

CHARTER RENEWAL PETITION

PRESENTED BY LISA BLAIR, EXECUTIVE DIRECTOR, TO THE OAKLAND UNIFIED SCHOOL DISTRICT

February 11, 2009

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- A) Performance Report
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- C) Parent Survey 2008

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- Letters of Community Support
- Red-line Version of Original Charter

INTRODUCTION

E.C. Reems Academy of Technology & Arts is a small, K-8 school serving students in the severely economically depressed East Oakland area. The majority of students at E. C. Reems Academy would otherwise attend Parker and Webster elementary schools and, Frick, and Elmhurst middle schools. One hundred percent (100%) of the students come from ethnic minorities; 65% are African American and 35% are Hispanic or Latino. Seventy-two percent (72%) qualify for free or reduced lunch and 9% are English Learners. While serving this disadvantaged group of students, E.C. Reems Academy maintains incredibly high success rates.

The success of E.C. Reems Academy is marked by improvement in student achievement school wide and for numerically-significant subgroups, fiscal stability, enrollment growth and high attendance rates, demonstrable parent and student satisfaction and involvement, and the creation of a safe, clean, welcoming school environment in area rife with crime and violence on the streets and in the schools.

Highlights of this success include:

- Similar Schools Index: E.C. Reems Academy has ranked either a 9 or a 10 on the state's similar schools ranking for the last five years.
- E.C. Reems Academy outperforms local middle and elementary schools (see Performance Report Appendix A).
- Greater progress in narrowing the gap between its current API score and the state benchmark API (800) than OUSD or the weighted average improvement of the schools which E. C. Reems Academy students would otherwise attend. E. C. Reems Academy closed 17.3% of the API gap, whereas OUSD closed 12% of the gap, and schools which E. C. Reems Academy students would otherwise attend closed 14% of the gap (weighted average).
- There is high parent satisfaction with the school. On average, parents gave E. C. Reems Academy high marks 97% of the time on a range of issues dealing with education, teaching, discipline, safety, and school culture.
- High attendance rates among students and teachers (96% and 95% respectively).
- Financial stability as demonstrated by a balanced budget and substantial cash reserves as well as audit reports that are free from significant findings.

Appendix A (Performance Report) describes the school's significant progress over the last five years including evidence that E.C. Reems Academy:

- Is an academically successful school
- Has met the terms of the original charter
- Has a solid plan for the next five years
- Has strong leadership and governance
- Is a fiscally sound organization
- Focuses on continuous improvement

BACKGROUND

Oakland Community Organizations

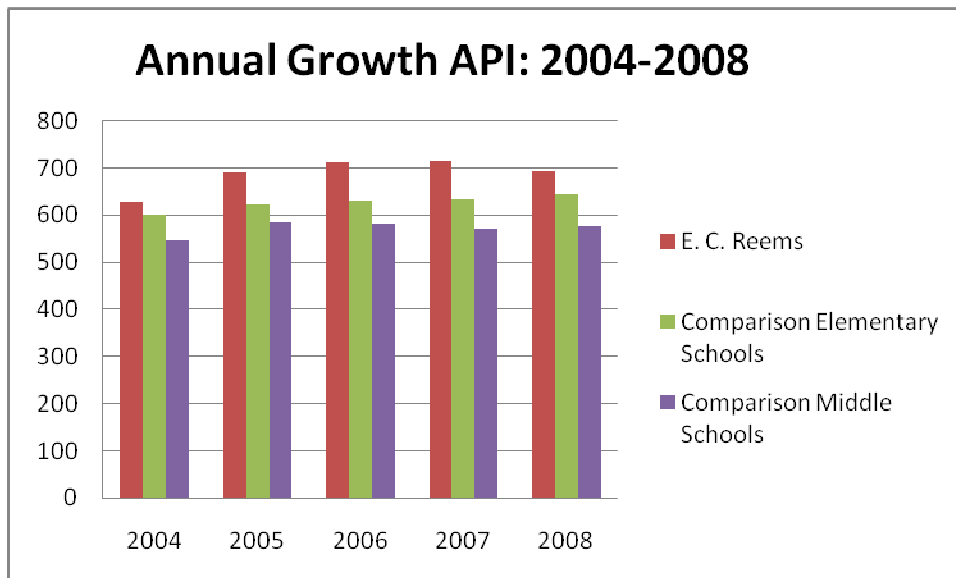
E. C. Reems began as an outgrowth of Oakland Community Organizations (OCO), a coalition of churches and families that had successfully advocated for such things as speed bumps on busy residential streets and small class sizes in local public schools. After an ultimately unsuccessful attempt to create a small school within a school at Jefferson Elementary, a core group from OCO that was focused on education began to develop a charter petition for five small community schools, one of which was E. C. Reems Academy.

Successes at E. C. Reems Academy for Technology & Arts

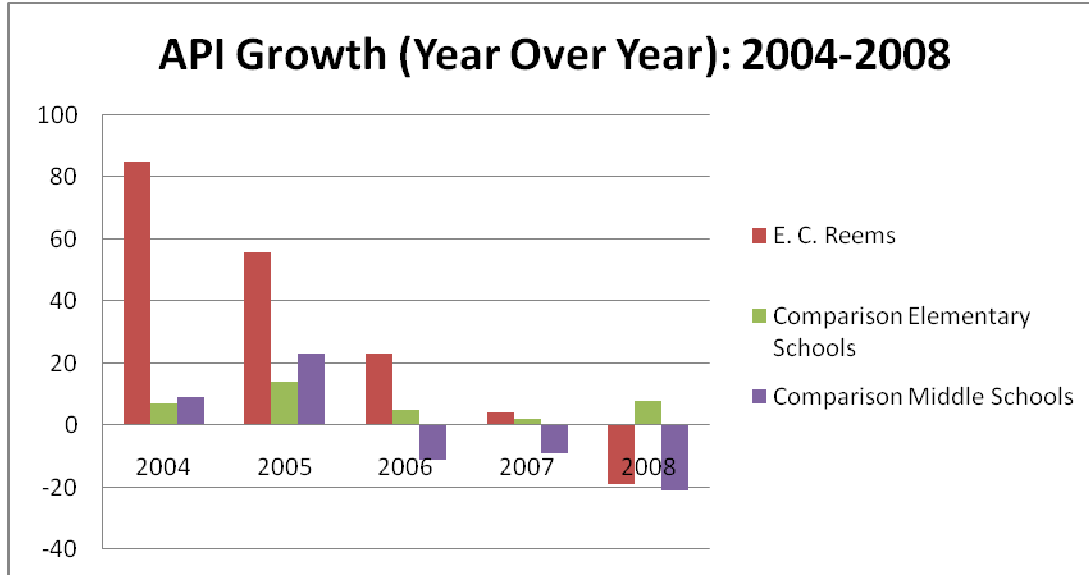
Academic Success (See Performance Report for more details)

API Growth

The school's annual growth API has increased steadily from 2004 to 2008 resulting in a total increase of more than 100 points. Furthermore, the school has shown higher absolute scores than both middle and elementary schools with similar demographics.



The school's API growth has shown positive results for four of the past five years. As previously noted however, E.C. Reems Academy had a decrease in its API score this past year. Nevertheless, when compared to schools with similar demographics, E.C. Reems Academy has demonstrated much stronger growth in its API score at both the middle and elementary school levels as shown below.



Parent Satisfaction Success

E.C. Reems Academy is a product and creation of its community. E.C. Reems Academy places enormous value on the feedback it receives from its community. Outside of the academic achievement of its students, E. C. Reems Academy measures its success primarily through the satisfaction of the community that created it.

E.C. Reems Academy actively seeks parent input through a variety of channels including the parent committee, parent representatives on the Board, and direct parent contact. The school collects input from parents through a parent survey. The results of the 2008 parent survey are attached as Appendix C.

On only four questions did less than 90% of the parents not agree or strongly agree with the positive statements presented about the school. Parents are satisfied with the quality of the teaching, academic program, school culture, school management, and the accessibility, communication, and responsiveness of staff and teachers.

Another metric of parent satisfaction is their willingness to commit valuable volunteer hours to the school. Over the past three years, volunteer hours among community members have increased from 950 hours in the 2000/01 school year to 6,853 hours in 2007/08. These volunteer hours do not include parent meetings which are held four to eight times per year and are attended by roughly 65 parents per meeting, representing about 20-35% of the families at the school at each meeting. At these meetings parents discuss their concerns, plan events for the school, and think of ways that they can support the school.

Student and Teacher Attendance Success

Another key indicator of the success of E. C. Reems Academy, as outlined in its original charter, is its high attendance rate of teachers and students. The attendance rate at a school is an indicator of how engaged the students are in the educational program, and how motivated the

parents are to ensure their children arrive at school on a consistent basis. E. C. Reems Academy has had increasing attendance rates over the past three years, reaching 96% attendance rate in the 2007/08 school year, which exceeds the benchmarks outlined in E. C. Reems Academy's charter (the school promised to have a higher annual attendance rate by comparable grade level than OUSD). The school currently maintains a 96% attendance rate. In addition to high attendance rates, E. C. Reems Academy continues to grow in enrollment.

Teacher attendance is an indicator of how engaged and committed the teachers are to the school, students and community. It is common practice for teachers to arrive early and remain at school an hour or more after their official day ends. Many teachers continue to tutor students after 4:00 PM, the end of the workday.

Opportunities for Teachers' Professional Success

In accordance with its original charter, E. C. Reems Academy has emphasized teacher professional development. Development opportunities have increased tremendously in the past year; in the 2007/08 school year, teachers attended thirty-four on-campus professional development workshops compared with ten in the 2000/01 school year. These workshops emphasize literacy strategies training, writing strategies, learning styles training, and school health and safety. Additionally, E. C. Reems Academy lead teachers attended the 3-day California Charter Schools Association (CCSA) annual conference in Sacramento, and several teachers attended a number of grade level conferences including Kindergarten programming and technology in the classroom. The school is committed to professional development and financially supports conference attendance, BTSA, and training sessions.

Teacher Attrition/Turnover

The stability of the teaching staff is a key aspect of student achievement. On average E.C. Reems Academy experiences about a 30% turnover annually. However, there is a group of teachers that have worked at the school for six years or longer and provide a historical understanding of success at the school. These teachers serve as Lead Team Coordinators and are responsible for three grade levels or six classes and serve as an adjunct to administration.

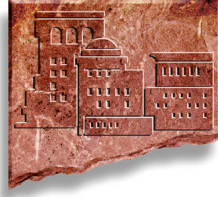
Financial Success

E.C. Reems Academy has strong fiscal management, lead by the Executive Director. As of 2008, the school's reserves have grown in excess of \$400,000. The school has moved from the mandated 3% budget reserve to a 5% budget reserve contingency in a time when budgets are being cut, schools are closing and operational costs are rising.

Conclusion

The Board, staff, administration, and parents of E.C. Reems Academy are proud of the progress the school has made and continues to make. In accordance with its original charter, the school has also successfully created a community in which parents participate regularly, and both parents and students are excited about the learning program. Parents are satisfied with the school across a broad range of parameters, and make an effort to ensure that their children are in attendance. Interest in the school increases each year as evidenced by growing enrollment. Financially, the school is stable and well-positioned to succeed in the long-term.

ERNESTINE C. REEMS



ACADEMY OF TECHNOLOGY & ARTS

Charter Renewal Application February 2009

Assurances

Affirmations

As the authorized lead petitioner, I, **Dr. Avis Hinkson**, hereby certify that the information submitted in this petition for the renewal of E.C. Reems Academy of Technology & Arts charter school, located within the boundaries of the Oakland Unified School District, is true to the best of my knowledge and belief; I also certify that this petition does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded a charter, E.C. Reems Academy of Technology & Arts:

- Shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- Shall be deemed the exclusive public school employer of the employees of E.C. Reems Academy for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605 (b)(5)(O)]
- Shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- Shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- Shall admit all students who wish to attend E.C. Reems Academy, and who submit a timely application, unless E.C. Reems Academy receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Admission to E.C. Reems Academy of Technology & Arts shall not be determined according to the place of residence of the student or his or her parents within the State except as provided in Education Code Section 47605 (d)(2) and Education Code Section 51747.3. [Ref. Education Code Section 47605(d)(2)(A)-(B)]

- Shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, 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 or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]
- Shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.
- Shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- Shall ensure that teachers in E.C. Reems Academy of Technology & Arts hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. California Education Code Section 47605(l)]
- Shall at all times maintain all necessary and appropriate insurance coverage.
- Shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, E.C. Reems Academy of Technology & Arts shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]
- Will follow any and all other federal, state, and local laws and regulations that apply to E.C. Reems Academy including but not limited to:
 - E.C. Reems Academy shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection.
 - E.C. Reems Academy shall on a regular basis consult with its parents and teachers regarding E.C. Reems Academy of Technology & Arts's education programs.
 - E.C. Reems Academy shall comply with any jurisdictional limitations to locations of its facilities.

- E.C. Reems Academy shall comply with all laws establishing the minimum and maximum age for public school enrollment.
- E.C. Reems Academy shall comply with all applicable portions of the No Child Left Behind Act.
- E.C. Reems Academy shall comply with the Public Records Act.
- E.C. Reems Academy shall comply with the Family Educational Rights and Privacy Act.
- E.C. Reems Academy shall comply with the Ralph M. Brown Act.
- E.C. Reems Academy shall meet or exceed the legally required minimum of school days.
- E.C. Reems Academy shall comply with Article 5.5 of Charter 5 or Part 28 of the Education Code and implementing regulations adopted thereafter.

Dr. Avis Hinkson
Board President Signature

Date

Element A: Description of Educational Program

Education Code 47605(b) (5) (A)

A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 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.

If the proposed school will serve high school pupils, a description of how 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

Revised Mission Statement

E.C. Reems Academy provides a student-centered curriculum that enhances intellectual development, leadership ability and technological fluency, to prepare and endow East Oakland youth with strategic advantages needed to participate in the 21st century.

Vision Statement

E.C. Reems Academy is recognized as a school that empowers local youth with the tools to academically succeed in life.

Motto

"Educating Urban Youth to Succeed in Life."

Educational Model

E. C. Reems Academy uses the Effective Teaching Practices as the foundation for learning. To (successfully) meet the goal of creating higher order learning environments for all students, E.C. Reems Academy employs a constructivist, hybrid education model. The pure constructivist model relies heavily on prior knowledge and understanding to construct new knowledge and understanding from authentic experience, which is often limited or non-existent in the lives of disadvantaged urban youth. To fulfill the philosophical tenets of constructivism, we:

1) artificially inseminate prior knowledge through the use of virtual experiences, and 2) create active learning environments to express the knowledge gained through these venues.

This practice, along with aspects of Socratic methodology, creates a learning environment where the eight learning styles can be incorporated into the day-to-day learning activities and open the door to higher learning as a natural progression. Within the context of the constructivist model, we employ differentiated instruction to address the learning needs of all students.

E. C. Reems Academy administrators and lead team coordinators implement its academic program in alignment with the charter.

The Ernestine C. Reems Academy of Technology & Arts Educational Program

OVERVIEW OF CURRICULUM DESIGN & PEDAGOGY SUPPORT

As indicated in the 2002-2004 report, reading and reading comprehension were areas where strong intervention was needed to improve academic achievement. The identified data has been carefully examined and the items delineated in the report have subsequently been addressed. Research-based materials are currently being used, a better-trained cadre of teachers has been employed and the focused instructional leadership to implement the necessary changes has improved tremendously. Moreover, a systematic plan for ongoing staff training has been developed and implementation of a viable classroom observation and evaluation process has provided support for quality teaching and learning for all students.

There were several mitigating factors that impeded our progress in reading during the 2002-2004 school years. Since that time, after a rather thorough self-review and examination of our curriculum, the strategies and methodology that worked well and those that needed improvement have been identified. For example, comprehension was an important skill area in reading that needed immediate focus and attention and we addressed this critical skill area in the subsequent content.

We tracked growth comparing and analyzing state test scores, assessments and quizzes, and decided that we needed to purchase a series of textbooks to support academic achievement and address the identified weaknesses. In 2002, we purchased the Open Book series by McGraw-Hill SRA, for grades K-5, and the HighPoint Reading Series by Hampton Brown for our 6-8th grade students. High Point is an intervention program, which successfully strengthened basic reading and reading comprehension skills. In 2004, we retired the High Point series and purchased the Holt Literature/Language Arts series to challenge our students at grade level.

Comprehension is constructing meaning from text is without a doubt the key that unlocks the door to literacy. We live in a world of printed words and having the capacity to interpret and comprehend text is one of the most important survival and everyday skill areas that students can possibly achieve.

Since comprehension permeates all aspects of standardized and other testing, it made sense to initiate a school-wide focus in this area. The basic premise supports the notion that the content of most standardized tests are made up of passages that require the ability to read, comprehend information, think critically and solve problems. Since the same skills are required for reading comprehension it makes common sense to merge these two important mega skills together.

It was with this thought in mind that we approached literacy in all curricular areas at our school. All subjects require students to have the capacity to read and comprehend information, follow directions and complete assignments.

Our students enjoy motivating activities that are highly competitive. They enjoy any projects or programs whereby they compete against peers in their classes or school-wide. With these criteria, “Read Between the Lines” (RBL) was born. This is one of the programs that worked well and merged reading comprehension and test taking skills. The program involves using reading passages in a test format to teach students how to read and focus on key words in the directions, questions and the passages. It also teaches students how to highlight important information and use the process of elimination to find the correct answers. Using the test preparation passages, grade levels compete against each other to see how many students can answer the most questions correctly. A rotating trophy is awarded to each of the classes (per grade level) that get the most answers correct on the weekly RBL test.

This program encourages students to read carefully, fluently and comprehend the content. While the students are trying hard to earn the trophy, their reading skills are improving substantially.

At the beginning of each new school year we review, compare and analyze our current STAR and CAT/6 data with those from the previous years. We not only look at percentages but also find it helpful to identify both the names and numbers of students in each performance level in ELA and math. This information is also used as an initial planning tool. Based on the test scores, teachers complete a form placing students in their classrooms into the performance level groups. This helps with differentiated reading and math groups.

CURRICULUM & INSTRUCTIONAL DESIGN

The scope and sequence of our instructional program is very comprehensive. It involves a myriad of components and strategies all working in tandem to meet the needs and learning styles of all of our students. This includes those that are achieving at, above and below grade level as well as English Learners and students with special needs.

In this process, literacy is the common thread that weaves English language arts, math, algebra, social studies, science, technology, art and PE, all subject matter disciplines together. Our program is structured to enable students to achieve academically and become literate in all of these areas as they matriculate from elementary, middle, high school, college and throughout life.

The basic fundamental road map that guides our instructional program evolves from coordination of the California grade level content standards. Inherent in this process is a rigorous, challenging program that encompasses a variety of interesting and creative activities, strategies and programs.

Differentiated instruction is one of major strategies employed by our staff that facilitates and supports learning. Differentiated instruction allows the teacher to work individually with small groups throughout the day to address students’ academic needs. This process allows the teacher to work at an accelerated rate for the high achievers and slow the instruction to a place where the

struggling students are comfortable and can understand the instruction using prior knowledge to connect the learning to real life situations. Teachers use the text pacing guides to insure acquisition of state content standards by the close of the school year.

Listed below is another critical strategy that we subscribe to; it's known as the "Effective Teaching Model." Teachers were trained using this model and it is the engine that drives our entire instructional program.

EFFECTIVE TEACHING MODEL

Each component of the effective teaching model is interrelated and work in concert with the other. For activities to be effective and ensure that learning is taking place at least three to four of these steps must be followed. One component depends on the effectiveness of the previous one.

Step 1: State the Objective (Anticipatory Set)

This is an introduction to the activity and aims to tell the students what they're going to learn. Lay it out clearly so that students understand the purpose as well. Motivate students to get their attention at the beginning.

Step 2: Guided Practice (Teacher Directed Instruction)

The teacher guides the students through the activity asking questions, eliciting responses, using demonstrations, etc. During this stage, the teacher employs the following strategies:

Prior knowledge: (Connects the learning to real life experiences)

This strategy is especially important for struggling students. When students can connect the learning to real life experiences this supports and facilitates learning.

Modeling: (Demonstrations)

This is a critical part of the instructional process. This shows/helps students understand what to do and how to do it

Check for Understanding: (Assess the learning)

The teacher is assessing students understanding of what is being taught. This stage will determine if further instruction is needed. If some of the students understand what to do, let them practice the activity independently. This gives the teacher time to pull the other students that didn't understand aside and give additional differentiated instruction. It is this stage that will determine whether the students should move to the next step which is independent practice.

Step 3: Independent Practice (Seat work, test, written assignment, etc)

Please note that this step is not necessary for each activity. This step should only be done after the guided practice activity is understood. If, while checking for understanding, the teacher discovers that some of the students don't understand the assignment, they should pull these

students aside and give additional instructions using different strategies if necessary. The students that understand what to do should be given the opportunity to practice. They should not have to wait until the other students catch up.

Step 4: Closure (Summarize the activity)

Always bring closure to all activities before transitioning to a new lesson or activity. This may be in the form of assessment of the activity, or next step in terms of what will happen next. Will the lesson warrant new strategies or can teacher move on to a new concept or skill? Don't just end or drop the activity without saying something about the next step.

CLASSROOM MANAGEMENT

Quality teaching and classroom management go hand-in-hand. In a well-managed classroom, the teacher directs the instruction and students are engaged in the learning process. This type of classroom exhibits certain attributes that make it special. Parents will often request this type of class because they want their students to obtain the best education possible. This classroom is student-centered, organized and where high expectations rule. Everyone knows their role and it is this type of teaching and learning community that we are striving to build in all of our classrooms at E.C. Reems Academy.

In an environment conducive to learning, effective strategies are modeled, students understand the assignments and achievement is usually high. Through our formal and informal classroom observations, evaluations and individual teacher meetings, we provide support for our teachers to ensure they have the capacity to manage their classrooms as described above. This process can take many forms including professional development, observing other teachers while at the same time building a professional and collegial relationship with a common goal of improving student achievement.

Over the past two years we enrolled a number of students that were unfamiliar with our school culture. To address issues of classroom management that did not previously exist in E.C. Reems Academy, we hired a consultant to facilitate Lee Canter's Classroom Management for Academic Success which focused on classroom management skills and creating a positive learning environment. The workshop helped teachers re-engage students, and re-establish a positive learning environment.

STATE STANDARDS

The state grade level content standards form the basic framework and foundation from which the instructional program evolves. The state-adopted textbooks in English Language Arts, math, history/social studies, science, PE, technology and art are strategically and carefully orchestrated with the required subject matter content for elementary and middle school students.

To enhance and augment the contents of the grade level standards, teachers use a variety of strategies and methodology to meet the needs and learning style of our students, which includes quality pedagogy and best practices.

Teacher's **weekly lesson plans** guide and reflect the grade level standards and exhibit skill development and benchmark assessment in all subject areas. It is our belief that all students can learn in a positive environment and an atmosphere where high expectations are the guiding principle and philosophy of the classroom and school site.

Our curriculum is rigorous and challenging in a small class size setting, Student Performance Outcomes indicate that we are making steady academic progress, however we continue to assess our progress and make adjustments and changes accordingly.

ENGLISH LANGUAGE ARTS PROGRAM

Literacy is the foundation of learning and as such, E.C. Reems Academy is dedicated to ensuring that all students are able to reach his/her maximum potential. This includes students **at, above** as well as **below** grade level. We have a mechanism in place for identifying students who are experiencing difficulty socially as well as academically. This process includes scheduling a meeting of all stakeholders, the parent and staff to develop a plan for support and monitoring student progress.

Ninety minutes are allocated daily for reading instruction for students in grades kindergarten through 8th grade. This time is sacred and not to be interrupted.

Comprehension is a challenge for these students because for the most part, they tend to be word-by-word slow readers. They also have problems recognizing and decoding unfamiliar words and a bad habit of ignoring punctuation marks thus distorting the meaning of what they're attempting read.

Our Formula for correcting this problem:

Initially, we are not concerned with the student's comprehension because that will come later when the fluency and other phonetic problems have been corrected. For these students, we place emphasis on implementing lots of practice in oral reading, phonemic awareness, and other phonics skills, which will enable students to learn to use these skills to decode unfamiliar words.

Next, we add sentences with questions and explanation marks so that they learn to read with expression and intonation as well. This process is corrected over time with consistency and practice. Comprehension usually evolves from this strategy.

Prior to the beginning of every new school year in August, we review our STAR test results and identify all of **the Below Basic and Far Below Basic students**. Classroom teachers also assess these students in reading/language arts and math at the beginning of school as well and use the STAR test results to plan instruction and form differentiated reading and math groups in the

classroom. Teachers use prior knowledge as a key element when teaching struggling students. This helps to connect the learning to real life experiences that they can draw upon to retain curriculum content

Beginning in the Spring of 2009, teachers in grades K-3 will assess students using the CPAA – Children’s Progress Academic Assessment software. Grades 4-8 will be assessed using the Discovery Education Predictive Assessment software in the Fall of 2009. These tools will further validate and monitor student achievement and provide intervention strategies to move students towards proficiency.

Students also receive cross-age tutoring, peer tutoring, buddy reading, and technological support and participate in the afterschool tutoring program. Parents are also required to read to their children at night and sign a reading log.

Reading Clinic Participation:

At the beginning of the year, students identified as **below basic and far below basic** are eligible to receive over and above reading instruction in the Reading Clinic, which is part of our GAP Program. Two retired reading specialists work with these students in their areas of need, based on STAR, CAT/6 results as well as various assessments administered in the lab.

Students are expected to learn and be able to (1) transfer word knowledge and sound spelling skills to the reading text, (2) read fluently, (3) read both narrative and expository materials at grade level, (4) read expressively and comprehend what they read, (5) and also learn to coordinate reading comprehension, vocabulary and other skills to test taking strategies.

Activities That Work Well

Daily practice of the sound spelling cards. Read short stories and identify the main idea, inferences, details and other comprehension strategies. Utilize mispronounced words from the text being read to teach syllabication skills for reading multi-syllabic words. Understand word knowledge and oral reading practice relative to questioning and discussions. Read stories to lower grade students.

Assessment

We use formative and summative assessments. The pre- and post- Reading Level Indicator Assessment Informal reading inventory is administered to all Reading Clinic students. Other methods of assessments include: informal observations, monthly written tests for word knowledge and comprehension as well as quarterly fluency tests. Additionally, students take a 6-week test on content taught in the Clinic.

Accelerated high achieving students who scored **Advanced and Proficient** on the STAR test are allowed to soar to their highest potential. Instructions for these students are geared toward Marzano’s Taxonomy in terms of accelerating the content “into, through and beyond” the text. They are also looped up to a higher grade for reading and math instruction while maintaining subject matter content in their regular classrooms.

These students have the capacity and are able to (1) read a myriad of novels including the “classics,” (2) write and complete research reports, (3) participate in project-based learning activities and in higher level thinking curriculum skills in the technology lab. Due to their qualifications, these students are eligible to receive scholarships to some of the private schools in the area. Additionally, they visit the local college campuses and many of them are selected to attend math and science classes at UC Berkeley during the summer.

The California English Language Development Test (CELDT) is required by the state to be administered to students who speak a language other than English. This test evaluates the students listening, reading, speaking and writing skills in English. While most of our students are fluent in English, those that need extra support receive it in the reading Clinic, one-on-one tutoring and participate in a technology program titled “Open Book.”

Teachers in grades kindergarten through 5th use the “**Open Court**” textbooks. This program is known for its strong emphasis on phonemic awareness, decoding skills, vocabulary development, fluency rates, recognition of high frequency words and comprehension development. These skills are well documented in the grade level standards and inclusive in the classroom instructional program.

The middle school teachers use the Holt Literature Language Arts program. This is a big change from the remedial High Point Program used in the 2002 school year. This program is more challenging and culturally diverse. It enables students to function academically at a higher level of instruction that incorporates critical thinking skills in various genres that include narrative and informational text as well a strong emphasis on comprehension.

What (K-8 grades) teachers expect their students to learn

Students are expected to read at grade level, be equipped with the tools to decode unknown words, enhance and augment their vocabulary, read grade level material fluently, with expression, intonation, and be able to comprehend what they have read. This may include grade level textbooks, passages from the test preparation booklets, signs, newspapers, novels, and other supplemental materials.

Strategies that are working well:

Basic instructional items such as hands-on activities, any competitive curriculum activities, partner and buddy reading, reading games, role-playing, prior knowledge experiences, field trips and other pedagogical techniques that have proven successful relative to our reading program.

How are activities assessed

Reading progress is assessed individually and by the whole class. Teachers use a variety of inventories including informal and formal tests, running records, weekly, monthly and quarterly benchmark assessments, reports and projects based on various criteria. They also employ cumulative, diagnostic, teacher made tests, miscue analysis and observations as fundamental tools.

MATHEMATICS

The Assessment and Curriculum Review indicated in the 2004 OUSD Renewal report that there was a need to discard the Saxon math textbooks because they were obsolete and did not correlate to the California State Standards. Harcourt math textbooks were subsequently purchased for students in grades kindergarten to 6th to address this concern. As a result of purchasing the new textbooks, students exhibited a stronger showing in terms of accelerating their achievement to a higher performance level. Consequently, this supported our efforts and enabled us to make steady progress on our test scores from 2003 to 2007 school years, i.e. over a 5-year period. While there were several mitigating circumstances that caused our 2008 STAR test scores to show a rather disappointing nosedive, we are nevertheless working hard to bring the test scores back up to our goal of moving our students to the advanced and proficiency performance levels.

Our goal is to move 25 students into Proficiency annually for the next five years resulting in advancing another 165 students into the Proficiency/Advanced categories and meeting NCLB mandates.

McDougal-Little Math 2 and Algebra textbooks were also purchased for 7th and 8th grade students. These textbooks correlate to the California State Standards and are used throughout the state.

Math is all around us; it's prevalent in every aspect of our society and is the engine that runs our country. Math makes more sense and is more meaningful to students when they can connect the math through the lens of their personal lives.

Our math program is academically rigorous and designed to ensure that all students develop a strong foundation of all math strands, in interesting and challenging ways. Ninety minutes of uninterrupted time is allocated each day for math instruction. Teachers differentiate the achievement level groups and use a variety of resources to supplement the math program.

What teachers expect students to learn

Teachers in grades kindergarten through 8th have high expectations for their students and want them to demonstrate grade-appropriate skills and concepts as defined by the California State Standards. It's important to develop a strong foundation for all math operations, learn the basic mathematical skills and concepts including computation, number sense, algebra, geometry, problem solving, whole numbers, fractions and decimals. Additionally, students have the capacity to decipher word problems, learn the math vocabulary and be able to pass grade level assessments at a high level.

Math activities that work well:

Learning math material in a real life way and making math relevant to students' lives e.g., banking, shopping, etc. (2) hands-on activities using real objects, (3) use of manipulatives, math games, (4) using individual small white boards, (5) calendar activities, telling time, counting real

money and buying items to make computational skills relevant, (6) using daily flash cards and working with partners.

Modeling the various operational steps and students learning to write descriptions of how to solve a specific math problem supports the integration of writing with math. Teachers also use critical thinking supplemental materials that make math fun and engaging.

How are the activities assessed

Teachers use ongoing benchmark assessments i.e., weekly, monthly quizzes, unit, chapter tests, written and verbal responses and informal observations.

MATHMATICK: A FORMULA FOR SUCCESS

To make math fun and engaging, E.C. Reems Academy has a school-wide competitive program titled “Mathmatick” that our students simply adore and love to participate in. This program was the brainchild of the vice principal and while its concept is very simple, it is by far one of the most effective and successful programs that get students fully engaged in math while learning the basic computational facts.

Its premise is simple: when students learn/memorize the basic addition, subtraction and multiplication facts they are able to move at a faster pace through the higher-level math skills like multiplication, division, fractions, decimals, algebra, geometry, etc. The program builds student’s self-esteem and confidence. It also allows the low achievers to be on the same level or even surpass the high achievers because many of the low achievers have passed the test before the high achievers.

Mathmatick motivates and encourages students to learn their basic facts and be able to pass a 10-minute test of 100 problems with 100% accuracy every week. When students pass, their names are bubbled in on the Mathmatick bulletin board located in the main hall. Students take pride in Mathmatick and may take the test as many times as needed to pass with 100% accuracy.

The students dearly love to take the test and look forward to Mathmatick test days. Only one person in the school has the test and is allowed to administer it. Students receive a trophy or medal as a reward when they pass both tests.

WRITING: (Expository Paragraphs)

The writing project at E.C. Reems Academy was initiated in November 2006 with a major concern that (1) most of our students were unable to write a simple cohesive sentence. (2) they were unfamiliar with a formal writing structure and for the most part, had not been exposed to or had access to a consistent writing process.

A school-wide goal was established to ensure that all second to eighth grade students would be able to write a cohesive 4-step expository paragraph by March 30, 2007. The first step in this process was to train the teachers. One of the following four steps was taught at each staff-training session. As teachers learned each of the writing steps, they went back to their class and taught the step to their students. The students then practiced each step using their individually selected topic. All students had a writing folder so that their writing progress could be monitored and assessed over a period of time.

Step One: *Brainstorm* (Prewriting stage). Students select a familiar topic and brainstorm at least twenty to thirty words, categorize the words, and make a list. The listed words are subsequently infused into details for the paragraph.

Step Two: Topic *sentence*. This sentence states the *main idea* of the paragraph. The *key word* in this sentence tells the reader what the rest of the paragraph is going to be about. This is the most challenging part of the writing process.

Step Three: Supporting *details* help to clarify the topic sentence by providing specific details using words from the brainstorm list. Students apply transitional words to help show the relationship between details.

Step Four: Concluding *sentence* ties all sentences together.

Writing is the corner stone of all language arts skills. You might say that learning to write is like learning to bake. The outcome of writing an effective expository paragraph is synonymous with the outcome of baking a cake. All ingredients/skills must be inclusive and applied well.

The ingredients for the writing process consist of *spelling, grammar, mechanics, parts of speech, fluency, reading, etc.* These skills need to be applied to the writing process however, if they are taught in isolation, students view them as a separate entity and fail to see how they are connected to writing a paragraph or essay. A good example is spelling. Students don't seem to understand how spelling is connected to the writing process. They tend to think of spelling as memorizing a given number of words for the weekly test, only to forget them after the test. Spelling is critical to writing and equally as important as the other language arts skills.

The writing process is one of the most challenging of all language arts skills to teach. It is time consuming and takes nearly the entire school year to achieve positive results. This process has to be coordinated with lots of practice, editing, revising and rewriting, etc. Communication skills are critical life-long skills. Moreover, students will need these key skills in high school, college and especially for future employment opportunities.

Acquiring effective writing skills will benefit students now as well as support their future endeavors! As a result of this staff training and student participation, our school produced two bound anthology books of student's writing.

Writing expectations and activities that work well

Since we want our school to be the premier school for student's writing, we place strong emphasis on teaching writing skills. To enhance student's writing skills, they practice paragraph writing on a daily basis.

Activities that Work Well

Journal writing in which the students write stories using the sequence of events including first, next, then and last; drawing pictures to represent words in the kindergarten and the lower grades; using sentence expansion on a daily basis to enhance writing and make sentences more interesting; writing a cohesive paragraph, underlining the key word in the main topic sentence; writing for a specific purpose by using multiple paragraphs, sentence variety and voice to meet the needs of an audience using different voices; editing writing using the proofreader's checklist both individually and in peer editing groups; using text and supplementary material to reinforce grammar, mechanics and conventions.

HISTORY SOCIAL STUDIES

Kindergarten through 5th grade use the Houghton Mifflin textbook series and the middle grades use McDougall Little social studies textbooks. These books correlate to the California State Standards. They also use a variety of novels, CDs and other technological supplementary materials to enhance and augment the program. Our social studies program range from a curriculum that discusses self, communities, cultures to cities, countries the nation and the world.

What teachers expect their students to learn

Community building understands that history happens on a daily basis, the concept of past and present, and how things change as well as responsibility including fair play, good sportsmanship and respect the rights and opinions of others. Understand that while their world starts in Oakland there is a larger world beyond. Students will be able to read maps of the US and the world. Middle school students will understand the six themes of history, government, current events and the continents, etc.

Activities that work well

Hands-on activities using the globe and maps to find and identify places in the states and world, starting each chapter with a story that integrates the reading and writing, projects, timelines, collages based on material covered in class, current events in the weekly reader, games, etc. Students also participate in organized field trips that provide practical application to the content studied in their History/Social Studies curriculum.

How activities are assessed

Activities are assessed through hands on activities, discussions, student participation, portfolios and a series of paper/pencil and other tests.

SCIENCE

Kindergarten through 5th grades uses the Harcourt Series and the middle grades use Pearson Prentice Hall textbooks e.g., 6th grade Earth Science, 7th grade Life Science and 8th Physical Science. Our Science books correlate to the California State Standards. Teachers also use a variety of supplementary hands-on materials to enhance and augment the science program. Each year, our students participate in a school wide Science Fair whereby students develop experiments from the science curriculum content taught in their classrooms.

Teachers expect their students to learn:

The life cycle of plants and animals, the five senses, as well as understand that materials come in solids and liquids, study, describe and observe the weather. Students are also expected to ask questions and investigate to find answers. Students will learn to transfer scientific knowledge and apply to real life situations, understand that science is everywhere and foster curiosity and conduct scientific inquiry.

Activities that work well:

Visits to the pumpkin patch and carving the pumpkin, hatching butterflies, hands-on investigations and writing activities to summarize and tie together the concepts, incorporating technology and art, planting a vegetable garden and learning to cook healthy meals using the vegetables from the garden. Students also participate in organized field trips that provide practical application to the content studied in their science curriculum.

Assessment of science activities

Formal and informal observations, various forms of assessments including biweekly and end of the chapter tests, essay questions, science fair projects, and student participation.

TECHNOLOGY

Technology is viewed as part of the curriculum, curriculum support and as a resource tool to students. Through the use of technology students become active learners, applying authentic, real-world context to learning.

What teacher expects the students to learn

The student is expected to become an active participant in their own learning by linking concepts, skill elements, and experiences; identify patterns and connections; enhance experiential learning through inquiry and information processing, and develop critical thinking skills.

Computer technology begins in kindergarten and students are taught to use the keyboard, write simple words, read words, and identify characters. They also learn to use the software programs Word and PowerPoint and to drop in pictures and clip art. Each year students become more proficient in the Office Suite, research, report writing, developing web pages, blogging, creating newsletters, and developing games. Computer technology places the student at the center of their own learning. Computer technology shifts the definition of 'knowing' from being able to stock information and repeat it to being able to critically make use of it.

Activities that work well:

- ✓ Students begin the day discussing culturally relevant information.
- ✓ Students work individually and in groups.
- ✓ Students work on projects that integrate grade level information, Microsoft Office tools, research and production.

Currently, E.C. Reems Academy administration, classrooms, support staff and parents have access to computers and other supportive technology during traditional school hours in classrooms, computer labs, and the Library Media Center, which is currently in development. Student access during non-traditional hours, through our afterschool program is also available. All classrooms have access to individual digital projectors, DVD players, television and multi-media computers with internet access and share the use of scanners, digital cameras, color printers, and networked software.

The technology class that provides lab access to each K-8 student for one hour once a week on 1:1 basis. There are twenty-eight Mac computers in the Computer Lab and a rack of 26 computer laptops for Middle School use. The Middle school students have access to twenty-six laptops for shared use, providing a 1:1 computer access and use by students. Students in math also use the laptops in our advanced classes on 1:1 basis. Teachers may bring their classes to the technology class/lab to work on assignments, or to give specific instructions on a specific assignment with prior arrangement in addition to their weekly scheduled time. Students have access to technology class/lab for after school usage during designated lab hours of 3 to 4 PM to work on assignments.

English language learners who have been identified as needing supplemental support have access to the technology class/lab twice per week. All teachers and staff can access their school web pages via any web browser. Teachers and staff can access their personal files and their student files from any computer on the network via the server. Students learn basic computer skills like using hardware and peripherals, word processing, spreadsheets, desktop publishing, Internet browser, and presentation software. Students use these skills throughout the curriculum to research, design, and publish documents and to prepare presentations that demonstrate clear questioning and creative research strategies. Students also develop computer skills in the context of teaching the core curriculum through curriculum integration of technology. All teachers are expected to access their email daily and use the student data management software GradePro, to manage student data. Teachers also utilize a variety of on-line discovery vignettes and programs, including The Discovery Education On-line Program to augment instruction and productivity software such as word processing, spreadsheets, and presentation software to write essays, papers and other products.

The administrative staff currently uses Grade Pro Software as a data management tool to develop, maintain, and track student files.

Summary of Technology Resources for E. C. Reems Academy of Technology & Arts

- All instructional areas are connected to the Internet via cable
- Wireless school campus
- Technology Classroom/lab with twenty-eight student computers and one instructional desktop
- Twenty-one classrooms with digital projectors and one instructional computer
- Twenty classrooms with DVD players
- Twenty-five laptops for middle school use in core curriculum and for advanced math students
- All computers are networked to three printers for student and teacher use
- All administrative staff has one lap top
- All support staff e.g. Reading specialist, Math Specialist and Counselors have access to shared laptop per program
- A student-to-computer ratio of 1:1
- Before and after school access to the computer lab for teachers and their students
- School website online, and content web pages of all teachers
- Data management software for all teachers
- Access for all students and teachers to word processing, data collection and presentation software.

PHYSICAL EDUCATION

Our PE program correlates to the California State Standards. It serves students in kindergarten through 8th grade. Our 5th and 7th grade students participate in activities that will prepare them to pass the annual state required physical fitness test. The data from this test is sent to the state in March of each year.

What teacher expects the students to learn:

In addition to the content of the state standards, students will develop a sense of overall health, knowledge and awareness of their bodies, the importance of stretching and how to become healthier both physically and mentally. Additionally, they will develop a sense of community and teamwork. Students will participate in games that increase their cardio activity to increase stamina, build confidence, and encourage participation.

Activities that work well:

A daily stretch routine combined with a pledge at the beginning of class; use of competition to add to intensity and motivation; development of a sense of teamwork that encourages students to work with others they do not normally interact with; use of different kinds of games i.e., football,

basketball and volleyball. In addition, students participate in competitive races and a double-dutch contest.

ART

Our art program evolves from the content embedded in the California State Standards. It continues to be a major part of the foci of our school. Our goal is to support students in their effort to understand and demonstrate artistic perception, creative expression, historical and cultural context, aesthetic values, connections, relationships and applications. Additionally, we want our students to understand that artistic ability may be infused in many other professional careers e.g., architectural and interior design, pottery, quilts, painting as well as past and present works of art.

Activities that work well

- ✓ The class begins with a meditation exercise designed to center the students and move them into a right brain environment.
- ✓ Students describe and analyze the elements of art.
- ✓ Mixing primary colors to create secondary colors as well as demonstrate how colors create mood and personality within a picture.
- ✓ Making free hand sketches.
- ✓ Using lines to create depth in their pictures.
- ✓ Discuss various artists past and present.
- ✓ Compare and contrast their works of art.
- ✓ Use sculptural material such as clay or paper to create form and texture.

Assessment

Formal and informal observations relative to written tests and grade level art project.

SPEAKING

We want our students to be able to speak confidently before an audience of their peers and others. We want them to be able to do the following:

- Give oral reports
- Memorize and recite grade level poetry and famous speeches
- Share stories in front of class
- Partner read
- Participate in book clubs, literature circles, debates, trials, various class and school wide activities and in front of different audiences
- Retell and explain stories
- Author's Chair activity
- Answer questions using who, what, where, when, and why

To enhance student's speaking ability, and address the state standards relative to speaking skills, students participated in the following scheduled assembly programs throughout the year:

- ✓ Martin Luther King
- ✓ Thanksgiving
- ✓ Black History
- ✓ Cesar Chavez
- ✓ Winter Holiday
- ✓ Music Conductor
- ✓ Awards Assemblies and others.

OPEN BOOK PHONICS & READING PROGRAM

Open Book is an on-line reading and comprehension program designed to teach slow learners and second language learners how to read. It is a self-paced computer program that increases fluency, and comprehension. The program supports learning at any age or grade. It is available to students in English and Spanish, though our students (all English speakers) use the English version.

The following is the list of the effective techniques implemented by staff to foster student achievement at E.C. Reems Academy. These techniques will continue to be implemented school-wide.

Assessments

Annually teachers conduct a battery of academic summative and formative assessments to determine individual student levels of knowledge and develop individual student profiles to better monitor academic success on a regular basis. The profile is used as an instructional blueprint. The blueprint is supported through monthly reviews and progress reports.

Progress Reports

The Progress Report is a month to month system designed to track student development. Teachers produce monthly progress reports designed to keep parents abreast of their child's academic development and whether they are at grade level. If the student is below grade level in a subject the report indicates interventions, if above grade level, methods of advanced engagement.

Looping High Achievers

Students that are above grade level in a subject area are looped to the next grade level for instruction to more fully engage the student at their academic level versus their grade level. High achievers are looped to the next grade level, but are responsible for work at grade level and the looped level.

Tutoring

Peer, cross age, before and after school tutoring. Buddy reading was also an effective tool.

Differentiated Instruction

Differentiated instruction is a new instructional tool and is being integrated into our instructional strategies. Previously teachers divided students into learning groups but did not necessarily incorporate critical thinking skills to drill down and elucidate inferential knowledge. This is done during Language Arts and Mathematics instructional periods in individual classrooms. Grade level teachers work together, usually one teacher instructing the struggling and low performing students and the other teacher instructing the grade level and middle group. (There are two teachers per grade level, grades Kindergarten through eighth.

Test Preparation

There was a tremendous school-wide emphasis on test taking strategies with a focus on comprehension. A variety of commercial and other test formatted materials were also provided to teachers.

Reading and Mathematics School-wide Competitive Programs

Very successful motivational school-wide programs have been designed by the Vice Principal, not only to make learning fun, but to improve reading, language arts and mathematics skills in a contest competitive format. Grade levels compete against each other. Trophies, prizes and other incentives are given to the classes achieving 100% on the various written tests. These programs enhance and support the regular reading and mathematics curriculum. The following motivating programs were implemented:

“Read Between the Lines/ Math Between the Lines”

These strategies were designed to support various learning styles and assists students in becoming more proficient in reading and mathematics comprehension skills.

“Mathematick”

A pull out program for students in grades 4-8. This program involves students memorizing 100 addition, subtraction and multiplication basic math facts. The purpose of Mathematick is to motivate students to learn the basic math facts to increase their pace and support higher level skills and concepts.

Test Rally

An upbeat assembly designed to motivate and build student confidence just prior to taking the state tests.

Pull-Out Instruction

This Gap program is designed for struggling and low performing students to improve their reading and mathematics skills.

Weekly Professional Development

This staff training addresses student and teacher needs, as well as teacher requests, e.g. Teaching Expository writing to students in preparation for the state required 4th and 7th grade writing tests, Harcourt Math, Differentiated instruction, integrating comprehension and test taking strategies.

SPECIAL EDUCATION

Plan for Students with Disabilities

E.C. Reems Academy welcomes all children with disabilities, whether such children are currently or newly identified as disabled. E.C. Reems Academy is committed to working with the district to meet the needs of special learners.

Overview

E.C. Reems Academy 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 in Education Improvement Act (“IDEIA”).

E.C. Reems Academy agrees to adhere to the policies, procedures and requirements of the Oakland Unified School District as well as the Alameda County SELPA.

E.C. Reems Academy shall be categorized as a public school of the District in accordance with Education Code Section 47641(b).

E.C. Reems Academy complies with all state and federal laws related to the provision of special education instruction and related services and utilizes appropriate SELPA forms.

Section 504 /ADA

E.C. Reems Academy is solely responsible for its compliance with Section 504 and the ADA. All facilities of E.C. Reems Academy of Technology & Arts are accessible for all students with disabilities in accordance with the ADA. E.C. Reems Academy facility does not present physical barriers that would limit an eligible student’s full participation in the educational and extracurricular programs offered by E.C. Reems Academy.

E.C. Reems Academy recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of E.C. Reems Academy of Technology & Arts. Any student, who has an objectively identified disability which substantially limits a major life activity including but not limited to learning, is eligible for accommodation by the School.

The Executive Director serves as the 504 Coordinator.

The 504 team is assembled by the Executive Director and includes the parent/guardians, the student (as appropriate) and qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options and the legal requirements for least restrictive environment. The 504 team reviews the student’s existing records, including academic, social and behavioral records and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEIA but found ineligible for special education instruction or related services under the IDEIA, those evaluations are used to help determine eligibility under Section 504. The student evaluation is

carried out by the 504 team who evaluates the nature of the student's disability and the impact upon the student's education. This evaluation also includes consideration of any behaviors that interfere with regular participation in the educational program and/or activities.

If the student is found by the 504 team to have a disability under Section 504, the 504 team is responsible for determining what, if any, accommodations or services are needed to ensure that the student receives the free and appropriate public education ("FAPE"). In developing the 504 Plan, the 504 team considers all relevant information used during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the E.C. Reems Academy professional staff.

The 504 Plan describes the Section 504 disability and any program accommodations, modifications or services that may be necessary.

All 504 team participants, parents, and guardians, teachers and any other participants in the student's education, including substitutes and tutors, must have a copy of each student's 504 Plan. The 504 Coordinator ensures that teachers include 504 Plans with lesson plans for short-term substitutes and that he/she review the 504 Plan with a long-term substitute. A copy of the 504 Plan is maintained in the student's file. Each student's 504 Plan is reviewed at least once per year to determine the appropriateness of the Plan, needed modifications to the plan, and continued eligibility.

Services for Students under the "IDEIA"

E.C. Reems Academy provides special education instruction and related services in accordance with the IDEIA, Education Code requirements, and applicable policies and practices of the Special Education Local Plan Area ("SELPA"). E.C. Reems Academy remains, by default, a public school of the District for purposes of Special Education pursuant to Education Code Section 47641(b). However, E.C. Reems Academy of Technology & Arts reserves the right, in the future, to make written verifiable assurances that E.C. Reems Academy of Technology & Arts shall become an independent LEA and join a SELPA pursuant to Education Code Section 47641(a) either on its own or with a grouping of charter school LEAs as a consortium.

As a public school of the District, solely for purposes of providing special education and related services under the IDEIA pursuant to Education Code Section 47641(b), in accordance with Education Code Section 47646 and 20 U.S.C. 1413, E.C. Reems Academy of Technology & Arts seeks services from the District for special education students enrolled in E.C. Reems Academy of Technology & Arts in the same manner as is provided to students in other District schools.

E.C. Reems Academy follows the District and SELPA policies and procedures, and uses SELPA forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and maintaining the confidentiality of pupil records. E.C. Reems Academy complies with District protocol as to the delineation of duties between the District central office and the local school site in providing special education instruction and related services to identified pupils. E.C. Reems Academy requests an annual meeting between E.C. Reems Academy of Technology & Arts and the District to review special

education policies, procedures, protocols, and forms of the District and the SELPA and District protocol, to ensure that E.C. Reems Academy of Technology & Arts and the District have an ongoing mutual understanding of District protocol, and to facilitate ongoing compliance.

As long as E.C. Reems Academy functions as a public school of the District for purposes of providing special education and related services under the IDEIA pursuant to Education Code Section 47641(b), E.C. Reems Academy complies with the Memorandum of Understanding (“MOU”) with the District which spells out in detail the responsibilities for provision of special education services and the manner in which special education funding will flow to the students of E.C. Reems Academy of Technology & Arts.

Referring Students for Special Education Services

The referral process includes Student Success Team meetings to review prior interventions, accommodations and modifications and to recommend further interventions as appropriate. E.C. Reems Academy identifies and refers students with disabilities who demonstrate early signs of academic, social or behavioral difficulty that may require assessment for special education eligibility and placement in a special education program. Modifications to the general program are documented prior to a referral for Special Education. A student is referred for special educational instruction and services only after the resources of the regular education program have been considered and used where appropriate. Implementation of Special Education service begins with pre-referral remediation and monitoring of low achievers by Student Support Team members. The team, which includes students’ teachers, identifies problem areas for low achievers and plans interventions that are monitored and reviewed at subsequent meetings. When students do not make satisfactory progress after implementation of remedial programs and strategies, they may be referred for evaluation under Section 504 or the IDEIA.

Anyone who has a concern for a student can refer that student to SST for consideration. Anyone who is connected with that student can be included in the SST to provide information to share about the student’s strengths, concerns, and strategies that have been used in the past. These people may include but are not limited to teachers, parents, counselors, doctors, administration, social workers, parole officers, and other law enforcement officials.

Examples of modifications and accommodations that are implemented by a SST before referral for assessment at E.C. Reems Academy are: provide study carrels, use of room dividers, provide headsets to muffle noise, seat child away from doors/windows, seat child near model (child or teacher), rearrange child groups (according to instructional needs, role models, etc.), seat child closer to the front of the room, vary working surface (e.g., floor or vertical surface such as blackboards), simplify/shorten directions, written homework assignments, give both oral and written directions, have child repeat directions, have child repeat lesson objective, change question level, change response format (e.g., from verbal to physical; from saying to pointing), provide sequential directions (label as first, second, etc.), use of manipulatives, alter objective criterion level, provide functional tasks (relate to child’s environment), reduce number of items on a task, highlight relevant words/features, use rebus (picture) directions, provide guided practice and increase allocated time.

English Language Learners

E.C. Reems Academy complies with all applicable federal laws in regard to services and the education of English Language Learner (ELL) students.

E.C. Reems Academy includes a home language survey on its admissions form. Students who check a language other than English as the language spoken in the home shall be CELTD tested within thirty (30) days of enrollment and annually thereafter, prior to October 31 of each year, unless already re-designated as English proficient.

The E.C. Reems Academy classrooms contain multiple supports for ELL students. There is a diversity of materials and concrete lessons that provide many opportunities for support strategies such as sheltered English, in addition to labeled items and leveled materials. The E.C. Reems Academy philosophy honors individual learning needs and the classroom creates an environment of acceptance of diverse learners. E.C. Reems Academy teachers use SDAIE strategies in the classroom and encourage peer tutoring and cooperative learning, which are recommended strategies for English Language Learners.

E.C. Reems Academy supports ELL pupils through several programs including small group settings, a 'pull out' literacy program, Open Court, and OPEN BOOK, a Spanish Language Computer Literacy and Reading Program. One-on-one reading support is available as needed.

Non-school factors influence the student's academic achievement, particularly as it relates to English as a second language learners, and socioeconomic status. To this end, E.C. Reems Academy offers ELL parent's access to its OPEN BOOK Computer Literacy and Reading Program to teach them reading and basic computers skills. Acquisition of these skills in turn will assist parents and allow them to work more diligently with their children with their studies. As the parents overcome literacy deficiencies, pupils will benefit academically and become English literate at a more rapid pace.

Ernestine C. Reems Academy of Technology & Arts is needed in East Oakland

East Oakland is a community devastated by socioeconomic factors that undermine the ability of local youth to break free from the barriers that lead to an unhealthy adulthood. **Educational opportunities are often considered a by-product of subculture survival. Ernestine C. Reems Academy of Technology & Arts offers a learning environment that invests** in low teacher-pupil ratios, direct attention to individual pupil needs, identification of individual pupil learning styles, one-on-one support, real-world experiences and exposure, health education and support, parent training, social and psychological support for pupils and parents, teacher induction and retention training to foster a better understanding of community dynamics that impact learning, and tools to reinforce and continue to engage teachers in an at-risk community, thus reducing teacher turnover and improving academic and social continuity. These factors contribute to increasing academic achievement, matriculation, and social development skills among a population noted for high dropout rates and low academic achievement, and statistics that support an increase in juvenile and adult incarceration and death rates. **E. C. Reems Academy stands as a safe educational institution, in an otherwise violent community setting.**

What it means to be an ‘Educated Person’ in the 21st Century.

Education Code 47605(b) (5) (A)

The schools’ goal is to enable pupils to become self-motivated, competent, lifelong learners.

The 21st century is a major departure from the 20th century. The industrial era required citizenry to learn to think logically and linearly. The 20th Century developed an educational framework that produced workers to support industrialization, .i.e. production. The 21st century departs from this concept of educational framework. The citizenry no longer operates under the auspices of manufacturing assembly lines, or a system delivery that required employees to function using an assembly line thought process and mentality. The 21st century is systems-centered, where educated people must learn core and non-core subjects using ‘think smart technology’, while learning to predict situations and outcomes based on current information, i.e. educators must teach critical thinking skills.

Educated people must envision the big picture, thus enabling them to visualize system transitions, to not only forecast but also develop new protocols to support change, i.e. educators must teach systems thinking. The 21st century is a computer-oriented century, where nanotechnology is the wave of the future. Educated people must become knowledgeable about technology, its uses, and how to apply them at home, or work, i.e. educators must become a part of the technology revolution and teach, as well as use technology in the classroom. We are also becoming a sustainable environment whereby people must understand relationship issues regarding leadership, civic culture, behavior, personal finance, and ecology – the relationship between earth and man, i.e. educated people must be astute in subjects that foster sustainability and lifelong learning habits. Educated people must be global thinkers.

Living in a global environment requires a level of sensitivity and understanding of world cultures. Given that we are training future leaders, we strongly promote multiculturalism, integrating culture, ethnicity, art, and technology into the core subjects to provide an understanding and awareness of world cultures and how they interact on a global basis.

Academic achievement, social acuity, and civic responsibility are the major components needed to become an educated person in the 21st Century.

WHOM IS THE SCHOOL ATTEMPTING TO EDUCATE

Target Pupil Population - Ethnicity and Grade Levels

The schools’ primary focus is academic achievement in preparation for entrance into college. **Currently, sixty-five percent of the pupils are African American and thirty-five percent are Hispanic.** While the school demographics mirror the neighborhood demographics, **no ethnicity is discriminated against;** all races and ethnicities are welcome to attend E.C. Reems Academy.

To this end, the school offers pupils an academic forum to learn and demonstrate 21st century leadership skills.

The K-8 pupil population ranges between 355 and 365 students. The maximum number of students is confined by the size of the facility and does not allow for additional growth.

E. C. Reems Academy is a school that emphasizes all of the skills needed to become an educated person in the 21st Century.

How Learning Best Occurs

Education Code 47605(b) (5) (A)

As an extended elementary school, classes operate in self-contained environments, where pupils remain with their teacher during all core subject studies. Teachers and instructors other than the home grade teacher teach computer, art, music, and physical education courses.

Learning best occurs through project-based learning and scaffolding models that integrate reading and analysis as the foundational tools for learning. Further, **small classroom populations, 20:1 grades K- 4, 25:1 grades 5- 8**, provide a learning environment where the K-8 teacher can teach in whole groups or clusters while addressing and meeting each pupils academic and social needs; when grades 9-12 are added, it will have a pupil-teacher ratio of 25/27:1. All teaching methods will support multiple-intelligence learning styles producing individual and group work. **Instructional strategies such as tactile/kinesthetic, clustering/mind-mapping techniques, peer editing/writing as process, and interdisciplinary curriculum planning will be used to empower pupils to become self-motivated, responsible learners.**

Learning is enhanced through the development of character education building blocks and the Guiding Principles, borrowed from the Seven Principles of Kwanzaa, to train pupils in social skills development. These tools contribute to personal behavioral success and respect for process and procedures that support classroom management and hence increased levels of academic achievement.

Plan for Students Who are Performing Above and Below Grade Level

The school addresses students' academic needs through several methods: student study teams (SSTs), individual educational plans (IEPs), student assessments in reading, language skills and concepts, and mathematics, after school enrichment programs, technology-based reading, writing and mathematics programs, on-line assessments, learning style assessments, and state test results. These methods help students in the FFB, BB, B categories by identifying this population and using pull-out methods, and other intervention tools to increase their skill levels. These prevention and intervention and research tools will provide the necessary information to develop, improve, or change instructional programs.

Through our Teacher Induction and Retention component we offer various opportunities to strengthen our teacher's skills in a variety of areas including Differentiated Instruction, using Thematic Units, Special Educational Law, Leadership Skills and Behavioral Pediatrics.

We also offer before and after school tutoring, summer school, service learning and social skills and character education curriculums to strengthen and support students' academic rigor.

We conduct regular meetings with parents to discuss academic and social achievement. In addition to one-on-one communications we send home monthly progress reports, school newsletters and teacher produced weekly reports. Report cards are generated three times a year. The report card format is narrative, quantitative and qualitative.

SUPPORT FOR STUDENTS IN READING

E.C. Reems Academy uses four types of reading assessments to determine which type of intervention program is appropriate for which students. We use two data driven screening tools: (1) screening assessments to determine which students were on target for meeting the content standards and which needed further (2) diagnostic assessment.

We use applied screening assessments because they are formative and are used for early identification of both at-risk readers and grade-level readers. The assessment focuses on grade level appropriate skills, and screening is conducted by the teacher.

Further, we rely on progress monitoring assessments to track student progress toward grade level expectations and content standards. This formative assessment includes classroom-based assessments and is used to determine a student's rate of progress towards grade level expectations, to identify readers who are not demonstrating adequate progress in daily lessons, and to influence instructional decisions. This method is used three times a year: fall, winter and spring.

Diagnostic assessments are given when a student is identified as reading below standard and is not responding well to instruction. We use diagnostic assessments because they are formative assessments and provide more in-depth information regarding a student's particular strengths and deficits.

Outcome assessments are summative assessments given at the end of the school term to all students. Data may be used to identify students in terms of those who achieved grade level expectations, those who made progress, and those who did not. Data also provides a bottom-line evaluation of the effectiveness of a reading plan, including the effectiveness of current instructional strategies. We employ this tool to determine where more training and mentoring may be needed. The tests are norm referenced and criterion referenced.

State-wide achievement tests are another outcome based assessment, and is aligned with grade level expectations. This criterion-referenced outcome assessment provides skill-based benchmarks for instruction.

Not all students attending the school read below grade level, and therefore do not require a reading intervention program.

SUPPORT FOR STUDENTS IN MATH

During the 2002 school year, we purchased the Hampton-Brown Math Series to improve teaching and learning and provide a strong mathematics foundation for our students, however, this series proved to be remedial with an intervention focus and did not challenge or meet the needs of our students mathematically. Therefore, in 2004, we purchased a different series that not only challenged our students but addressed the state standards as well.

As a part of our strategic plan, we purchased the following new math textbooks over a three year period: (2004-2005) Harcourt Math Series for grades K-6. (2006-2007) McDougal Littell Series for grades 7-8; Math-2 for grade 7 and Algebra for grade 8. Our goal is to advance our 7th grade students to Algebra and 8th grade to Geometry by the 2010 – 2011 school year.

Upon disaggregating the STAR test scores during the Summer Institute, we learned that many of our students were having difficulty in mathematics. Having moved from an intervention text series, we recognized that differentiated instruction practices were weak and teachers needed further training to assist the low achievers while continuing to engage the average and above average students. A discussion and additional training was provided, however, we realize that a continued effort is needed in this area.

Recognizing that purchasing a new text series was not sufficient, we decided to duplicate our Reading Program, known as the Gap Program, and seek funding to begin our Mathematics Clinic. We were awarded a grant to fund the Clinic which was introduced in late Fall 2008.

Further, recognizing that manually tracking student achievement is becoming more cumbersome as the years progressed; our system faltered as individual students continued to excel but the cohort began to stagnate and in 2008 took a dive. Support on a universal level was not being accomplished, as desired (see STAR Test results 2004-2005, 2005-2006, 2006-2007 and 2007-2008). To address this area, we are purchasing the CPAA – Children’s Progress Academic Achievement Software for grades K-3. This tool disaggregates Language Arts and Mathematics data by student, grade, and school levels, identifying strengths and areas of need in the three levels. This tool will help move slow achievers that are stagnating in Basic to Proficiency. This tool will also help us realize our NCLB goals.

In addition to purchasing CPAA, we are purchasing the Discovery Education Predictive Assessments Software for grades four through eight. This Software also contains video from Discovery Education streaming, the digital video-based learning resource proven to increase student achievement. We have subscribed to Discovery Education Streaming for four years and it has proven successful as a supplemental resource, and a tool to develop a base of virtual prior knowledge that middle and upper income students experience in life.

Mathematics Textbooks

Textbook Series	School Yr Adopted	Grades	Type of Math
Harcourt Mathematics	2004-2005	K-6	General Math
McDougal Littell	2005-2006	7	Math Course 2
McDougal Littell	2007-2008	8	Algebra 1
****	2008-2009	****	****
****	2009-2010	****	****
McDougal Littell	2010-2011	8	Geometry

Software

Software	School Yr Adopted	Grades	Type
Children's Progress Academic Assessments	(Trial) Spring 2009 Full Implementation 2009-2010	K-3	Formative Assessment
Discovery Education Predictive Assessments	(Trial) Spring 2009 Full Implementation 2009-2010	4-8	Predictive Formative Assessment

Other Tools and Interventions

Tool/Intervention	School Year Implemented	Grades
Mathematik	2007-2008	2-8
Mathematics Clinic	2008-2009	3-8
After School Math Homework Club and Tutoring (3-4 pm)	2008-2009	K-8
After School Math Challenge (ASES Program)	2008-2009	4-8

Element B: Measurable Pupil Outcomes

Educational Code 47605 (b) (5) (B)

The measurable pupil outcomes identified for use by the charter school. ‘Pupil outcomes’, for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program.

What pupils should know upon graduation from Ernestine C. Reems Academy of Technology & Arts

Pupils should know and demonstrate grade appropriate skills defined by the California State Content and Performance Standards, as well as E.C. Reems Academy academic and social standards. Pupils will demonstrate academic, life-long learning, and social skills needed to excel in high school and life.

Academic Skills

Subject	Outcome	How Determined
Language Arts	Pupils will demonstrate comprehensive reading, writing, thinking, test taking strategies, listening, speaking and presentation skills, using multiple forms of expression, with communication skills appropriate to the setting and audience. They will comprehend and critically interpret multiple forms of expression, including literature from various periods and cultures.	65% of pupils, per grade, will score a 3 on a 4 point scale on written work and portfolios; students will score a B or better on quizzes and tests
Mathematics	Pupils will demonstrate abilities to reason logically and know how to apply mathematical processes and concepts in the areas of arithmetic, algebra, geometry and other mathematical subjects identified by the school and governing board.	60% of students will score a B or better on quizzes and tests; students will score a 3 on a 4 point scale on mathematics project
History/Social Studies:	Pupils will comprehend and demonstrate civic, historical, and geographical knowledge that produces an understanding of cultural dynamics, relationships, and global dependencies.	65% of students, per grade, will score a 3 on a 4 point scale on written work and portfolios; students will score a B or better on quizzes and tests
Science	Pupils will extrapolate and apply scientific research and inquiry methods to use concepts native to biology, earth sciences, ecology, and physics to everyday life as a means of supporting higher learning strategies.	65% of students, per grade, will score a 3 on a 4 point scale on written work, portfolios and projects; students will score a B or better on quizzes and tests
Foreign Language/ Spanish	Pupils will have a basic understanding of and knowledge in listening, reading, writing, and speaking a foreign language, i.e. Grades 1-3 will learn Spanish vocabulary and speak fundamental language, becoming more fluent over the three-year period. Grades 4-8 will learn composition and become proficient in conversation and comprehension.	50% of the students will pass the class with a 3.0 GPA 50% of pupils, per grade, will score a B or better on quizzes, tests and subject assessments
Technology	Pupils will demonstrate an understanding of	Students will score a 3 on a 4

	<p>computer, and multimedia skills designed to support learning. These skills will enhance delivery of core skills. Pupils will learn how to use computer software such as Word, Excel, PowerPoint, FrontPage, and Publisher, to design and produce professional research papers, documents, web pages, newsletters and other media tools, and data reports.</p> <p>Students will learn the following skills moving from introduction and exposure to master an independent use: basic skills, navigation skills, keyboarding, responsible use, on-line safety and security, intellectual property, word processing and desktop publishing, spreadsheets, presentations, graphics, design, communication tools, problem-solving tools.</p>	<p>point scale on portfolios; students will score 80% on tests and quizzes.</p>
The Arts	<p>One of the foci of E.C. Reems Academy is Art. Visual Arts, Technology and Art, (e.g. computer-aided design, architectural design, and other forms of multimedia), and music offer pupils skills that will support careers in the fields noted above, as well as other careers. Through this program, pupils will understand and demonstrate artistic perception, creative expression, historical and cultural context, aesthetic valuing, connections, relationships, and applications. "These competencies and creative skills in problem solving, communication, and management of time and resources will contribute to lifelong learning and career skills." (California State Art Standards)</p>	<p>Students will score a 3 on a 4 point scale on class projects; students will score 80% or better on tests and quizzes; program will grow to include acting and performance beginning 2010-2011.</p>
Social and Life Skills Planning	<p>Pupils will learn skills that support social development and enable them to participate in society as functioning adults. These skills are taught using the Character Education and focus on character development, conflict resolution and mediation, citizenship and leadership skills, and service and stewardship skills development. Academically, pupils demonstrate study skills, critical thinking skills, planning skills, time management skills, and process skills that will underlie, and support academic achievement throughout their adult lives.</p>	<p>Students will score a 3 on a 4 point scale in monthly quizzes; students will participate in conflict resolution as mediators; student counsel and school leaders demonstrating the skills acquired in character education.</p>

Measurable Outcomes, predominant tools

Assessment Tool	Grade/s	Expected Outcomes	Year	Target - % of Student Increase towards Proficiency
Student Portfolios	Upper Elementary 4-5 6-8	Students demonstrate critical thinking; identify and solve problems creatively; increase applied knowledge and understanding of subject matter;	Beginning Fall 2009	First year , 30% of students will score a 3 on a 4 point rubric; each year that will increase by

		students will develop the power to think critically, acquire technical competency; students will form a personal artistic vision		12% in year 2013-2014, 78% of students will score a 3 on a 4 point scale
Progress Reports	K-8	Measure academic achievement month to month;	Monthly	55% of the students will score at or above grade level each month; 30% of the students score Proficient on the State Test annually
Report Cards	K-8	Measure academic achievement	Tri-semester	60% of students maintain a B or above GPA; 30% of the students score Proficient on the State Test annually

Ernestine C. Reems Academy exit outcomes address standards and goals for special education, Limited English proficient, and other special student populations, as specified in the State and Federal Education Statutes.

Curriculum Alignment to Pupil Performance Standards

The curriculum aligns with pupil performance standards using a number of assessment and evaluation tools to determine achievement, intervention, and modification needs. These tools include, but are not limited to: annual assessments to determine pupil learning profiles, monthly progress reports, testing, portfolios, class projects, service learning, state testing, and other instruments that support assessment and evaluation, such as selection and participation in district programs and competitions. These performance standards and assessments will be described in Element C.

How the School supports Pupils who do not meet Pupil Outcomes

Pupils requiring special education assistance receive services to support their style and ability to learn. Many pupils enrolled at E .C. Reems Academy arrive as low achievers. Upon arrival all pupils are assessed, generally at the beginning of each school year, to determine a baseline and establish a pupil academic profile.

The profile outlines the pupil’s strengths, weaknesses, and style of learning. This tool is used to evaluate success and identify areas of concern.

If a pupil does not meet pupil outcomes, support systems such as, one-on-one, district RSP, and computer-aided, self-paced programs are introduced into the pupils’ academic profile plan and systematically implemented to aid in learning and attaining grade level skills. The IEP (Individual Education Plan) is the mechanism to frame the above.

Additionally, after school tutoring and support programs provide underachieving pupils with additional support from teachers, instructors, support personnel and computer aided programs to help underachievers understand and excel in the subject(s) of concern. See Pupil Assessment Process template, Element C.

Alignment of School Outcomes and Impact on Learning

In addition to individual pupil outcome goals, E.C. Reems Academy has set high standards for the school itself and its board, staff and parents.

**School-wide Performance Goals -
% students school-wide Proficient /Advanced on CST**

Subject	09-10	10-11	11-12	12-13	13-14
ELA	35%	48%	60%	74%	87%
Math	33%	44%	56%	66%	76%
Science 5th	20%	38%	50%	63%	77%
History 8th	25%	38%	50%	63%	78%

Pre- and post-tests reflect academic growth to support ‘clear and convincing’ standards to show that E.C. Reems Academy is comparable to all other area schools in the district. Performance Goals: Writing Proficiency- scoring a 4 on a 4 point scale, grades 4 and seven

Grade	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013
4	55%	65%	75%	85%	95%
7	30%	50%	70%	90%	95%

By the 2012-2013 school year, all students in grades 4 and 7 will attain a proficiency score of (8) performance level in writing. This will be measured incrementally over a 5-year period by the annual STAR test results.

Student progress will be monitored quarterly each year to insure that students become more adept as writers and are capable of mastering the STAR Writing Test.

Currently we use the 7 Steps of Writing and Practice methodology in grades, 2 – 8. This program has been effective in teaching students how to write well, but has not translated in STAR Test results. This suggests that 1) new teachers will require training in the application of the Writing Steps and continuing teachers may need to be motivated to use this process daily and, 2) we need to identify and purchase writing software assessments for elementary and middle school.

Our school-wide goal is to purchase writing software by June 2009 and train teachers how to use the assessment software during the Summer Institute this coming August 2009. Implementation will begin September 2009.

The writing software and the 7 Steps of Writing will help insure that we meet our performance goal of maximum proficiency by 2012-2013.

The school is currently ending the use of SASI XP as its SIS Software and will migrate to Power School beginning late June 2009. Power School will provide interoperability framework.

Students who attend E.C. Reems Academy are expected to meet the above outcomes, which are aligned to the school vision, mission, curriculum, and assessments described in Element A and C. To better serve our students and community, E.C. Reems Academy will continue to examine and refine its list of student outcomes over time to reflect the school’s mission and any changes to state or local standards that support such mission. E.C. Reems Academy will submit to the State Administrator and the District Board, at any time prior to expiration, a description of any changes to the above student outcomes as an amendment of the charter. The district board agrees to hear and render an amendment decision pursuant to the timelines and processes as specified in the Education Code Section 47605(b).

Element C: Methods to Assess Student Progress toward Outcomes

Education Code 47605(b) (5) (C)

The method by which pupil progress in meeting those pupil outcomes is to be measured.

Expected student outcomes as defined in the State Content Standards provide the primary method of measuring what the student has learned from subject-to-subject, year-to-year and the duration of enrollment at Ernestine C. Reems Academy of Technology & Arts. The testing measurement tools to assess students include the CAT 6 (when offered) and the STAR Writing Test for Grades four and seven, the CELDT for English Language Learners, and the physical education test for grades five and seven, and other comprehensive reading, language arts, and mathematics examinations. Other measurement tools such as, student portfolios, teacher and administration tests, progress reports, report cards, projects and reports, and oratorical presentations will help quantify annual and exit outcomes.

Benchmarks are determined by teachers and administrators to ensure that State Content and Performance Standards are being met throughout the year. The benchmarks are aligned with the State, District, and E.C. Reems Academy standards. **We conduct benchmark reviews at the close of each month, or ten times a year, to evaluate student achievement.** There are four levels of review: We purchased two software assessment programs to track progress using predictive tools, monthly Academic Progress Reports assess and identify student achievement. Individual student interventions are identified to remediate subject materials or enhance level of study for students that excel beyond the current benchmarks. If a student does not respond to the Progress Report interventions, an SST is conducted to support the at-risk student offering and more comprehensive academic interventions. If the SST does not remediate the deficiency, then the District, conducts an IEP, to determine other academic strategies and interventions beyond those available at the school. **Articulation from grade level-to-grade level also ensures that student outcomes meet State Content and Performance Standards.** This is accomplished through grade level meetings designed to define academic achievement outcome; agreement among intra-grade level teachers to assess, prioritize, teach, and evaluate the same skills to all students in the respective grade, and finally, inter grade level articulation to assure that students matriculate to the next grade level demonstrating the skills identified in the State, District and school standards.

Teachers and administrators review benchmarks to ensure that each grade level addresses areas of deficiency. Inter-grade level meetings are scheduled throughout the year to review areas that may require more attention. **Each grade articulates expected outcomes with the grade below and grade above to guarantee consistency in delivery of content and performance standards in each of the core academic areas of language arts, mathematics, history/social studies, and science.** The same process is used to ensure that non-core subjects like music, technology, art, physical education, and foreign language, meet the same level of rigor required to ensure achievement in the core content areas.

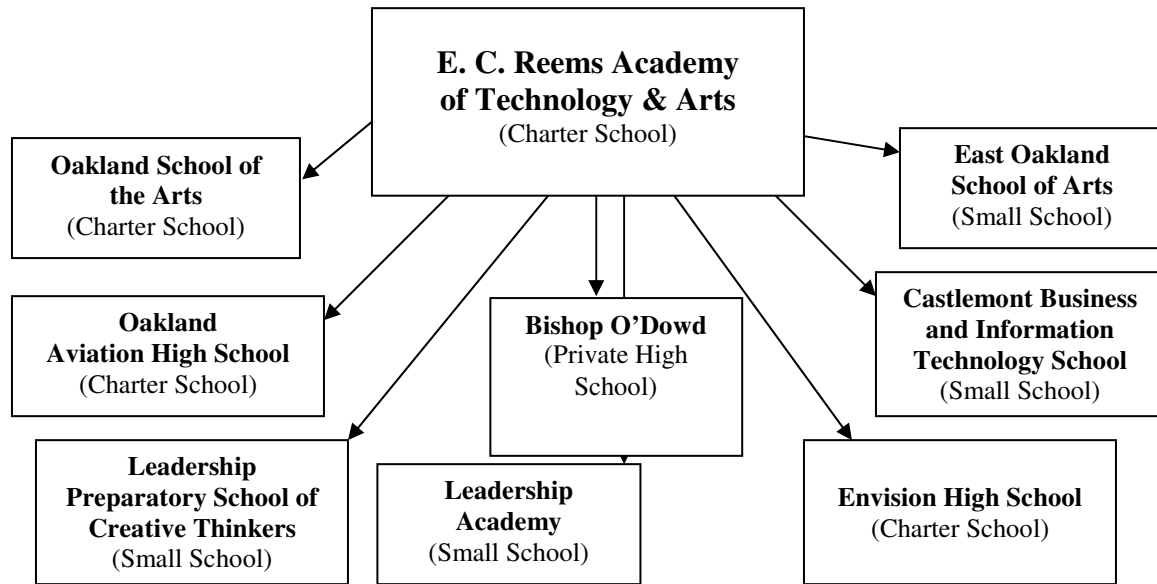
The exit outcomes include acquisition of core and non-core skills. The exit outcomes are measured using the same tools defined above. **Non-academic skills such as leadership, citizenship, conflict resolution and mediation are measured through participation in leadership capacities in and outside of class; participation in clubs and organizations; participation as liaisons and representatives of school programs; election and appointment to school offices, and ranking at District-level competitions.**

Exit outcomes address not only the needs of mainstream students, but also **the standards and goals for special education, Limited English proficient students, and other special student populations.**

Attendance is another measurement tool. As we experience a decline in truancy the students' grades improve. Our goal is to maintain a 97% student attendance rate. **Attendance is a key factor in the development of academic achievement.** Many students transfer from district schools with low grade point averages. Accompanying low grades is high truancy rates. E.C. Reems Academy provides tools to remediate truancy concerns with parent/guardian meetings, teacher support, and attendance in the Character Education Program. As the student begins to attend school regularly, the academic profile then becomes a viable tool to address academic deficiencies. **This process contributes to an increase in grades and the ability to master grade-level subject matter.**

Developing measurement tools and outcome expectations will continue to change as the target population meets current assessment goals and increased levels of academic achievement. **This is a natural process** and is to be expected when growing a school. Further, as the student population continues to matriculate from grade to grade, the level of academic achievement will increase placing greater focus on advanced/higher learning skills and tools. E.C. Reems Academy is beginning to experience school-wide performance increases that have resulted in the development of new articulation academic management techniques. **These techniques have prepared the school to become a feeder school to Oakland Charter and Oakland District High Schools.** (See following chart identifying assessment tools used to measure student progress toward outcomes.)

Local High School Feeder Articulation Diagram



Our goal is to continue to strengthen Oakland Schools by challenging our students learning capabilities and capacity. As a public charter K-8 school we have the responsibility of preparing our youth to excel. Challenging our youth through a rigorous curriculum encourages academic achievement and preparation to refine learning once they enter high school and move from pupil

to student status. While simultaneously encouraging character in leadership skills, our students will achieve the highest levels of education and leadership, which we hope will yield their return to bring others forward.

Assessment Tools Used to Measure Student Progress toward Outcomes

Assessment Tool	Grade/s	Expected Outcomes	Year	Target - % of Student Increase towards Proficiency
Children’s Progress Academic Achievement Software	K-3	Identifies the student’s zone of proximal development (ZPD). Recommends activities and intervention strategies tailored to each child’s specific needs to master the Language Arts and Mathematics State Content Standards. The child will take the assessment 3-5 times a year tracking the child’s progress in Language Arts and Math. It helps teachers develop intervention strategies to meet the students’ specific needs. It increases teachers’ ability to assess student development throughout the year.	Spring 2009	30% of the students score Proficient on the State Test annually
Discovery Education Predictive Assessment Software	4-8	Students can take tests that are challenging as the state test; use their own progress and be more fully engaged in the learning process; improve their performance based on testing results; can predict students proficiency, mastery and AYP performance with 80-90% accuracy.	Beginning Fall 2009	30% of the students score Proficient on the State Test annually
State Release Test Question Quizzes	2-8	Identify weakness; inform teaching and learning; identify areas to be re-taught; and provide interventions	January 2009	30% of the students score Proficient on the State Test annually
Weekly Quizzes	K-8	Identify weakness; inform teaching and learning; identify areas to be re-taught; provide interventions	On-going	30% of the students score Proficient on the State Test annually
End of Chapter Quizzes	K-8	Identify weakness; inform teaching and learning; identify areas to be re-taught; provide interventions	On-going	30% of the students score Proficient on the State Test

Educating Urban Youth to Succeed in Life

Tests	K-8	Identify weakness; inform teaching and learning; identify areas to be re-taught; provide interventions	On-going	30% of the students score Proficient on the State Test annually
Educational Games/during and after school	K-8	Students will develop critical thinking skills while using content skills to win	Weekly	Contribute to STAR test proficiency

Element D: School Governance

Education Code 47605(b) (5)(D)

The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement

Ernestine C. Reems Academy of Technology & Arts constitutes itself as a California Public Benefit Corporation pursuant to California law. As such, E. C. Reems Academy and/or its non-profit corporation will be solely responsible for the debts and obligations of the charter school. The school is being governed pursuant to the bylaws adopted by the incorporators, as subsequently amended pursuant to the amendment process specified in the bylaws. The Governing Board's major roles and responsibilities includes establishing and approving all major educational and operational policies, approving all major contracts, approving the school's annual budget and overseeing the school's fiscal affairs, and selecting and evaluating the top administrative staff. The Governing Board, as well as any administrators, managers or employees, and any other committees of the School shall comply with federal and state laws, nonprofit integrity standards and OUSD's Charter School policies and regulations regarding ethics and conflicts of interest to the extent it aligns with and does not exceed the requirements of law applicable to charter schools. The Board, whose members have a legal fiduciary responsibility for the wellbeing of the organization and the school, rotate off the board, insuring consistency and institutional memory, to govern the school. The school's governing board is composed of a maximum of eleven members, to include:

- 1 Statutory President, Dr. Ernestine C. Reems Dickerson, or her designee
- 1 Oakland Community Organization Representative
- 2-4 Business Representatives
- 1-2 University Representatives
- 1 Teacher Representative
- 1 Parent Representative
- 1 Student Representative (Non-voting)

Board members serve a term of two years, with a maximum of three consecutive terms (initial terms were staggered to ensure continuity in management of the school). Dr. Ernestine C. Reems' position had no term limit. The Board conducts an open and well-publicized nomination process to allow parents and other interested parties to nominate themselves or others for appointment to the Board when vacancies arise. All new members must be approved by the Board, with the exception of the OUSD representative.

If the OUSD Board desires, it may have one of its members appointed as a member to the Board of E. C. Reems Academy of Technology & Arts.

The parent representative is of vital importance in that they monitor the pulse of parent concerns. The parent representative is responsible for reporting the outcomes of the monthly parent meetings to the board. The parent representative is the bridge between the school and the community.

Parent Volunteers and Participation

Parents are an integral part of their children's learning and are required to spend time at the school in a variety of venues, including assisting teachers, chaperoning fieldtrips, assisting administrative staff, and supporting fundraisers and school activities. Presence and visibility are key components that reinforce that students are valued, especially students whose parents do not play a major role in their child's lives, be it academic or social. Parent volunteers, like teachers, become surrogates to our students, in that their presence and participation as role models ensures students that they are valued and consequently cared for in a manner that does not often exist in their own homes. Children's academic success is tied to a sense of self-worth. A sense of self-worth is acquired when a child is taught that they are worthy of being taught. It occurs when adults affirm their success in school. Parents are the primary support group as it relates to fundraising. Our parents contribute to the school budget through fundraising. The funds are used to purchase supplemental materials, student programs and fieldtrips.

There are two parent organizations: the School Site Council (SSC) and the Parent, Teacher Organization (PTO). These two organizations provide parental input in all areas related to the school. Parents are the most important member in a child's life and education. Their participation and exposure increases student achievement more than any other factor.

School Site Council Defined

The Reems Academy School Site Council, herein referred to as SSC, is a derivative of the State of California Site Council regulations governing school district, School Site Councils. Reems Academy is a non-profit charter school and as such operates under non-profit school business laws and does not fall under the complete purview of the State of California SSC regulation, particularly as it relates to funding mechanisms.

The Reems Academy Board of Directors approves the Single Plan for Student Achievement (SPSA), authored by the Executive Director and Staff, for Consolidated Application [EC Section 64001 (a), (d)] programs operated at the school. Along with the Board of Director's, the School Site Council monitors the implementation of the plan, and evaluates the results along with said parties. Included in the document is the plan for Pupil Retention [EC Section 41507], but unlike the District SSC, does not address Block Grants or Block Grant programs [EC Section 41572] as all charter school funds are bundled.

The purpose of the SSC is to include parents in the schools decision-making process as it relates to academic achievement and extracurricular activities. The process includes providing options that best suit the school as it relates to closing the achievement gap. Further, the intent is to provide parents the ability to make well-informed decisions about their children's educational development.

Operating Structure

The Board of Director's and the School Site Council review the SPSA on an annual basis and recommend changes or revisions to the document as deemed appropriate. The Executive Director is charged with making the revisions and submitting the amended document to the Board of

Director's for final approval. This process insures that all parties have knowledge of, and input in, the programs designed to improve Student Achievement.

Composition

Reems Academy is an extended K-8 elementary school and falls under the auspices of the elementary level requirements. The Council is composed of the principal, four teachers, and four parents of students attending the school (this group may include a community member), one other staff member, and a student chosen by the Student Council.

Selection Process

The School PTO nominates and elects members to the School Site Council (SSC). SSC officers are determined through a nomination process, by its membership, during the Open Meeting, and a hand or voice vote determines office holders. The initial term of office is staggered to establish institutional/historical memory. All members with the exception of the Student Representative are voting members.

Inaugural Terms of Office

- Two teachers and two parents will serve a two-year term each, to establish institutional/historical memory (the first term is a two year term, from the second term forward the term of office is one year)
- Two teachers and two parents will serve a one-year term each (the first term is one year, the second term is two years and from the third term forward the office is a one year term)
- Staff representative will serve a one-year term
- Student representative will serve a one-year term

Roles and Responsibilities

The SSC is a cooperative leadership committee (composed of parents, teachers, community, administrators and students) responsible for insuring that the SPSA addresses the special needs of (all) students attending the school.

The SSC responsibilities focus on the review of the SPSA Plan. To this end, it meets on a bi-monthly basis to discuss academic achievement, assessments, and grade level projects to assure that all students receive serves. The SSC reports recommended changes or concerns to the Reems Academy Board of Directors.

Summary of Roles and Responsibilities

- Establish the Council
- Review school and student performance data

- Review school goals and select areas of improvement (recommend findings to the Board of Directors)
- Monitor progress of the SPSA Plan
- Assess effectiveness of planned activities
- Evaluate implementation of plan and resulting student achievement
- Make recommendations to modify the plan as needed
- Co-author and/or revise the Home/School Compact

Rules of Order

In accordance to the Greene Act, EC Section 35147 (c), the SSC will operate under the following rules:

1. Meetings must be open to the public
2. Public may address the SSC on any item within jurisdiction
3. Agenda must be posted 72 hours prior to the meeting date
4. Notice must specify date, time, and place of the meeting
5. The SSC cannot act on items not described on the posted agenda unless by unanimous vote, it finds a need for action unknown when the agenda was posted

Proposed 2009 – 2010 SSC Calendar

The School Site Council will conduct bi-monthly at 6:15 pm at E.C. Reems Academy of Technology and Arts, located at 8425 MacArthur Blvd., Oakland, CA 94605 (Standing meeting dates to be determined.)

Date	Notes
September 2009	
November 2009	
January 2010	
March 2010	
May 2010	
June 2010	End of year Wrap Up Meeting

District Oversight

E. C. Reems Academy will also comply with the District policy related to charter schools to the extent it aligns with and does not exceed the law applicable to charter schools, as it may be changed from time to time as long as the charter school has been given written notice of the policy change.

E. C. Reems Academy, in accordance with Education Code Section 47604.3, shall promptly respond to all reasonable inquiries, including but not limited to, inquiries regarding financial records, from the District and shall consult with the District regarding any inquiries. Ernestine C. Reems also acknowledges that it is subject to audit by the District.

The District may charge for the actual costs of supervisory oversight of E. C. Reems Academy not to exceed 1% of the charter school's revenue, or the District may charge for the actual costs of supervisory oversight of the Charter School not to exceed 3% if E. C. Reems Academy is able to obtain substantially rent free facilities from the District. Notwithstanding the foregoing, the District may charge the maximum supervisory oversight fee allowed under the law as it may change from time to time.

School Complaints

Ernestine C. Reems Academy will establish complaint procedures that address both complaints alleging discrimination or violations of law and complaints regarding other areas. Ernestine C. Reems Academy will not, at any time, refer complaints to the District.

The complaint procedures will include the clear information with respect to the response timeline of the school, whether the school's response will be in writing, the party identified to respond to complaints, the party identified and charged with making final decisions regarding complaints, and whether the final decision will be issued in writing. The procedures will also identify an ombudsperson for situations in which the school leader is the subject of the complaint. The complaint procedures will be clearly articulated and in the school's student and family handbook or distributed widely.

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

Ernestine C. Reems Academy will adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action, which would be prohibited by Title IX, or Section 504.

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

Ernestine C. Reems Academy of Technology & Arts Board of Director's Responsibility

Board of Director's Responsibility

Board of Director's Role

Legal Responsibility

- Exercises fiduciary role to ensure that the school is properly managed.
- Maintains legal status; insures that the proper paperwork is submitted to governmental agencies.
- Reviews financial and business dealings.

Board Accountability

- Establishes and communicates clear expectations of Board directorship.
- Assures effective participation of Board directors.

Financing and Accounting

- Approve annual budget.
- Reviews monthly/other scheduled financial reports.
- Ensures that proper internal controls are in place.
- Hires and oversees auditor

Strategic and School-wide Plan

- Approves school goals and objectives.
- Reviews strategic/school-wide plan and progress.
- Assesses compliance/progress in achieving educational and other outcomes agreed t in the charter contract.

Evaluation of Programmatic Success

- The board will evaluate student performance data.

Monitors Special Ed and English as Second Language Learner Programs

- Ensures that all special education and second language learner programs support compliance and delivery.

Policy Creation and Approval

- Develop and/or adopt written policies.
- Responsible for reviewing policies periodically.

Personnel

- Sets and reviews personnel policies.
- Hires Executive Director & evaluates performance.

Resource Development

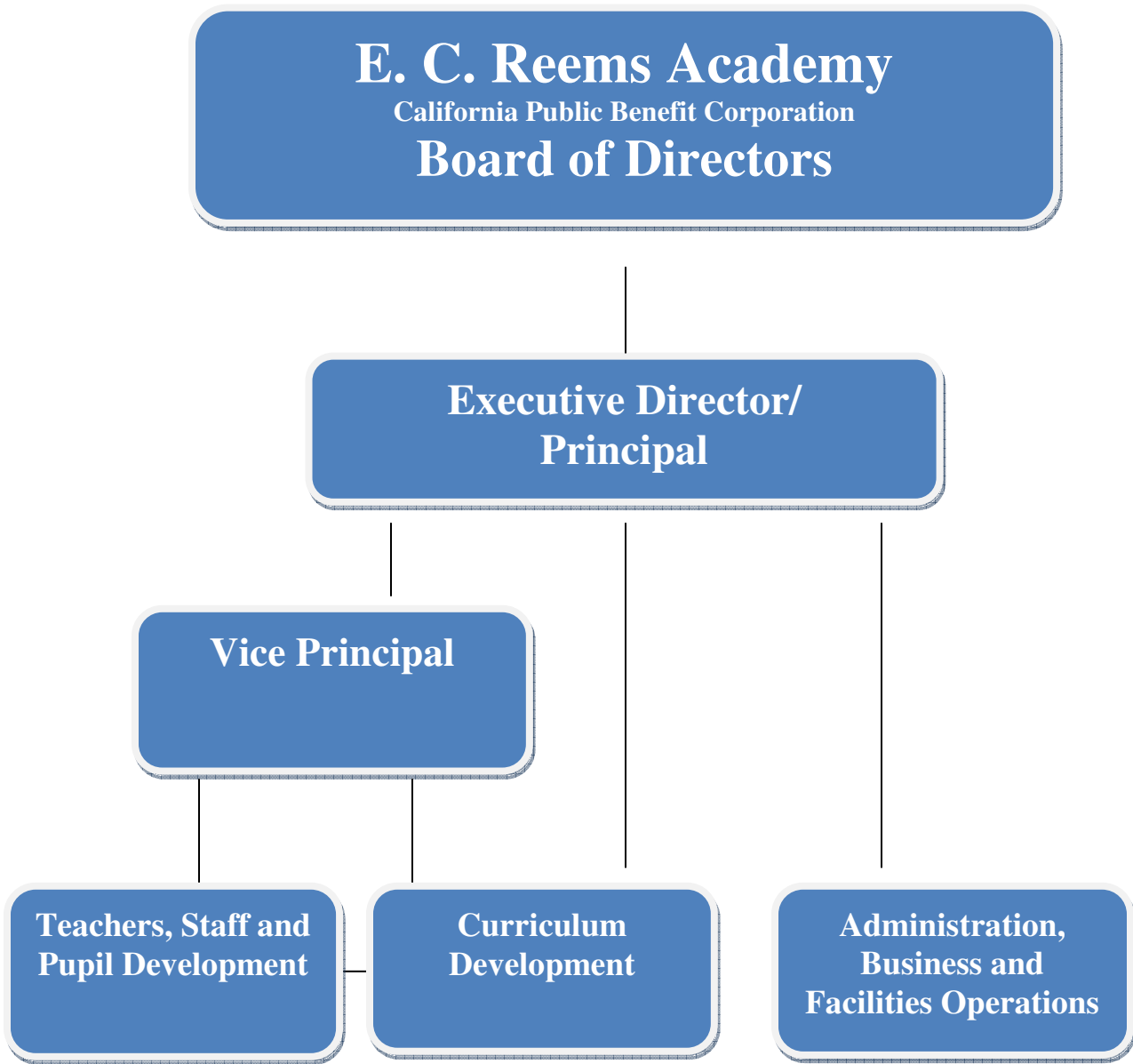
- Responsible for assuming long-range commitments of resources; establishes a fund development plan and participates in its implementation.
- Reviews and approves all major grant proposals.

Decision Making

- Defines and communicates the role of the Board, and Executive Director in making decisions.
- Assures appropriate involvement of board directors in ECR Academy decision making.

Community Relations

- Promotes the school to parents, and the general public, including serving as an ambassador of the school.
- Vigorously pursues capital investments for school development.
- Reports an annual finding in the form of an executive summary to parents and the general community.



Element E: Employee Qualifications

Education Code 47605(b) (5) (E)

The qualifications to be met by individuals to be employed by the school.

Administrative Qualifications

The Executive Director is selected by the Board with input from parents and the community. Staff is selected by the Executive Director. The Executive Director is evaluated on an annual basis using a process developed by the Board, which includes parent and staff surveys of school performance. Below is the job description for the Executive Director:

Ernestine C. Reems Academy is in its tenth year of operation. As the school continues to mature, the programs continue to advance student achievement, and facility renovations are completed, the responsibilities of the Executive Director may change. The job description is subject to modification by the Board of Directors, in cooperative consultation with such individual as may serve in the role of Executive Director.

The Executive Director serves at the pleasure of the Board of Directors; the Executive Director is the Chief Operating Officer for Ernestine C. Reems Academy of Technology and Arts Public Charter School. He or she is responsible for overseeing the day-to-day operations of the school, and implementing policies adopted by the Board of Directors.

Title

Executive Director

Qualifications

- Master Degree in education or significant experience in the area of higher education
- Strong Leadership and communication skills
- 5 – 7 years experience in education, educational management, administration, educational leadership, student services, fiscal management, HR management, facilities management, small business development, non-profit operations
- An understanding of curriculum and instruction, and data driven assessments
- Excellent oral and written communication skills
- Knowledge and experience in Charter Schools
- Knowledge and experience in special education due process procedures
- Knowledge and experience in developing, implementing and evaluating instructional curricula
- Knowledge and experience evaluating the performance of school staff
- Knowledge and experience working with California State Standards
- Knowledge and experience working with multicultural and diverse environments

Reports to

Ernestine C. Reems Academy Board of Directors

Responsibilities

Curriculum

- Researches and implements research-based assessment procedures, curricula, and instructional strategies. These include, but are not limited to project-based learning, differentiated instruction, standards-based IEP's, and learning styles.
- Ensures that California State and Reems Academy educational standards are met.
- Ensures that instruction is data-driven. Data is appropriately collected and used to refine instruction.
- Ensures that student assessments incorporate an array of instruments, including but not limited to, software assessments, teacher made tests, and student portfolios.
- Seeks methods to meet academic needs of all students and communicates effectively with staff to see that these plans are implemented.
- Works with staff to ensure a fair and consistent grading system of academic and behavioral progress for all students.
- Promotes civic responsibility in all students by providing community experiences as part of each student's curriculum.

School Environment

- Oversees the development and implementation of school-wide and classroom environmental accommodations.
- Implements a school-wide behavioral program that defines expectations for appropriate behavior in all instructional settings.
- Ensures that the building is physically and emotionally safe for all students and staff.
- Carries out the vision, mission and philosophy of the school.
- Inspires respect and trust from students, staff, parents, community members and Board members.
- Collaborates with all staff, parents, community members and Board members to fulfill responsibilities of the school.
- Effectively involves staff, parents and students in implementing the educational program.
- Leads school in researching and practicing new educational methods appropriate to the school's vision, mission, and educational needs of the students.
- Develops long-range plans and set goals and objectives for the school.

Educating Urban Youth to Succeed in Life

- Takes effective and appropriate steps to institute needed changes without being prompted and maintain effort until resolution or completion.
- Demonstrates accuracy, thoroughness and effective use of time.
- Uses sound judgment to guide daily work
- Effectively delegates administrative duties to support staff.
- Keeps communication with Board open and handles correspondence in a timely manner.
- Strictly adheres to confidentiality rules.
- Develops staff contracts, job announcements, and evaluations.
- Takes responsibility for the implementation of applicable state, federal and local rules and regulations.
- Encourages cooperation, coordination of instruction and teamwork among all staff to support the school's educational philosophy.
- Works with Board to establish and implement school policies.
- Establishes or oversees production of school policy and procedures handbooks to include, but not limited to staff, student, parent, safety, professional development, and afterschool guides, manual and/or handbooks.
- Oversees parent training and involvement.

Financial

- Oversees the responsibilities of the Vice Principal, administrative and hourly staff.
- Develops and effectively manages and the operating budget.
- Demonstrates fiscal responsibility with staff and community contracts.
- Manages relationship with business partners to include, but not limited to accountants, back office staff, charter school district office, and attorneys
- Oversees monthly, quarterly, interim, and annual reports to the district and state.
- Develops and monitors financial reports and budget.
- Ensures accurate ADA monitoring and reporting.

Human Relations and Staff Supervision

- Oversees the management of all personal records, concerns, procedures and filings.

- Oversees payroll for school day and afterschool staff.
- Conducts formal and informal staff evaluations.
- Oversees Office Manager role and responsibilities to include, but not limited to personnel files, student records, cum files, and accident reports
- Ensures that adequate insurance policies are purchased to protect the school and staff
- Ensures that all staff is supervised, evaluated and offered opportunities and training to attain a cohesive staff, induction and retention practice.

Operational Staff Qualifications

The operational staff, as well as the Executive Director, is provided professional development opportunities to ensure that they remain abreast of all relevant changes in laws or other operational requirement. All non-instructional staff possess experience and expertise appropriate for their position with the school as outlined in the school's staffing plan and the school's adopted personnel policies.

All staff must provide a Department of Justice criminal background check and fingerprints to insure pupil and staff safety. In accordance with NCLB, all 'core' teachers hold a credential that has been filed with the Alameda County Department of Education. All staff submit TB test results every four years. Live Scan reports, credentials, temporary waivers, and TB test results are pre-employment requirements and must be submitted to school personnel prior to the inception of employment. At-will contracts are offered upon submittal of the noted documents. All staff operates on performance-based annual contracts with the charter school.

Administrative Staff includes (not exhaustive and may change according to need)

- Executive Director
- Vice Principal
- School Counselor

Operational Staff includes (not exhaustive and may change according to need)

- Office Manager
- School Secretary
- Receptionist
- Lunch Staff
- Custodial Staff
- Security Staff
- Lunch Attendants

Teaching/Instructional Staff (not exhaustive and may change as needed)

- Certificated/credentialed Teachers
- Non-certificated/non-credentialed Teachers
- Instructional Aides

- Harm Reduction Therapists
- Reading Resource Instructors
- Mathematics Resource Instructors
- Interns
- Mentors

Instructional Aides, Interns and Mentors will work side-by-side with a teacher, as teacher support.

Teacher Qualifications

Ernestine C. Reems Academy of Technology & Arts retains or employs teaching staff who hold appropriate California teaching certificates, permits, or other documents issued by the Commission on Teacher Credentialing. The School also observes and complies with NCLB teacher credentialing requirements. All core teachers met the NCLB “highly qualified” requirements by the 2006-2007 school years.

Eighth grade teachers teaching Algebra hold a Single Subject Algebra Certificate.

Credentialed teachers teach the ‘core’ academic classes of language arts, mathematics, science, and history/social studies. These teachers are responsible for overseeing the pupils’ academic progress and for monitoring grading and matriculation decisions, as specified in the school’s operational policies.

None-core instructors will be required to comply with the requirements applicable to charter schools under the federal No Child Left Behind Act with respect to highly qualified teacher qualifications.

Instructional aides possess an Associate’s degree or an equivalent number of credits towards a Bachelor’s Degree. These staff members demonstrate capacity to work successfully in an instructional capacity and provide applied instructional experiences to E.C. Reems Academy pupils. Instructional support staff does not assign grades or approve student work assignments without the approval of a teacher, unless they are instructing non-core courses and activities.

All teachers and instructional staff participate in weekly staff development seminars to stay abreast of the latest teaching strategies, community development, and psycho-social practices that deepen their ability to support disadvantaged learning styles and patterns of inner city children of color.

All staff, regardless of position:

- demonstrate a desire to provide opportunities to pupils lacking academic, behavioral, or psycho-social deficits.
- possess sensitivity to the needs of pupils and their families.

- work with parents/caretakers as educational partners.
- be willing to participate in staff meetings, parent meetings, and other school-wide meeting that help guide growth and development of the school.
- apply the philosophy “it takes a village to educate a child”, by participating in pedagogical and cohort systems to support pupil and parent learning styles.

Element F: Health and Safety Procedures

Education Code 47605(b) (5) (F)

The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school record summary as described in Section 44237

Ernestine C. Reems Academy of Technology & Arts has adopted and implemented a comprehensive set of health, safety, and risk management policies. These policies were developed in consultation with the school's insurance carriers and at a minimum include the following:

- all enrolling pupils will provide records documenting immunizations as required by law and to the same extent as would be required if the pupils attended a non-charter public school
- policies and procedures providing for school-wide training in response to natural disasters and other emergencies, including terrorist threats, civil unrest, fires and earthquakes
- training for staff and students relating to blood-borne pathogens
- identification of specific staff that have been trained in the administration of prescription drugs and other medicines
- a policy designating that the school functions as a drug, alcohol, and tobacco free workplace
- the school shall occupy facilities that comply with the Asbestos Hazard Emergency response ACT (AHERA), 40CFR part 763, requiring that any building leased or acquired that is used to be as a school or administrative building shall maintain an asbestos management plan.
- Ernestine C. Reems will conduct all required health examinations, including but not limited to scoliosis exams, pursuant to applicable law.
- a requirement that each employee of the school submit to a criminal background check and furnish a criminal record summary as required by Education Code Section 44237

With respect to facilities, if Ernestine.C. Reems fails to submit a certificate of occupancy or other valid documentation to the District verifying that the intended facility in which the school will operate complies with Education Code Section 47610, not less than 45 days before the school is scheduled to begin operation pursuant to the first year of this renewal term, it may not open unless an exception is made by the Office of Charter Schools and/or the local planning department. If Ernestine C. Reems moves or expands to another facility during the term of this

charter, Ernestine C. Reems shall provide a certificate of occupancy or other valid documentation to the District verifying that the intended facility in which the school will operate complies with Education Code Section 47610, to the District for each facility at least 45 days before school is scheduled to begin operation in the facility or facilities. Ernestine.C. Reems shall not begin operation in any location for which it has failed to timely provide a certificate of occupancy to the District, unless an exception is made by the Office of Charter Schools and/or the local planning department. Notwithstanding any language to the contrary in this charter, the interpretation, application, and enforcement of this provision are not subject to the Dispute Resolution Process.

These policies and procedures have been incorporated into the school's student and staff handbooks and are reviewed on an on-going basis to ensure that all new regulations, policies and procedures are documented and promulgated accordingly.

Element G: Means to Achieve Racial/Ethnic Balance Reflective of District

Education Code 47605(b) (5) (G)

The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted

Ernestine C. Reems Academy of Technology & Arts is located in East Oakland, California, where the racial and ethnic balance is primarily African American and Hispanic. The District's ethnic and racial balance is more inclusive, and as such requires a comprehensive strategy to achieve a reflective balance; the following strategies are employed to recruit pupils and staff:

- establish an annual timeline to support district-wide recruitment and application process to inform a balance of socioeconomic, language, ethnic, and racial groups that reflect the district population
- ensure promotional and informational materials are written to appeal to all racial and ethnic groups represented in the district – promotional and informational materials will be distributed through media submissions to local radio and television, area newspapers, and community organizations which compose the outreach directory
- distribute promotional and informational materials to a variety of community groups and agencies that serve the various racial and interest groups represented in the district

Ernestine C. Reems Academy of Technology & Arts operates as a non-sectarian, non-discriminatory school. It does not charge tuition, and as stated by law, operates as a public charter school.

Element H: Admission Requirements

Education Code 47605(b) (5) (H)

Admission requirements, if applicable

Charter schools are schools of choice. Area residents founded the school and thus receive priority placement, however, all pupils in the district are eligible to enroll in the school; *all pupils that wish to attend will be admitted*, as space allows. In event that there are fewer vacancies than applicants, the school, in accordance with the law, will hold a lottery to fill the vacancies, eliminating any possibility of preferential treatment. Priority Admissions: family members of siblings attending E.C. Reems Academy, homeless youth, as well as free and reduced lunch recipients, as required by the 2002 Charter amendments. Ernestine C. Reems Academy of Technology & Arts actively recruits a diverse population from the district who understands and values the school's mission and is committed to the school's instructional and operational philosophy. Prospective pupils and their parents or guardians are briefed regarding the school's instructional and operational philosophy, and are informed of the school's student-related policies. The school continues to implement an early spring recruitment and admissions process, which culminates in a late spring lottery. The timeframe includes reasonable time for all or part of the following depending upon need:

- 1) outreach and marketing
 - local area papers
 - local radio stations, public service announcements
 - local television community service announcements
 - announcements and postings to local churches, youth organizations, etc.
 - website notifications
- 2) an admission application period
- 3) an admissions lottery, if necessary
 - if applicants outnumber vacancies, an annual lottery will occur mid-May to fill known vacancies
- 4) orientation sessions for parents and pupils
 - parent orientation sessions follow lottery admissions each August prior to the beginning of the school year to inform parents of school policies, procedures, expectations, and the parent compact
- 5) enrollment

In the event that the number of pupils seeking admission to any grade or class exceeds capacity, E.C. Reems Academy has the right to grant priority in admission to siblings or current pupils, children of staff, and residents of the charter-granting district or county.

The school may fill additional vacancies or openings that become available after the school year has begun by means of either a waiting list or other non-discriminatory process.

The waiting list is an on-going list that is maintained for six months. Every six months the applicant is contacted to determine if they wish to remain on the waiting list for another six months. If the school is unable to contact the applicant at the close of six months and the applicant does not contact the school regarding status, the school will remove the applicant from the attrition/waiting list.

In addition, children of current school staff will not exceed 10% of the total enrollment of the school.

By October 1 of each year, Ernestine C. Reems Academy will notify the District in writing of the application deadline and proposed lottery date, as well as ensure that all application materials will reference these dates as well as provide complete information regarding application procedures, key dates, and admission preferences and requirements consistent with the approved charter.

Element I: Financial (and Programmatic) Audit

Education Code 47605(b) (5) (I)

The manner in which an annual, independent financial audit 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—California Education Code Section 47605(b)(5)(I)

The facilities to be utilized by the school. The description of facilities to be used by the charter school shall specify where the school intends to locate. (California Education Code Section 47605

The manner in which administrative services of the School are to be provided. (California Education Code Section 47605(g).

Fiscal Audit

An annual independent fiscal audit of the books and records of E.C. Reems Academy is conducted as required under the Charter Schools Act, section 47605(b)(5)(I) and 47605(m). The books and records of E.C. Reems Academy are kept in accordance with generally accepted accounting principles, and as required by applicable law and the audit employs generally accepted accounting procedures. 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 Controllers Guide.

An audit committee selects an independent auditor through a request for proposal format. The auditor has, at a minimum, a CPA and educational institution audit experience and 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 is expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

It is anticipated that the annual audit is completed within four months of the close of the fiscal year and that a copy of the auditor's findings are forwarded to the District, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Executive Director, along with the audit committee, reviews any audit exceptions or deficiencies and report to E.C. Reems Academy Governing Board with recommendations on how to resolve them. The Board submits a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District along with an anticipated timeline for the same.

The independent fiscal audit of E.C. Reems Academy is public record to be provided to the public upon request.

Programmatic Audit

In addition to fiscal auditing practices, the school conducts annual programmatic audits to ensure that performance reporting is consistent with OUSD and E.C. Reems Academy standards and practices.

The process includes, but is not limited to, the following items:

- summary data showing pupil progress toward the goals and outcomes specified in Element B from assessment instruments and techniques listed in Element C
- an analysis of whether student performance is meeting the goals specified in Element B. This data is displayed on both a school-wide basis and disaggregated by the major racial and ethnic categories to the extent feasible without compromising student confidentiality
- a summary of major decisions and policies established by the school's governing board during the year
- data on the level of parent involvement in the school's governance and summary of data from an annual parent and student satisfaction survey
- staff data including qualifications
- a copy of the school's health and safety policies and /or a summary of any major changes to those policies during the year
- information demonstrating whether the school implemented the means listed in charter Element G to achieve a racially and ethnically balanced student population
- an overview of the school's admissions practices during the day and data regarding the numbers of pupils enrolled, the number on waiting lists, and the numbers of pupils expelled and/or suspended
- analyses of the effectiveness of the school's internal and external dispute mechanisms and data on the number and resolution of disputes and complaints
- other information regarding the educational program and the administrative, legal, and governance operations of the school relative to compliance with the terms of the charter generally
- Ernestine C. Reems Academy of Technology & Arts may receive funding in accordance with Education Code Section 47617 or its successors. It is the intent of Ernestine C. Reems Academy and OUSD to develop mutually agreeable Memoranda of Understanding that will adjust the apportionment's due to the school pursuant to Education Code Section 47617 to accomplish the following:

- adjust the school's base revenue limit funding to reflect OUSD's usual difference in per-pupil spending at various grade levels (class reduction funds, etc.)
 - enable ECR, OUSD, and the district's Special Education Local Planning Act to jointly and cooperatively address the needs of special needs pupils and share in the costs and revenues associated with serving such pupils
 - compensate OUSD for the value of any services rendered, using a mutually agreed to direct service or other formulas agreed to in the MOU
 - address funds transfer and fiscal overview procedures
- Ernestine C. Reems Academy acknowledges that pursuant to Article XVI section 8.5(e) of the California Constitution, sections 2(e), 6, and 8 of Proposition 98, and sections 33126.1(b), 35256(c), and 35258 of the Education Code requires schools, including Ernestine C. Reems Academy to provide certain information in certain formats in certain ways to the general public and specifically to parents of students at Ernestine C. Reems Academy and of the District. Ernestine C. Reems Academy further acknowledges that it has the obligation to provide all of such information to the District that is required by these referenced authorities in a timely manner so that the District may meet its obligations under those authorities as well. To the extent that there is information that the District has, but that Ernestine C. Reems Academy does not have that Ernestine C. Reems Academy needs in order to meet its obligations, the District shall provide the same to Ernestine C. Reems Academy in a reasonably timely manner upon request.
 - Furthermore, Ernestine C. Reems Academy will maintain sufficient staff and systems including technology, required to ensure timely reporting necessary to comply with the law and to meet all reasonable inquiries from the District and other authorized reporting agencies.
 - In the event that Ernestine C. Reems Academy does not test (i.e. STAR) with the District, Ernestine C. Reems Academy hereby grants authority to the State of California to provide a copy of all test results directly to the District as well as the charter school. Test results for the prior year, if not provide directly to the District by the State, will be provided by the charter school to the District no later than September 1 of each year.

School Funding

In addition to the revenue sources in Education Code Section 47617, OUSD will distribute other revenue sources that the district may share with the school, to the extent that ECR pupils and

programs generate funding entitlements. These other revenue sources can include, but are not limited to, the following sources and programs:

- The California State Lottery
- Categorical Block Grants
- Breakfast and Lunch Program Funding
- Charter school funding from the California Department of Education, the federal government, or other sources
- Any other available or mutually agreeable sources and funding for programs

Funding Pursuant to No Child Left Behind

To the extent that E. C. Reems Academy is a recipient of federal funds, including federal Title I, Part A funds, E. C. Reems Academy has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the No Child Left Behind Act and other applicable federal grant programs. E. C. Reems Academy agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of the No Child Left Behind Act and other applicable federal programs, including, but not limited to, documentation related to required parental notifications, appropriate credentialing of teaching and paraprofessional staff, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB include, but are not limited to, the following:

- Notify parents at the beginning of each school year of their “right to know” the professional qualifications of their child’s classroom teacher including a timely notice to each individual parent that the parent’s child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified.
- Develop jointly with, and distribute to, parents of participating children, a school parent compact.
- Hold an annual Title I meeting for parents of participating Title I students.
- Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy.

E. C. Reems Academy also understands that as part of its oversight of the school, the Office of Charter School may conduct program review.

Administrative Services

Plan for Sound Fiscal Management: To ensure effective financial management, E.C. Reems Academy works with a back-office service contractor with expertise in finance, facilities, business management, and administration. At all times E.C. Reems Academy retains final authority and control over these functions. E.C. Reems Academy is currently working with EdTec, which provides business, financial, and technology services for over 34 charter campuses. This contract will be re-bid competitively as needed.

The Executive Director at E.C. Reems Academy oversees the work of the selected business service company, which handles all back-office business functions, including: accounts payable/receivable; general accounting; payroll; and insurance and benefits administration. The company helps the Executive Director and Governing Board to create and monitor the annual budget and provides monthly budget and cash flow projections.

Internal Control Objectives: E.C. Reems Academy has developed internal controls and effective practices to ensure sound financial management. Examples of internal controls include: separation of duties to prevent embezzlement; adoption of a school conflict of interest policy; rules that all cash and deposits are accounted for in detail and deposited in the main account; and approval by the Board of the check register of recently issued checks at each board meeting. E.C. Reems Academy requires a two week turn-around on payables; 100% compliance with all applicable rules and regulations; and transparency of financial reports to the Board.

E.C. Reems Academy works with the company to generate monthly financial reports and annual budgeting that conform to the requirements of the board, district and county. These monthly reports show budget expenditures, actual expenditures, the variance between budget and actual, and the end-of-year forecasted surplus or deficit. E.C. Reems Academy draws on the company's expertise, legal advice and national best practices to also create a corrective action procedure to immediately rectify any violation of the internal controls.

Attached as Appendix B, please find a budget and budget narrative for 2009-2010.

Financial Reporting

In order to ensure the necessary oversight and review of mandated reports for which the authorizer must determine fiscal health and sustainability, the following schedule of reporting deadline to the District will apply each year of the term of this charter:

- September 1 – Final Unaudited Financial Report for Prior Year
- December 1 – Final Audited Financial Report for Prior Year
- December 1 – First Interim Financial Report for Current Year
- March 1 – Second Interim Financial Report for Current Year
- June 15 – Preliminary Budget for Subsequent Year

Facilities

The facilities to be utilized by the school. The description of facilities to be used by the charter school shall specify where the school intends to locate. (California Education Code Section 47605

The school is physically located at 8425 MacArthur Blvd, Oakland, California. There are two facilities on the site, a three-story school building and a house. The school building is the primary facility and houses seventeen of the twenty classrooms. The second building houses three classrooms. The facilities are leased from the Center of Hope Church and have an annual renewable lease. The primary facility was formally a Christian school owned and operated by the church.

Financial Impact on the Sponsoring District

Budget

The District provides supervisory oversight as required by law, in exchange for its actual costs of supervisory oversight up to one percent of E.C. Reems Academy's revenue as defined in Education Code Section 47613(f). E.C. Reems Academy has entered into a Memorandum of Understanding (MOU) with the District which outlines the fiscal relationship between the District and E.C. Reems Academy.

Civil Liability

E.C. Reems Academy is operated as a California non-profit public benefit corporation. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701d.

Pursuant to Education Code Section 47604(c), an entity that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or omissions by E.C. Reems Academy of Technology & Arts if the authority has complied with all oversight responsibilities required by law. E.C. Reems Academy works diligently to assist the District in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other District-requested protocol to ensure the District is not liable for the operation of E.C. Reems Academy.

Further, E.C. Reems Academy and the District have entered into a memorandum of understanding, wherein E.C. Reems Academy indemnifies the District for the actions of E.C. Reems Academy of Technology & Arts under this charter.

The corporate bylaws of E.C. Reems Academy provide for indemnification of the school's Board, officers, agents, and employees, and E.C. Reems Academy of Technology & Arts has

purchased general liability insurance, Board Members and Officer's insurance, and fidelity bonding to secure against financial risks.

As it relates to insurance and safety Ernestine C. Reems Academy of Technology & Arts also purchases and maintain as necessary general liability, errors and omissions, property, workers compensation, and unemployment insurance policies to protect against unforeseen circumstances.

As stated above, insurance amounts are determined by recommendation of the District and E.C. Reems Academy' insurance company for schools of similar size, location, and student population. The District is named as an additional insured on the general liability insurance of E.C. Reems Academy of Technology & Arts.

The E.C. Reems Academy Board institutes appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

Element J: Pupil Suspension and Expulsion

Education Code 47605(b) (5) (J)

The procedures by which pupils can be suspended or expelled.

SUSPENSION AND EXPULSION POLICIES AND PROCEDURES

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 E.C. Reems Academy (the “Charter School”). When the policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy serves as the Charter School’s policy and procedures for student suspension and expulsion, and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements.

School Suspension/Expulsion/Disenrollment Policy

Suspension

A student may be removed from school activities for up to (5) five days at a time and not more than (20) twenty days per year. This policy is consistent with Oakland Unified School District. Parents are notified by telephone, mail, or in person. Prior to readmitting the student to school, a parent must meet with an administrative team to discuss student options. The parent and student will meet with the Executive Director (or their designee) and/or Vice Principal, the teacher, and other faculty members as needed. Other members may include a school counselor, enrichment staff, afterschool staff, office staff, social workers, and other child advocates. EDUCATION CODE SECTION 48903

A Student Management Plan may be put in place depending upon the misconduct. If a student continues to exhibit misconduct, a Student Management Plan will be contracted between parent, student, teacher and administration. The Plan offers interventions to address negative behavior or misconduct that thwarts academic achievement and social behavioral success. The Plan is a three strikes program in which a student has an opportunity to correct his/her behavior or misconduct. If the student fails to accept the suggested interventions, and is not found to have a disability that leads to behavioral episodes, the student may be considered for expulsion pursuant to the expulsion policy outlined herein. The plan is co-produced by administration, teacher, and parents and in some cases students.

Mandatory Expulsion

The Principal/Executive Director shall recommend a student’s expulsion for violation of EDUCATION CODE SECTIONS 48900 (A)-(E). The student and parents are notified of their due process rights. The notification of expulsion procedures is submitted to the Board of Directors, who will participate in the expulsion proceedings.

In cases where the Principal/Executive Director determines that a student has committed any of

the following actions on school grounds or at a school activity off school grounds, the student must be suspended and recommended for expulsion: (1) possessed, sold, or furnished a firearm; (2) brandished a knife at another person; (3) unlawfully sold a controlled substance; (4) committed or attempted to commit a sexual assault or committed a sexual battery, as defined in EDUCATION CODE SECTION 48900 (n); or (5) possessed explosives is subject to expulsion and the hearing will ensue.

Note: All expelled students have a right to an education, and may be referred to the District and or Alameda County Office of Education for referral.

[Updated Information borrowed from OUSD, Parent Guide, 2008 – 2009]
Parent Guide 2008 – 2009

In the case of a special education student, or a student who receives 504 accommodations, E.C. REEMS ACADEMY will ensure that it makes the necessary adjustments to comply with the mandates of State and federal laws, including the IDEA and Section 504 of the Rehabilitation Plan of 1973, regarding the discipline of students with disabilities. Prior to recommending expulsion for a Section 504 student or special education student, the charter administrator will convene a review committee to determine 1) if the conduct in question was caused by, or had a direct and substantial relationship to the child's disability; or 2) if the conduct in question was the direct result of the LEA's failure to implement the 504 plan or IEP. If it is determined that the student's misconduct was not caused by or had direct and substantial relationship to the child's disability or the conduct in question was not a direct result of the LEA's failure to implement the 504 plan or IEP, the student may be expelled.

A. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is 1) related to school activity, 2) school attendance occurring at the Charter School or at any other school, or 3) a Charter School-sponsored event. A Pupil may be suspended or expelled for acts that are enumerated below and related to school activity or attendance that occur at any time, including, but not limited to, and of the following:

- 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; or
- d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

Students may be suspended or expelled for any of the following acts when it is determined the pupil:

1. Caused, attempted to cause, or threatened to cause physical injury to another person.

2. Willfully used force of violence upon the person of another, except self-defense.
3. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
4. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
5. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 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 same as controlled substance, alcoholic beverage or intoxicant.
6. Committed or attempted to commit robbery or extortion.
7. Caused or attempted to cause damage to school property or private property.
8. Stole or attempted to steal school property or private property.
9. 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.
10. Committed an obscene act or engaged in habitual profanity or vulgarity.
11. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
12. 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.
13. Knowingly received stolen school property or private property.
14. 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.
15. Committed or attempted to commit a sexual assault as defined in Penal code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4.

16. 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.
17. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
18. 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.
19. Made terrorist threats against school officials and/or school property. 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, or the personal property of the person threatened or his or her immediate family.
20. 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.
21. Caused, attempted to cause, threaten 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.
22. Intentionally harassed, threatened or intimidated 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 student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

Alternatives to suspension or expulsion will first be attempted with students who are truant, tardy, or otherwise absent from assigned school activities.

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 Executive Director or the Executive Director's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Executive Director. The conference may be omitted if the Executive Director 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 school 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.

This conference shall be held within two 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 school 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 suspension, the Executive Director 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 school 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 Placement/Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension.

Upon a recommendation of Placement/Expulsion by the Executive Director or Executive Director's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Executive Director or designee upon either of the following determinations: 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

A student may be expelled either by the Governing Board following a hearing before it or by the Governing Board upon the recommendation of an Administrative Panel to be assigned by the Governing Board as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a Board member of the Governing Board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

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 Executive Director 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 Governing Board for a final decision whether to expel. The hearing shall be held in closed session unless the pupil makes a written request for a public hearing three (3) days prior to the 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 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 school to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
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 Offences

The Charter School may, upon finding a good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations which shall be examined only by the Governing Board, administrative panel, 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 person or panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The person 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 person conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, E.C. Reems Academy must present evidence that the witness' presence is both desired by the witness and will be helpful to E.C. Reems Academy. The person 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 the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are not alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the 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 and sworn declarations may be admitted as testimony from witnesses of whom the Governing Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the accused 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 Governing Board who will make a final determination regarding the expulsion. The final decision by the Governing Board shall be made within ten (10) school days following the conclusion of the hearing. The decision of the Governing Board is final.

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

I. Written Notice to Expel

The Executive Director or designee following a decision of the Governing Board to expel shall send written notice of the decision to expel, including the Governing Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following:

1. Notice of the specific offense committed by the student
2. 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 E.C. Reems Academy of Technology & Arts.

The Executive Director or designee shall send a copy of the written notice of the decision to expel to the student's district of residence. This notice shall include the following:

1. The student's name
2. The specific expellable offense committed by the student

J. Disciplinary Records

The Charter School shall maintain records of all student suspensions and expulsions at E.C. Reems Academy of Technology & Arts. Such records shall be made available to the District upon request.

K. No Right to Appeal

The pupil shall have no right of appeal from expulsion from E.C. Reems Academy of Technology & Arts as the Governing Board decision to expel shall be final.

L. Expelled Pupils/Alternative Education

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.

M. Rehabilitation Plans

Students who are expelled from E.C. Reems Academy of Technology & Arts shall be given a rehabilitation plan upon expulsion as developed by the Governing Board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the pupil may reapply to E.C. Reems Academy of Technology & Arts for readmission.

N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school, school district or charter school shall be in the sole discretion of the Governing Board following a meeting with the Executive Director and the pupil and 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 Executive Director shall make a recommendation to the Governing Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon E.C. Reems Academy of Technology & Arts's capacity at the time the student seeks readmission.

O. Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities

1. Notification of District

The Charter School shall immediately notify the District and coordinate the procedures in this policy with the District the discipline of any student with a disability or student who E.C. Reems Academy of Technology & Arts or District would be deemed to have knowledge that the student had a disability who is suspended for more than ten (10) school days during a school year.

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, and to progress toward meeting the goals set out in the child's IEP; and receive, as appropriate, a functional behavioral assessment or functional analysis, 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, E.C. Reems Academy of Technology & Arts, the parent, and relevant members of the IEP Team shall review all relevant information in the student's file, including the child's IEP, 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.

If E.C. Reems Academy, the parent, and relevant members of the IEP 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 E.C. Reems Academy, the parent, and relevant members of the IEP Team make the determination that the conduct was a manifestation of the child's disability, the IEP Team shall:

- a) Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that E.C. Reems Academy 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 E.C. Reems Academy agree to a change of placement as part of the modification of the behavioral intervention plan.

If E.C. Reems Academy, the parent, and relevant members of the IEP team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP, then E.C. Reems Academy 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 E.C. Reems Academy 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.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter school, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and E.C. Reems Academy agree otherwise.

5. Special Circumstances

Charter School 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 Executive Director or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) 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 USC 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 USC 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 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 IDEIA and who has violated E.C. Reems Academy's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if E.C. Reems Academy had knowledge that the student was disabled before the behavior occurred.

The Charter School 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 the Charter School 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 Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

If E.C. Reems Academy 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 IDEIA-eligible children with disabilities, including the right to stay-put.

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

The Charter School shall not be deemed to have knowledge of 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.

Ernestine C. Reems Academy maintains a comprehensive set of student discipline policies. These policies are distributed as part of the school's student handbook and clearly describe the school's expectations regarding attendance, mutual respect, substance abuse, violence, safety, and work habits. Each student and his or her parent or guardian are required to verify that they have reviewed and understand the policies.

Ernestine C. Reems Academy uses a number of remedies and support services to maintain pupils on site to receive daily instruction. All incidents are investigated prior to making a determination regarding suspensions and expulsions. Suspensions and expulsions are a last resort, and generally employed when a pupil threatens the health and safety of the school, staff, and student body. These infractions may include, but are not limited to:

- terrorist threats
- the threat, causation, or attempted causation of physical injury to another person
- possession of a weapon
- unlawful possession, use, sale, offer, or being under the influence of any controlled substance, alcoholic beverage, or intoxicant
- robbery or attempted robbery of school property
- significant damage or attempt to damage school property
- an obscene or offensive act or habitual profanity/vulgarity

Pupil - Suspension Due Process Rights

The pupil has the right to an informal conference with the Executive Director, vice principal, or counselor prior to a suspension. The pupil under scrutiny retains the following rights:

- to be informed of the charges lodged against the pupil and the evidence used as a basis for the charges
- to present his/her side of the incident and any supporting evidence of testimony

The parent or guardian rights include:

- receiving oral and written notification of the suspension at the time of suspension

- a request for a conference with the parent or guardian will be noted on the suspension form

The Executive Director or vice principal may suspend a pupil under an emergency situation where the principal or vice principal determines that the situation constitutes a clear and present danger to the lives, safety or health of students or school personnel. *California Education Code 48911.*

Discipline and Special Education Pupils

A different set of rules apply to discipline of special education students. If the pupil's behavior is directly related to his or her disabling condition, the standard disciplinary procedure will be pre-empted by statements in the pupil's IEP. In situations such as this, the pupil will be referred to the school counselor to develop a disciplinary plan that includes appropriate expectations and consequences.

Note - All disciplinary actions initiated by the school are clearly explained in the Student-Parent Handbook

Element K: Retirement System

Education Code 47605(b) (5) (K)

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

Staff at Ernestine C. Reems Academy of Technology & Arts will participate in the federal social security systems, or other reciprocal systems, in place of (PERS) Public Employees Retirement System. Teachers will participate in (STRS) State Teachers Retirement System. E.C. Reems Academy will make appropriate arrangements with the County Office of Education to ensure proper STRS reporting in accordance with Education Code Section 47611.3. The County Office shall cooperate as necessary to forward any required payroll deductions and related data to the appropriate agencies in exchange for its actual costs for providing the service.

The school's Governing Board retains the option of review of all retirement systems to make adjustments that will, within the limits of the law, provide teachers and staff with viable and competitive retirement options. This clause is intended to support teacher and staff recruitment and retention.

The board will ensure that payroll deductions and related data are forwarded to the proper agencies.

Element L: Attendance Alternatives

Education Code 47605(b) (5) (L)

The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools

Pupils who opt not to attend Ernestine C. Reems Academy of Technology & Arts may attend other district schools or pursue an inter-district transfer in accordance with the Oakland Unified School District's existing enrollment and transfer policies. The parents or guardians of each pupil enrolled in E.C. Reems Academy shall be informed that the pupils has no right to admission in a particular school of any local education agency (or program of any local education agency) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the local education agency.

Element M: Description of Employee Rights

Education Code 47605(b) (5) (M)

A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school

Ernestine C. Reems Academy of Technology & Arts is the exclusive public school employer of the employees at the school for the purpose of Section 3540.1 of the title 1 of the Government Code.

Ernestine C. Reems Academy of Technology & Arts is an independent employer, and is declared the legal arm for collective bargaining purposes.

Ernestine C. Reems Academy of Technology & Arts hires all school staff. All employees are given annual contracts and are considered employees of the school.

No District employees are required to work at the school, unless the District and school enter into agreement to support special needs pupils. Any District employee interested in working at Ernestine C. Reems Academy of Technology & Arts can apply in the same way as non-district applicants, and if hired, enter into a contractual agreement with the school, which has the authority to hire and terminate the position, in accordance with the agreement executed between the school and employee.

Employees of Ernestine C. Reems Academy of Technology & Arts, that were formally employees of OUSD, are not eligible to carry over rights and privileges, acquired during OUSD employment, to E.C. Reems Academy. There are no reciprocal employment rights or privileges between the two institutions. E.C. Reems Academy employees who were previously employees of OUSD only have those benefits afforded to any other employee in their collective bargaining unit or employment status who leaves OUSD for employment with any private employer.

Element N: Dispute Resolution Process

Education Code 47605(b) (5) (N)

The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter

The intent of dispute resolution process is to:

- 1) resolve disputes within the school pursuant to the school's policies
- 2) minimize the oversight burden on the district
- 3) ensure a fair and timely resolution to disputes
- 4) frame a charter oversight and renewal process and timeline so as to avoid disputes regarding oversight and renewal matters.

Disputes Arising from disagreement

The staff and Governing Board members of Ernestine C. REEMS ACADEMY agree to attempt to resolve all disputes between the District and Ernestine C. REEMS ACADEMY regarding this charter pursuant to the terms of this section. Both will refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

Any controversy or claim arising out of or relating to the charter agreement between the District and Ernestine C. REEMS ACADEMY, except any controversy or claim that in any way related to revocation of this charter, shall be handled first through an informal process in accordance with the procedures set forth below.

- 1) Any controversy or claim arising out of or relating to the charter agreement, except any controversy or claim that in any way related to revocation of this charter, must be put in writing ("Written Notification") by the party asserting the existence of such dispute. The Written Notification must identify the nature of the dispute and all supporting facts known to the party giving the Written Notification. The Written Notification may be tendered by personal delivery, by facsimile, or by certified mail. The Written Notification shall be deemed received
 - a. if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 PM or otherwise on the business day following personal delivery;
 - b. if by facsimile, upon electronic confirmation of receipt; or
 - c. if by mail, two (2) business days after deposit in the U.S. Mail. All written notices shall be addressed as follows:

To Charter School, c/o School Director:
Ernestine C. REEMS ACADEMY

To Coordinator, Office of Charter Schools:
Office of Charter Schools
Oakland Unified School District
1025 Second Avenue, Room 206
Oakland, California 94606

- 2) A written response (“Written Response”) shall be tendered to the party providing the Written Notification within twenty (20) business days from the date of receipt of the Written Notification. The Written Response shall state the responding party’s position on all issues stated in the Written Notification and set forth all fact which the responding party believes supports its position. The Written Response may be tendered by personal delivery, by facsimile, or by certified mail. The Written Response shall be deemed received
 - a. If personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00p.m., or otherwise on the business day following personal delivery;
 - b. if by facsimile upon electronic confirmation of receipt; or
 - c. if by mail, two (2) business days after deposit in the U.S.Mail. The parties agree to schedule a conference to discuss the claim or controversy (“Issue Conference”). The Issue Conference shall take place within fifteen (15) business days from the date the Written Response is received by the other party.
- 3) If the controversy, claim, or dispute is not resolved by mutual agreement at the Issue Conference, then either party may request that the matter be resolved by mediation. Each party shall bear its own costs and expenses associated with the mediation. The mediator’s fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 60 days from the date of the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the controversy or claim at dispute. The mediator may be selected from the approved list of mediators prepared by the American Arbitration Association (“AAA”). Mediation proceedings must be administered in accordance with the mediation rules or guidelines of the AAA. If no agreement on a mediator is reached within 30 days after a request to mediate, the AAA shall select the mediator.
- 4) If the mediation is not successful, the parties agree to settle the controversy, claim or dispute by arbitration conducted by a single arbitrator in accordance with the guidelines of the AAA. If no agreement on an arbitrator is reached within 30 days after a request to mediate, the AAA shall select the arbitrator. The arbitrator must be an active member of the California State Bar or a retired judge of the state or federal judiciary of California. Each party shall bear its own costs and expenses associated with the arbitration. The arbitrator’s fees and the administrative fees of the arbitration shall be shared equally among the parties. Each party shall bear its own costs and expenses.
- 5) Any party who fails or refuses to submit to arbitration shall bear all costs and expenses incurred by the other party in compelling arbitration of any controversy, claim, or dispute.

Disputes Arising from within the School

Disputes arising from within the school, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and Governing Board members of the school, shall be resolved pursuant to policies and processes developed by the school.

OUSD shall not intervene in any such internal disputes without the consent of the schools governing board of directors and shall refer any complaints regarding such disputes to the governing board or designee for resolution pursuant to the school’s policies. The district 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 this charter or related laws or agreements has

occurred, or unless the governing board of the school has requested OUSD to intervene in the dispute.

Parent/Community/Staff Complaints Concerning School Personnel

Disputes arising within E.C. Reems Academy and pertaining to disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and Governing Board members of the school, shall be resolved pursuant to the following procedures:

Complaint Forms are available in the Office Managers office.

Procedures

Step 1: Filing a Complaint

Complete the complaint form and submit it to the appropriate party:

- If the complaint is against a staff member, parent/volunteer, or partner organization the complainant will file the Parent/Community Complaint Form and submit it to the Principal.
- If the complaint is against the Principal, the complainant will file the Parent/Community Complaint Form to the Reems Academy Board of Directors. The President of the Board will designate a board member as the Board Ombudsperson.

If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other disabilities, a staff member may help him/her to file the complaint.

Step 2: Mediation

Within three (3) days of receiving the complaint, the Principal or Board Ombudsperson may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the Principal or Board Ombudsperson shall make all arrangements for the process.

Before initiating the mediation of the discrimination complaint, the Principal or Board Ombudsperson shall ensure that all parties agree to make the mediator a party to related confidential information. If the mediation process does not resolve the problem with the parameters of the law, the Principal or Board Ombudsperson shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the school's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (5 CCR 4631)

Step 3: Investigation of Complaint

The Principal or Board Ombudsperson shall hold an investigative meeting within five (5) days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant to repeat the complaint orally.

The complainant and the Principal or Board Ombudsperson shall also have an opportunity to present information relevant to the complaint. Parties to the dispute may discuss the complaint and question each other or each other's witnesses. (5 CCR 4631)

Step 4: School Response

Within sixty (60) days of receiving the complaint, the Principal or Board Ombudsperson shall prepare and send to the complainant a written report of the their investigation and decision, as described in Step #5 below. (5 CCR 4631)

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the Principal or Board Ombudsperson's decision is final.

If the Board hears the complaint, the Principal or Board Ombudsperson shall send the Board's decision to the complainant within 60 days of the school initially receiving the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

The district will ensure that the complainants are protected from retaliation and that the identity of a complainant alleging unfairness or bias will remain confidential as appropriate. [T5CCR 4621].

Step 5: Final Written Decision

The report of the district's decision shall be written in English and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary language, the district shall arrange a meeting at which a community member will interpret it for the complainant.

This report shall include:

- the findings and disposition of the complaint, including corrective actions, if any. (5 CCR 4651)
- the rationale for the above disposition. (5 CCR 4631)
- notice of the complainant's right to appeal the decision to the California Department of Education, and procedures to be followed for initiating such an appeal. (5 CCR 4631)
- a detailed statement of all specific issues that were brought up during the investigation and the extent to which these issues were resolved.

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

The Principal or Board Ombudsperson shall maintain a record of each complaint as required for compliance with the California Code of Regulations, Title 5, Section 4632.

Appeal Process

APPEALS TO THE CALIFORNIA DEPARTMENT OF EDUCATION

If dissatisfied with the school's decision, the complainant may appeal in writing to the California Department of Education within 15 days of receiving the school's decision. For good cause, the Principal or Board Ombudsperson may grant an extension for filing appeals. (5 CCR 4652)

Element O: Labor Relations

Education Code 47605 (b) (5) (O) and 47611.5

A declaration whether or not the charter school shall be deemed the exclusive public school employer of the charter school for the purposes of the Educational Employment Relations Act

Ernestine C. Reems Academy of Technology & Arts is deemed the exclusive public school employer of the employees of the charter school for the purposes of the Education Employment Relations Act (EERA).

Element P: Charter School Term Renewal, Amendment, and Closure

Education Code 47605 (b) (5) (P)

A description of the procedures to be used if the charter school closes

Term of the Charter

The term of this Charter will be five years, commencing July 1, 2009 and ending June 30, 2014.

Charter Renewal

Pursuant to OUSD Governing Board Administrative Regulations AR 0420.4 Ernestine C. Reems must submit its renewal petition to the Office of Charter Schools no earlier than 270 days before the charter is due to expire.

Charter Maintenance

Ernestine C. Reems Academy agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining their charter authorization:

- Ernestine C. Reems is subject to District oversight.
- The District's statutory oversight responsibility continues throughout the life of the charter and requires that it, among other things, monitor the fiscal condition of Ernestine C. Reems
- The District is authorized to revoke this charter for, among other reasons, the failure of Ernestine C. Reems to meet generally accepted accounting principles or procedures.

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

- Compliance with terms and conditions prescribed in the charter
- Internal controls, both financial and operational in nature
- The accuracy, recording and/or reporting of school financial information
- The school's debt structure
- Governance policies, procedures and history
- The recording and reporting of attendance data

- The school's enrollment process, suspension and expulsion procedures, and parent involvement practices
- Compliance with safety plans and procedures
- Compliance with applicable grant requirements.

Ernestine C. Reems shall cooperate fully with such audits and to make available any and all records necessary for the performance of the audit upon 30 days notice to Ernestine C. Reems. When 30 days notice may defeat the purpose of the audit, the District may conduct the audit upon 24 hours notice. In addition, if an allegation of waste, fraud or abuse related to Ernestine C. Reems operations is received by the District, the Ernestine C. Reems shall be expected to cooperate with any investigation undertaken by the Office of Charter Schools.

Closure Protocol

Closure of E.C. Reems Academy of Technology & Arts will be documented by official action of the Governing Board. The action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities.

The Governing Board will promptly notify parents and students of E.C. Reems Academy of Technology & Arts, the District, the Alameda County Office of Education, E.C. Reems Academy of Technology & Arts's SELPA, the retirement systems in which E.C. Reems Academy of Technology & Arts's employees participate (e.g., Public Employees' Retirement System, State Teachers' Retirement System, and federal social security), and the California Department of Education 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.

The Board will ensure that the notification to the parents and students of E.C. Reems Academy of Technology & Arts of the closure provides information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly following the Board's decision to close E.C. Reems Academy of Technology & Arts.

The 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, E.C. Reems Academy of Technology & Arts will provide parents, students and the District 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. The Charter

School will ask the District to store original records of Charter School students. All records of E.C. Reems Academy of Technology & Arts shall be transferred to the District upon Charter School closure. If the District will not or cannot store the records, E.C. Reems Academy of Technology & Arts shall work with the County Office of Education to determine a suitable alternative location for storage.

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 practical, E.C. Reems Academy of Technology & Arts will prepare final financial records. The Charter School will also have an independent audit completed within six months after closure. The Charter School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by E.C. Reems Academy of Technology & Arts and will be provided to the District 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 E.C. Reems Academy of Technology & Arts.

The Charter School will complete and file any annual reports required pursuant to Education Code section 47604.33.

On closure of E.C. Reems Academy of Technology & Arts, all assets of E.C. Reems Academy of Technology & Arts, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending E.C. Reems Academy of Technology & Arts, remain the sole property of E.C. Reems Academy of Technology & Arts and shall be distributed in accordance with the Articles of Incorporation upon the dissolution of the non-profit public benefit corporation to another California public educational entity. Any assets acquired from the District or District property will be promptly returned upon Charter School closure to the District. 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, E.C. Reems Academy of Technology & Arts shall remain solely responsible for all liabilities arising from the operation of E.C. Reems Academy of Technology & Arts.

As E.C. Reems Academy of Technology & Arts is operated by a non-profit public benefit corporation, should the corporation dissolve with the closure of E.C. Reems Academy of Technology & Arts, the 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 B, E.C. Reems Academy of Technology & Arts will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

Revocation

The District may revoke the charter of Ernestine C. Reems if Ernestine C. Reems commits a breach of any terms of its charter. Further, the District may revoke the charter if Ernestine C. Reems commits a breach of any provision set forth in a policy related to charter schools adopted by the District Board of Education and/or any provisions set forth in the Charter School Act of 1992. Furthermore, the District may revoke the charter of Ernestine C. Reems on any of the following grounds:

- Ernestine C. Reems committed a material violation of any of the conditions, standards, or procedures set forth in the charter
- Ernestine C. Reems failed to meet or pursue any of the pupil outcomes identified in the charter
- Ernestine C. Reems failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement
- Ernestine C. Reems violated any provisions of law

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