIC SCHOOL ATTENDANCE ALTERNATIVES

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

No student may be required to attend the Charter School. Students who opt not to attend AAE may attend other school district schools in accordance with existing enrollment and transfer policies of their district or county of residence. The parent or guardian of each student enrolled in AAE will be informed that their student has no right to admission in a particular school of any LEA as a consequence of enrollment in AAE, except to the extent that such a right is extended by the LEA.

XIII. ELEMENT 13: EMPLOYEE RETURN RIGHTS

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

No AVUSD employee shall be required to work at AAE. All staff members at AAE shall have no automatic right to employment or reemployment in the AVUSD except as might be allowed under AVUSD policies and procedures and applicable collective bargaining agreements. Absent agreement with the AVUSD to the contrary, staff of AAE shall not continue to earn service credit (tenure) at the AVUSD while employed by the LCER.

XIII. ELEMENT 14: DISPUTE RESOLUTION

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

Disputes Arising from Within the School

Disputes arising from within the Charter School, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and Board members of the Charter School, shall be resolved pursuant to the policies and procedures developed by the LCER and AAE, approved by its governing Board, and provided to parents, students, volunteers, Board members, and staff (see Appendix G). AAE shall maintain a Uniform Complaint Policy and Procedures as required by state law.

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

Disputes between the LCER Board and Apple Valley Unified School District

In the event that the LCER Board representing AAE is found to be in dispute with the AVUSD regarding the terms of this charter or any other agreements or issues regarding the Charter School and District's relationship, both parties agree to follow the process outlined below.

In the event of a dispute between the LCER and AVUSD, the staff and governing board members of the LCER and AVUSD agree to first frame the issue in written format and refer the issue to the Superintendent of the AVUSD and LCER President / CEO. In the event that the District believes that the dispute relates to an issue that could lead to revocation of the charter, this shall be specifically noted in the written dispute statement.

The President/CEO and the Superintendent shall informally meet and confer in a timely fashion to attempt to resolve the dispute. In the event this informal meeting fails to resolve the dispute, both parties shall identify two governing board members from their respective boards who shall jointly meet with the Superintendent and President/CEO and attempt to resolve the dispute. If this joint meeting fails to resolve the dispute, the Superintendent and President/CEO shall meet to jointly identify a neutral, third party mediator. The format of the mediation session shall be developed jointly by the Superintendent and President/CEO, and shall incorporate informal rules of evidence and procedure unless both parties agree otherwise. The findings or recommendations of the mediator shall be non-binding, unless the governing boards of the Charter School and the District jointly agree to bind themselves. If mediation does not resolve the dispute either party may pursue any other remedies available under the law. All procedures in this section may be revised upon mutual written agreement of the District and the Charter School.

XV. ELEMENT 15: CLOSURE PROCEDURES

Governing Law: The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records. Education Code Section 47605(b)(5)(P).

Closure of AAE will be documented by official action of the LCER Board. The action will identify the reason for closure. The LCER President/CEO, or other entity selected by the Board, is the entity responsible for closure-related activities.

The Charter School will promptly notify parents and students of AAE, AVUSD, the County Office of Education, its SELPA, the retirement systems in which AAE's employees participate, and the CDE of the closure, as well as the effective date of the closure. This notice will also include the name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure; the pupils' school districts of residence; and the manner in which parents/guardians may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements. Notification to the CDE will take place no later than 10 days after closure, and will also include a description of the circumstances of the closure and the location of student and personnel records.

The LCER Board will ensure that the notification to the parents and students of AAE regarding the closure provides information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly following the LCER Board's decision to close AAE. Parents will be provided with a certified packet of student information that may include grade reports, discipline records, immunization records, and any other appropriate information. This will facilitate transfer to another school. High school students will receive specific information on completion of college entrance requirements.

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

As applicable, AAE will provide parents, students and AVUSD with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. § 1232g. AAE will ask AVUSD to store original records of AAE students. All records of AAE shall be transferred to AVUSD upon closure.

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

As soon as reasonably feasible, AAE will prepare final financial records. AAE will also have an independent audit completed within six months after closure. AAE will pay for the final audit. The audit will be prepared by a qualified certified public accountant selected by the LCER and will be provided to AVUSD promptly upon its completion. The final audit will include an

accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to AAE/LCER.

AAE will complete and file any annual reports required pursuant to CA Ed. Code section 47604.33.

On closure of AAE, all assets of AAE, including but not limited to, all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending AAE, remain the sole property of the nonprofit public benefit corporation. Upon the dissolution of the nonprofit public benefit corporation, all net assets shall be distributed to another public school that satisfies the requirements of paragraphs (a) through (e) of section III.A of Notice 2015-07 issued by the Internal Revenue Service and the Treasury Department entitled "Relief for Certain Participants in § 414(d) Plans" or any final regulations implementing 26 U.S.C. § 414(d) or to a State, a political subdivision of a State, or agency or instrumentality thereof. Any assets or property acquired from AVUSD will be promptly returned upon Charter School closure to AVUSD. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports, as well as the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

On closure, the LCER shall remain solely responsible for all liabilities arising from the operation of AAE.

As AAE is operated by a non-profit public benefit corporation, should the corporation dissolve with the closure of AAE, the LCER Board will follow the procedures set forth in the California Corporations Code for the dissolution of a non-profit public benefit corporation and file all necessary filings with the appropriate state and federal agencies.

As specified by the Budget in Appendix H, AAE will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

XVI: MISCELLANEOUS PROVISIONS

BUDGET

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

The current fiscal plan and budget for the AAE is provided in the Appendix H.

FINANCIAL REPORTING

AAE shall annually prepare and submit the following reports to AVUSD along with any additional reports as requested by the Superintendent:

1. On or before July 1, an LCER Board approved budget
2. On or before July 1, an annual update (LCAP) required pursuant to Education Code Section 47606.5.
3. On or before December 15, a first interim financial report, reflecting changes through October 31st
4. On or before March 15, a second interim financial report reflecting changes through January 31st
5. On or before September 15, a Charter School Unaudited Actuals Financial Report for the prior fiscal year
6. On or before December 15, an annual audit for the prior fiscal year

INSURANCE

AAE has acquired and financed general liability, workers compensation, and other necessary insurance of the types and in the amounts required for a school of similar size and location, with AVUSD named as additional insured (see Appendix I).

ADMINISTRATIVE SERVICES

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

The LCER provides the business/administrative services for AAE. LCER has personnel and procedures in place to offer a full range of business services. Services include: Human Resources, Payroll, Accounts Payable, Instructional Technology, and Finance. The President/CEO serves as the liaison to AVUSD.

LCER may contract with outside companies to fulfill AAE's needs that are not serviced in-house. These services may include, but are not exclusive to:

- School lunches for students which meets the National School Lunch Program requirements

- Legal services regarding labor issues and the nonprofit organization
- Legal services dealing with charter schools and charter school law
- Auditing services for annual audits of AAE
- Architectural and construction services for campus building projects
- Cleaning and/or janitorial.

FACILITIES

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

AAE is located at 17500 Mana Road, Apple Valley, California. Transitional kindergarten through twelfth grade classes are held at this campus, as well as Special Needs classes, sports fields, and gymnasium facilities. In addition, the LCER Administrative/Business Services, GAVRT, and Local Outreach programs are headquartered at this location.

The Thunderbird Campus (TBC) located at 20702 Thunderbird Road, Apple Valley, is also operated by the LCER. This campus houses the Luz Observatory, a fighter jet trainer, the signature mounted T-38 jet (on loan from the United States Air Force to the LCER and Town of Apple Valley), and other instructional facilities. LCER operates Local Outreach programming and field trips at TBC, such as: NASA’s Beginning Engineering, Science and Technology Classes, GAVRT programming, STEM field trips, and High Desert Astronomical Society (“HiDAS”) events.

The TBC Campus is also the location of the Apple Valley Center for Innovation which is a jointly operated program between the LCER and AVUSD. This partnership is defined in a separate MOU between the LCER and AVUSD.

TRANSPORTATION

With the exception of special education students whose transportation is mandated by their IEP, AAE shall not provide transportation of students to and from school.

POTENTIAL CIVIL LIABILITY EFFECTS

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

The California nonprofit public benefit corporation, the High Desert “Partnership in Academic Excellence” Foundation, Inc., doing business as LCER, shall operate AAE. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c) (3) of the Internal Revenue Code and the California Revenue and Taxation Code Section 23701d.

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

work diligently to assist the AVUSD in meeting any and all oversight obligations under the law, including meetings, reporting, or other AVUSD-requested protocol to ensure that AVUSD shall not be liable for the operation of AAE.

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

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

XVII: CONCLUSION

By renewing this charter, the AVUSD will be fulfilling the intent of the Charter Schools Act of 1992 to improve pupil learning; create new professional opportunities for teachers; and provide parents and pupils with expanded choices in education and following the directive of law to encourage the creation of charter schools. AAE is eager to work independently, yet cooperatively, with the AVUSD to establish the highest bar for what a charter school can and should be. To this end, AAE pledges to work cooperatively with the AVUSD to answer any concerns over this document and to present the AVUSD with the strongest possible proposal requesting a five-year renewal term from June 1, 2020 through June 1, 2025.

Any and all AAE written policies and procedures referenced in this charter will be provided to AVUSD upon written request.

**Regular Meeting of the
Lewis Center for Educational Research Board of Directors**

**Minutes
October 14, 2019**

1.0 Call to Order

Chairman Duberly Beck called the meeting to order at 4:06 p.m.

2.0 Roll Call

LCER Board Members Duberly Beck, Pat Caldwell, Jim Morris, Omari Onyango, Sharon Page, David Rib (arrived at 5:25 p.m.), Jessica Rodriguez, Marcia Vargas and Rick Wolf were present.

No LCER Board Members were absent.

Staff members Valli Andreasen, Fausto Barragan, Matt Cabe, Marcelo Congo, Ryan Dorcey, Teresa Dowd, David Gruber, Heather Juarez, Lisa Lamb, Erin Mason and Stacy Newman were also present.

3.0 Public Comments: None.

4.0 Special Presentations:

.01 Chinese Delegation – Fausto and Marcelo visited Shanghai schools in September, and the delegation visiting AAE has arrived. They will be visiting NSLA as well. Shanghai schools do not have a special education department. They have separate schools where students could learn a trade. The Chinese were very interested in learning from us.

.02 Dr. Lee Swanson, Jennifer Kong and Erin Mason presented data regarding the University of New Mexico math grant. We are in our 3rd year of the NSF grant to identify what contributes to being good in math.

.03 Heather Juarez presented Dashboard Local Indicator Results for both schools, and a preview of the 2018-19 CAASPP Comparative Reports. These are updated each fall and priorities are reviewed. The test scores are a celebration for both schools.

5.0 Consent Agenda

.01 Approve Minutes of September 9, 2019 Regular Meeting

.02 Approve Amended MOU and College and Careers Access pathways Partnership Agreement

.03 Approve AAE Class of 2020 Disneyland Grad Nite Field Trip June 5-6, 2020

On a motion by Jessica Rodriguez, seconded by David Rib, vote 8-0, the LCER Board of Directors approved Consent Agenda Items 5.01 – 5.03. (Jim Morris had stepped out of the room. Items 6.02, 6.03 and 6.05 were discussed prior to 5.01-5.03)

6.0 Discussion/Action Items:

.01 Approve LCER Strategic Plan 2019-2024 – On a motion by Rick Wolf, seconded by Marcia Vargas, vote 8-0, the LCER Board of Directors approved the LCER Strategic Plan 2019-2024. (Jim Morris had stepped out of the room.)

.02 Approve Creating 2 new LLCs (17500 Mana Rd LLC and 230 South Waterman LLC) and the Creation of a Bank Account for Each New LLC in order to process payments for the new bonds per investor requirement – Jim Morris recused himself from this discussion and left the room and David Rib had not arrived yet. Creating LLCs allows us to receive SB740 funding. NSLA already receives this funding, and AAE can begin receiving the funds once Free and Reduced Lunch reaches 55%. On a motion by

Pat Caldwell, seconded by Sharon Page, vote 7-0, the Lewis Center Board of Directors approved creating 2 new LLCs and the creation of a bank account for each new LLC.

- .03 Ratify approval of Resolution NO. 2019-02 – Declaring an Official Intent to Reimburse Itself From the Proceeds of a Future Borrowing for Capital Expenditures and Providing Certain Other Matters in Connection Therewith – Jim Morris recused himself from this discussion and left the room and David Rib had not arrived yet. On a motion by Omari Onyango, seconded by Pat Caldwell, vote 7-0, the Lewis Center Board of Directors ratified approval of Resolution NO. 2019-02.
- .04 Approve Charter School Property Solutions Development Consultant Services Agreement – The agreement was discussed. It covers default and how payments are made. Lease penalties are possible due to the timeline and we have budgeted for them. Our attorney has reviewed the agreement. On a motion by Jim Morris, seconded by Marcia Vargas, vote 9-0, the Lewis Center Board of Directors approved the Charter School Property Solutions Development Consultant Services Agreement.
- .05 Approval of Board Resolution and attached draft documents authorizing issuance of tax exempt bonds to finance facilities projects for Academy of Academic Excellence – Jim Morris recused himself from this discussion and left the room and David Rib had not arrived yet. The draft documents were prepared by the underwriter and they will work on finalizing them by the end of the week. A final copy will be provided. On a motion by Marcia Vargas, seconded by Omari Onyango, vote 7-0, the Lewis Center Board of Directors approved the Board Resolution and draft documents with Lisa authorized to make the changes.
- .06 Approve BP 2121- Administration President/CEO Employment Agreement Revision – Stacy Newman has incorporated suggestions on the policy. Rick Wolf brought up the process of hiring administrators. This would be a larger issue than the policy currently being discussed and we can agendaize that topic at a later date or discuss it in strategic planning. On a motion by Omari Onyango, seconded by Jim Morris, vote 9-0, the Lewis Center Board of Directors approved BP 2121 – Administration President/CEO Employment Agreement Revision.
- .07 Discuss Lewis Center Foundation Update – Marcia Vargas reported that the golf tournament was very successful and well coordinated. We raised close to \$50K to be split between the Lewis Center Foundation and the Victor Valley Chamber of Commerce. She thanked everyone for their contributions. The next event is the Gala on May 15 with the theme Back to the Future.
- .08 Discuss Proposed Change of November 12, 2019 LCER Board Meeting Location from AAE to AVCI to Coordinate with NASA Headquarters Visit and Evening Event – Barbara Adde from NASA will be visiting on November 12 and we are planning an evening event at AVCI and inviting the LCER Board, County Board of Education, AVUSD, and the Town of Apple Valley. We would like to have the location of the LCER Board meeting that day at AVCI to coincide with the visit and event. The updated location will be posted on the agenda and noted on the web page.

7.0 Information Included in Packet:

01. President/CEO Report
02. LCER Financial Reports
 - Checks Over \$10K
 - Budget Comparisons
03. Lewis Center Foundation Financial Report
 - June 2019
04. LCER Board Attendance Log
05. LCER Board Give and Get
06. AVUSD Correspondence Re: LCER Budget

8.0 Board/Staff Comments:

.01 Ask a question for clarification

.02 Make a brief announcement or report on his or her own activities - Marcia Vargas commended the Chile Exchange and the support from the Lewis Center Foundation.

Lisa Lamb reported that the nominating committee will be meeting and if you know of anyone have them send their letter of interest and resume to Teresa.

.04 Future agenda items

9.0 Closed Session:

The LCER Board of Directors convened into closed session at 7:04 p.m. to discuss:

.01 Public Employee Performance: President/Chief Executive Officer

The LCER Board of Directors reconvened into open session at 7:26 p.m. Chairman Duberly Beck reported that no action was taken in closed session.

10.0 Adjournment

Chairman Duberly Beck adjourned the meeting at 7:27. p.m.

**Lewis Center for Educational Research
Board Packet Agenda Items**

Date of meeting: November 12, 2019

Title: AAE World Literature Honors Getty Center Field Trip Request

Presentation: Consent: X Action: Discussion: Information:

Background:

A group of juniors in World Literature Honors will participate in an annual field trip to the Getty Center and attend a Broadway play. This trip is considered overnight, since students will return after midnight and the school's definition of "overnight" is tied to the calendar.

Fiscal Implications (if any):

There is no fiscal implication to the organization. Fundraising and donations will cover the cost of the trip for all students.

Impact on Mission, Vision or Goals (if any):

Students engaging in independent critical thinking in art analysis supports our school mission and reinforces students' study of world history.

Recommendation:

Board approval of overnight field trip.

Submitted by: Doug Titherly, World Literature Teacher, AAE



**LEWIS CENTER FOR EDUCATIONAL RESEARCH
Academy for Academic Excellence**

FIELD TRIP REQUEST FORM

Date Submitted: October 10, 2019

<u>Office use only</u>	
Date/Time submitted:	
Initials:	
Transportation Booked:	
Initials:	
Calendared:	
Initials:	

Requested by: Titherley
 Destination: Getty Center & Theater (TSD)
 Date(s) of trip: April 24, 2020
 School departure time: 5:30 AM
 Destination departure time: _____
 Overnight/Out-of-State stay: YES NO
 Number of students: 35-40 adults: 8

Phone: (760) 900-8681
 Grade Level: 10
 Destination arrival time: ~~9:00 AM~~ 9 AM
 School return time: 1 AM (AFTER Midnight)
 Water activities involved: YES NO
 Admission students: _____ adults: _____

Transportation

Bus requested? (circle one) YES NO Bus company name: _____
 Number of busses requested: _____ Bus company contact name: _____
 ***Bus Passenger information: Number of students: _____ adults: _____

Private Vehicle Used?* YES NO
 ASB/Club Sponsored? (paid by club) YES NO Name of Club: _____
 Proper Insurance Coverage? YES NO Other Transportation: _____

*Must be on approved driver list, list names below or attach separate sheet with driver names:
TSD - email link from CP

Brief Description of Educational Benefit to be derived from this activity:
Students will apply skills of analysis in small groups, independent of teacher.

I have followed the checklist prior to submitting this form: _____
 Principal Signature: Valli Andrusson Teacher Signature: D. Titherley

Funding Code: _____ Date: 10/17/19

BOARD APPROVAL REQUIRED FOR OVERNIGHT/OUT-OF-STATE STAYS and WATER ACTIVITIES
 A DETAILED ITINERARY MUST BE INCLUDED FOR EACH FIELD TRIP
 THREE MONTHS PRIOR BOARD APPROVAL FOR OUT OF THE COUNTRY TRIPS

Titherley Getty Center Field Trip

Date: April 24, 2020

Group: World Literature Honors students and a few non-honors students (by invitation)

Purpose: Students will participate in a docent-led discussion of artwork throughout the museum. Then, they will apply the skills of analysis learned in class, independent of the teacher in small groups throughout the museum on a teacher-designed scavenger hunt. For fun after, we will go to dinner and (hopefully) to a Broadway play. One possibility is at the Pantages Theater in Hollywood; the other is at the La Mirada Performing Arts Center.

The independent critical thinking skills engaged in art analysis fit perfectly within our vision to provide students with a relevant, rigorous, college-prep education. Beyond that, students will reinforce their study of world history as they discover and consider the historical context for the art they study.

Cost: Museum tour is **free**

Dinner will cost students approximately **\$15** each—we usually go to *Islands* Restaurant or similar.

The **play**, depending on choice, will cost between **\$20 and \$40**.

I have applied for a Title I grant with the Gilder Lerner Institute for the possibility of attending *Hamilton* for free—I do not know whether this is a reality yet.

Transportation: Parents and/or teachers will drive personal vehicles. This will cost **\$10-15** per student, to pay for gas and parking.

Total: approximately \$45 - 70\$

No one will be left out of this field trip because of cost. We have a fund-raising account to cover anyone with need.

See reverse for proposed agenda.

Agenda:

Depart School: 5:30 am

Arrive Getty Center: 9 am

Docent tour: 9:45 am

Lunch: 12

Scavenger Hunt in Museum Galleries: 12:30 – 3:30 pm

Depart Getty Center 4:00 pm

Arrive at restaurant 6 pm

(address to be determined based on location of theater chosen for evening venue)

Depart Restaurant 7 pm

Arrive Theater 7:45 pm

(address to be determined based on availability and cost
—possibly Pantages or La Mirada Performing Arts Center)

View play (to be determined) 8 pm

Depart Theater 10:30

Arrive back at AAE 12 – 1 am

**Lewis Center for Educational Research
Board Agenda Item Cover Sheet**

Date of meeting: November 12, 2019

Title: Resolution No. 2019-03 Education Protection Account (“EPA”) for AAE

Presentation: Consent: Action: Discussion: Information:

Background:

This Resolution is to be adopted annually to identify the proper expenditures applied to this portion of the LCFF calculation.

Fiscal Implications (if any):

None, organization must show expense of EPA funds in current fiscal year. These expenses are shown in the Budget that was approved in June 2019.

Impact on Mission, Vision or Goals (if any):

Recommendation:

The staff recommendation is to approve the resolution and subsequent spending plan included in this packet.

Submitted by: Lisa Lamb, President/CEO, LCER
David Gruber, Director of Finance, LCER

RESOLUTION NO. 2019 – 03

**Lewis Center for Educational Research Board of Directors
Resolution Regarding the Education Protection Account**

WHEREAS, the voters approved Proposition 30 on November 6, 2012;

WHEREAS, Proposition 30 added Article XIII, Section 36 to the California Constitution effective November 7, 2012;

WHEREAS, the provisions of Article XIII, Section 36(e) create in the state General Fund an Education Protection Account to receive and disburse the revenues derived from incremental increases in taxes imposed by Article XIII, Section 36(f);

WHEREAS, before June 30th of each year, the Director of Finance shall estimate the total amount of additional revenues, less refunds that will be derived from the incremental increases in tax rates made pursuant to Article XIII, Section 36(f) that will be available for transfer into the Education Protection Account during the next fiscal year;

WHEREAS, if the sum determined by the State Controller is positive, the State Controller shall transfer the amount calculated into the Education Protection Account within ten days preceding the end of the fiscal year;

WHEREAS, all monies in the Education Protection Account are hereby continuously appropriated for the support of School District, County Offices of Education, Charter Schools and Community College Districts;

WHEREAS, monies deposited in the Education Protection Account shall not be used to pay any costs incurred by the Legislature, the Governor, or any agency of state government;

WHEREAS, a Community College District, County Office of Education, School District, or Charter School shall have the sole authority to determine how the monies received from the Education Protection Account are spent in the school or schools within its jurisdiction;

WHEREAS, the governing board of the district shall shall make the spending determinations with respect to monies received from the Education Protection Account in open session of a public meeting of the governing board;

WHEREAS, the monies received from the Education Protection Account shall not be used for salaries or benefits for administrators or any other administrative cost;

WHEREAS, each Community College District, County Office of Education, School District, or Charter School shall annually publish on its Internet website an accounting of how much money was received from the Education Protection Account and how that money was spent;

WHEREAS, the annual independent financial and compliance audit required of Community College District, County Office of Education, School District, or Charter School shall ascertain and verify whether the funds provided from the Education Protection Account have been properly disbursed and expended as required by Article XIII, Section 36 of the California Constitution;

WHEREAS, expenses incurred by Community College District, County Office of Education, School District, or Charter School to comply with the additional audit requirements of Article XIII, Section 36 may be paid with funding from the Education Protection Act and shall not be considered administrative costs for purposes of Article XIII, Section 36.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. The monies received from the Education Protection Account shall be spent as required by Article XIII, Section 36 and the spending determinations on how the money will be spent shall be made in open session of a public meeting of the Lewis Center for Educational Research Board Meeting;
2. In compliance with Article XIII, Section 36(e), with the California Constitution, the governing board of the Lewis Center for Educational Research Board Meeting as determined to spend the monies received from the Education Protection Act as attached.

APPROVED AND ADOPTED this 12th day of November, 2019.

ATTEST:

Duberly Beck, Chairman of Board

Expenditures by Function – Detail

Academy for Academic Excellence

Expenditures through: June 30, 2020

For Fund01, Resource 1400 Education Protection Account

Description		Amount
AMOUNT AVAILABLE FOR THIS FISCAL YEAR		
Adjusted Beginning Fund Balance	9791-9795	0.00
Revenue Limit Source	8010-8099	2,188,664.00
Federal Revenue	8100-8299	0.00
Other State Revenue	8300-8599	0.00
Other Local Revenue	8600-8799	0.00
All Other Financing Sources and Contributions	8900-8999	0.00
Deferred Revenue	9650	0.00
TOTAL AVAILABLE		
EXPENDITURES AND OTHER FINANCING USES		
Objects 1000-7999	Functions (0000-9999)	
Instruction	1000-1999	2,188,664.00
Instruction-Related Services		
Instructional Supervision and Administration	2100-2150	0.00
AU of a Multidistrict SELPA	2200	0.00
Instructional Library, Media, and Technology	2420	0.00
Other Instructional Resources	2490-2495	0.00
School Administration	2700	0.00
Pupil Services		
Guidance and Counseling Services	3110	0.00
Psychological Services	3120	0.00
Attendance and Social Work Services	3130	0.00
Health Services	3140	0.00
Speech Pathology and Audiology Services	3150	0.00
Pupil Testing Services	3160	0.00
Pupil Transportation	3600	0.00
Food Services	3700	0.00
Other Pupil Services	3900	0.00
Ancillary Services	4000-4999	0.00
Community Services	5000-5999	0.00
Enterprise	6000-6999	0.00
General Administration	7000-7999	0.00
Plant Services	8000-8999	0.00
Other Outgo	9000-9999	0.00
TOTAL EXPENDITURES AND OTHER FINANCING USES		2,188,664.00
BALANCE (Total Available minus Total Expenditures and Other Financing Uses)		0.00

**Lewis Center for Educational Research
Board Agenda Item Cover Sheet**

Date of meeting: November 12, 2019

Title: Resolution No. 2019-04 Education Protection Account (“EPA”) for NSLA

Presentation: Consent: Action: Discussion: Information:

Background:

This Resolution is to be adopted annually to identify the proper expenditures applied to this portion of the LCFF calculation.

Fiscal Implications (if any):

None, organization must show expense of EPA funds in current fiscal year. These expenses are shown in the Budget that was approved in June 2019.

Impact on Mission, Vision or Goals (if any):

Recommendation:

The staff recommendation is to approve the resolution and subsequent spending plan included in this packet.

Submitted by: Lisa Lamb, President/CEO, LCER
David Gruber, Director of Finance, LCER

RESOLUTION NO. 2019 – 04

**Lewis Center for Educational Research Board of Directors
Resolution Regarding the Education Protection Account**

WHEREAS, the voters approved Proposition 30 on November 6, 2012;

WHEREAS, Proposition 30 added Article XIII, Section 36 to the California Constitution effective November 7, 2012;

WHEREAS, the provisions of Article XIII, Section 36(e) create in the state General Fund an Education Protection Account to receive and disburse the revenues derived from incremental increases in taxes imposed by Article XIII, Section 36(f);

WHEREAS, before June 30th of each year, the Director of Finance shall estimate the total amount of additional revenues, less refunds that will be derived from the incremental increases in tax rates made pursuant to Article XIII, Section 36(f) that will be available for transfer into the Education Protection Account during the next fiscal year;

WHEREAS, if the sum determined by the State Controller is positive, the State Controller shall transfer the amount calculated into the Education Protection Account within ten days preceding the end of the fiscal year;

WHEREAS, all monies in the Education Protection Account are hereby continuously appropriated for the support of School District, County Offices of Education, Charter Schools and Community College Districts;

WHEREAS, monies deposited in the Education Protection Account shall not be used to pay any costs incurred by the Legislature, the Governor, or any agency of state government;

WHEREAS, a Community College District, County Office of Education, School District, or Charter School shall have the sole authority to determine how the monies received from the Education Protection Account are spent in the school or schools within its jurisdiction;

WHEREAS, the governing board of the district shall shall make the spending determinations with respect to monies received from the Education Protection Account in open session of a public meeting of the governing board;

WHEREAS, the monies received from the Education Protection Account shall not be used for salaries or benefits for administrators or any other administrative cost;

WHEREAS, each Community College District, County Office of Education, School District, or Charter School shall annually publish on its Internet website an accounting of how much money was received from the Education Protection Account and how that money was spent;

WHEREAS, the annual independent financial and compliance audit required of Community College District, County Office of Education, School District, or Charter School shall ascertain and verify whether the funds provided from the Education Protection Account have been properly disbursed and expended as required by Article XIII, Section 36 of the California Constitution;

WHEREAS, expenses incurred by Community College District, County Office of Education, School District, or Charter School to comply with the additional audit requirements of Article XIII, Section 36 may be paid with funding from the Education Protection Act and shall not be considered administrative costs for purposes of Article XIII, Section 36.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. The monies received from the Education Protection Account shall be spent as required by Article XIII, Section 36 and the spending determinations on how the money will be spent shall be made in open session of a public meeting of the Lewis Center for Educational Research/ Board Meeting;
2. In compliance with Article XIII, Section 36(e), with the California Constitution, the governing board of the Lewis Center for Educational Research Board Meeting as determined to spend the monies received from the Education Protection Act as attached.

APPROVED AND ADOPTED this 12th day of November, 2019.

ATTEST:

Duberly Beck, Chairman of Board

Program by Resource Report
Expenditures by Function – Detail

Norton Science and Language Academy
Expenditures through: June 30, 2020
For Fund01, Resource 1400 Education Protection Account

Description	Amount
AMOUNT AVAILABLE FOR THIS FISCAL YEAR	
Adjusted Beginning Fund Balance	9791-9795 0.00
Revenue Limit Source	8010-8099 1,126,354.00
Federal Revenue	8100-8299 0.00
Other State Revenue	8300-8599 0.00
Other Local Revenue	8600-8799 0.00
All Other Financing Sources and Contributions	8900-8999 0.00
Deferred Revenue	9650 0.00
TOTAL AVAILABLE	
EXPENDITURES AND OTHER FINANCING USES	
Objects 1000-7999	Functions (0000-9999)
Instruction	1000-1999 1,126,354.00
Instruction-Related Services	
Instructional Supervision and Administration	2100-2150 0.00
AU of a Multidistrict SELPA	2200 0.00
Instructional Library, Media, and Technology	2420 0.00
Other Instructional Resources	2490-2495 0.00
School Administration	2700 0.00
Pupil Services	
Guidance and Counseling Services	3110 0.00
Psychological Services	3120 0.00
Attendance and Social Work Services	3130 0.00
Health Services	3140 0.00
Speech Pathology and Audiology Services	3150 0.00
Pupil Testing Services	3160 0.00
Pupil Transportation	3600 0.00
Food Services	3700 0.00
Other Pupil Services	3900 0.00
Ancillary Services	4000-4999 0.00
Community Services	5000-5999 0.00
Enterprise	6000-6999 0.00
General Administration	7000-7999 0.00
Plant Services	8000-8999 0.00
Other Outgo	9000-9999 0.00
TOTAL EXPENDITURES AND OTHER FINANCING USES	1,126,354.00
BALANCE (Total Available minus Total Expenditures and Other Financing Uses)	0.00

BYLAWS OF THE LEWIS CENTER FOUNDATION

ARTICLE I – NAME

1.0 Name

The name of this organization shall be the Lewis Center Foundation (hereinafter referred to as "Foundation").

ARTICLE II – OFFICE

2.0 Principal Office

The principal office and address of the Foundation shall be that of the Lewis Center for Educational Research (“LCER”): specifically, 17500 Mana Road, Apple Valley, CA 92307.

ARTICLE III – PURPOSES

3.0 Purposes

The Foundation has two purposes (1) supporting the mission of the LCER, which is “to ensure that the schools and programs operated by the LCER prepare students for success in a global society through data-driven, innovative and research proven practices in a safe and inclusive culture,” and (2) to provide supplemental financial support to the LCER and any and all schools and programs it operates. By providing such financial support, the Foundation will enable the LCER:

- a. to serve the educational needs of the communities it serves,
- b. to receive and utilize funds acquired through the solicitation of donations, gifts, grants, and bequests, and
- c. to be a careful steward of the resources entrusted to it.

ARTICLE IV – ORGANIZATION AND GOVERNANCE

4.0 Organization and Governance

The Foundation is organized as a subordinate standing committee authorized and sponsored by the LCER Board. Its activities are governed by the Lewis Center Foundation Board which is empowered by and reports to the LCER Board. The Foundation shall at all times

operate and conduct its affairs in compliance with the values and Code of Ethics established by the LCER Board for all of its members and committees.

ARTICLE V – LEWIS CENTER FOUNDATION BOARD

5.0 Lewis Center Foundation Board

All business of the Foundation shall be exercised by and under the authority of a managing body known as the Lewis Center Foundation Board (hereafter referred to as "Foundation Board").

5.1 Duties

The Foundation Board shall be responsible for the following:

- a. Raise restricted and unrestricted contributions for LCER and its schools and programs;
- b. Direct the administration of restricted and unrestricted trusts and endowment funds and other restricted and unrestricted contributions;
- c. Prepare recommendations to the LCER Board as to policies for the administration of existing endowment, restricted and unrestricted funds;
- d. Foster and promote such programs, events or activities that would have a general appeal to the public; and
- e. Ensure donors' restrictions are adhered to.

5.2 Number of Foundation Board Members

The authorized number of voting Foundation Board members shall be not more than 15. Ex officio members of the Foundation Board with a vote will be up to 3 ~~additional~~ designated LCER Board members appointed by the Chair of the LCER Board, and one high school student from each high school (nominated by the ASB and approved by the principal of that school). The remainder of the Foundation Board members will be parent and community members representing the schools and communities served by LCER.

5.3 Qualifications of Foundation Board Members.

Each member should have an interest in and dedication to the goals of the Foundation. Each member should have skills that will assist the Foundation Board in managing the Foundation and meeting its goals. Each member should have an interest in and dedication to furthering the mission of the LCER.

5.4 Election of Foundation Board Members

Except for ex officio members, the Foundation Board members shall be elected at any properly noticed and duly constituted meeting of the Foundation Board by majority vote. Election of members to fill vacancies may occur at any meeting of the Foundation Board.

5.5 Term of office

~~All Foundation Board members shall be elected to a three year term and may serve two (2) consecutive three (3) year terms at the pleasure of the Foundation Board. A member may be reelected after a one year period off the Foundation Board.~~

5.6 Resignation

Any member of the Foundation Board may resign at any time by giving written notice to the Foundation Board Chair. Any such resignation shall take effect on the date of receipt or at any later time specified therein; acceptance of such resignation shall not be necessary to make it effective.

5.7 Vacancies

A vacancy or vacancies on the Foundation Board shall be deemed to exist in the event of resignation, disqualification, or death of a member, or removal of a member (see 5.8), or if the authorized number of members is increased. Vacancies in the membership may be filled by majority vote of the remaining members.

5.8 Removal of Foundation Board Members

The Foundation Board may declare vacant the office of any member who has been absent from regularly scheduled Foundation Board meetings three consecutive times or been found by the Foundation Board to be unacceptable or to have an otherwise unresolvable conflict of interest.

ARTICLE VI - MEETINGS

6.0 Brown Act

As a standing committee of the LCER Board, and notwithstanding any other provision in these bylaws, all meetings of the Foundation 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.

6.1 Regular Meetings

Regular meetings of the Foundation Board shall be held at the principal offices of the LCER unless another place is stated in the notice of the meeting. Regular meeting times will be established annually by the Foundation Board, but may be changed as needed. The time and address of the meeting will be included in the formal posting of the meeting and its agenda. Notice of time and place of the meeting shall be in accordance with the Brown Act and delivered by telephone, electronic communication or first class mail.

6.2 Special Meetings

Special meetings of the Foundation Board may be called at any time for any purpose or purposes by the Foundation Board Chair, the LCER Chair of the Board, LCER President/CEO or by a majority of the Foundation Board members then serving.

6.3 Attendance at Meetings

Members may participate in meetings through use of conference telephone or similar communications equipment, so long as Brown Act requirements are met. Such participation counts toward determining a quorum.

6.4 Quorum

A majority of the authorized number of Foundation Board members constitute a required quorum for the transaction of business at any meeting of the Foundation Board. If a quorum is not present, the members there present shall have the power to adjourn the meeting from time to time until the number of members required for a quorum shall be present. At any such adjourned meeting, any and all business may be transacted which might have been transacted at the meeting as originally noticed, if within 4 business days. A meeting of members at which a quorum is present may continue to do business until adjournment, notwithstanding the withdrawal of enough members to leave less than a quorum, if any action taken (other than adjournment) is approved by at least a majority of the members required to constitute the quorum.

6.5 Self-Dealing

In the exercise of voting right by Foundation Board members, no member shall vote on any issue, motion or resolution which directly or indirectly inures to his or her benefit or detriment financially. No member of this corporation nor any other corporation, firm, association, or other entity in which one or more of this corporation's members are members 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.

6.6 Compensation of Foundation Board Members

Foundation Board members shall serve without compensation except they shall be allowed reasonable advancement or reimbursement of expenses incurred in the performance of their regular duties.

6.7 Meeting Minutes

All actions of the Foundation Board shall be duly recorded in minutes which shall be submitted to the LCER Board at its next regular meeting for information and inclusion in the LCER's official records.

ARTICLE VII – OFFICERS

7.0 Foundation Board Chair

Annually, the Foundation Board Chair is nominated by the Foundation Board and appointed by the LCER Board Chair.

7.1 Chair's Duties

The Chair shall have the responsibility for general leadership and direction of the Foundation Board. The Chair shall preside at all meetings of the Foundation Board and shall have the general powers and duties of management usually vested in the office of chair of a committee and shall have such other powers and duties as may be prescribed by the LCER Board and Lewis Center Foundation job description

7.2 Vice Chair

The Foundation Board shall annually elect a Vice Chair from the other members serving on the Foundation Board. In the absence or disability of the Chair, the Vice Chair shall preside at the meetings of the Foundation Board, shall perform all the duties of the Chair and, when so acting, shall have all the powers of and be subject to all the restrictions upon the Chair

ARTICLE VIII – COMMITTEES

8.1 Committees

The Foundation Board may, if approved by a majority of the authorized number of members, designate one or more committees to serve at the pleasure of the Foundation (e.g., Annual Fund, Special Events, etc.) Any committee shall have all responsibilities and authority designated by the Foundation Board.

ARTICLE IX – GIFTS

9.0 Generally

The Foundation is authorized to accept gifts to the Lewis Center Foundation. "Gift" includes the transfer of money or other property of any kind, real, personal or mixed, or any interest in property, and whether made by delivery, grant, conveyance, payment, device, bequest or any other method of transfer.

9.1 Terms of Gifts

Each donor by making a gift to the Foundation accepts and agrees to all the terms of the LCER Articles of Incorporation and these Bylaws, and provides that the fund so created shall be subject to the provisions for presumption of donor's intent, for modification or restrictions or conditions for amendments and termination, and to all other terms of the LCER's Articles of Incorporation and these Bylaws, each as from time to time amended.

9.2 Gifts in Trust

If a gift is made in trust to make income or other payments for a period of a life or lives or term of years, to any individuals or for noncharitable purposes, followed by payments to the Foundation, or in trust to make income or other payments to the Foundation, followed by payments to any individuals or for noncharitable purposes, only the payments to the Foundation shall be regarded as Foundation funds, subject to the LCER Articles of Incorporation and these Bylaws, and then only when the Foundation becomes entitled to their use. The LCER Board may take such actions from time to time as it deems necessary to protect the Foundation's rights to receive such payment.

The Foundation may act as Trustee of Trusts in which LCER has an interest.

9.3 Restricted Gifts

Any donor may, with respect to a gift made by such donor to the Lewis Center Foundation and subject to these Bylaws, give directions in the instrument of gift or transfer as to:

- a. Specific charitable purposes or particular charitable organizations to be supported;
- b. Manner of distribution, including amounts, times, and conditions of payments and whether from principal and/or income; and
- c. A name as a memorial or otherwise for a fund given, or addition to a fund previously held or anonymity for the gift.

9.4 Segregation of Gifts

No gift shall be required to be separately invested or held unless the donor so directs, or it is necessary in order to follow any other direction by the donor as to purpose, or in order to prevent tax disqualification, or it is required by law. Directions for naming a fund as a memorial or otherwise may be satisfied by keeping under such name accounts reflecting appropriately the interest of such fund in each common investment.

9.5 Interpretation of Restrictions

- a. Each fund of the Foundation shall be presumed to be intended:
 - i. To be used only for charitable purposes;
 - ii. To be productive of a reasonable return of net income over a reasonable period of time.
 - iii. To be used only for such of those purposes and in such manner as not to disqualify the gift from deduction as a charitable contribution, gift or bequest in computing any federal income, gift or estate tax of the donor or his estate and not to disqualify the Foundation from exemption from federal income tax as a qualified charitable organization described in Section 501(c)(3) of the Internal Revenue Code.
- b. If a direction by the donor, however expressed, would, if followed, result in use contrary to the intent so presumed, or if the LCER Board is advised by legal counsel that there is substantial risk of such result, the direction shall not be followed, but shall be varied by the LCER Board so far as necessary to avoid such result; provided, however, that if the donor has clearly stated that compliance with the direction is a condition of the gift, then the gift shall not be

accepted unless an appropriate judicial or administrative body first determines that the condition and direction need not be followed. Reasonable charges and expenses of counsel for such advice and proceedings shall be proper expenses. For purpose of these Bylaws, "charitable purposes" include charitable, educational and scientific purposes, contributions for which are deductible under Sections 170(c) (1) and 170 (c) (2) (B) of the Internal Revenue Code, and "qualified charitable organization" means an organization which is described in Section 170(c) (1) or (2) of the Internal Revenue Code.

9.6 Powers of Foundation Board

Notwithstanding any provision in these Bylaws or in any instrument of gift or transfer creating or adding to a fund of the Foundation, the Foundation Board shall have the power, subject to approval by the LCER Board, to modify any Foundation designated restriction or condition on the distribution of funds for any specified charitable purposes or on the manner of the distribution of such funds, if in the judgment and discretion of the Foundation, the restriction or condition is unnecessary, incapable of or not reasonably susceptible of fulfillment, or not in the best interest of advancing the charitable purposes of the Foundation.

ARTICLE X – MISCELLANEOUS PROVISIONS

10.0 Amendment of the Bylaws

These Bylaws shall become effective upon adoption by the Lewis Center Foundation (after affirmative vote of a majority of the Foundation Board) and approval by the LCER Board. New Bylaws may be adopted or these Bylaws may be amended or repealed by the same process.

10.1 Parliamentary Authority

The most recent edition of Robert's Rules of Order Revised, shall be the parliamentary authority for all matters of procedure not specifically covered by the Bylaws.

10.2 Checks, Drafts, and Notes

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 Foundation, shall be signed or endorsed by such person or persons and in such manner as, from time to time, shall be determined by the LCER Board .

10.3 Segregation of Gift Annuity Reserve Funds

The Foundation shall at all times maintain a reserve fund adequate to meet the future payments under its outstanding annuity contracts.

Approval Signatures

These Bylaws were adopted by the Lewis Center Foundation Board on ~~November 28, 2016~~ October 15, 2019, and were approved by the LCER Board on ~~November 12, 2019~~ December 12, 2016.

Chair, Lewis Center Foundation Board

Date

Chair, LCER Board

Date

Lewis Center for Educational Research Board
Fundraising Committee Lewis Center Foundation Job Description
(Lewis Center Foundation Fundraising Committee)

ROLE STATEMENT: ~~The Fundraising Committee is established in the bylaws of the High Desert “Partnership in Academic Excellence” Foundation, Inc. and is known as the Lewis Center Foundation (“Foundation”)~~ The Lewis Center Foundation (“Foundation”) is organized as a subordinate standing committee authorized and sponsored by the Lewis Center for Educational Research Board. The Foundation’s role is to support the mission of the Lewis Center for Educational Research (LCER) and to provide supplemental financial support to the LCER and any and all schools and programs it operates.

COMPOSITION: The Foundation consists of no more than 15 members, up to 3 of whom may be Lewis Center for Educational Research Board (“LCER Board”) members appointed by the LCER Board Chairman, and one high school student from each high school. The remainder will be parent and community members representing the schools and communities served by the LCER.

QUALIFICATIONS: Foundation members must have an interest in raising supplemental financial support for the LCER and any and all schools and programs it operates.

FOUNDATION DUTIES:

- Actively participate in fund development
- Plan, implement, and evaluate fundraising events and strategies
- Recommend potential new fundraising events and strategies
- Solicit funds from donors and sponsors
- Identify potential new donors and sponsors
- Communicate events and strategies to stakeholders
- Advise school staff members of possible school-specific fundraising strategies

OFFICER DUTIES:

1. Chair:
 - a. Shall call and preside at Foundation meetings and meet with the President/CEO to prepare agenda items.
 - b. Shall report all actions taken during Foundation meetings at the LCER Board meetings.
 - c. Shall act as a liaison between the Foundation and the LCER Board.
 - d. Shall coordinate the work of volunteers and staff and receive regular reports on the progress of their work.
2. Vice Chair:
 - a. Shall, in the absence of the Chair, carry on all duties of the Chair.

APPOINTMENT/ELECTION:

1. Except for ex officio members, the Foundation shall elect members ~~to a three year term~~ at any properly noticed and duly constituted meeting of the Foundation Board by majority vote.

Lewis Center for Educational Research Board
~~Fundraising Committee~~ Lewis Center Foundation Job Description
(~~Lewis Center Foundation~~ Fundraising Committee)

2. The Chairman of the LCER Board may appoint up to 3 LCER Board Members (Ex officio members) to the Foundation Board.
3. The ASB of each high school shall nominate one high school student, subject the approval of the Principal.
4. The Foundation may remove any members whenever such removal serves the best interest of the LCER.
5. The Foundation Board Chair is nominated by the Foundation Board and appointed by the LCER Board Chairman. The Chairman of the LCER Board may remove any appointed Chair or LCER Board Member whenever in his or her judgment such removal serves the best interest of the LCER.
6. The Principal may remove any high school student whenever in his or her judgment such removal serves the best interest of the LCER.

LIMITS OF AUTHORITY:

The LCER Board is fully responsible for the operation and fiscal affairs of the Lewis Center for Educational Research, and retains final supervisory authority and responsibility. However, the LCER Board has delegated the responsibility for the duties described above to the Foundation.

REPORTS TO: The LCER Board through the Foundation Chair.

FREQUENCY OF MEETINGS: The Foundation meets monthly or as needed, and in accordance with the Brown Act.

STAFF SUPPORT TO THE FOUNDATION: The President/CEO, Director of Finance, Public Relations and Marketing Coordinator and Principals provide staff assistance to the Foundation. LCER staff shall prepare the agenda and supporting documentation, and record and distribute minutes of the meetings. Copies are sent to all Foundation members, members of the Lewis Center's Executive Team and Chairman of the LCER Board.

**Lewis Center for Educational Research
STAFF REPORT**

Date: November 12, 2019
 To: LCER Board of Directors
 From: Lisa Lamb
 Re: President/CEO Report

Goal 1: Build the financial capacity of the LCER, including key provisions for sustainability.	
<p>1.1 <u>Objective:</u> Each school will maintain a reserve balance of no less than 4% of the total operating budget. Reserves will be defined as unencumbered cash balance_</p>	<ul style="list-style-type: none"> We are continuing to build our cash reserves and searching for additional funding options for both schools. Currently we are meeting the 4% cash balance at both sites and anticipate to continue to support the goal as we strive to increase our financial stability going into the issuance of new Bond Debt for both campuses.
<p>1.2 <u>Objective:</u> Support oversight and accountability of funds by LCER budget managers through monthly financial reports which include budget-to -actuals.</p>	<ul style="list-style-type: none"> On the first Wednesday of the month, the Finance Office is continuing to provide each manager with their budgets and subsequent internal departments (ie Athletics, VPA, ROTC, etc.) with an up-to-date picture of the budget. On October 31st, we meet the end of the first reporting period to review the financial picture for the schools. With this process, we will be able to complete the 1st Interim Reporting for each school to our authorizers, update the revenue and projected expenditures for each school based on the necessary changes that have occurred or planned for change since the start of the new Fiscal Year.
<p>1.3 <u>Objective:</u> Most restrictive dollars (i.e.: categorical funding, one-time monies, Special Education funding, grants, etc.) will be utilized first and according to funding requirements and as approved by School Site Council.</p>	<ul style="list-style-type: none"> Administrative staff carefully monitor expenditures to ensure that categorical monies are utilized first and for the intended purposes.
<p>1.4 <u>Objective:</u> The Foundation Board will raise funds to support the needs of LCER schools and programs.</p>	<ul style="list-style-type: none"> The Lewis Center Foundation and Victor Valley Chamber of Commerce partnered together for a regional golf tournament. The total expected money raised was \$61,365.00 with expenses being \$12,410.97. This leaves a total expected profit of

	<p>\$48,954.03 with the Foundation receiving approximately \$24,477.02. These funds are identified as Unrestricted funds.</p> <ul style="list-style-type: none"> ● The Foundation Board has committed \$5,000 (\$2,500 per school) for teacher professional development and classroom STEAM kits through Garner Holt Imagination Through Education. These funds are supporting the STEAM goals for both schools. ● The Foundation Board has begun planning for the 3rd Annual Lewis Center Gala which will be held on May 15th at the Orange Show Fairgrounds in San Bernardino. The theme is Back to the Future and we have invited our special guests, who will be, our founder Rick Piercy, and Congressman Jerry Lewis (ret.).
<p>Goal 2: Develop and maintain facilities to meet the TK-12 needs at both campuses.</p>	
<p><u>2.1 Objective: Complete NSLA TK-12 and Head Start campus in Winter/Spring 2021.</u></p>	<ul style="list-style-type: none"> ● Staff is working closely with Charter School Property Solutions, TSK Architects, Urban Futures and Kimley Horn to navigate all aspects of due diligence, bond financing, CEQA and pre-development, and coordination with the County and City. Weekly meetings are held with each team to ensure that this project remains on time and within budget. ● The current timelines indicate a completion of March/April of 2021 for NSLA. Head Start should be completed earlier as it is a smaller scale project. ● Staff is working on a school calendar to be communicated with staff, parents and stakeholders to reflect this one year adjustment. It is anticipated that we will compress the calendar to extend the summer break with school ending in May rather than June. However, we will wait to make that determination until all pre-construction is completed.
<p><u>2.2 Objective: Create a deferred maintenance schedule to properly identify and address the needs of aging equipment, building and infrastructure.</u></p>	<p>Maintenance Updates:</p> <ul style="list-style-type: none"> ● The M BLDG Carpet is scheduled to be replaced during the December break. ● Fire Life & Safety: Annual inspection is scheduled Nov 6th-8th AAE & AVCI, Norton in scheduled Nov 12th-13 ● The extra portables have been sold and removed from AAE and we are expecting to finalize the plans for grading the area just North of the Softball Field. ● Charcoal sewer vent backflows have been installed in all restrooms throughout the AAE Campus. ● AAE Fall Break Projects Completed <ul style="list-style-type: none"> ○ Pressure washed the whole campus ○ Painted handrail between M&N BLDG ○ Painted Doors at P-Restroom, Cafeteria, and Q Classrooms ○ Trimmed the Palm Trees

	<ul style="list-style-type: none"> ○ Installed New Bottle Filling Station at the softball field (donated to AAE by the Interact Club) ○ Repairs for Mineral City ○ Carpet repairs & shampooed some carpets for South and North elementary ○ Installed some LED Wall Packs around the Gym. ○ Filters Changed & Coils cleaned for all HVAC Units ○ Replaced the faded parking lot signage with new Stop Signs ○ North Elementary swing gates installed for student pick up/drop off and emergency evacuations with new concrete pathway. ● NSLA Projects Completed <ul style="list-style-type: none"> ○ New Concrete repairs outside of the F wing and outside of the E Bathrooms. ○ Cleaned all rain gutters on the Admin/K Building in preparation for winter. ○ Filters Changed for all HVAC Units ○ Repaired all irrigation concerns along Foisey Field to support the grass areas. ○ Painted the Athletic Shed.
<p>2.3 <u>Objective: Monitor technological systems to protect against external and internal security threats.</u></p>	<ul style="list-style-type: none"> ● AAE Security System is scheduled to be upgraded and a contract has been approved with the new vendor. Improvements consist of new motion detectors, key pads, remote access, and multiple user codes to help reduce false alarms and identify who is accessing campus and when.
<p>2.4: <u>Utilize the refinancing of the AAE Bonds to address capital campaign needs (i.e. Multipurpose Room, secondary science labs, additional athletic and P.E. fields, special education, parking lot rehabilitation, etc.).</u></p>	<ul style="list-style-type: none"> ● We are currently in the civil engineering phase of this project. ● We have completed the due diligence packet for the bond refinancing. ● We presented to Moody's for credit rating to help improve our financial rates. ● An LLC has been created for the new bond financing structure. ● We are forming an AAE task force to guide the development of these facilities. This will provide various perspectives to ensure that the highest needs are met with these funds. TSK Architects will be guiding the task force through a development phase for the MPR in the coming weeks.
<p>Goal 3: Strengthen the academic programs at both schools resulting in increased student mastery while preparing every student for post-secondary success in the global society.</p>	
<p>3.1 <u>Objective: Both schools will demonstrate continued increases in student mastery in</u></p>	<p>Smarter-Balanced Assessment comparative results were analyzed and shared with staff in October.</p>

<p><u>the area of Mathematics as reported on the California School Dashboard.</u></p>	<p>AAE</p> <ul style="list-style-type: none"> ● Overall 3% growth from prior year ● School outperformed both state and authorizing district ● Vast improvement across middle school with gains at all three grade levels <p>NSLA</p> <ul style="list-style-type: none"> ● 4% growth overall from prior year ● Narrowed gap between the school, state, and county ● 20% growth in 5th grade
<p><u>3.2 Objective: In order to decrease referrals for counseling and behavior incidents, both schools are implementing curricula at the elementary, middle and high school to support Social Emotional Learning (SEL). The collective outcomes of these strategies are to: enhance the ability of students to self-regulate, strengthen relationships amongst students and staff, and empower teachers to support SEL needs in the classroom.</u></p>	<p>AAE</p> <ul style="list-style-type: none"> ● AAE began implementation of Second Step SEL curriculum in grades K-8. Lessons are presented weekly by elementary and middle school homeroom teachers. <p>NSLA</p> <ul style="list-style-type: none"> ● NSLA continues to implement Sanford Harmony in some elementary classrooms. Sanford Harmony is a social emotional learning program for Pre-K-6 grade students designed to foster communication, connection, and community both in and outside the classroom, and develop boys and girls into compassionate and caring adults. ● In Middle School, we have the Habitudes curriculum and we integrate Mindfulness into the beginning of each lesson. Habitudes is a curriculum that is based on building leadership skills and Mindfulness is for building resilience and Neuroplasticity for our students. The lessons are delivered once per month in each Middle School Enrichment Classroom.
<p><u>3.3 Objective: Both schools will develop a more robust STEAM strand that builds upon itself in grades TK-12.</u></p>	<ul style="list-style-type: none"> ● The NSLA Student and Staff Delegation returned from Chile. While they were in Concepcion, the students were immersed in the Chilean culture and hospitality. They participated in environmental science and GAVRT lessons. This STEM and Language Exchange is continuing to grow. The Chilean Delegation plans to visit NSLA in Spring 2020. ● LCER, AAE and NSLA administration have begun talks with Garner Holt Education Through Imagination in order to bring their programs and professional development to our staff and students. We have scheduled on site PD at both schools and are committed to extending this partnership. ● A team of LCER, AAE, and NSLA Staff will attend the Annual STEAM conference in Long Beach, California in December.
<p>Goal 4: Recruit, develop and retain a highly qualified and diversified staff.</p>	
<p><u>4.1 Objective: Evaluate ongoing</u></p>	<ul style="list-style-type: none"> ● Positions continue to be advertised through California’s leading

<p><u>and new recruitment efforts to ensure that all positions are filled with highly-qualified and diversified staff.</u></p>	<p>educational job board, Edjoin.org.</p> <ul style="list-style-type: none"> ● Emails are sent to potential applicants through Edjoin, specifically targeting candidates for specific positions. ● HR has increased its recruitment presence on the Lewis Center and both schools websites, along with community social media outlets. ● Classified positions are being advertised in the local newspapers and online job boards. ● Job postings are sent to local universities and employment agencies (such as EDD) with hopes to recruit highly qualified and diversified candidates.
<p><u>4.2 Objective: Develop a comprehensive succession plan for all key positions.</u></p>	<ul style="list-style-type: none"> ● Personnel task force has been meeting regularly to develop the CEO succession plan. Their progress is presented at the monthly board meetings. ● Each Director on the Executive Team is working on departmental succession plans with the goal to build capacity internally.
<p><u>4.3 Objective: Invest in professional development for classified and certificated staff and board members.</u></p>	<ul style="list-style-type: none"> ● Garner Holt Imagination Through Education group will be conducting professional development at both schools. ● All employees are completing the new “Boundaries: Student Sexual Abuse Prevention” training as part of Ed Code 44050. This law requires all staff to be trained by January 1, 2020.
<p><u>4.4 Create a highly attractive environment for staff which increases and/or maintains staff retention rates LCER-wide.</u></p>	<ul style="list-style-type: none"> ● The HR Department, in collaboration with the Executive Team, is currently revamping the Employee Recognition Program. ● The HR Department is working with the Executive Team to review employment practices, policies, salary and benefits for staff.
<p>Goal 5: The Lewis Center for Educational Research will communicate and operate under a common vision, mission, goals and objectives.</p>	
<p><u>5.1 Objective: The Board of Directors and Executive Team will continue to participate in annual strategic planning. Progress toward goals will be reported monthly via the CEO Board Report.</u></p>	<ul style="list-style-type: none"> ● The Annual Strategic Planning Meeting was held on August 9, 2019. ● A Vision Committee was established and met to codify the drafts of the revisions from the strategic planning session. That draft was presented and ratified by the Board on September 9, 2019. ● The Executive Team met to draft the objectives and tasks to support the revised goals. These were also presented on September 9, 2019. ● The Board approved the final draft of the Strategic Plan during regular session on October 14, 2019. ● The staff report template has been updated to reflect the current goals for the 2019-2020 School Year.
<p><u>5.2 Objective: Board and Executive Team will actively</u></p>	<ul style="list-style-type: none"> ● The LCER PIO will be publishing newsletters highlighting accomplishments, events and staff/student recognition regularly.

<p><u>communicate LCER’s mission to the stakeholders and communities that we serve.</u></p>	<p>These will be shared with all LCER staff, on social media accounts and with our donors and partners.</p> <ul style="list-style-type: none"> ● Additionally, an increased effort has been made to send press releases to local media outlets to communicate our schools’ mission and programs. ● NSLA staff will continue to update the school website to include most up to date information including , weekly events, staff information and policies.
<p><u>5.3 Objective: Increase communication with stakeholders regarding progress toward mission, vision, and goals.</u></p>	<ul style="list-style-type: none"> ● Staff receives invitations to attend monthly board meetings with the packet that contains the staff report. ● Both schools’ LCAPs reflect the Lewis Center Strategic Plan. Schoolwide systems set up for engagement around these plans include: Professional Learning Communities, Academic Leadership Teams, School Site Councils, and Parents and Pastries Open Forums. Each of these stakeholder groups meet at least monthly to discuss school- wide progress and improvement. Annual student, staff and parent surveys are also conducted to seek feedback and input. ● All Lewis Center websites and social media accounts are currently being reviewed by the LCER PIO and administration with the goal to improve the public’s ability to learn more about the Lewis Center’s mission, vision and goals. ● Matt Cabe, Valli Andreasen, Fausto Barragan and Lisa Lamb are drafting guides for home-to-school communication. Once finalized, these will be shared with staff and families. The goal is to share the proper avenues for open, ongoing and productive communication.
<p>Additional Staff Information</p>	
<p>PR and Marketing Updates</p>	<p>Events</p> <ul style="list-style-type: none"> ● Oct. 4: Middle School Dance (NSLA) ● Oct. 7-11: Anti-Bullying week (NSLA) ● Oct. 12: Student delegation left for week-long study trip in Chile (NSLA) ● Oct. 12: Apple Valley Air Show (AAE) ● Oct. 12: Chinese teachers arrive from Shanghai(AAE) ● Oct. 14: Chinese teachers first day on campus (AAE) ● Oct. 17: Great California ShakeOut (NSLA/AAE) ● Oct. 17: Hispanic Heritage Month Assembly (NSLA) ● Oct. 18: Chinese teachers’ first visit with Rockets (NSLA) ● Oct. 19: Ambassadors’ Yard Sale (AAE) ● Oct. 22: Chinese teachers’ give lessons in 3rd-grade classes (NSLA) ● Oct. 23: Chinese teachers visit VVC and Route 66 (AAE) ● Oct. 25: Pizza Factory “Buddy Bench” ceremony (AAE)

	<ul style="list-style-type: none"> ● Oct. 25: Fall Festival (AAE) ● Oct. 25: Chinese teachers' last day (AAE) ● Oct. 28: Admin meeting/tour at Garner Holt Productions (NSLA/AAE) ● Oct. 31: Last day of Mineral City Pumpkin Patch (AAE) ● Nov. 1: First Weekend Bedtime Story released on Facebook (AAE) <p>Media coverage</p> <ul style="list-style-type: none"> ● Oct. 11: "Lewis Center sends student delegation to Chile for STEAM study." VVNG article previewing Chilean delegation's trip. ● 2019-2020: Lewis Center and GAVRT featured in an article that appeared in the "Victor Valley Economic Development" magazine ● Fall 2019: Lewis Center students featured in the San Bernardino County Professional Firefighters - IAFF Local 935 "Fire Wire" magazine. The magazine chronicles the Aug. 7 Fire OPS 101 training session. Students are included throughout the magazine.

The High Desert Partnership in Academic Excellence Foundation, Inc.
 Check/Voucher Register - Board Report - 10K
 From 10/1/2019 Through 10/30/2019

<u>Effective D...</u>	<u>Check Nu...</u>	<u>Vendor Name</u>	<u>Check Amount</u>	<u>Transaction Description</u>
10/1/2019	43385	CharterSAFE	26,010.00	Insurance premium pymt for September
10/1/2019	43388	SBCSS	73,420.66	NSAA STRS contributions for September
10/1/2019		SBCSS	131,541.05	LCER/AAE - STRS contributions for September 2019
10/1/2019	43391	SBCSS	21,267.36	NSAA PERS contributions for September
10/1/2019		SBCSS	59,369.07	LCER/AAE - PERS contributions for September 2019
10/15/2019	424		387,862.45	Group: Payroll; Pay Date: 10/15/2019
10/16/2019	43402	American Express	18,183.21	Acct# XXXX-XXXXX0-71001
10/17/2019	43409	YM & C	11,745.30	Legal Services through 9/30/19
10/18/2019	43439	Institute for Multi-Sens...	10,232.22	PO# 1920-0330-AAE - Readers
10/18/2019	43460	San Bernardino City Sc...	27,755.00	School Police Services at NSLA
10/18/2019	43464	SISC	190,843.15	Health Coverage for October 2019
10/18/2019	43469	Swun Math, LLC	18,333.33	PO# 1920-0398-NSLA Professional Development for 2019/20
Report Total			976,562.80	

All Funds - Budget Comparison 2018/19 to 2019/20

2018-2019				
	Current Period		Remaining Budget	Percent Remaining
	Total Budget \$ - Revised	Actual thru October		
Revenue	Annual Budgeted Revenue			
Revenue	23,394,181	7,798,060	15,596,121	66.67%
Expense				
Certificated Salaries	9,573,430	3,004,262	6,569,168	68.62%
Classified Salaries	3,162,047	988,134	2,173,913	68.75%
Benefits	4,694,848	1,378,500	3,316,348	70.64%
Books and Supplies	1,634,067	590,400	1,043,667	63.87%
Services & Other	2,335,445	569,068	1,766,377	75.63%
Capital Outlay	217,500	37,208	180,292	82.89%
Other Outgo	977,044	360,684	616,360	63.08%
Share of LCER	0	0	0	N/A
Total Expense	22,594,381	6,928,256	15,666,125	69.34%
Add (Subtract) to Reserves	799,800	869,804	(70,004)	
Total Revenue	23,394,181	7,798,060	15,596,121	33.33%
Total Expense	22,594,381	6,928,256	15,666,125	30.66%
Add (Subtract) to Reserves	799,800	869,804	-70,004	

Note - Revenue Reported is % of Budgeted Revenue Earned

2019-2020				
	Current Period		Remaining Budget	Percent Remaining
	Total Budget \$ - Original	Actual thru October		
Revenue	Annual Budgeted Revenue			
Revenue	24,219,500	8,073,167	16,146,333	66.67%
Expense				
Certificated Salaries	9,918,476	3,163,369	6,755,107	68.11%
Classified Salaries	3,463,235	1,052,000	2,411,235	69.62%
Benefits	4,860,713	1,513,617	3,347,096	68.86%
Books and Supplies	1,445,252	609,473	835,779	57.83%
Services & Other	2,277,763	596,341	1,681,422	73.82%
Capital Outlay	227,500	89,689	137,811	60.58%
Other Outgo	947,000	215,708	731,292	77.22%
Share of LCER	0	0	0	N/A
Total Expense	23,139,939	7,240,197	15,899,742	68.71%
Add (Subtract) to Reserves	1,079,561	832,970	246,591	
Total Revenue	24,219,500	8,073,167	16,146,333	33.33%
Total Expense	23,139,939	7,240,197	15,899,742	31.29%
Add (Subtract) to Reserves	1,079,561	832,970	246,591	

AAE - Budget Comparison 2017/18 to 2018/19

2018-2019				
	Current Period		Remaining Budget	Percent Remaining
	Total Budget \$ - Revised	Actual thru October		
Revenue	Annual Budgeted Revenue			
Revenue	14,150,329	10,074,765	4,075,564	28.80%
Expense				
Certificated Salaries	5,704,026	1,814,636	3,889,390	68.19%
Classified Salaries	1,151,280	354,961	796,319	69.17%
Benefits	2,493,290	751,149	1,742,141	69.87%
Books and Supplies	829,630	276,853	552,777	66.63%
Services & Other	1,004,066	204,152	799,914	79.67%
Capital Outlay	137,500	25,469	112,031	81.48%
Other Outgo	977,044	360,684	616,360	63.08%
Share of LCER	1,605,370	515,199	1,090,171	67.91%
Total Expense	13,902,206	4,303,103	9,599,103	69.05%
Add (Subtract) to Reserves	248,123	5,771,662	(5,523,539)	
Total Revenue	14,150,329	10,074,765	4,075,564	71.20%
Total Expense	13,902,206	4,303,103	9,599,103	30.95%
Add (Subtract) to Reserves	248,123	5,771,662	-5,523,539	

Note - Revenue Reported is % of Budgeted Revenue Earned

2019-2020				
	Current Period		Remaining Budget	Percent Remaining
	Total Budget \$ - Original	Actual thru October		
Revenue	Annual Budgeted Revenue			
Revenue	14,591,131	4,863,710	9,727,421	66.67%
Expense				
Certificated Salaries	5,916,706	1,893,421	4,023,285	68.00%
Classified Salaries	1,287,916	379,334	908,582	70.55%
Benefits	2,550,273	802,662	1,747,611	68.53%
Books and Supplies	752,885	289,080	463,805	61.60%
Services & Other	892,887	243,080	649,807	72.78%
Capital Outlay	177,500	20,548	156,952	88.42%
Other Outgo	947,000	213,708	733,292	77.43%
Share of LCER	1,741,438	587,877	1,153,561	66.24%
Total Expense	14,266,605	4,429,710	9,836,895	68.95%
Add (Subtract) to Reserves	324,527	434,001	(109,474)	
Total Revenue	14,591,131	4,863,710	9,727,421	33.33%
Total Expense	14,266,605	4,429,710	9,836,895	31.05%
Add (Subtract) to Reserves	324,527	434,001	-109,474	

NSLA - Budget Comparison 2017/18 to 2018/19

2018-2019				
	Current Period		Remaining Budget	Percent Remaining
	Total Budget \$ - Revised	Actual thru October		
Revenue	Annual Budgeted Revenue			
Revenue	9,138,352	3,046,117	6,092,235	66.67%
Expense				
Certificated Salaries	3,400,458	1,033,893	2,366,565	69.60%
Classified Salaries	875,892	253,487	622,405	71.06%
Benefits	1,497,928	387,324	1,110,604	74.14%
Books and Supplies	770,364	255,614	514,750	66.82%
Services & Other	933,201	168,910	764,291	81.90%
Capital Outlay	10,000	10,726	(726)	-7.26%
Other Outgo	0	0	0	N/A
Share of LCER	1,098,832	515,199	583,633	53.11%
Total Expense	8,586,675	2,625,153	5,961,522	69.43%
Add (Subtract) to Reserves	551,677	420,964	130,713	
Total Revenue	9,138,352	3,046,117	6,092,235	33.33%
Total Expense	8,586,675	2,625,153	5,961,522	30.57%
Add (Subtract) to Reserves	551,677	420,964	130,713	

Note - Revenue Reported is % of Budgeted Revenue Earned

2019-2020				
	Current Period		Remaining Budget	Percent Remaining
	Total Budget \$ - Original	Actual thru October		
Revenue	Annual Budgeted Revenue			
Revenue	9,497,369	3,165,790	6,331,579	66.67%
Expense				
Certificated Salaries	3,516,967	1,117,817	2,399,150	68.22%
Classified Salaries	924,674	270,349	654,325	70.76%
Benefits	1,520,878	462,676	1,058,202	69.58%
Books and Supplies	617,939	289,219	328,720	53.20%
Services & Other	983,686	211,363	772,323	78.51%
Capital Outlay	20,000	66,080	(46,080)	-230.40%
Other Outgo	0	2,000	(2,000)	N/A
Share of LCER	1,158,191	390,983	767,207	66.24%
Total Expense	8,742,335	2,810,487	5,931,847	67.85%
Add (Subtract) to Reserves	755,035	355,302	399,732	
Total Revenue	9,497,369	3,165,790	6,331,579	33.33%
Total Expense	8,742,335	2,810,487	5,931,847	32.15%
Add (Subtract) to Reserves	755,035	355,302	399,732	

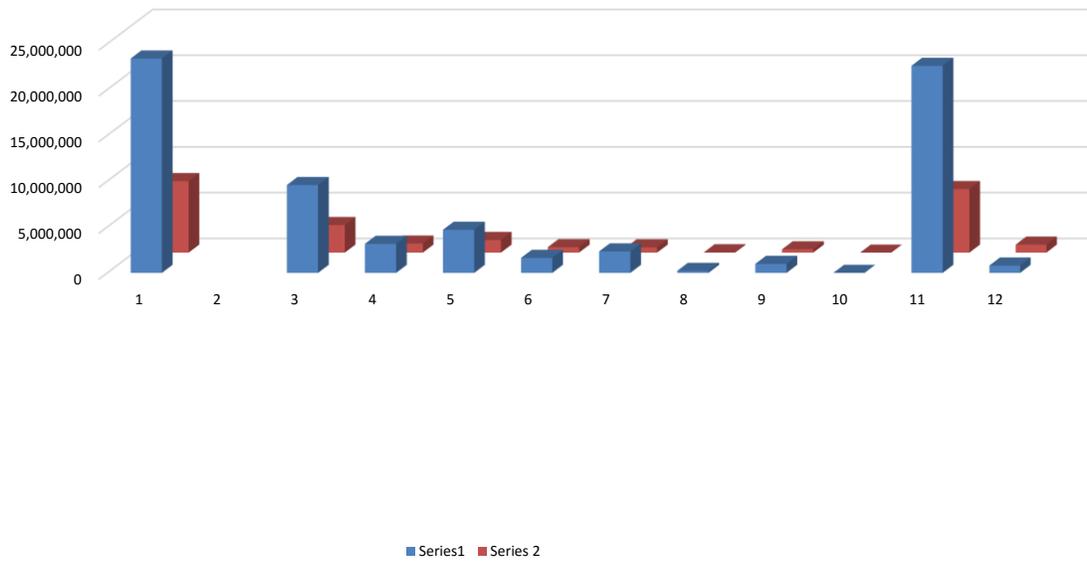
LCER - Budget Comparison 2017/18 to 2018/19

2018-2019				
	Current Period		Remaining Budget	Percent Remaining
	Total Budget \$ - Revised	Actual thru October		
Revenue	Annual Budgeted Revenue			
Revenue	105,500	51,551	53,949	51.14%
Expense				
Certificated Salaries	468,946	155,733	313,213	66.79%
Classified Salaries	1,134,875	379,686	755,189	66.54%
Benefits	703,630	240,027	463,603	65.89%
Books and Supplies	34,073	57,933	(23,860)	-70.03%
Services & Other	398,178	196,006	202,172	50.77%
Capital Outlay	70,000	1,013	68,987	98.55%
Other Outgo	0	0	0	N/A
Share of LCER	(2,704,202)	(1,030,398)	(1,673,804)	
Total Expense	105,500	0	105,500	100.00%
Add (Subtract) to Reserves	0	51,551	(51,551)	
Total Revenue	105,500	51,551	53,949	48.86%
Total Expense	105,500	0	105,500	0.00%
Add (Subtract) to Reserves	0	51,551	-51,551	

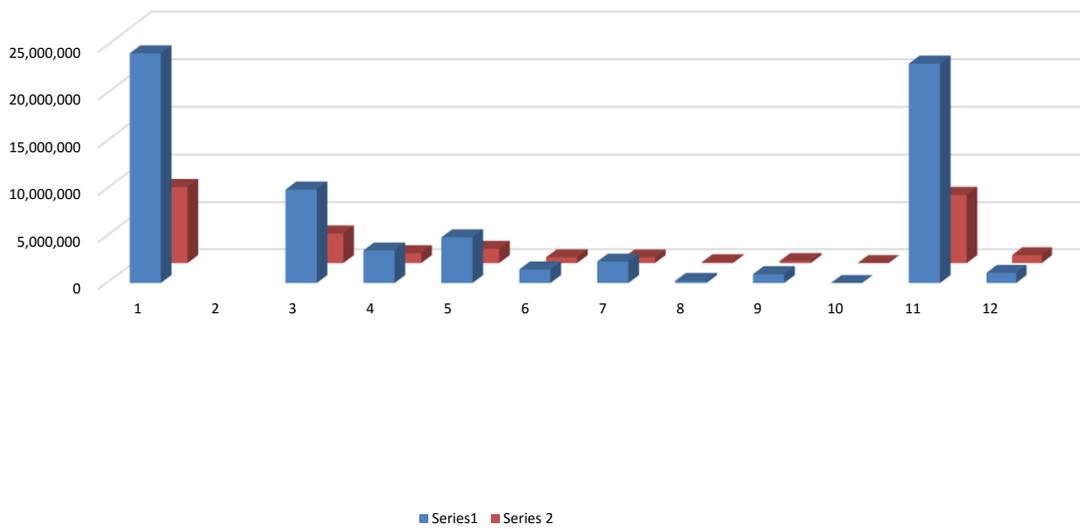
Note - Revenue Reported is % of Budgeted Revenue Earned

2019-2020				
	Current Period		Remaining Budget	Percent Remaining
	Total Budget \$ - Original	Actual thru October		
Revenue	Annual Budgeted Revenue			
Revenue	131,000	72,979	58,021	44.29%
Expense				
Certificated Salaries	484,803	152,131	332,672	68.62%
Classified Salaries	1,250,645	402,317	848,328	67.83%
Benefits	789,562	248,279	541,283	68.55%
Books and Supplies	74,428	31,174	43,254	58.12%
Services & Other	401,190	141,898	259,292	64.63%
Capital Outlay	30,000	3,061	26,939	89.80%
Other Outgo	0	0	0	N/A
Share of LCER	(2,899,628)	(978,860)	(1,920,768)	66.24%
Total Expense	131,000	0	131,000	100.00%
Add (Subtract) to Reserves	0	72,979	(72,979)	
Total Revenue	131,000	72,979	58,021	55.71%
Total Expense	131,000	0	131,000	0.00%
Add (Subtract) to Reserves	0	72,979	-72,979	

2018-19



2019-20



**LEWIS CENTER FOUNDATION
COMBINED BALANCE SHEET AND INCOME STATEMENT
September 1 - September 30, 2019**

CHECKING (LEWIS CENTER FOUNDATION)

Beginning Balance **\$11,775.04**

Revenue

2019 Victor Valley Regional Open Golf Tournament Sponsorships, Raffle Tickets	\$16,313.20
Online Donation - NSLA Capital Campaign	\$100.00
Transfer from Savings - HiDAS	\$761.18
Transfer from Savings - Unrestricted	\$27,621.03
<i>Total</i>	\$44,795.41

Expenditures

CSU Channel Islands - Kailyn Flores - San Manuel Scholarship	\$1,000.00
Grand Canyon University - Carinn Rodriguez - AAE PTC Scholarship	\$500.00
AVCI Construction	\$10,162.00
LCER - \$15K PR/Marketing Position, \$99.29 Chile, \$1,553 AAE Perfect Attendanc	\$16,652.29
Application for State Raffle Registration	\$20.00
Transfer to Savings - NSLA Capital Campaign	\$100.00
<i>Total</i>	\$28,434.29

Ending Balance *Total* **\$28,136.16**

SAVINGS (LEWIS CENTER FOUNDATION)

Beginning Balance

Restricted Funds - AAE Capital Campaign	\$97,569.15
Restricted Funds- NSLA Capital Campaign	\$33,163.55
Restricted Funds - Davis Endowment	\$12,022.35
Restricted Funds - HiDAS Endowment	\$64,540.94
Restricted Funds - Scholarships	\$28,808.32
Unrestricted Funds	\$80,497.31
	\$316,601.62

Revenue

AAE Staff Scholarship	\$15.00
Transfer from Checking - NSLA Capital Campaign - Online Donation	\$100.00
Interest	\$25.67
<i>Total</i>	\$140.67

Expenditures

Transfer to Checking - HiDAS	\$761.18
Transfer to Checking - Unrestricted	\$27,621.03
<i>Total</i>	\$28,382.21

Ending Balance

Restricted Funds - AAE Capital Campaign	\$97,578.39
Restricted Funds - NSLA Capital Campaign	\$33,265.60
Restricted Funds - Davis Endowment	\$12,023.38
Restricted Funds - HiDAS Endowment	\$63,785.92
Restricted Funds - Scholarships	\$28,826.40
Unrestricted Funds	\$52,880.38

Total **\$288,360.08**

Total Checking and Savings **\$316,496.24**

**LCER Board Meetings
Attendance Log 2019**

	February Regular	March Regular	April Regular	May Regular	June Regular	August Regular	Sept. Regular	Oct Regular	Nov Regular	Dec Regular	TOTAL REGULAR

Duberly Beck	Present			100%							
Sharon Page	Present			100%							
Jessica Rodriguez			Present	Present	Present	Present	Present	Present			100%
Rick Wolf	Present			100%							
Jim Morris	Present	Present	Present	Present	Present	Present	Absent	Present			88%
Omari Onyango	Present	Absent	Present	Present	Present	Absent	Present	Present			75%
David Rib	Absent	Present	Present	Present	Present	Absent	Present	Present			75%
Pat Caldwell	Present	Present	Absent	Present	Present	Absent	Absent	Present			63%
Marcia Vargas	Present	Present	Present	Absent	Absent	Present	Absent	Present			63%

	Jan. 24 Special	Feb. 25 Special	June 6 Special	June 18 Special	August 9 Special		TOTAL SPECIAL
Duberly Beck	Present	Present	Present	Present	Present		100%
Sharon Page	Present	Present	Present	Present	Present		100%
Jessica Rodriguez			Present	Present	Present		100%
Pat Caldwell	Absent	Present	Present	Present	Present		80%
Marcia Vargas	Present	Present	Absent	Absent	Present		60%
Rick Wolf	Present	Present	Absent	Absent	Present		60%
Omari Onyango	Absent	Present	Present	Absent	Absent		40%
David Rib	Present	Absent	Absent	Present	Absent		40%
Jim Morris	Absent	Absent	Present	Absent	Present		40%

LCER Board Give and Get
Current Fiscal Year 2019 /2020

Member	Give	Get	In-kind	Total
Duberly Beck	\$ 500			\$ 500
Pat Caldwell		\$ 1,000		\$ 1,000
James Morris				\$ -
Omari Onyango	\$ 1,200			\$ 1,200
Sharon Page	\$ 150			\$ 150
Jessica Rodriguez	\$ 150			\$ 150
David Rib		\$ 1,500		\$ 1,500
Marcia Vargas	\$ 1,413			\$ 1,413
Rick Wolf				\$ -
Total	\$ 3,413	\$ 2,500	\$ -	\$ 5,913

**THE HIGH DESERT “PARTNERSHIP IN ACADEMIC EXCELLENCE”
FOUNDATION, INC.**

**RESOLUTION TRANSFERRING REAL PROPERTY TO A
17500 MANA ROAD LLC**

WHEREAS, The High Desert “Partnership in Academic Excellence” Foundation, Inc. (“HDPAEF”) is a California nonprofit public benefit corporation doing business as the Lewis Center for Educational Research and operating a TK-12 public charter school known as the Academy for Academic Excellence (“AAE” or “Charter School”), as authorized by Education Code section 47600 et seq., which Charter School was founded in 1997; and

WHEREAS, HDPAEF is the single member of 17500 Mana Road LLC, a California member-managed limited liability company (“Borrower”) formed to hold property for the benefit of HDPAEF and as a single-member LLC will be included in HDPAEF’s financial statements and is a disregarded entity for certain tax purposes; and

WHEREAS, the California Enterprise Development Authority (“Authority”) will be issuing its California Enterprise Development Authority Charter School Revenue Bonds (Academy for Academic Excellence Project) Series 2019A (Tax-Exempt) and California Enterprise Development Authority Charter School Revenue Bonds (Academy for Academic Excellence Project) Series 2019B (Taxable) (collectively, the “Bonds”) pursuant to the Indenture of Trust, dated as of December 1, 2019 (the “Indenture”), by and between the Authority and Wilmington Trust, National Association, as trustee thereunder (the “Trustee”), for the purpose, among others, of financing and refinancing the Project defined hereafter; and

WHEREAS, the Bond documents provided for the Borrower to use the proceeds of the Bonds for the following purposes: (i) financing or refinancing the acquisition, renovation, improvement, furnishing, and equipping of land and charter school facilities located at 17500 Mana Road, Apple Valley, California 92307 (the “Property”); (ii) funding a debt service reserve fund for the Bonds; (iii) funding capitalized interest with respect to the Bonds; (iv) a swap termination fee; and (v) paying certain expenses incurred in connection with the issuance of the Bonds (collectively, the “Project”); and

WHEREAS, on October 14, 2018, the Board of Directors of HDPAEF approved a Board resolution (the “HDPAEF Board Resolution”) approving issuance of the Bonds, as well as authorizing Authorized Officers of HDPAEF to, among other things, in connection with the transactions contemplated under the Project, execute and deliver such other agreements, approvals, certificates, documents and instruments in such form as may be approved by the Authorized Officer; and

WHEREAS, the Authority will loan the proceeds of the Bonds to the Borrower pursuant to a Loan Agreement, dated as of December 1, 2019 (the “Loan Agreement”), by and between the Authority and the Borrower, for the purpose, among others, of financing the Project; and

WHEREAS, the Bond documents contemplate transfer of the Property from HDPAEF to Borrower and subsequent lease of the Property from Borrower to HDPAEF, to ensure, among other

things, that HDPAEF will have the future option to secure rent and lease reimbursements through the Charter School Facility Grant Program (“CSFGP”), which is commonly known as the “SB 740” Program, pursuant to Section 47614.5 of the Education Code; and

WHEREAS, the Project, which contemplated and includes transfer of the Property from HDPAEF to Borrower, benefits HDPAEF and the Charter School as the issuance of the Bonds have enabled the borrowing of funds on a tax-exempt basis for completion of the Project, and are thus fair and reasonable as to HDPAEF and the Charter School under the circumstances, are in the best interests of HDPAEF and the Charter School, and in furtherance of the charitable purposes of HDPAEF; and

WHEREAS, Section 10170.14 of the CSFGP Regulations prohibits certain conflicts of interest between a charter school and a landlord that is classified as a “Related Party” under that Section;

WHEREAS, for purposes of Section 10170.14 of the CSFGP Regulations, a non-profit entity formed exclusively for the purpose of providing support to a charter school (i.e., a supporting organization) is not considered a “Related Party” under the CSFGP Regulations, which allows a charter school to participate in the CSFGP by leasing its facility from a supporting organization; and

WHEREAS, by transferring the Property to 17500 Mana Road LLC, and entering into a lease with said Borrower, HDPAEF may elect to participate in the CSFGP in the future; and

WHEREAS, as the single member of 17500 Mana Road LLC, HDPAEF can ensure that the Property continues to be used for the exclusive benefit of HDPAEF.

THEREFORE, IT IS RESOLVED that the Board of Directors of HDPAEF authorizes the transfer of the Property from HDPAEF to 17500 Mana Road LLC, to allow HDPAEF to participate in the CSFGP.

RESOLVED FURTHER that the Board of Directors of HDPAEF has reviewed and approves of the Grant Deed (attached hereto as Exhibit “A”) and authorizes the execution of the Grant Deed by any Authorized Officer (as defined in the HDPAEF Bond Resolution), and filing of the Grant Deed in the Official Records.

RESOLVED FURTHER that any Authorized Officer (as defined in the HDPAEF Bond Resolution) of HDPAEF is authorized to execute any documents associated with the transactions described herein, including the documents provided in Exhibit A.

RESOLVED FURTHER that any Authorized Officer (as defined in the HDPAEF Bond Resolution) is authorized to do and perform any and all such acts, including but not limited to amendments to and execution of any and all documents and certificates, as they shall deem necessary or advisable, to effectuate the reimbursement of HDPAEF for the purchase of the Property from bond funds, the transfer of the Property to the Borrower, any actions necessary to allow HDPAEF to participate in the CSFGP, and any other actions necessary for the Project.

PASSED AND ADOPTED by the Board of Directors at a regular meeting held on November 12, 2019, by the following vote:

Ayes: [INSERT NAMES]

Nos: [INSERT NAMES]

Abstentions: [INSERT NAMES]

Duberly Beck, President and Chairman

Date

* * * *

CERTIFICATE OF SECRETARY

I certify that I am the duly elected Secretary of High Desert “Partnership in Academic Excellence” Foundation, Inc., a California nonprofit public benefit corporation; that this resolution is true and correct as written and was duly adopted by the Board at a regular meeting held on November 12, 2019.

Marcia Vargas, Secretary

Exhibit A

RECORDING REQUESTED BY

The Lewis Center for Academic Research

AND WHEN RECORDED MAIL TO

Academy of Academic Excellence
17500 Mana Road
Apple Valley, CA 92038

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

APN 0473-183-21-0-00 and 0473-183-22-0-00

DOCUMENTARY TRANSFER TAX is not applicable because this is a transfer between parties in which the proportional interests of the transferor(s) and the transferee(s) in each and every parcel being transferred remain exactly the same after the transfer. Revenue & Taxation Code § 11925, subd. (d).

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

THE HIGH DESERT "PARTNERSHIP IN ACADEMIC EXCELLENCE" FOUNDATION, INC., a California Public Benefit Corporation GRANTOR, hereby grants to

17500 Mana Road LLC, a California Limited Liability Company, GRANTEE, the real property located in City of Apple Valley and San Bernardino County, California, described in the legal description attached as "Exhibit A" hereto.

GRANTOR

The High Desert "Partnership in Academic Excellence" Foundation, Inc., a California Public Benefit Corporation

Duberly Beck, President and Chairman of the Board

Date: _____

[Include California Notary Acknowledgement Form for Signature]

Exhibit A to Grant Deed
Legal Description

PARCEL NO. 1 (APN 0473-183-22-0-000):

ALL THAT PORTION OF THE WEST 1/2 OF THE EAST 1/2 OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND ON FILE IN THE DISTRICT LAND OFFICE, LYING SOUTHERLY OF THE SOUTHERLY LINE OF STATE HIGHWAY.

EXCEPTING THEREFROM ANY PORTIONS THEREOF CONVEYED TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, BY DEEDS RECORDED IN BOOK 339, PAGE 168, OF DEEDS, AND ON NOVEMBER 9, 1956, IN BOOK 4083, PAGE 470, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ANY PORTION THEREOF LYING WITHIN APPLETON LAND, WATER AND POWER COMPANY, SUBDIVISION NO. 1, AS PER PLAT RECORDED IN BOOK 19 OF MAPS, PAGE 79, RECORDS OF SAID COUNTY.

ALSO EXCEPTING THEREFROM ANY PORTIONS THEREOF LYING WITHIN THOSE PARCELS OF LAND CONVEYED TO THE STATE OF CALIFORNIA FOR PUBLIC HIGHWAY AS DESCRIBED IN THAT CERTAIN DEED FORM APPLETON LAND, WATER AND POWER COMPANY, RECORDED JANUARY 23, 1948, IN BOOK 2111, PAGE 432, OFFICIAL RECORDS. SAID PARCEL OF LAND BEING ALSO DESCRIBED IN QUITCLAIM DEEDS RECORDED IN BOOK 2029, PAGE 183, OFFICIAL RECORDS, AND IN BOOK 2290, PAGE 239, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ANY PORTION THEREOF CONVEYED TO THE STATE OF CALIFORNIA, BY DEED RECORDED FEBRUARY 24, 1961, IN BOOK 5359, PAGE 490, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ALL OF THE MINERALS, INCLUDING AND WITHOUT LIMITATION, ALL THE OIL, GAS AND OTHER HYDROCARBON SUBSTANCES BUT EXCLUDING EXPLICITLY LIMESTONE AND WITHOUT ANY RIGHTS TO USE THE SURFACE OR THAT PORTION OF SAID LAND LYING WITHIN 500 FEET OF THE SURFACE, AND ALSO, THE RIGHT TO DRILL INTO AND THROUGH SAID LAND BELOW 500 FEET FROM THE SURFACE, AS RESERVED BY TEXACO PRODUCING INC., BY DEED RECORDED MARCH 2, 1987, INSTRUMENT NO. 87-66790, OFFICIAL RECORDS.

PARCEL NO. 2 (APN 0473-183-21-0-000):

THAT PORTION OF THE EAST 1/2 OF THE EAST 1/2 OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE

OFFICIAL PLAT OF SAID LAND ON FILE IN THE DISTRICT LAND OFFICE, LYING SOUTHERLY OF THE SOUTHERLY LINE OF STATE HIGHWAY.

EXCEPTING THEREFROM ANY PORTIONS THEREOF LYING WITHIN THOSE PARCELS OF LAND CONVEYED TO THE STATE OF CALIFORNIA FOR PUBLIC HIGHWAY AS DESCRIBED IN THAT CERTAIN DEED FROM APPLETON LAND, WATER AND POWER COMPANY, RECORDED JANUARY 23, 1948, IN BOOK 2111, PAGE 432, OFFICIAL RECORDS. SAID PARCEL OF LAND BEING ALSO DESCRIBED IN QUITCLAIM DEEDS, RECORDED IN BOOK 2029, PAGE 183, OFFICIAL RECORDS, AND IN BOOK 2290, PAGE 239, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ANY PORTION THEREOF CONVEYED TO THE STATE OF CALIFORNIA, BY DEED RECORDED FEBRUARY 24, 1961, IN BOOK 5359, PAGE 490, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ALL OF THE MINERALS, INCLUDING AND WITHOUT LIMITATION, ALL THE OIL, GAS AND OTHER HYDROCARBON SUBSTANCES BUT EXCLUDING EXPLICITLY LIMESTONE AND WITHOUT ANY RIGHTS TO USE THE SURFACE OR THAT PORTION OF SAID LAND LYING WITHIN 500 FEET OF THE SURFACE, AND ALSO, THE RIGHT TO DRILL INTO AND THROUGH SAID LAND BELOW 500 FEET FROM THE SURFACE, AS RESERVED BY TEXACO PRODUCING INC., BY DEED RECORDED MARCH 2, 1987, INSTRUMENT NO. 87-66791, OFFICIAL RECORDS.