

Roses in Concrete Community School

4551 Steele Street

Oakland, CA 94619

community@rosesinconcrete.org

510-698-3794

www.rosesinconcrete.org



October 23, 2019

OUSD Board Members,

I, Jeff Duncan-Andrade am authorizing the submission of the charter renewal request to the OUSD Board of Education on behalf of the Roses in Concrete Community School. We are seeking a second term to continue our work as the only school in the OUSD that has racial and social justice as its core mission and vision for the children we serve. We ask for your support to continue our intentional and unapologetic cultivation of students' self-esteem and cultural identities through Community Responsive Pedagogy and a school-wide Ethnic Studies Curriculum--the only one of its kind in the OUSD.

Your support will allow us to continue to build our three primary programmatic investments in pursuit of an entire school culture and curriculum that is dedicated to racial and social justice as the core objective of a public education system in the most radically unequal society in the history of the industrialized world. We are attacking the decades of denial and disinvestment in justice for our city's most wounded and disregarded children, neighborhoods, and families by prioritizing the hardest to serve families in our admissions ranking system and in every element of our school design, school day, and assessment of our impact on the lives of the families we serve.

We are applying to continue this work with the following areas of programmatic focus:

- a) STEAM: We will continue our work to insure consistent exposure to 21st Century technologies with the intent to prepare our youth beginning in Kindergarten to use these technologies to address long standing and radicalized inequalities in this city and our nation. We are the only K-8 school in OUSD to

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do this, and we have already built a fully funded and staffed STEAM lab/Maker Space to support our program:

- b) Visual and performing arts integration: We will continue to have a fully integrated visual and performing arts program with an explicit focus on daily arts instruction as an explicit pathway to cultural identity formation and performative approaches to learning that focus on the history of racial and social injustice and the role of arts and artists in the legacy of racial and social activism;
- c) Dual language: We will continue our commitment to language development with a particular emphasis on dual language development for Black youth in Oakland. There are other dual language schools in OUSD, but we are the only dual language school that has shown any measurable commitment to serving the Black community in Oakland. We see access to language programming as an essential element to bridging the Black-Brown community divide in Oakland and to addressing long standing patterns of locking Black families out of programs generally and charter schools specifically.

We welcome the endorsement of the OUSD School Board and Superintendent as a statement to the city, our people, our neighborhoods and the rest of the nation that Oakland is a place that has given up on the status quo and has decided to cut the leading edge on real and radical school change by supporting the use of charter law to do something radically different with our public school investments.

With love and respect for your service,

A handwritten signature in blue ink, appearing to read "Jeff Duncan-Andrade", with a long, sweeping flourish at the end.

Jeff Duncan-Andrade

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November 13, 2019

To: OUSD Board & Office of Charters

Re: Material Revision

I am requesting a material revision of Roses in Concrete Community Schools charter renewal petition. My reason for submitting the material revision is in order to include the OUSD assurances signed document. I am requesting this revision due to administrative error. The correct signed statement of assurances is attached along with new copy of our renewal petition.

Thank you,

A handwritten signature in blue ink, appearing to read "Carla Vicor", written in a cursive style.

Carla Vicor, Head of School



Statement of Assurances

This form or other similar form must be signed by a duly authorized representative of the petitioner group and submitted with the petition. A petition will be considered incomplete if it is not accompanied by the Statement of Assurances or does not otherwise contain these assurances. The most up-to-date version of this form can be found on our website.

As the authorized representative of the petitioner group, I hereby certify under the penalty of perjury that the information submitted in this petition for a charter for Roses in Concrete Community School to be located at 4551 Steele Street, Oakland CA 94619 is true to the best of my knowledge and belief; and further, I certify that, if granted a charter, the school:

1. Will not charge tuition, fees, or other mandatory payments for attendance at the charter school or for participation in programs that are required for students except as authorized by those Education Code provisions that explicitly apply to charter schools.
2. Will enroll any eligible student who submits a timely and complete application, unless the school receives a greater number of applications than there are spaces for students, in which case a lottery will take place in accordance with California charter laws and regulations, including but not limited to Education Code section (d)(2)(B).
3. Will be non-sectarian in its curriculum, programs, admissions, policies, governance, employment practices, and all other operations.
4. Will be open to all students, on a space available basis, and shall not discriminate on the basis of the characteristics included in Education Code section 220, including but not limited to race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or a foreign language, or academic achievement.
5. Will not exclude admission based on the student's or parent's/guardian's place of residence, except that a conversion school shall give admission preference to students who reside within the former attendance area of the public school.
6. Will meet all statewide standards and conduct the pupil assessments required pursuant to Education Code Sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.
7. Will comply with all applicable portions of the reauthorization of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act . 20 U.S.C. ch. 28 § 1001 et seq.
8. Will consult, on a regular basis, with parents, guardians and teachers regarding its educational programs, as required by Education Code section 47605(c)(2).
9. Will offer at least the minimum amount of instructional time at each grade level as required by law, and comply with Title 5, California Code of Regulations, section 11960(b) with respect to the legally required minimum school days.
10. Will comply with the conditions of apportionment set forth in Education Code section 47612(b) that average daily attendance not be generated by a pupil who is not a California resident, and that "a pupil over 19 years of age shall be continuously enrolled in public school and make satisfactory progress towards award of a high school diploma," to remain eligible for generating charter school apportionments.
11. Will provide to the Office of Charter Schools information regarding the proposed operation and potential effects of the school, including, but not limited to, the facilities to be used by the school, including where the school intends to



locate, the manner in which administrative services will be provided, and potential civil liability effects, if any, upon the school and authorizing board.

12. Will adhere to all applicable provisions of federal law relating to students with disabilities, including the Individuals with Disabilities Education Act; section 504 of the Rehabilitation Act of 1974; and Title II of the Americans with Disabilities Act of 1990, and serve students with disabilities in the same manner as such students are served in other public schools (Education Code 47646, 56145).
13. Will comply with the requirement set forth in Education Code section 47605(d)(3) that “[i]f a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school 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.”
14. Will adhere to all applicable provisions of federal law relating to students who are English language learners, including Title VI of the Civil Rights Act of 1964; the Equal Educational Opportunities Act of 1974; MGL c. 76, §5; and MGL c. 89, 71 § (f) and (l).
15. Will comply with the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g; 34 CFR Part 99).
16. Will comply with all other applicable federal and state laws and regulations, including the California Code of Regulations.
17. Will submit an annual report and annual independent audits to the OUSD Office of Charter Schools by all required deadlines.
18. Will maintain written contemporaneous records that document all pupil attendance and make these records available for audit and inspection, as required by Education Code section 47612.5(a)(2).
19. Will submit required enrollment data each March to the OUSD Office of Charter Schools.
20. Will comply with “[a]ll laws establishing minimum age for public school attendance,” as required by Education Code section 47610(c).
21. Will operate in compliance with generally accepted government accounting principles.
22. Will maintain separate accountings of all funds received and disbursed by the school.
23. Will participate in the California State Teachers’ Retirement System, and/or the California Public Employees’ Retirement System, and/or other retirement systems, as applicable.
24. Will obtain, keep current, and make available for inspection all necessary permits, licenses, and certifications related to fire, health and safety within the building(s) and on school property.
25. Require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing (CTC) equivalent to that which a teacher in other public schools would be required to hold under EC Section 47605(l).
26. Will at all times maintain all necessary and appropriate insurance coverage.
27. Will submit to the OUSD Office of Charter Schools the names, mailing addresses, and employment and



educational histories of proposed new members of the Board of Trustees prior to their service.

28. Will, in the event the Board of Trustees intends to procure substantially all educational services for the charter school through a contract with another person or entity, provide for approval of such contract by the Board of Education in advance of the beginning of the contract period.
29. Will require the Charter School Board to comply with the provisions of the Ralph M. Brown Act (California Government section Code 54950 et seq.)
30. Will comply with the provisions of the California Public Records Act (California Government Code section 6250 et seq.).
31. Will comply with Government Code section 1090 *et seq.* and the Political Reform Act (Government Code section 87100 *et seq.*)
32. Will provide financial statements that include a proposed first-year operational budget with start-up costs and anticipated revenues and expenditures necessary to operate the school, including special education; and cash-flow and financial projections for the first three years of operation.
33. Will provide to the Office of Charter Schools a school code of conduct, Board of Trustee bylaws, an enrollment policy, and an approved certificate of building occupancy for each facility in use by the school, according to the schedule set by the Office of Charter Schools but in any event prior to the opening of the school.
34. Will be located within the geographical boundaries of the District in locating its site, or otherwise comply with the requirements in Education Code section 47605 and 47605.1.
35. Will agree to defend, indemnify and hold harmless the District against any and all liability and claims arising out of the Charter School's acts, errors and omissions.
36. Follow the provisions of the McKinney-Vento Homeless Assistance Act of 1987 (42 U.S.C. ch. 119 § 11431 et seq.) and Education Code 48850-48859 to ensure that homeless students have access to the same free, appropriate public education, including public preschools, as provided to other children and youths.
37. Comply with the requirements of Education Code 48850-48859 regarding the enrollment and placement of foster youth (Education Code 48853.5, 48859)
38. If the school offers a transitional kindergarten program: (Education Code 48000)
 - a. Comply with the age requirement for transitional kindergarten (students whose fifth birthday is from September 2 through December 2.)
 - b. Ensure that any credentialed teacher first assigned to teach a TK class after July 1, 2015 meets the qualifications specified in Education Code 48000(g) by August 1, 2020
39. Provide annual training on child abuse and neglect reporting requirements to employees and persons working on the school's behalf who are mandated reporters, within the first six weeks of each school year or within six weeks of employment (Education Code 44691).
40. The charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with [Section 3540 of Division 4 of Title 1 of the Government Code](#), and shall meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)



41. Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school (Education Code 47612.5)
42. If the school serves high school students, submit to the Student Aid Commission, for use in the Cal Grant program, the grade point average (GPA) of all students in grade 12 and verification of high school graduation or its equivalent for students who graduated in the prior academic year. However, such information shall not be submitted when students opt out or are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92.)
43. Develop a transportation safety plan that includes procedures to ensure that a student is not left unattended on a school bus, student activity bus, youth bus, or child care motor vehicle and procedures and standards for designating an adult chaperone, other than the driver, to accompany students on a school activity bus (Education Code 39831.3.)
44. Provide reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding (Education Code 222).
45. If the school chooses to make an opioid antagonist available to persons suffering, or reasonably believed to be suffering, from an opioid overdose, comply with the requirements of Education Code 49414.3, including, but not limited to, providing training to personnel who volunteer to administer the opioid antagonist
46. Promptly respond to all reasonable inquiries from the district, the county office of education, or the SPI, including, but not limited to, inquiries regarding the school's financial records (Education Code 47604.3)
47. Post specified information related to the prohibition against discrimination under Title IX of the Education Amendments of 1972 in a prominent and conspicuous location on the school web site or on the web site of the charter operator (Education Code 221.61).
48. Adopt and implement uniform complaint procedures to resolve complaints of unlawful discrimination or alleged violation of a state or federal law or regulation governing educational programs, in accordance with 5 CCR 4600-4670 (5 CCR 4600).
49. Annually adopt a school accountability report card (Education Code 47612; California Constitution, Article 16, Section 8.5).
50. Ensure the availability and proper use of emergency epinephrine auto-injectors by:
(Education Code 49414)
 - a. Providing school nurses or other voluntary, trained personnel with at least one regular and one junior device for elementary schools and, for secondary schools, one regular device if there are no students who require a junior device
 - b. Distributing a notice at least once per school year to all staff requesting volunteers and describing the training that volunteers will receive
 - c. Providing defense and indemnification to volunteers for any and all civil liability from such administration
51. Not hire any person who has been convicted of a violent or serious felony except as otherwise provided by law, and, if the school contracts with an entity for specified services, verify that any employee of that entity who will have contact with students has had a criminal background check (Education Code 44830.1, 45122.1, 45125.1)
52. If the school provides independent study, meet the requirements of Education Code 51745-51749.3, except that the school may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education Code 47612.5, 51747.3; 5 CCR 11705).



53. Provide students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications (Education Code 48907, 48950.)

Carla Victor
Signature

11/12/19
Date

Carla Victor
Print Name



Roses in Concrete Community School

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Oakland, CA 94619
510-698-3794

www.rosesinconcrete.org
community@rosesinconcrete.org



November 12, 2019
Via: Email and U.S. Mail
sonali.muraka@ousd.org

Sonali Muraka, Director
Office of Charter Schools
Oakland Unified School District
1000 Broadway, 3rd Floor, Suite 398
Oakland, CA 94607

RE: Roses in Concrete Substantial Compliance with Oakland Unified School District Statement of Assurances.

Dear Director Muraka:

According to Oakland Unified School District's ("OUSD" or the "District") *Charter Renewal Handbook 2019-20*, the District includes among its "Charter Renewal Submission Requirements" the requirement that a charter school submit a "Signed Statement of Assurances." Without conceding that this requirement for the renewal of a charter school is authorized pursuant to the Charter Schools Act of 1992 (Education Code Section 47600 *et seq.*) or its implementing regulations, Roses in Concrete ("RiC") acknowledges that this Signed Statement of Assurances was not included in its petition for charter renewal submitted on October 23, 2019.

However, following a thorough review of the Statement of Assurances, RiC has determined that the charter petition itself includes nearly all of the assurances included therein and is in substantial compliance of the District's policy. The following matrix includes each of the assurances deemed "potentially missing" by the Charter Schools Office and the language, including referenced page number, where the potentially missing assurance, or a legal equivalent, can be located. In the places in which the Charter School concedes the assurance is not included, the Charter School either provides a commitment to agree to the assurance as a condition of renewal or provides an explanation as to why the assurance is not applicable to the Charter School.

5. Will not exclude admission based on the student's or parent's/guardian's place of residence, except that a conversion school shall give admission preference to students who reside within the former attendance area of the public school.

"Except as required by Education Code Section 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State." (p. 10)

10. Will comply with the conditions of apportionment set forth in Education Code section 47612(b) that average daily attendance not be generated by a pupil who is not a California resident, and that "a pupil over 19 years of age shall be continuously enrolled in public school and make satisfactory progress towards award of a high school diploma," to remain eligible for generating charter school apportionments.

"The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Sections 47612(b) and 47610]" (p. 11).



11. Will provide to the Office of Charter Schools information regarding the proposed operation and potential effects of the school, including, but not limited to, the facilities to be used by the school, including where the school intends to locate, the manner in which administrative services will be provided, and potential civil liability effects, if any, upon the school and authorizing board.

Miscellaneous Charter Requirements (pp. 172 – 175).

14. Will adhere to all applicable provisions of federal law relating to students who are English language learners, including Title VI of the Civil Rights Act of 1964; the Equal Educational Opportunities Act of 1974; MGL c. 76, §5; and MGL c. 89, 71 § (f) and (I).

As a threshold matter, Massachusetts General Law does not apply to California charter schools. The following language provides an equivalent assurance consistent with California and federal law.

“Roses in Concrete will meet all legal requirements for English Learners, including long-term English Learners or English Learners at risk of becoming long-term English Learners, as they pertain to annual notification of parents, student identification, EL and core content instruction, teacher qualifications, reclassification to fluent English proficient status, monitoring, training, and standardized test requirements. Roses in Concrete will meet all requirements of federal and state law relative to equal access to the curriculum for ELs.” (p. 76).

16. Will comply with all other applicable federal and state laws and regulations, including the California Code of Regulations.

“[T]he Charter School will follow any and all federal, state, and local laws and regulations that apply to the Charter School,” (p. 10).

17. Will submit an annual report and annual independent audits to the OUSD Office of Charter Schools by all required deadlines.

“A copy of the annual audit will then be forwarded to OUSD, the Alameda County Superintendent of Schools, the State Controller, and the CDE by December 15th of each year.” (p.136).

19. Will submit required enrollment data each March to the OUSD Office of Charter Schools.

“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; ... March 1 – Second Interim Financial Report for Current Year” (p.174).

21. Will operate in compliance with generally accepted government accounting principles.

“The books and records of Roses in Concrete will be kept in accordance with generally accepted accounting principles,” (p. 136).

22. Will maintain separate accountings of all funds received and disbursed by the school.

“The books and records of Roses in Concrete will be kept in accordance with generally accepted accounting principles,” (p. 136).

23. Will participate in the California State Teachers’ Retirement System, and/or the California Public Employees’ Retirement System, and/or other retirement systems, as applicable.

“All eligible certificated staff at Roses in Concrete shall be covered by the State Teachers’ Retirement System (“STRS”) and all eligible classified staff shall participate in the Public Employees’ Retirement System (“PERS”).” (p. 160).



24. Will obtain, keep current, and make available for inspection all necessary permits, licenses, and certifications related to fire, health and safety within the building(s) and on school property.

“Roses in Concrete complies with Education Code Section 47610 by utilizing facilities that are either compliant with the Field Act or facilities that are compliant with the California Building Standards Code. If OUSD facilities are used during the term of this charter, Roses in Concrete shall abide by all OUSD policies relating to Maintenance and Operations Services.” (p.124).

27. Will submit to the OUSD Office of Charter Schools the names, mailing addresses, and employment and educational histories of proposed new members of the Board of Trustees prior to their service.

While this statement is not made in the charter directly, this process is assured by reading the following provisions together.

“The Roses in Concrete Governance Committee will present potential Board members and officers for election by the Board of Directors. This list will be presented at the annual meeting of the Board, although additional members may also be added between annual meetings if deemed necessary by the Governance Committee and approved by a vote of the Board.” (p.102); and

“RiC shall send to the OCS copies of all governing board meeting agendas at the same time that they are posted in accordance with the Brown Act.” (p.99).

28. Will, in the event the Board of Trustees intends to procure substantially all educational services for the charter school through a contract with another person or entity, provide for approval of such contract by the Board of Education in advance of the beginning of the contract period.

The RiC charter does not include this provision, and RiC does not expect this provision to be relevant to RiC. However, RiC is willing to agree to this assurance as a condition for charter renewal.

33. Will provide to the Office of Charter Schools a school code of conduct, Board of Trustee bylaws, an enrollment policy, and an approved certificate of building occupancy for each facility in use by the school, according to the schedule set by the Office of Charter Schools but in any event prior to the opening of the school.

“Roses in Concrete agrees to permit the District to inspect and receive copies of all records relating to the operation of the Charter School, including financial, personnel, and pupil records.” (p.173).

37. Comply with the requirements of Education Code 48850-48859 regarding the enrollment and placement of foster youth (Education Code 48853.5, 48859)

“RIC shall comply with all applicable provisions of Education Code sections 48850 – 48859 with respect to foster children and homeless youth.” (p.131.)

39. Provide annual training on child abuse and neglect reporting requirements to employees and persons working on the school's behalf who are mandated reporters, within the first six weeks of each school year or within six weeks of employment (Education Code 44691).

“The Charter School shall provide mandated reporter training to all employees annually in accordance with Education Code Section 44691.” (p. 126).

42. If the school serves high school students, submit to the Student Aid Commission, for use in the Cal Grant program, the grade point average (GPA) of all students in grade 12 and verification of high school graduation or its equivalent for students who graduated in the prior academic year. However, such information shall not be submitted when students opt out or are permitted by the



rules of the Student Aid Commission to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92.)

“The Charter School will follow any and all federal, state, and local laws and regulations that apply to the Charter School.” (p.10).

43. Develop a transportation safety plan that includes procedures to ensure that a student is not left unattended on a school bus, student activity bus, youth bus, or child care motor vehicle and procedures and standards for designating an adult chaperone, other than the driver, to accompany students on a school activity bus (Education Code 39831.3.)

“... RiC shall meet the requirements of Education Code section 39831.3 with respect to any transportation services provided to or from school or a school activity.” (p. 121).

44. Provide reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding (Education Code 222).

“The Charter School will follow any and all federal, state, and local laws and regulations that apply to the Charter School.” (p. 10).

45. If the school chooses to make an opioid antagonist available to persons suffering, or reasonably believed to be suffering, from an opioid overdose, comply with the requirements of Education Code 49414.3, including, but not limited to, providing training to personnel who volunteer to administer the opioid antagonist.

“The Charter School will follow any and all federal, state, and local laws and regulations that apply to the Charter School.” (p.10).

46. Promptly respond to all reasonable inquiries from the district, the county office of education, or the SPI, including, but not limited to, inquiries regarding the school's financial records (Education Code 47604.3)

“In accordance with Education Code Section 47604.3, Roses in Concrete will promptly respond to all reasonable inquires of the chartering agency. RiC recognizes the right of the chartering agency to inspect or observe any part of RiC at any time.” (p. 174).

47. Post specified information related to the prohibition against discrimination under Title IX of the Education Amendments of 1972 in a prominent and conspicuous location on the school web site or on the web site of the charter operator (Education Code 221.61).

“RIC shall comply with the requirements of Education Code section 221.61 with respect to posting information regarding the filing complaints under Title IX...” (P.163.)

48. Adopt and implement uniform complaint procedures to resolve complaints of unlawful discrimination or alleged violation of a state or federal law or regulation governing educational programs, in accordance with 5 CCR 4600-4670 (5 CCR 4600).

“Roses in Concrete has developed a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at Roses in Concrete (including employee-to-employee, employee-to -student, and student-to-employee misconduct).” (p. 127).

49. Annually adopt a school accountability report card (Education Code 47612; California Constitution, Article 16, Section 8.5).

“We will produce a School Accountability Report Card (SARC) each academic year to report required school data to our authorizing agency, parents, the Board, and the community at large.” (p.95).



50. Ensure the availability and proper use of emergency epinephrine auto-injectors by:
(Education Code 49414)

- a. Providing school nurses or other voluntary, trained personnel with at least one regular and one junior device for elementary schools and, for secondary schools, one regular device if there are no students who require a junior device
- b. Distributing a notice at least once per school year to all staff requesting volunteers and describing the training that volunteers will receive
- c. Providing defense and indemnification to volunteers for any and all civil liability from such administration

“The Charter School will adhere to Education Code Section 49414 regarding epinephrine auto-injectors and training for staff members.” (p. 125).

51. Not hire any person who has been convicted of a violent or serious felony except as otherwise provided by law, and, if the school contracts with an entity for specified services, verify that any employee of that entity who will have contact with students has had a criminal background check (Education Code 44830.1, 45122.1, 45125.1)

“The Charter School shall not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law, pursuant to Education Code Sections 44830.1 and 45122.1.” (p.123).

and

“Employees and contractors of RiC will be required to submit to a criminal background check and furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1.” (p. 123)

52. If the school provides independent study, meet the requirements of Education Code 51745-51749.3, except that the school may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education Code 47612.5, 51747.3; 5 CCR 11705).

Roses in Concrete does not provide independent study.

53. Provide students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications (Education Code 48907, 48950.)

“The Charter School will follow any and all federal, state, and local laws and regulations that apply to the Charter School.” (p.10).

If you have any questions about any of the provisions included or would like to further discuss the charter submission, I am happy to discuss at any time. We look forward to a collegial renewal process as we join together to provide an excellent public school opportunity for the children of Oakland.

Sincerely,



Carla Victor
Head of School, Roses in Concrete





ROSES IN CONCRETE

PETITION FOR K-8 CHARTER
For the term July 1, 2020 to June 30, 2025

SUBMITTED TO:
OAKLAND UNIFIED SCHOOL DISTRICT
October 23, 2019

SUBMITTED BY:
Carla Victor - Lead Petitioner

TABLE OF CONTENTS

TABLE OF CONTENTS	2
EXECUTIVE SUMMARY	4
AFFIRMATION AND DECLARATION	10
ELEMENT 1: EDUCATIONAL PROGRAM	13
I. MISSION	15
II. VISION	15
III. TARGETED STUDENT POPULATION AND ENROLLMENT PLAN	16
A. <i>Demographics of the School Population</i>	16
B. <i>Meeting the Needs of Our Target Population</i>	17
IV. 21 ST CENTURY EDUCATION	21
V. HOW LEARNING BEST OCCURS	24
VI. CURRICULUM AND INSTRUCTIONAL DESIGN	30
A. <i>Learning Environment</i>	30
B. <i>Instructional Approach</i>	35
C. <i>Proposed Schedule and Academic Calendar</i>	45
D. <i>Culturally and Community Responsive Curriculum Design</i>	45
VII. GOALS AND ACTIONS TO ACHIEVE THE STATE PRIORITIES	57
VIII. PLAN FOR ACADEMICALLY HIGH ACHIEVING STUDENTS	65
IX. PLAN FOR ACADEMICALLY LOW-ACHIEVING STUDENTS	66
X. PLAN FOR STUDENTS WITH DISABILITIES	68
A. <i>Overview</i>	68
B. <i>State and Federal Law</i>	69
C. <i>SELPA</i>	69
D. <i>Referral for Assessment</i>	70
E. <i>Assessment Process</i>	70
F. <i>Development and Implementation of IEP</i>	71
G. <i>IEP Review Process & Reporting</i>	73
H. <i>Professional Development for All Staff</i>	73
I. <i>Staffing</i>	74
J. <i>Due Process, Procedural Safeguards, & Reporting</i>	74
K. <i>Section 504 of the Rehabilitation Act</i>	74
XI. PLAN FOR ENGLISH LEARNERS/EMERGING BILINGUAL STUDENTS	76
A. <i>Student Identification</i>	77
B. <i>Implementation of Dual Language Immersion</i>	77
C. <i>Strategies and Practices for English Learners:</i>	80
D. <i>Assessment, Monitoring, and Exit or Re-designation Criteria for Students</i>	80
E. <i>Metrics for Progress of Emerging Bilingual Learners</i>	81
F. <i>English Learner Advisory Committee</i>	81
ELEMENT 2: MEASURABLE PUPIL OUTCOMES	83
ELEMENT 3: METHODS OF STUDENT ASSESSMENT	91
A. <i>Local Control Accountability Plan ("LCAP")</i>	96

B. Grading	96
C. Report Cards	97
ELEMENT 4: GOVERNANCE	99
I. GOVERNANCE STRUCTURE	101
II. BOARD OF DIRECTORS	101
A. Directors	101
B. Governance Training	104
C. Conflict of Interest	104
III. OPERATING PLAN	104
A. Board Duties	105
B. Board Delegation of Duties	106
C. Meetings, Notices and Selection Process	106
D. Board Officers	106
IV. SHARED GOVERNANCE COUNCIL	107
A. Composition of the Shared Governance Council	107
B. Functions and Responsibilities	107
C. Committees	108
V. PARENTAL AND COMMUNITY INVOLVEMENT	109
VI. LEADERSHIP ROLES	110
ELEMENT 5: EMPLOYEE QUALIFICATIONS	113
I. ORGANIZATIONAL STRUCTURE	114
II. HIRING PROTOCOL	114
A. Staff Recruitment and Selection Process	114
B. Record keeping and Minimization of Use of Emergency Credentialed Teachers	115
C. Personnel Policies	115
III. EMPLOYEE QUALIFICATIONS	115
A. Leadership Qualifications	116
B. Teacher Qualifications	117
IV. COLLECTIVE BARGAINING AGREEMENT	118
V. PERFORMANCE EVALUATION	118
ELEMENT 6: HEALTH AND SAFETY	120
I. BACKGROUND CHECKS	123
II. FACILITY SAFETY	123
III. HEALTH SAFETY	125
ELEMENT 7: MEANS TO ACHIEVE RACIAL AND ETHNIC BALANCE	128
I. RECRUITING FOR RACIAL AND ETHNIC BALANCE	128
II. ACHIEVING RACIAL AND ETHNIC BALANCE	129
ELEMENT 8: ADMISSION POLICIES AND PROCEDURES	130
I. OPEN ENROLLMENT PROCESS	132
II. DUAL LANGUAGE PROGRAM	133
A. Overview	133
B. Eligibility	133

III.	ADMISSION PREFERENCES	133
IV.	PROCEDURES	135
	A. <i>Public Random Drawing</i>	135
	B. <i>Waitlist</i>	135
	C. <i>Record Keeping</i>	135
ELEMENT 9: INDEPENDENT FINANCIAL AUDIT		136
ELEMENT 10: SUSPENSION AND EXPULSION POLICY AND PROCEDURES		137
I.	DISCIPLINE PROCEDURES	139
II.	SUSPENSION & EXPULSION POLICY	140
	A. <i>Grounds for Suspension and Expulsion of Students</i>	141
	B. <i>Enumerated Offenses</i>	142
	C. <i>Suspension Procedure</i>	150
	D. <i>Authority to Expel</i>	151
	E. <i>Expulsion Procedures</i>	152
	F. <i>Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses</i>	152
	G. <i>Record of Hearing</i>	154
	H. <i>Presentation of Evidence</i>	154
	I. <i>Written Notice to Expel</i>	154
	J. <i>Disciplinary Records</i>	155
	K. <i>No Right to Appeal</i>	155
	L. <i>Expelled Pupils/Alternative Education</i>	155
	M. <i>Rehabilitation Plans</i>	155
	N. <i>Readmission</i>	155
	O. <i>Notice to Teachers</i>	156
	P. <i>Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities</i>	156
ELEMENT 11: STAFF RETIREMENT SYSTEM		160
ELEMENT 12: PUBLIC SCHOOL ATTENDANCE ALTERNATIVES		161
ELEMENT 13: EMPLOYEE RETURN RIGHTS		162
ELEMENT 14: DISPUTE RESOLUTION FOR SCHOOL-AUTHORIZER ISSUES		163
ELEMENT 15: PROCEDURES FOR SCHOOL CLOSURE		166
MISCELLANEOUS CHARTER REQUIREMENTS		172
I.	INSURANCE	172
II.	ADMINISTRATIVE SERVICES	172
III.	SCHOOL ACCOUNTABILITY REPORT CARD	172
IV.	FACILITIES	172
V.	ATTENDANCE ACCOUNTING	173
VI.	REPORTING	173
VII.	POTENTIAL CIVIL LIABILITY EFFECTS	173
VIII.	IMPACT ON CHARTER AUTHORIZER	174
IX.	FEDERAL FUNDS COMPLIANCE	175
X.	CHARTER TERM	175

EXECUTIVE SUMMARY

MISSION

The Roses in Concrete (“RiC”) is a K-8 charter school in East Oakland founded on the belief that schools should emphasize knowledge of self, character, and intellectual growth to prepare students to fundamentally impact the global society while learning to live, learn, work and thrive in their own communities.

Our principal goal is to develop youth committed to lives characterized by self-discipline, integrity, love and hope in the pursuit of justice and equity for all communities. We encourage our students, who are broadly invested in academic, artistic, athletic, and extracurricular pursuits, to demonstrate the spirit of the Warrior-Scholar¹. As Warrior-Scholars, our students will cultivate the courage to stand as warriors on the side of justice while having the scholarly faculties to decipher where justice resides in a complex society.

“ROSES IN CONCRETE”

The name of Roses in Concrete was inspired by a book of poetry based on the writings of Tupac Shakur released in 1999, *The Rose That Grew from Concrete*. This vivid image captures the need to celebrate the tenacity and will of the rose that against-all-odds, finds a way to grow in the inhospitable and toxic environment of the concrete.

Our country continues to be risk of losing an entire generation of young people in urban centers who feel trapped in “the concrete”—a vicious cycle of poverty, violence, hopelessness and despair. Rather than continually investing in models that try to save the “deserving few” who can escape from these communities, we need solutions that can help the vast majority overcome these toxic conditions to become the responsible and productive adults that will eliminate those conditions. By creating a sustainable community, centered around a school that gives students and families love, security, nourishment, care, and education, we can create a model of success and revitalization that reverses decades of disinvestment.

RiCs believe that the point of education is not to *escape* poverty. The point of education is to *end* poverty. We can do this by cultivating new generations of Warrior-Scholars who understand the importance of developing careers and returning to vulnerable communities, like East Oakland, to invest and serve as community leaders. At RiC, we partner with community partners and institutions of higher learning that have traditionally worked in silos, so that we can *dig in the same ground together* to bust up the concrete. Instead of designing a model that plucks out the individual roses that find their way through the few cracks in the concrete, Roses in Concrete will break up the concrete so that *entire* rose gardens can blossom in our highest need neighborhoods.

¹ The Warrior-Scholar is a concept borrowed from a 15th Century Japanese text, which articulates the Warrior-Scholar as the “highest form of humanity” because such a person has cultivated the courage to stand on the side of justice while having the intellectual faculties to decipher where justice resides in a complex society.

TARGET STUDENT POPULATION AND APPROACH TO ADDRESSING NEEDS

In 2015, the founding team of RiC collaborated with the Alameda County Public Health Department to identify the boundaries of Oakland's highest need neighborhoods and to determine specific demographic data of families living in those communities. The results indicated a need to focus on the East Oakland neighborhoods bounded by High Street, Interstate 880, 106th Avenue and Interstate 580, where a compounding of negative socioeconomic health factors plagued the community, including:

- uncommonly high rates of teen birth (69.8%),
- premature deaths, families led by single mothers (41%),
- little education (36.4% with less than high school education),
- unemployment (13.2%) and
- poverty (41.1% children living in poverty).

The racial/ethnic mix of this area of East Oakland is predominantly Latino (47.5%) and African American (38.1%). Asian Americans and Pacific Islanders combined represent 7.3% of this area's population. A community-responsive school located in this region would benefit not only the children, but also the surrounding community.

Drawing from RiC's founder's two decades of research and practice in teaching OUSD's highest need students, the Charter School knows that learning best occurs by connecting Abraham Maslow's "Hierarchy of Needs" with RiC's five thematic elements of effective practice (5R's): Resources, Relationships, Relevancy, Rigor, and Responsibility.

The Figure 1.1 and Table 1.1 below illustrate how these five core elements of school culture and instruction mesh with Maslow's five levels of human need. Level 1 is the foundational level, the entry point--the concrete. Students will rise, level by level, until they reach Level 5, and blossom. This approach cultivates students that become Warrior-Scholars; a new generation of community members who understand their individual and collective responsibility to be warriors for the cause of equity and justice in our community and the broader global society.

Figure 1.1 Strategies to Meet the Needs of Target Population

The Roses in Concrete Community School responds to the hierarchy of our Students' Needs using the "5R's."



LEVEL 5 NEED: SELF-ACTUALIZATION

RiC 5R RESPONSE: RESPONSIBILITY

APPROACH: Model and encourage students to live as Warrior-Scholars responsible to Self, family, community and our world.

LEVEL 4 NEED: ACCOMPLISHMENT

RiC 5R RESPONSE: RIGOR

APPROACH: Offer highly rigorous academic, athletic and artistic environments coupled with high levels of support resulting in hard won successes for each student.

LEVEL 3 NEED: SELF-ESTEEM

RiC 5R RESPONSE: RELEVANCY

APPROACH: Introduce curriculum, pedagogy and school culture that are community and culturally responsive; teach knowledge of Self, self-love and hope.

LEVEL 2 NEED: LOVE & BELONGING

RiC 5R RESPONSE: RELATIONSHIPS

APPROACH: Create school and classroom cultures that are community responsive, inclusive and embracing of the whole child.

LEVEL 1 NEED: PHYSIOLOGICAL & SAFETY

RiC 5R RESPONSE: RESOURCES

APPROACH: Offer secure access to food, clothing, shelter, physical and psychological safety.

Table 1.1 RiC Hierarchy of Needs and Strategies to Address Those Needs

STUDENT NEEDS	RiC'S "5R's" RESPONSE	STRATEGIES/ACTIONS	OUTCOMES	METRICS
LEVEL 1: Physiological and Safety Needs	<i>RESOURCES</i>	Identify basic needs through invested relationships with families, students, and the community (home visits, observations, active community presence, robust community agency partnerships).	Students' basic needs are met (i.e., food, clothing, shelter, and safety).	Teaching Excellence Network ("TEN") Feedback Loop Data; Teacher/Administrator Observation
LEVEL 2: Love & Belonging Needs	<i>RELATIONSHIPS</i>	Looping. Community Council. Intensive involvement in student lives and community during and after school hours. Culturally and community responsive educators.	Students feel included and cared for; can identify at least one adult on campus that they can go to for immediate support.	TEN Feedback Loop Data; Teacher/Administrator Observation
LEVEL 3: Self-esteem Needs	<i>RELEVANCY</i>	Culturally and community-responsive curriculum and pedagogy and Social Emotional Learning ("SEL"). Use of TEN Priorities Survey and Feedback Loops. Community and university partnerships.	Students understand and articulate their own value and cultural history.	TEN Feedback Loop Data; Teacher/Administrator Observation
LEVEL 4: Accomplishment Needs	<i>RIGOR</i>	Culturally and community-responsive curriculum and pedagogy aligned with State Standards, State Priorities, and Education Code. Rigorous pedagogy, high expectations for <i>all</i> students, consistent support.	Students feel comfortable and confident in any rigorous academic environment.	TEN Feedback Loop Data; Teacher/Administrator Observation; State Testing
LEVEL 5: Self-actualization	<i>RESPONSIBILITY</i>	Youth Participatory Action Research ("YPAR"). Community Council peer mentor structure.	Students reflect the spirit of the Warrior-Scholar, understand the importance of education in "social justice" and "returning to the Community"	TEN Feedback Loop Data; Teacher/Administrator Observation; Children's Hope Scale; State Testing

BENEFITS TO THE OAKLAND COMMUNITY

Roses in Concrete can serve as a stabilizing force in East Oakland offering a unique approach that is not currently present in the District while still serving one of the highest need communities in Oakland—a neighborhood where very few schools (traditional public, private or charter) have been successful in serving all children

Roses in Concrete has created *laboratory school* agreements with San Francisco State University, Stanford University, the University of California, Berkeley, the University of San Francisco, and Mills College to develop curriculum, pedagogy, and teaching apprenticeships, and training practicing educators that will work more effectively with urban students. By doing so, RiC aims to provide a permanent source of multi-year apprenticeships to create a pipeline of exceptionally well-trained urban school administrators and teachers, with an emphasis on candidates of color and bilingual candidates.

Though its educational model, Roses in Concrete will cultivate a pipeline of Oakland youth who go away to college and come *back* to Oakland. Through RiC's educational approach and focus on racial, social, and environmental justice, students are imbued with the sensibility and commitment to serve in our highest need neighborhoods. They will become community leaders and role models for other urban youth for generations to come in Oakland and beyond.

Roses in Concrete aims to bring national and international recognition to Oakland as the site of a 21st century model of urban education, family engagement, and teacher recruitment, development and support. To date, RiC has hosted over 70 organizations from around the country on learning tours of the Charter School and has subsequently developed over a dozen on-going learning partnerships with those visitors, including Association of California School Administrators ("ACSA") for which RiC was the site of an ACSA Equity institute that convened school leaders from around the county and region with a focus on developing more equitable practices in the areas of school climate, curriculum, teaching and learning.

AFFIRMATION AND DECLARATION

As the authorized lead petitioner, I, Carla Victor, hereby certify that the information submitted in this petition for the renewal of a California public charter school named Roses in Concrete ("RiC" or the "Charter School"), operated by Roses in Concrete (the "Nonprofit") and located within the boundaries of the Oakland Unified School District ("OUSD" or the "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 renewal, the Charter School will follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

- The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- The Charter School declares that it shall be deemed the exclusive public school employer of the employees of Rose in Concrete for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(6)]
- The Charter School shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall admit all students who wish to attend the Charter School, and who submit a timely application; unless the Charter School receives a greater number of applications than there are spaces for students, in which case it will hold a public random drawing to determine admission. Except as required by Education Code Section 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B)(i)-(iv). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C). [Ref. Education Code Section 47605(d)(2)(A)-(C)]
- The Charter School shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]
- The Charter School 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 Education Improvement Act of 2004.

- The Charter School 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)]
- The Charter School shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools is required to hold. As allowed by statute, flexibility will be given to noncore, noncollege preparatory teachers. [Ref. Education Code Section 47605(l)]
- The Charter School shall at all times maintain all necessary and appropriate insurance coverage.
- The Charter School 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, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the Charter School within 30 days if the Charter School demonstrates that the pupil had been enrolled in the Charter School. [Ref. Education Code Section 47605(d)(3)]
- The Charter School may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School. [Ref. Education Code Section 47605(n)]
- The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Education Code Section 47612.5(a)(2)]
- The Charter School shall, on a regular basis, consult with its parents and teachers regarding the Charter School's educational programs. [Ref. Education Code Section 47605(c)]
- The Charter School shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. Education Code Sections 47605 and 47605.1]
- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Sections 47612(b) and 47610]
- The Charter School shall comply with all applicable portions of the Elementary and Secondary Education Act ("ESEA"), as reauthorized and amended by the Every Student Succeeds Act ("ESSA").
- The Charter School shall comply with the Public Records Act.

- The Charter School shall comply with the Family Educational Rights and Privacy Act.
- The Charter School shall comply with the Ralph M. Brown Act.
- The Charter School shall comply with Government Code Section 1090, *et seq.*, as set forth in Education Code Section 47604.1.
- The Charter School shall comply with the Political Reform Act.
- The Charter School shall meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]

Carla Victor

October 22, 2019

ELEMENT 1: EDUCATIONAL PROGRAM

1. Annual Goals for All Pupils and Subgroups of Pupils in the State Priorities

DRL: "Under Education Code section 47605(b)(5)(A)(ii), Roses in Concrete ("RiC" or "Charter School") sets forth the following pupil outcomes related to annual academic achievement goals, set and disaggregated by all numerically significant subgroups as defined in Education Code section 52052(including race/ethnicity, socio-economic status (SES), English Learner status, and Special Education designations), in the state priorities that apply for the grade levels served or the nature of the program operated, as well as the specific annual actions to achieve those goals. RiC further sets forth any additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those additional goals as follows:

See section 1.VII for Goals and Annual Actions aligned to state priorities.

2. Local Control Accountability Plan (LCAP)

DRL: "RiC shall annually submit a Local Control and Accountability Plan (LCAP)/annual update to the Office of Charter Schools on or before July 1, in accordance with Education Code section 47604.33. In accordance with Education Code section 47606.5, RiC shall annually update its goals and annual actions to achieve those goals identified in the charter pursuant to Education Code section 47605(b)(5)(A)(ii), using the Local Control and Accountability Plan template adopted by the State Board of Education, as it may be changed from time to time, including but not limited to the following:

- A review of the progress towards the goals included in the charter, an assessment of the effectiveness of specific actions toward achieving those goals, and a description of the changes to the specific actions the charter school will make as a result of the review and assessment.*
- Listing and description of the expenditures for the fiscal year in implementing the specific actions included in the charter as a result of the reviews and assessments, classified using the California School Accounting Manual.*
- To the extent practicable, data shall be reported in a manner consistent with how information is reported on the California School Dashboard.*
- RiC shall comply with all other requirements of Education Code section 47606.5, including but not limited to the requirement that RiC "shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the annual update. (Ed. Code § 47606.5(e).)"*

3. Western Association of Schools and Colleges (WASC) Accreditation

DRL: "If RiC serves students in grades 9-12, RiC shall obtain Western Association of Schools and Colleges (WASC) accreditation before RiC graduates its first class of students."

4. Mathematics Placement Policy

DRL: "If RiC serves ninth grade, RiC shall comply with the requirements of Education Code section 51224.7 with respect to implementing a fair, objective and transparent mathematics placement policy for pupils entering the ninth grade."

5. Student Enrollment and Grade Levels Served

DRL: "For the term of the Charter, RiC projects the following grade levels and enrollment:

Grade Level	2020-21	2021-22	2022-23	2023-24	2024-25
TK	0	0	0	0	0
K	44	44	44	44	44
1	44	44	44	44	44
2	44	44	44	44	44
3	26	44	44	44	44
4	26	26	44	44	44
5	26	26	26	44	44
6	26	26	26	26	44
7	26	26	26	26	26
8	26	26	26	26	26
9	0	0	0	0	0
10	0	0	0	0	0
11	0	0	0	0	0
12	0	0	0	0	0
Other	0	0	0	0	0
Total	288	306	324	342	360

RiC acknowledges that it is the position of the District that any deviation from the grade levels listed above served above shall be considered a material revision of the Charter under Education Code section 47607(a). Further, any increase in enrollment exceeding either 5% or 20 students of the total enrollment, shall be considered a material revision of the Charter under Education Code section 47607(a)."

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

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

the school priorities, and the specific annual actions to achieve those goals. Education Code Section 47605(b)(5)(A)(ii).

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

I. Mission

Roses in Concrete's primary goal is to develop youth committed to lives characterized by self-discipline, integrity, love and hope in the pursuit of justice and equity for all communities.

II. Vision

The vision of Roses in Concrete to create is a model of education that no longer requires urban youth and families to escape their communities in order to live, learn, work, and thrive. We believe that a well-resourced state-of-the-art school complex, built with justice and equity at the core of its philosophy and practice, is a central component in breaking the vicious cycle of poverty, racism, violence, and hopelessness facing many students and families in our most economically-deprived neighborhoods.

We believe that learning best occurs when students and their families feel a sense of safety, stability and agency. Based on the concept that schools should be centers of health in our community, we intend to provide an environment that addresses our community's basic physiological and safety needs by training and supporting staff and faculty to be responsive to those needs, and by developing meaningful partnerships that are able to fill basic needs gaps for our students and their families; providing food, shelter, medical care and counseling to secure the baseline conditions that promote academic achievement, creativity, hope and community health.

In addition, role models of school success who understand the challenges of growing up in under-resourced communities are critically important in motivating students to dedicate the time and effort needed to attain high standards of academic performance. Many students in Oakland's highest need neighborhoods lack real-life evidence that studying hard and going to college will lead to a better life for them in the future. We address this by recruiting, hiring and training educators who come from similar socio-economic, linguistic, and racial backgrounds and communities so that their daily presence in the lives of students begins to fill that gap. By recruiting and developing staff that have a deeper understanding of the challenges of growing up in poverty, RiC is able to motivate students to become lifelong learners with the knowledge, skills and habits of mind necessary to

succeed in the 21st century. The message to our students centers around the importance of developing careers and returning to vulnerable communities like East Oakland to invest and serve as community leaders.

To translate our vision into the context of school and classroom, we align our practice with Abraham Maslow’s “Hierarchy of Needs”, as referenced in the “Executive Summary” section (see a detailed explanation of this relationship in “How Learning Best Occurs”). To do this, we center our vision for instruction and school culture around “Five R’s” (Resources, Relationships, Relevancy, Rigor, and Responsibility). These five strategies are designed to cultivate students who understand their individual and collective responsibility to be warriors for the cause of equity and justice in our community and the broader global society. As Warrior-Scholars our students will understand that to fully realize their potential impact in society, they must also be extraordinary scholars.

III. Targeted Student Population and Enrollment Plan

Roses in Concrete opened in Fall 2015 and is now a fully-grown K-8 community. Table 1.2 outlines the Charter School’s projected enrollment for the charter term.

Table 1.2. Enrollment Plan for Charter Term

Grade	2020-21	2021-22	2022-23	2023-24	2024-25
K	44	44	44	44	44
1	44	44	44	44	44
2	44	44	44	44	44
3	26	44	44	44	44
4	26	26	44	44	44
5	26	26	26	44	44
6	26	26	26	26	44
7	26	26	26	26	26
8	26	26	26	26	26
Total	288	306	324	342	360

A. Demographics of the School Population

Roses in Concrete focuses on serving the East Oakland community. This is a community profoundly affected by social and structural inequalities, and the pervasive multi-generational poverty and corresponding social ills that come with rampant disinvestment. Because of the high priority the Charter School places on community-responsiveness, RiC wanted to identify, understand, and serve the highest need neighborhoods of Oakland. In 2015, the founding board worked with Matt Beyer, Geographic Information Systems Epidemiologist of the Community Assessment, Planning, and Education (“CAPE”) division of the Alameda County Public Health Department to obtain specific demographic data about the East Oakland communities bounded by High Street, Interstate 880, 106th Avenue

and Interstate 580. Having a community-responsive school located in this region benefits not only the children, but also the surrounding community.

The racial and ethnic makeup of this area of East Oakland is predominantly Latino (47.5%) and African American (38.1%), and the Charter School population is reflective of those demographic groups. As is evidenced in Table 1.3 below, over the course of RiC's first charter term, the Charter School has effectively met the targeted demographic population.

Table 1.3 Demographics of Charter School Community

	2015-16	2016-17	2017-18	2018-19	2019-20
Asian	1.1%	.4%	.3%	0.0%	0%
Black or African American	32.8%	33.1%	45.6%	39.7%	29.25%
Filipino	1.1%	.7%	9%	1.1%	0%
Hispanic or Latino	39.8%	33.1%	40.9%	32.6%	12.80%
Native American or Alaskan Native	0.0	0.0	.3%	.3%	Less than 1%
Native Hawaiian or Pacific Islander	1.6%	1.1%	1.2%	1.9%	Less than 1%
White	2.2%	2.2%	1.8%	1.6%	0%
Two or More Races	7%	6.2%	8.8%	6.5%	53.71%
Race Not Reported	14.5%	23.3%	.3%	16.3%	0%
Homeless Students	0%	1.09%	4.41%	3.33%	1.75%
Foster Youth	0%	0%	0%	0%	1.31%
FRPM-Eligible/ Economically Disadvantaged	54.30%	72%	63.53%	56.5%	65%
English Learners	27.42%	18.54%	18.82%	14.7%	6.11%
Students with Disabilities	8.60%	6.18%	6.76%	9.2%	10.04%

B. Meeting the Needs of Our Target Population

1. Serving urban students living in poverty

There is extensive and conclusive research into the most effective practices with urban students living in poverty (Delpit, 2006; Perry, Steele & Hilliard, 2003; Valdes, 1996; Valenzuela, 1999). At the core of this research into effective practices in high poverty communities is the importance of developing school and classroom cultures that meet students and families where they are (Delpit, 2006; Perry, Steele & Hilliard, 2003; Valdes, 1996; Valenzuela, 1999), and design institutional and pedagogical practices that are directly responsive to those needs.

This idea of putting the child and the family at the center of school practices is not new. In fact, it dates back to the turn of the 20th Century with the work of scholars such as John Dewey (1902), Carter G. Woodson (1928), and W.E.B. DuBois, all of whom argued for

school and curriculum design to center the needs of the student and the family. Not long after their groundbreaking work, Maslow's "Hierarchy of Needs" (1943) emerged and remains the gold standard for developing community responsive practices in the nation's highest need communities. Maslow's work has recently been taken back up in the world's largest study into the core social indicators of healthy communities (Adelman, Smith, & Herbes-Sommers, 2009), reaffirming conclusions that have become widely accepted across fields such as social epidemiology, public health, medicine, and education for the past five decades.

At the heart of each of these paradigms and their recommendations is an understanding that young people, in their natural state, are self-actualizing. Moreover, the practice of self-actualization as a defining characteristic of successful students of color appears in seminal studies of the country's most successful students of color (Gandara & Contreras, 2010; Perry, Steele, & Hilliard, 2003). Core to our approach is our understanding that Herbert Kohl (1995) was right when he said, "children don't care what you know, until they know that you care". Thus, the center of our school's educational paradigm is rooted in deep and caring relationships with families and students. These relationships are informed by a profound and experiential understanding of the reality of life in the flatlands of Oakland.

Roses in Concrete implements an entire school-wide set of structures and practices focused on community-responsiveness. Guiding this work is our approach family and community engagement structures which center our families in the conversation about what is most important in the education that we provide to their children. The common language about what is most important is created by our *priorities surveys* which set the stage for ongoing engagement via regular home visits, active presence at community events, and consistent and meaningful parent engagement on school wide committees. Additionally, twice a year families and students are asked to evaluate our teachers on their performance, offering feedback on things that are working and practices that could be improved. This feedback acts as the guiding core for our entire coaching and development structure for teachers to ensure that our teachers are always developing practices that are responsive to the specific needs of the community we are serving.

2. Serving the children of East Oakland through community responsiveness.

RiC is well aware that the needs of its student population are pressing and profound. For this reason, the Charter School is designed with community responsiveness at its core. From its mission and vision, to pedagogical approach, to the design of our broader school culture RiC is focused on the cultivation of deep and meaningful relationships with students and families.

- *Our recruitment, hiring, and apprenticeship strategies* enables us to attract and retain staff that are racially, linguistically and culturally representative of the community we are serving. Beyond the obvious importance of having a staff that is reflective of the student body, the broader educational philosophy of the school is one that supports staff to be embedded in the community so that we are aware of the most pressing needs facing our students and families;

- We cultivate a culturally and community responsive approach to school and classroom culture ensuring that we meet the physiological, social, and academic needs of every child that joins our school community.
- We support a culturally and community responsive approach to staff development and engagement. We focus on cultivating urban teachers who are responsive to cultural and community needs through ongoing mentorships and professional development. We have a Shared Governance Structure that centers community members as leaders.
- We meet students at their level and guide them toward academic excellence with high levels of individual planning and support. Using a *looping model*, families and students get to work with the same teacher over multiple years, and develop mentoring relationships with caring and committed adults.
- We form *key strategic partnerships* with East Oakland community leaders and service providers to ensure that we are connecting students and families to basic needs security. Research is clear that there are a set of school and classroom-based practices that are consistently impactful in our nation's highest need communities (Duncan-Andrade, 2009). Our hiring and teacher training practices are attentive to these skills. In the event that we must hire educators that lack some of these prerequisite pedagogical skills, our professional development structure supports new educators in developing their craft. (See *Profession Development* section below for more detail.)
- Our school acts as a national model of urban teacher coaching and support, using a robust national network of experts and tools to develop every staff member that we hire, and to annually apprentice cohorts of future urban educators that we can draw from and place in other high need schools in Oakland. We have created laboratory school agreements with San Francisco State University, Stanford University, the University of California, Berkeley, the University of San Francisco, and Mills College to develop curriculum, pedagogy, and teaching apprenticeships, and develop practicing educators that will work more effectively with urban students.

Over RiC's charter term, the Charter School have developed deep partnerships with key providers that allow it to meet some of the most basic needs of its families and students. A list of Key Strategic Partners is outlined in Table 1.4. Through these partnerships RiC is better able to meet its community need by providing families and students access to the kind of wrap-around support services that allows them to spend greater amounts of their time and energy focused on academic progress.

Table 1.4 RiC Key Strategic Partners

Name	Organization	Basic Needs Met
Shawn Ginwright, Board Member Sandra Davis, East Oakland	The California Endowment	Health/wellness

Program Office Castle Redmond, CA Statewide Program Officer		
Antwi Akom, Executive Director	ISEEED	Sustainable Community Development; STEM Design and Implementation
Mehrnaz Boroumand Smith	Kilpatrick, Townsend & Stockton, LLP	Legal support for families, IP
James Kass, Founder and Executive Director	Youth Speaks	Art and Performance
LaShawn Routé Chatmon, Executive Director	The National Equity Project	Educational Equity
Bryan Brown, PhD	Stanford University, Professor	Teacher recruitment and development; curriculum development
Maia Siani, Executive Director	Sweat Dance Company	Arts Programing and Education
Allyson Tintiangco-Cubales, PhD	San Francisco State University, College of Ethnic Studies	Teacher recruitment and development; curriculum development
Fania Davis, Founder	Restorative Justice for Oakland Youth	Restorative Justice practices
Haley Milne, Principal Anne Milne, Principal Emeritus	Te Whanau o Tupuranga	Maori restorative justice practices; equity-based school design and implementation
Patrick Camangian, PhD	University of San Francisco	Urban teacher recruitment and development
Newin Orante, EdD	Diablo Valley College, Vice President	School to college pipeline

Pedro Nava, PhD	Mills College, Professor	Family engagement; teacher recruitment
Regina Stanback-Stroud, President	Skyline Community College	School to college pipeline
Jerry Tello, Executive Director	National Compadres Network	Community Engagement
Paul Flores, Program Manager	Latino Men and Boys Initiative, Unity Council	Community Engagement; Youth development
Clarissa Broughton Direct Distribution Coordinator	Alameda County Food Bank	Family support on basic needs
Dr. Cesar Cruz, Director	Homies Empowerment	Community Engagement; Youth development
Sarwang Parikh, Director of Training and Mindful Education	Seeds of Awareness	Counseling and Mental Health Supports

IV. 21st Century Education

Heretofore, this petition has heavily emphasized the Roses in Concrete’s foundational belief that engaging students in meaningful academic development requires it to under-gird all its content instruction with caring relationships that are attentive to Maslow’s Hierarchy of Needs. A discussion of the Charter School’s academic content and assessments must be understood that academic rigor and content is delivered in the context of school and classroom cultures that are always attentive to deep, caring, and joyful relationships with students that keep track of their basic needs. In this section, RiC’s academic framework and assessments are described for the purposes of focus and clarity, but in practice the Charter School’s relentless commitment to an academically rigorous environment is not separate from its efforts to develop a loving, caring, and socially supportive environment.

As an urban educational institution, RiC recognizes areas of occupational and technological skill-building as central to our students’ need to explore and navigate the modern world. RiC sees these as extensions of a more foundational critical consciousness and grounded understandings of self via studies of history, liberal arts, science, fine arts, and languages. RiC expects a graduate to:

- Exude characteristics of courage, humility, natural inquiry, kindness, creativity, and resiliency.
- Have a solid grasp on effective uses of technology and multimedia tools to better themselves *and* inspire positive social change.
- Have an understanding of the critical lenses and tools developed in the 20th Century to examine issues of race, power, status, gender, and wealth distribution in the 21st Century.
- Express pride and honor in their ancestral roots and be able to identify historical and contemporary alliances across lines of national and ethnic identities.
- Take pride in the gift of bilingualism and biliteracy and use their language skills to make connections with the global community.

RiC ensures that its graduates exemplify the skills and characteristics listed in the five bullets above in a manner that has them college and career ready. To do so, RiC supports its students to develop college and career readiness skills as outlined in the “Framework for 21st Century Learning” (see Partnership for 21st Century Skills, www.p21.org).

These skills include:

- **Core Academic Knowledge** At RiC, the development of 21st Century Skills will happen for all our students primarily through instruction in the core academic subject areas. RiC adheres to the Common Core State Standards (CCSS) in ELA and math, Next Generation Science Standards (NGSS) for science, and the California State Standards for Social Studies (CSS), which were designed to scaffold learning toward college and career readiness starting in Kindergarten.
- **Learning and Innovation Skills:** At RiC, we will support students’ development as creative, critical and innovative thinkers in the following ways:
 - *Creativity and Innovation* through project-based learning opportunities such as Youth Participatory Action Research (YPAR) to develop idea creation skills/brainstorming, teamwork and communication skills, to understand failure as an opportunity to learn, and to understand that creativity and innovation is a long-term, cyclical process of small successes and frequent mistakes.
 - *Critical Thinking and Problem Solving* via the five stages of critical praxis (Duncan-Andrade, 2008) across grade levels and subject matter via group projects that also allow them to share and understand the approaches used by others to solve similarly complex problems.
 - *Valuing Evidence.* Students learn how to use and cite specific, relevant, evidence when supporting their arguments.
 - *Comprehending as well as critiquing.* Students are engaged and open-minded, yet discerning readers and listeners.
 - *Reasoning abstractly and quantitatively.* Students will develop the ability to make sense of quantities and their relationships in problem situations.

- *Identifying and making use of patterns and structure* via detailed investigations and analyses.
- *Using appropriate tools strategically.* Students will become familiar with a wide range of age-appropriate tools such as pencil and paper, concrete models, a ruler, a calculator, survey tools, or software and understand the strengths and limitations of these different tools.
- **Communication and Collaboration**
 - *Respond to the varying demands of audience, task, purpose, and discipline.* Our students will be able to adjust their communication in relation to audience, task, purpose, and content. They will set and adjust purpose for reading, writing, speaking, listening, and language use as warranted by the task. They will appreciate nuances, such as how the composition of an audience should affect tone when speaking and how the connotations of words affect meaning. They will also know that different disciplines call for different types of evidence (e.g., documentary evidence in history, experimental evidence in science).
 - *Construct viable arguments and critique the reasoning of others.* Our students will learn to use what others have said in constructing arguments. They will develop the ability to analyze situations by breaking them into parts, and recognize and use counter examples. Ultimately, they will be able to justify their conclusions, communicate them to others, and respond to the arguments of others. This will include the ability to reason inductively about data. Our elementary students will construct arguments using concrete referents such as objects, drawings, diagrams, and actions. Such arguments can make sense and be correct, even though they are not generalized or made formal until later grades.
 - *Communicate fluently in two or more languages:* Students will learn to be proficient communicators in English and Spanish. They will take pride in their home language in all its forms as they learn to be proficient bilingual speakers. Proficiency in multiple languages is critical in enabling students to participate effectively in a local, global, political, social, and economic context.
- **Information, Media and Technology Skills**
 - Our students will be able to use technology and digital media strategically and capably to enhance their reading, writing, speaking, listening, and language use. As they move up the grades, they will learn to tailor their searches online to acquire useful information efficiently and integrate what they learn using technology with what they learn offline. Ultimately, they will be familiar with the strengths and limitations of various technological tools and mediums and be able to select and use those best suited to their goals.
- **Life and Career Skills**
 - *Flexibility and Adaptability.* The ability to adapt to change especially in times of ambiguity and changing priorities. They will understand, negotiate and balance diverse views and beliefs to reach workable solutions, particularly in multicultural environments.
 - *Initiative and self-direction.* Our students will learn to monitor, define, prioritize, and complete tasks independently without direct oversight.

- *Independent, self-directed learners.* Our students will go beyond basic mastery of skills to explore and expand their own learning and opportunities. They will demonstrate commitment to learning as a lifelong process. They will reflect critically on past experiences in order to inform future progress.
- **Social and Cross-cultural Skills**
 - Our students will understand, respect, and connect to perspectives and cultures outside of their own. Students will appreciate that the 21st century classroom and workplace are settings in which people from often widely divergent cultures, experiences, and perspectives must learn and work together. Students will actively seek to understand other perspectives and cultures through reading and listening, and they will be able to communicate effectively with people of varied backgrounds. They will be able to evaluate other points of view critically and constructively. Through exposure to classic and contemporary works representative of a variety of periods, cultures, and worldviews, our students will vicariously inhabit worlds and have experiences much different than their own.
 - Our students will interact effectively with others, conducting themselves in a caring and respectable manner. Students will know when it is appropriate to listen and when to speak, and how this may vary across culture and language.
 - Our students will work effectively in diverse teams. Students will respect cultural differences and work effectively with people from a range of social and cultural backgrounds.
- **Productivity and Accountability**
 - Our students will learn to effectively manage goals and time and be able to set tangible success criteria. They will balance tactical (short-term) and strategic (long-term) goals.
- **Leadership and Responsibility**
 - Manage projects and time effectively.
 - Produce results and be accountable.
 - Work positively and ethically
 - Participate actively as well as be reliable and punctual.
 - Collaborate and cooperate effectively with teams.
 - Respect and appreciate team diversity.
 - Our students will act responsibly with the interests of the larger community in mind.
- **Guide and lead others**
 - Our students will use interpersonal and problem-solving skills to influence and guide others toward a goal. They will be able to leverage strengths of others to accomplish a common goal. They will be able to inspire others to reach their very best via example and selflessness. They will demonstrate integrity and ethical behavior in using influence and power.

V. How Learning Best Occurs

Learning best occurs by connecting Maslow's Hierarchy of Needs with the following five thematic elements of effective practice: Resources, Relationships, Relevance, Rigor and

Responsibility. At RiC, we believe that learning is a process rather than product, resulting in a permanent change in knowledge, core beliefs, attitudes, and behaviors. It requires time and optimal conditions where students can work through their own process, incorporating new knowledge, reflecting, and eventually transferring and applying this information and understanding to new situations. To make this connection between research on effective instruction and Maslow's basic needs framework, we believe school and classroom environments must assess and respond to individual student academic needs *and* social-emotional needs. In short, we believe there are a number of variables that influence and optimize students' learning. However, there are very clear recurring themes in the leading research (Ladson-Billings, 2009) on effective school and classroom practices and our school will connect Maslow's attention to the physical, social, and emotional needs of students to five core elements of effective education: Resources, Relationships, Relevance, Rigor, and Responsibility.

To more clearly illuminate how our use of Maslow's framework ties into our educational practice, we will reiterate here how we have situated our five core elements of school culture and instruction (the 5 Rs) directly into the five tiers of the Hierarchy of Needs (see Figure 1.5 below). In the "Vision" section of this proposal, we privileged the discussion of Maslow's five tiers. For the purposes of this section, we will invert the focus by centering our discussion on our five core elements of effective education.

**Need:
Self-
Actualization**

Response: *Responsibility*

Approach: Students encouraged to live as warrior scholars: responsible to self, family, community, and our world.

Need: Accomplishment

Response: *Rigor*

Approach: Highly rigorous academic, athletic, artistic environments coupled with high levels of support resulting in hard won successes for each student.

Figure 1.5 How Learning Best Occurs for the Target Population.

Need: Esteem

Response: *Relevance*

Approach: Curriculum, pedagogy and school culture that are community and culturally responsive, teaching knowledge of self, self-love, and hope.

Need: Sense of Love and Belonging

Response: *Relationships*

Approach: School and classroom cultures that are community responsive, inclusive, and embracing of the whole child.

Need: Physiological and Safety Needs

Response: *Resources*

Approach: Secure access to food, clothing, shelter, physical and psychological safety.

RESOURCES: Meeting Students' Basic Physiological Needs

The base needs in Maslow's framework are often referred to as the basic human needs (food, clothing, shelter, and safety). In the context of our school, we see this as our first "R", which is securing the basic resources necessary for meeting students' emotional, physical, and social needs so they can concentrate on learning.

To accomplish this goal, we work with all our families to secure the necessary resources so that every child we serve has a stable basic needs framework in place. This is accomplished with training and support for our teachers to develop a school culture that is under-girded by secure access to food, clothing, shelter, and safety. Three primary areas of focus for providing the necessary basic resources for our students to be able to focus their energies on learning are school environment, classroom culture, and physical health and fitness.

School Environment

The environment of a school includes everything from the physical layout and aesthetics of the school buildings as well as the school climate. We will provide students a structurally and emotionally safe and visually appealing physical environment that reflects who our students are culturally, how much they are loved, cared for and belong, and is maximally conducive to learning. This will manifest in everything from the murals on our walls to the presentation of materials in the home languages of our students. At every turn, students will be reminded of their value, their history, and their potential. Our extensive community partnerships and deep relationships with the community will also allow us to ensure a steady presence of caring adults that reflect the community. Adults on our campus will be visible and present in all spaces at the school so that students are always reminded of our presence in their lives and our availability to provide the basic safety comforts of an adult to care, listen, and support whenever they might need us.

Classroom Culture

As a small school with looping patterns throughout our grade levels, our reduced class sizes and consistent multi-year relationships with adults will establish classroom cultures that allow students to feel part of a learning community. This feeling of connected relationships will also extend to their peers because they will share these multi-year relationships in their loops, but also through their peer mentoring relationships across age levels via our houses structure.

In addition, the looping model and small class size will provide teachers the opportunity to know students and families better and give individual attention to students, differentiating instruction to best meet the needs of all learners. These structures will allow teachers to be more conscious of and attentive to the basic needs of students, which in turn will allow them to appropriately differentiate academic instruction and social-emotional development.

Physical Health and Fitness

Healthy meals and exercise are central to students' physical and intellectual well-being. To ensure that our students have the resources to be well-fed, active participants at our school, we will provide students with balanced, nutritious breakfast, lunch, and supper options as well as daily access to structured and unstructured play. In addition, we provide access to a food pantry for our families as well as laundry services on site at the school.

RELATIONSHIPS and RELEVANCY: Cultivating a Sense of Love and Belonging to Build Self-Esteem

We believe that attention to the second strata of Maslow's "Hierarchy of Needs", love and belonging, is achieved by developing deep and caring relationships among students, among students and teachers, among teachers and families, and among all school staff. The use of looping will allow teachers, students, and families to cultivate strong, multi-year relationships. In addition, we will develop cross-grade peer mentoring opportunities for students, strengthening peer-to-peer relationships in the school. These cross-grade opportunities will also deepen relationships and support structures among teachers allowing them to work collaboratively and support each other with students and families from across the school community. The depth of relationships that form as a result of this looping will increase opportunities for students and families to communicate basic needs that the school can help them close so that children can focus on learning. As well, our emphasis on group projects and youth led community-based research projects, will create a rigorous but collaborative academic environment where students will learn how to support each other across social and academic needs through their work together on the projects.

Students will constantly be reminded by every adult in our school of their value, of the greatness of their ancestors, and of their responsibility to themselves, their families, our community, and our world. These reminders will come in the form of culturally responsive curriculum design as well as through the relationships that are built between the adults on our campus and the students and families that we serve. (See *Curriculum* below for more detail.)

RIGOR: Preparing Students for College, Career, and Community Change

The concept of the warrior-scholar, referenced in our mission statement, is borrowed from the *Hagakure*. This 14th century Japanese text describes the warrior-scholar as the highest form of humanity, explaining that we must develop both our instincts to stand and fight for justice *and* our intellectual capacity to effectively sustain ourselves and strategize to emerge victorious in those struggles. In order to accomplish this audacious goal of creating an institution of learning that cultivates the warrior-scholar in all our students, we will emphasize the concept of *discipulus*, the Latin root of the word discipline. Research clearly reveals that discipline has become synonymous with punishment in many schools serving student populations like that of East Oakland (Noguera, 2009; Yang, 2009). Our framework around rigor reclaims the concept of discipline, by returning to its root meaning: "rigorous training through meaningful repetition toward a collective goal".

This investment in a school culture that instills and values discipline in our students and teachers, is the over-arching principle the “Definite Dozen,” our code of conduct, in the form of statement “discipline yourself so that no one else has to.” The rigor that will permeate every aspect of our school is one that emphasizes each student’s individual and collective responsibility to be warriors for the cause of equity and justice in our community and the broader global society, while emphasizing that to fully realize their potential impact they must also be extraordinary scholars. This approach to educating urban youth with a critically conscious purpose of transforming our communities is one that research, time and time again, bears out as an essential component of sustained and purposeful instruction. *(See Appendix 1.4 for Code of Conduct)*

Our curriculum will be both academically rigorous and culturally aligned with the histories and present-day realities of our students. Students learn best when they understand the relevancy of the skills and concepts being taught (Brown, 2006; Gay, 2000; Howard, 2010 Ladson-Billings, 1995; Tintiango-Cubales, 2014). The educators at RiC design and organize lessons in relationship to one another, rather than as isolated and discrete curricular events. The learning goals and objectives are organized thematically, and taught using essential questions, as well as real world problem based and inquiry activities.

Individual content objectives are taught in an interdisciplinary fashion, with teachers encouraging and facilitating students to make connections across subject areas. As a student-centered and community-responsive school, RiC will provide opportunities for students to determine for themselves what is relevant and deepen their capacity to critically interrogate, articulate, and defend the learning choices they make for themselves. Additionally, students will be challenged to engage, debate and solve some of our community’s and society’s most pressing problems as a regular part of their school experience. The value of giving students increasing levels of control over the direction of their learning and connecting that direction to the most pressing problems in their everyday lives has been shown to radically increase engagement and achievement.

Students also learn best when the curriculum is culturally relevant (Camarota and Romero, 2011; Gay, 2000; Howard, 2010 Ladson Billings, 1995). Students will be exposed to images and experiences that reflect and are attentive to their prior knowledge, interests, community, language, and demographics including gender, race, ethnicity, religion, etc. In order to see themselves as having a more robust sense of self and identity, it is crucial that students see a diverse representation of academic and professional excellence. The RiC staff and school leadership serves as immediate representatives and exemplars of people that have come from similar socio-economic, racial/ethnic, and gender backgrounds as our students, which research also suggests positively impacts learning.

RESPONSIBILITY: Beyond Traditionally Measured Outcomes

The pinnacle of Maslow’s framework is “self-actualization”. Medical research shows that self-actualization is the natural human state (Perry & Szalavitz, 2007; Sapolsky, 2009; Len Syme, 2004). We believe that learning best occurs when students are self-actualizing, which is why our model invests in Maslow’s framework. Maslow’s framework is supported

by every substantial field dealing with child development and his work makes the pathway to self-actualization clear.

Students in our school will be resourced to have their basic needs met, they will have caring relationships with each other and the adults in the school and they will have access to a relevant and rigorous curriculum. They will also learn to understand the responsibility that comes with having access to this kind of high quality education as we believe that learning best occurs when students are freed up to self-actualize in their learning with an understanding that their learning brings with it a responsibility to serve the greater good in the community.

Through the aforementioned four pathways to self-actualization, our students will experience: 1) adults in our school that model responsibility; 2) a curriculum that teaches them about their ancestral traditions of responsibility; and 3) access to the resources and the rigor to achieve academic excellence, permitting them to take on greater responsibility as young adults and adults in our communities. In short, we believe that learning best occurs when schools provide an academic experience for students that develops a sense of purpose for their learning. Additionally, we believe this purpose must illuminate for them a clear sense of responsibility to themselves, their families, and their communities. To achieve this, the Roses in Concrete will provide an instructional program that goes beyond subject matter content, recruiting and training our teachers to be skilled in practices such as restorative justice, problem solving, habits of mind, community building and service.

Our partnerships with organizations such as Restorative Justice for Oakland Youth (RJOY), Te Whanau o Tupuranga (a Maori school in New Zealand that has spear headed the use of Maori indigenous restorative justice practices in school settings), Stanford's "Gateways to Science Careers" Project, San Francisco State University's College of Ethnic Studies, along with the proven achievements of our founder and founding teaching staff at implementing these practices in our own schools while also developing other teachers to do the same, insures that we have both the will and the skill to normalize this deeper sense of responsibility in our students.

The Roses in Concrete aspires to create lifelong learners, committed to their own academic, social, and emotional success and well-being. Further, our mission is to provide an academic experience for our students which encourages a sense of responsibility to the health and healing of their classmates and their communities. To achieve this, RiC will provide an instructional program that goes beyond subject matter content and includes conflict resolution, problem solving, habits of mind, community building and service.

VI. Curriculum and Instructional Design

Roses in Concrete provides a welcoming, safe, nurturing, engaging, and critically conscious learning community for students, families and teachers. The strategies used to develop these types of learning environments will, as previously discussed, anchor the core principles of Maslow's Hierarchy of Needs with our five core educational strategies: resources, relationships, relevance, rigor, and responsibility.

A. Learning Environment

RiC classrooms are designed to facilitate flexible grouping arrangements to accommodate our frequent use of group projects and collaborative learning activities. A variety of materials and technology (writing and art supplies, manipulatives, laptops/tablets, print rich walls, learning software, and books of all genres and reading levels) are available for students to use and engage in the learning. The walls reflect our student-centered, community and culturally responsive approach and are covered with student work, learning charts developed with and by the students, empowering and communally responsive images to validate students, and evidence of on-going investigations and projects. Cooperation, collaboration, mentorship, and apprenticeship guides interactions among all stakeholders.

Personalization is a central characteristic of our learning environment. "Personalization" is a term that has been used in recent decades to describe education reform efforts designed to "create more positive and caring relationships that form strong connections between students and the adults responsible for teaching and mentoring them" (McClure, L., Yonezawa, S., & Jones, M., 2011). In other words, students in a personalized school environment feel connected to, known by, and cared for by the adults in the school. Students who have positive relationships with adults and who feel connected to their education do better in school and are less likely to engage in risky behaviors (Connell, 2004). A recent study of 14 California schools with high-risk, high-needs populations found students who reported higher levels of personalization in school had higher GPAs and higher scores on the English California Standardized Tests (McClure, Yonezawa and Jones, 2011).

Personalization at RiC includes the following components: small learning communities, peer mentorship/community council, looping, family engagement and personalized academic interventions. Personalization leads to our overall goal of student investment in their school environment as a central space in their community.

1. Small Learning Communities

By design, Roses in Concrete will grow to be a small school with an enrollment of 380. There are a number of benefits associated with being a small school. These benefits include increased student engagement, more positive interpersonal relationships, and increased academic achievement, particularly for underserved student populations. In a small school, all stakeholders (teachers, parents, students, and administrators) feel a greater sense of belonging and more positive attitudes (Cotton, 2006). This sense of community, belonging, and investment is central to the mission of RiC, particularly given our commitment to identifying and supporting our students with their most basic physical, social, and emotional needs as the starting point for their path to achievement. Maintaining a small school environment will allow us to stay true to this mission. Additionally, studies comparing small and large schools found that there are fewer behavior problems and higher attendance rates at small schools (Rutter, 1988).

Being a small school will also be part of our efforts to improve educational equity for all of our students. For students from typically underserved populations, engagement in school and positive, on-going relationships with adults is particularly important in improving academic outcomes. In Cotton's analysis, small schools consistently had positive effects on academic achievement of minority students and students of low socioeconomic status.

2. Community Council

An important part of personalization at RiC will be the Community Council program. This program will establish multi-grade mentorship families where students will remain in the same mentorship family, with the same mentors (teachers, administrators, and peers) for three years. This will provide structures beyond traditional classroom groupings to allow for cross-age and cross-adult interactions, collaborations on projects, and support each others' growth. This is essential to build a sense of community among all the stakeholders in our school that extends beyond their basic relationship to their assigned grade level and classroom(s).

The goals of the Community Council program include:

- Promoting opportunities for cross-age social development.
- Developing a school culture that promotes social, physical, and emotional well-being.
- Developing strong, caring relationships between students and adults on the school campus.
- Providing at least one strong adult advocate for every student in the school.
- Providing a structure for monitoring and supporting students' academic progress, college-career-readiness, community awareness and action.
- Promoting a positive school climate.
- Promoting development of leadership and communication skills.
- Developing a sense of community ownership, global awareness and problem solving.

The adult mentors (teachers and administrator) of each mentorship family will facilitate the activities of the group and serve as the primary advocate for the students in their group. Adult mentors will be expected to advocate for the individual needs (academic, social and emotional) of each child with other staff members and the community. As such, adult mentors will serve as an additional contact between the family and the school, along with the child's assigned classroom teacher. Mentorship activities will be designed to address the previously stated goals will be designed by teachers in collaborative groups, with assistance from community and community organizations where appropriate.

Additionally, all of our upper grade students (grades 5-8) will be paired with adult mentors to act as peer mentors to their younger peers in their houses. They will learn to facilitate conflict resolution and group activities that include healing and restorative justice circles and academic support circles with their younger peers.

The process for determining priorities for the activities in our Community Council Program will begin with whole staff discussions before each school year to define the school-wide goals and trajectory of the program. We will use data from the priorities identified by all the stakeholders on our "Priorities Survey" (see www.10teaching.net). Then, the staff will meet in smaller groups by grade level to plan specific elements and activities guided by the community-generated data from the survey.

Lessons will fall into the following categories: creating community; academic advisement; restorative justice; learning-to-learn skills; development of organic leadership and communication skills; life skills; and collaboration skills. In developing mentorship lessons, our staff will draw on experience and research-based, published resources and guides that align with the school's mission and our social-emotional learning (SEL) program. Potential resources include *The Advisory Guide* and *Connected & Respected, Lessons from the Resolving Conflict Creatively Program* by Educators for Social Responsibility and *Tribes Learning Communities* by Center Source Systems.

3. Building Long-term Relationships through "Looping"

Students are able to build stronger, caring relationships with adults at the school if there are multiple opportunities to extend those relationships over longer periods of time. Just as we use the aforementioned Community Council structure to cultivate multi-year mentoring relationships across adults and students, we also have teachers "loop" with students for multiple years at both the elementary and secondary level. For instance, a teacher starting with a Kindergarten class would continue with that class as their 1st grade in the following year. When that class moves to 2nd grade, the teacher would loop back to a new group of Kindergartners and repeat the looping cycle. These cycles will repeat in the upper elementary grades as well. We run three loops in the core academic content areas (Language Arts, Social Science, Mathematics, and Science) of the middle school. In this looping structure, each student is with the same teacher for multiple years. This will allow the teacher to know each student and family more deeply, insuring stronger and more responsive relationships from our staff to the students and families they serve.

4. Family Engagement

Family involvement is crucial in creating a nurturing and safe school community. Research shows that long-term parental involvement is a critical factor in student success (Henderson) RiC staff is committed to welcoming and working with families to engage them in their students' education. Families have many opportunities throughout the year to build connections and genuinely be a part of the school.

To start, every three years, families are invited to participate in the TEN "Priorities Survey" to identify their main priorities for teachers. (See *Appendix 1.5*) These priorities drive teacher development and feedback over the three-year cycle. There are also be annual family orientations to explain key policies and procedures. There is frequent communication between the school and families through classroom and school newsletters. Teachers email and send home monthly newsletters in the home language of the families, highlighting the classroom activities and events of the past month and informing parents of up-coming events. All teachers conduct informal home visits and are

visible and accessible within the community during non-school hours. School-wide programming and events (Literacy, Math and Science Family Nights, musical and performing arts events and performances, parent workshops, etc.) have been developed with the involvement of families and community to encourage active participation of families within the school.

Parents' input is regularly queried about how the school is meeting the needs of their children and how staff can be more responsive to those needs via the Priorities Survey and through bi-annual performance "feedback loops" for teachers. Focus groups, racial affinity groups and grade level groups of parents are organized on a needs-basis to address issues as they arise in any or all of the 5R foundations of our school.

Families are advised of student progress through trimester report cards, Family Nights, and annual conferences. In addition, the RiC hosts a variety of social and educational events to promote community building. These might include Family Math and Literacy Nights, parent education seminars, student performances, and exhibitions of student work. Families are encouraged to make a commitment of participation. Participation takes many forms so that all families can be included. There are opportunities for parents to be involved within and outside of the school day. Examples of family participation include, but are not limited to volunteering in the classroom, technical assistance, preparing materials at home, providing language support for other families, supervising field trips, helping with school-wide events, gardening, volunteering on any adjunct committees, and serving as liaisons to community groups. While it is encouraged, volunteering at RiC is not a required for student enrollment.

In order for all students to achieve success in our dual language programs, we provide families with tools to support bilingualism and their child's language acquisition. We offer dual language workshops and groups for families as well as family literacy activities in both languages. In addition, we hope to offer both ESL and SSL classes in the near future so that families also have the opportunity to develop their bilingualism. We also plan to bring in local authors and advocates for bilingualism and bi-literacy such as Alma Flor Ada, as well as dual immersion researchers who can provide parent education that develops understanding of the goals of the dual language program.

5. Academic Interventions

RiC uses Multi-Tiered Student Support framework that encompasses a systematic, tiered approach intended to resolve student learning difficulties by systematically providing the necessary level of support and intervention. Tier I consists of the core academic program in which all students receive instruction. Informal formative assessments in class give teachers the on-the-spot opportunities to provide feedback and support to students in a timely fashion. Tier 2 provides supplemental instruction for small groups of students who are slightly behind on a common core standard assessment and need a little assistance to reach a common core standard. Tier 3 is reserved for students who still have not met a standard, or group of standards, and need additional support through before or after school instruction. All students receive Tier 1 literacy instruction in both English and

Spanish. Tier 2 and Tier 3 takes place in English or Spanish, in accordance with the language in which the student is most dominant.

A Growing Roses in Our World to Transform and Heal ("G.R.O.W.T.H.") team is a structure that brings together all academic and behavioral support services providers at a school site (admin, general education, Special Education, counselors, and community based organizations) in a regular weekly/bi-weekly meeting to provide identification, assessment, referral, support, and service coordination for students experiencing academic, attendance, behavior/social, or health problems that impact school success. G.R.O.W.T.H. focuses on referred students and coordinates respective programs and services to promote their academic success.

A Student Success Team ("SST") is a problem solving and coordinating structure that assists individual students, families and teachers to seek positive solutions for maximizing student potential. The SST focuses in-depth on one student and invites the parent/caregiver, student, teacher and others involved in problem solving for that one student to participate in finding solutions.

Students that have been placed in intervention as a result of a GROWTH referral are monitored regularly w/assessments to view improvements. The GROWTH team reviews students bi-weekly to discuss progress, current assessments, receives teacher input etc. An SST is scheduled at any time the team feels that the parent needs to be brought on at a deeper level and to learn about any background or additional information the family can support. Over a period of time, if the student is showing little to no growth from small group, one on one or after school intervention, the team will discuss assessment with the parent at the SST meeting. If a student is assessed following the set meeting, the child may find they are eligible for an IEP. The IEP will determine services for that child. If a child at any time transfers from another school, RiC will continue the process that has been shared by the previous school if those services are deemed appropriate.

C. Instructional Approach

The instructional model at RiC will address the needs of the whole child, focusing on Maslow's five levels and our corresponding five R's (resources, relationships, relevance, rigor, and responsibility). The core of our educational model will be an inquiry-based approach to teaching grounded in Maslow's framework, using a Two-Way Dual Language Immersion model, instruction that is grounded in constructivism, differentiation, integrated social and emotional learning program, and service learning.

At Roses in Concrete we expect our teachers to be well-informed, reflective practitioners. We respect their ability to change and adapt their instructional practices as they deem necessary, provided that their professional decision making produces adequate progress for students.

1. Two-Way Dual Language Immersion

Dual language immersion programs have three primary objectives: Academic Proficiency; Bilingualism and Bi-literacy; and Multicultural Competency (Howard, Sugarman, Christian, Lindholm-Leary, & Rogers, 2007). These objectives support RiCs mission of “preparing students to fundamentally impact the global society while learning to live, learn, work, and thrive in their own communities.” According to the California Department of Education, dual language education provides the following benefits:

- Globalization*: Educational programs that afford students opportunities to acquire English and other languages and to become familiar with other cultures are better suited to offering graduates a premium in the global village.
- Neurocognitive Advantages*: A bilingual advantage has been demonstrated consistently by individuals competent in completing tasks or solving problems when competing information is available.
- The Home language Advantage*: Emerging Bilingual Learners with advanced levels of competence in certain aspects of the home language demonstrate superior achievement in English Literacy compared with Emerging Bilingual Learners who lack or have lower levels of competence in these home language abilities.
- Schooling and Cultural Competence*: Dual language programs provide students with communication skills and cultural awareness that facilitate intergroup contact and appreciation (Dolson, D., & Burnham-Massey, L. (2009)).

Given these advantages, it is no surprise that dual language is the only language development model found to close the achievement gap for Emerging Bilingual students, even given other factors such as student mobility, parent education levels, and socio-economic status (Collier and Thomas 2002, 2004). Emerging bilingual students who attend dual language programs are also less likely to drop out and more likely to sustain high levels of achievement.

The Dual Language Program at RiC benefits students who are primary English speakers as well students who are primary Spanish speakers. Dual Language programs support Emergent Bilingual students to have sustained high levels of achievement in all subject areas (Collier and Thomas, 2002, 2004). In addition, this pedagogical approach has significant promise in closing the achievement gap for low SES students of all language backgrounds. Strong programs have additional benefits for low SES students. SES has much less influence on academic outcomes when academic work is provided in the students' home language as well as in English (Collier and Thomas, 2002, 2004). Over time, this program can mitigate the effects of low SES by raising achievement for both English and Spanish speakers at RiC.

There is a significant link between learning a second language and increased cognitive development, especially in the area of executive function (Adesope, Lavin, Thompson, & Ungerleider, 2010, Barac & Bialystok, 2011, Bialystok & Craik, 2010, Garcia & Náñez, 2011). Executive function includes cognitive functions such as working memory, reasoning, task flexibility, and problem solving, which are recognized as increasingly important 21st

century skills. Low-SES students who come from English speaking homes can reap the benefits of the cognitive gains associated with bilingualism through enrollment in a dual language or Spanish immersion program. Native English speakers in two-way bilingual immersion programs show academic gains at or equal to their monolingual peers (Collier and Thomas, 2002, 2004). While dual language immersion programs often draw their English speaking students from a higher SES background than the Spanish speakers in the program, the research suggests that the benefits of second language instruction at an early age would support low-SES students in making the cognitive gains necessary for increased academic achievement.

Roses in Concrete is implementing a Spanish-English two-way Dual Language Immersion model across the school so that all students have academic, cognitive, and socio-cultural benefits of bilingualism. RiC uses a 50/50 model, in which half of the day is taught in English and half of the day is taught in Spanish. Each grade level has a Spanish language teacher and an English language teacher, who work as a team to ensure coordination of content and skills across both languages. This approach also allows literacy instruction to occur in both languages, so that both English and Spanish speakers can access early literacy instruction in their home language. RiC is currently executing in a 50/50 model in K/1 for the 2019-2020 school year with the intention to increase one grade level at a time based on student needs and community feedback. The 2nd - 5th graders receive Spanish language support based on the students' needs.

2. Constructivism/ Helical Model

RiC's teachers utilize a constructivist view of learning and teaching. Constructivist theory says that learning is an active process through which people construct their own meaning and knowledge. Constructivism as a learning theory has been present for over a century (Vygotsky, 1978). More recently, educators and neuroscientists have re-examined the theory with our current understanding of how the brain develops. Scientific research indicates that learning is an active process within the brain and that the brain literally constructs understanding by building and refining connections between neurons (Gulpinar, 2005). Research shows that student engagement in interactive lessons where relationships between instructor and learners are strong and with content that focuses on learning for meaning (relevance, rigor, and responsibility) leads to greater retention and use of information and ideas (Bransford and Cocking, 2000). Students engaged in this type of learning gain greater conceptual understanding that is retained and transferred to other meaningful applications (responsibility), instead of rote memorization that is easily forgotten. For example, data from the Trend in International Mathematics and Science Study (TIMSS) supports the use of problem solving and reasoning in increasing academic achievement. A recent analysis of TIMSS data from seven countries indicates that the high-achieving countries devote more instruction to exploring concepts and making connections to solve problems as opposed to using procedures (Stigler & Hiebert, 2004) At Roses in Concrete we have chosen to build an instructional program based on constructivism as a brain compatible learning theory.

When a person experiences or encounters something new, it must be reconciled with previous ideas and experience. New understandings and knowledge developed through this process of reconciliation leads to greater levels of relevance, rigor, and responsibility for students to actually apply their knowledge in their lives. In a constructivist teaching model, teachers function as facilitators providing students with hands-on, real-life experiences that are based on relationships to the students, their lives, and the needs of the community. Constructivist teaching requires students to think critically, to make connections, and then to reflect upon and analyze their own experiences so that they are understanding their responsibility to apply their knowledge in their own lives and for the betterment of their community. Through these learning experiences students gain a deep understanding of the material that stays with them over time.

Roses in Concrete utilizes the Helical Model, an inquiry-based application of the constructivist learning theory, developed by Dr. Gigi Carunungan. Dr. Carunungan is currently the Director of Programs at Synapse School in Menlo Park. According to Dr. Carunungan, the Helical Model “engages students in a systematic and progressive series of activities that build on each other. Starting with simple, fun, lessons to build interest and to introduce the topic, the methodology provides students with hands-on activities to expand, apply, and master subject matter. The process progresses to increasingly complex and imaginative tasks. At the end of every module, students review the lesson and collectively underscore the meanings behind their experiences and discoveries.”

RiC’s use of the Helical Model follows this structure:

Play - The learners begin their construction of knowledge and development of skills by participating in a game-like activity that introduces a key element of a topic.

Explore - A brief reflection on the observations leads the class to investigate by engaging in various types of data gathering.

Connect - Information-driven interactions allow new findings and new problems to surface. Students are then encouraged to deepen their comprehension of the topic through an activity that integrates information and skills.

Imagine - Students then “transfer” newly learned knowledge and skills to solve a different problem.

Remember - Guided by their teachers, students create meanings, distill theories, and formulate new questions.

Learning Activities within the model will be adapted based on age level and the specific needs of the class to ensure that they are culturally and community relevant and academically rigorous. The Helical Model is designed to incorporate multiple modalities so that students with diverse learning styles and abilities can access the academic concepts. Roses in Concrete has structured the school day so that there are extended uninterrupted blocks of time dedicated to exploring concepts through activities based on the Helical

Model. Assessments of student learning will include both traditional quantifiable performance on teacher developed criteria and observation, as well as on state and national performance criteria.

The following is an example of how we might use the Helical Model to teach the science concept of buoyancy.

Students begin with Play by trying out a variety of paper boats in tubs of water. Throughout this hands-on activity the teacher asks them questions like--“Which boat stayed afloat the longest?” and “Why?” The students are encouraged to think about other experiences they’ve had with floating and sinking objects. Conversations between students and with the teacher continue throughout the activities as students share materials and observations.

Students then Explore and expand their experience with buoyancy by adding pennies to the boats. During this activity, they graph which boats stayed afloat the longest and the number of pennies on the boat(s). They also expand their knowledge by looking at technical drawings of historical boats that the teacher has provided.

Next, students make culturally and historically relevant connections to their experiences by using clay to create different types of hulls based on historical examples of boats that were used by their ancestors. They make a graph to show which designs float the longest.

In the Imagine phase, they use their new knowledge to create their own ship design, rigorously applying and testing their knowledge. They test out their designs by making models. Once they have a design that floats, they make a technical drawing with text explanations.

Finally, in the Remember phase the teacher guides them through discussion and reflection on the activities of the day. The teacher connects the results of their experiments with the relevant scientific laws and theory of buoyancy. As part of the discussion, the students develop new questions that will connect to future learning.

Throughout this session, the teacher acts as a facilitator and guide by asking probing questions and guiding discussion. As the students engage in the different experiments, the teacher observes and assesses which students need additional support or challenge. These observations along with the Remember discussion guide future lessons and instruction.

3. Differentiated Instruction

Children grow and develop at different rates in different skill areas. Rosen in Concrete recognizes and values these differences and differentiates instruction so that all students’ needs are met. Differentiated instruction is an approach that is incorporated into all teaching at RiC and is a core strategy for adherence to Maslow’s Framework.

RiC teachers use a variety of techniques to differentiate instruction throughout the curriculum. Carol Ann Tomlinson and David Sousa have identified five key principles to effective differentiation (Sousa and Tomlinson, 2011). Work in a differentiated classroom is respectful of each student. No matter what their need and ability, students' tasks are engaging and require complex thought and problem solving. As the Charter School differentiates instruction around individual student's needs, it is especially aware of times of greatest hardship for students, providing them with additional material resources (food, clothing, shelter, etc.) and more invested relationships. The provision of these spaces that provide for students' need for basic resources, love and belonging, self-esteem, and accomplishment, will not interrupt our commitment to rigorous training for every student.

Curriculum is rooted in the critical ideas of a topic and relevant to students' cultural identities to develop their sense of belonging and self-esteem. Understanding is prioritized over mere recall to insure rigor.

Teachers use flexible grouping. Groups may be based on interests, learning preferences, or specific learning needs. Groups may be selected by the teacher, the students, or randomly. The length of time groups stay together varies as well. Grouping is interwoven with whole group instruction and independent work to ensure that students are able to develop relationships with a variety of classmates, learning styles, and academic skill ranges.

Teachers use ongoing assessment to inform their instruction to ensure that students receive the resources they need to succeed. A variety of assessment tools are used before, during, and after every unit of study to ensure that all students are experiencing growth in their sense of love and belonging, self-esteem, and accomplishment.

The learning environment supports students in taking the risk of learning. Students feel safe and connected in a community of learners via relationships with the teacher and with their peers.

The following example demonstrates how a differentiated instruction approach could be applied to teaching reading in the language arts skills lessons.

In this sample primary classroom, there is a wide range of reading levels and interests. The teacher has set up the learning environment with materials and routines that secure all 5R's of our instructional paradigm (resources, relationships, relevance, rigor, and responsibility) so that students can focus on learning. At the beginning of the year, the teacher devoted a significant amount of time to developing these routines and structures. In conjunction with the school-wide Social-Emotional Learning program (Self-Science) the class has also developed and continues to revisit behavioral norms that ensures that students basic needs are met to create a supportive and caring learning community that fosters a sense of love and belonging and self-esteem.

For the (English) language arts skills lessons, the teacher posts a reading schedule of activities and groups each week. For this particular lesson, the class meets as a whole group to participate in an interactive read aloud in which the teacher models a comprehension strategy. The students then settle into group or individual work based on the week's schedule. A small group meets with the teacher for a guided reading lesson on decoding strategies providing them the support to elevate the levels of rigor at which they can engage with their reading. Another group meets to read on a topic of mutual relevance, even though the books they are reading may be at different difficulty levels. Some students also spend time reading relevant material alone, self-selecting books that the teacher has organized by interest and/or by reading level. The teacher spends the work time leading small groups, observing, and conferencing with students assessing students' progress. The teacher uses this formative assessment to plan design subsequent activities and groupings. At the end of the lesson, the class re-convenes as a whole group. The teacher facilitates a brief discussion of what worked well and what could be improved, and a few students volunteer to share something that they learned or accomplished as a way to boost self-esteem and feelings of love and belonging.

4. Integrated Social and Emotional Learning Program

At Roses in Concrete, Social and Emotional Learning ("SEL") is integrated throughout the curriculum as key strategy for meeting our vision of providing for all five levels of Maslow's framework. Classroom teachers, administrators and specialists work together to be role models and to reinforce the lessons of the SEL program through our 5R's. Guided by the five levels of Maslow's framework, our SEL program will inform classroom management and school-wide discipline policies. SEL concepts will be integrated into cross-curricular units using our 5Rs of effective instructional practice.

For example, in a social studies unit about the civil war, the teacher might facilitate discussions about the emotional consequences of brothers fighting brothers. The discussions might also include how those emotions might have influenced the choices made by soldiers and leaders. In a unit on butterfly migration, connections may be made to human migration and feelings around this issue followed up with art and social emotional activities such as butterfly breathing.

5. Youth Participatory Action Research ("YPAR") Taking Action for Racial, Social and Environmental Justice

RiC's programmatic and curricular approach to social justice uses Ethnic Studies as an interpretative and interdisciplinary framework to broaden student awareness and investigation of historically marginalized communities and disenfranchised communities of color. These experiences, perspectives and memories are often not examined and remain absent in the dominant narrative. RiC courses give students numerous opportunities to understand race, class, gender, sexuality, language, citizenship, nationality, borders, community, culture, religion, etc. by allowing students to make personal connections and community knowledge to larger world and social issues. In studying various social movements and critical histories, students are able to construct counter-narratives and

closely examine systems of oppression as they relate to concepts of freedom, liberation, emancipation, resistance, justice, democracy, autonomy, humanization and revolution. RiC incorporates study of solidarity between struggles and resistance within social movements, in order for students to develop a deeper understanding of sacrifices and commitments made by our ancestors. These opportunities give students multiple opportunities to reflect on their personal experiences, develop knowledge of self, awareness of social issues, critically think about solutions and participate in critical action towards transformation, resistance and healing.

At RiC, each trimester, students experience an instructional program that is based on Six Elements of Social Justice Education outlined below:

- **Self-love and Knowledge:** Teachers provide opportunities for students to learn about who they are and where they come from. A sense of dignity in their culture, heritage, ethnicity/race, religion, skin tone, gender etc. is cultivated in the classroom. Students learn about different aspects of their identity and history associated with it. Negative stereotypes about students' identities are deconstructed.
- **Respect for Others:** Teachers provide opportunities for students to share their knowledge about their own cultural background with their classmates. The goal is to create a climate of respect for diversity through students learning to listen with kindness and empathy to the experiences of their peers. Students deconstruct stereotypes about their peers' identities.
- **Exploring Issues of Social Injustice:** Teachers move from "celebrating diversity" to an exploration of how diversity has differently impacted various groups of people. Students learn about the history of racism, sexism, classism, homophobia, religious intolerance etc. and how these forms of oppression have affected different communities. Teachers make links that show how the historical roots of oppression impact the lived experiences and material conditions of people today.
- **Social Movements and Social Change:** Teachers share examples of movements of iconic and everyday people standing together to address the issues of social injustice they learned about in element three. Rather than leaving students feeling overwhelmed and defeated, teachers help students understand that working together, ordinary people have united to create change.
- **Raising Awareness:** Teachers provide opportunities for students to teach others about the issues they have learned about. This allows students who feel passionately about particular issues to become advocates by raising awareness of other students, teachers, family and community members. It is important to recognize that while raising awareness is a necessary and important precursor for action, it by itself does not translate into change.
- **Taking Social Action:** Teachers provide opportunities to take action on issues that affect students and their communities. Students identify issues they feel passionate about and learn the skills of creating change firsthand.

Youth Participatory Action Research (“YPAR”) is one of the primary instructional approaches used to for students to Take Social Action. Critical Research coupled with academic and curricular related content will allow students to further their project-based work on key common core elements such as:

- Critical Analysis
- Research and Methodology to Unpack Issues
- Problem Solving and Actualizing Solutions
- Action (products based on the outcomes of the YPAR)
- Reflection (on process, action, growth, and transformation both personal and communal)

Below are several examples of the kinds of YPAR Projects students may engage in:

Examples of Projects in Grades K-2

- **Self Love and Respect for others:** Acknowledging the beautiful differences in hair texture and skin color, learning about each other’s ancestors, creating family trees, and defining the meaning of a warrior scholar.
- **Issues of Social Justice: Social Movements and Social Change:** Learning about past and present social justice movements that have helped pave the way for positive social change in our world such as the importance of the Black Panther Party, Young Lords, Brown Berets, Zapatistas, Black Lives Matter, and United Farmworkers
- **Awareness Raising: Social Action:** Learning about the importance of boycotts, protests and marches and taking direct action themselves

Examples of Projects in Grades 3-5

- **Disrupting the Cycle – California Resistance:** A thematic unit around understanding a nation founded on colonialism and hegemony, students understand social reproduction theory by analyzing moments in history and the impacts of colonialism and colonial mentality even today. Students will see evidence of it through multimedia that they consume regularly (cartoons, toys, video games, songs, and more) and begin to problematize systems of power and the dominant narrative. They will also focus on California resistance to these conditions by analyzing the creation and mobilization of: the United Farm Workers, the Black Panther Party, the Brown Berets, the Bracero Program, the Zoot Suit Riots, the East LA "Blowouts" and current youth movements. Students will conduct YPAR to problem solve conditions today in their community, and work towards problem solving them. In doing so, students create counter media projects (mini-documentaries, PSAs, Slideshow presentations, and Autoethnographies) after triangulating their research. This is also embedded in the novels read aloud, writing projects and tasks they do, as well as the Math and Science activities they participate in.

- **Flipping the Script: ReWriting the Dominant Narrative:** Students participate in a multi-disciplinary project that involves Language Arts, Math, STEMM, Youth Culture, and Social-Racial Justice which is community responsive. Students first start off with the idea of creating their own comic books or graphic novel. They analyze comic books to see who and how people are represented. Issues of body types and features, along with who is portrayed as the hero. They develop their own hero that reflects themselves in the protagonist. Elements of character development, basic story elements, and narrative writing occur throughout. After developing their character and their origin stories, they get to learn and design their own action figures, logos, theme music, and "gadgets" using Maker Space STEMM technology (TinkerCad, Laser Cutters, 3D Printers, Gravit.io, and more). Students then research community based "heroes and sheroes" to begin connecting the concept: "Real heroes have faces like us, ordinary people doing extraordinary things" in order to see themselves as viable change agents. They create website to share their projects, and work to problem solve issues in their communities using STEMM (robotics, programming and App design, and more).
- **The Revolution Will Be Televised - From Consumers to Producers:** Media is a highly engaging, yet dangerously influencing tool. Students learn to navigate through the messaging of their favorite forms of media, both currently and historically. Deep critical analysis and critical media literacies are developed and sharpened as students do author studies on popular music artists (i.e. Drake) to find out themes, motifs, and influencing messages. In developing these skills and broadening their conceptions of "Text", students will be able to "Read the World, as well as, Read the Word" as Paulo Freire states. Students develop the skills to navigate through these media forms and learn how to respond to them through critical media production to influence others on a more positive social media movement. In doing so, the students learn about digital citizenship and their agency to impact change through media platforms.

Examples of Projects in Grades 6 - 8

- **African Resistances to European Colonialisms:** A unit investigation of the ways in which African resistance to European colonialism create identity, home and place for autonomous communities throughout the diaspora. Students designed political graphic posters and magazine covers to present to learning community.
- **Exploring Ethnic Studies and Narrative:** A unit investigation of relationships between identity, narrative and culture. Students explored color theory by mixing shades of 'brownness' and created 3-D wire self-portraits and mixed media collages.
- **Exploring the History Of The US/Mexico Border Through Mexican Muralism:** A unit investigation on Mexican Muralism as a way to investigate

the making of the US/Mexico border and Treaty Of Guadalupe Hidalgo. Students analyzed works of Mexican Muralists and created interpretive visual historiographies of US/Mexico border for community exhibition.

- **Romare Bearden On Displacement and Gentrification In Oakland:** An investigation of the history of gentrification in Oakland and displacement of body and communities in Oakland. Students created interpretive visual narratives of gentrification in Oakland through methods and art forms of Romare Bearden that explored themes of loss, hope, culture, dislocation, displacement, community, fragmentation, blackness and resistance.
- **Exploring Pan African and Woman OF Color Freedom Fighters :** A study of various Pan African and Woman of Color freedom fighters throughout the diaspora and social movement histories. Students created a 48-portrait series as a tribute and commemorative exhibition for Black/African History Future Month and Women's Heritage Month events.

D. Proposed Schedule and Academic Calendar

Roses in Concrete's academic calendar will comply with the annual instructional minutes' requirements set forth Education Code Section 47612.5. The proposed school calendar for 2020-2021 will include 180 instructional days and 10 teacher workdays. The calendar may be modified to coordinate with the calendars of the Roses in Concrete and professional development partners.

1. Daily and weekly schedules

The Roses in Concrete daily schedule and annual calendar amounts to more than the minimum number of instructional minutes set forth in Education Code Section 47612.5 and more than the required number of 175 school days. This code requires:

- a) To pupils in kindergarten, 36,000 minutes
- b) To pupils in grades 1 to 3, inclusive, 50,400 minutes.
- c) To pupils in grades 4 to 8, inclusive, 54,000 minutes.

At Roses in Concrete students will have 59,654 minutes of instructional time (not including lunch or passing periods) each year which equals 33 weeks.

2. Instructional day

The instructional day at Roses in Concrete is designed to reflect the school's mission and vision. There will be 4 days/week of 405 instructional minutes and one reduced day with 205 instructional minutes. The total of 59,654 minutes for the year will be completed in 33 weeks. *See Appendix 1.6 for Sample Bell Schedules.*

E. Culturally and Community Responsive Curriculum Design

In keeping with our school vision, the curriculum at Roses in Concrete will be designed to focus on the education of the whole child. The California Content and Common Core State Standards (CCSS) will be used as a foundation to build curriculum and guide

instruction. The Roses in Concrete School curriculum will be aligned Common Core State Standards (“CCSS”) in English Language Arts (“ELA”) and Mathematics, the Next Generation Science Standards (“NGSS”), the English Language Development (“ELD”) Standards, the History-Social Science Framework, and the remaining state standards (collectively “State Standards”). Our curriculum will also include cross-curricular project-based learning (i.e. YPAR) and will address the individual needs of all learners by having multiple learning modality components.

1. Culturally and Community Responsive Curriculum

The first step of the cultural relevance cycle (Flory & McCaughtry, 2011) is to understand community dynamics, which requires knowledge acquisition. Teachers must have rich, sophisticated knowledge of their students and community dynamics, to understand particulars of students’ reality. Many researchers have identified the importance of knowing students in profound ways (Barrett & Noguera, 2008; Graybill, 1997; Lenski et al., 2005; Monroe, 2005) and challenged teachers to know students as cultural beings (Irvine, 2003; Monroe, 2005). The second step of the cultural relevance process is to understand how community dynamics influence educational processes. Similar to the work of Irvine (2003), and Lenski, et al. (2005), this step requires introspection about how values, biases, feelings, and worldviews differ from students. Several authors have documented ways that urban students’ home experiences affect their education (Brown, 2004; Delpit, 2006; Godley, Carpenter & Werner, 2007). The final step in the cultural relevance cycle is to enact strategies reflecting teachers’ cultural knowledge, where teachers must consider ways of instructing and connecting with students through physical education and the arts. Even experienced teachers may find previous methods of instructing students “misses the mark” in urban schools similar to Roses in Concrete. This action-oriented step has been well documented by many researchers (Delpit, 2006; Gay, 2000; Irvine, 2003; Ladson-Billings, 1995); however, it requires teachers to bring students’ cultural realities to the forefront of their pedagogy. Each of these phases allows teachers to more effectively identify and react to the 5Rs of our pedagogical model in ways that provide resources, relationships, relevance, and rigor to cultivate students’ responsibility. RiC staff members use their professional development time to constantly explore and reconsider their own assumptions, to understand the values and practices of families and cultures that are different from their own in our neighborhood, and to construct curriculum and pedagogy that takes these into account in locally appropriate and culturally sensitive ways.

2. Curriculum, Mapping & Design

RiC Lead Teachers (one per each band – K-2, 3-5, 6-8) investigated the quality of accessible standards aligned rigorous resources and developed RiC’s own integrated culturally and community responsive curriculum. To assure fidelity to the CCSS, the Lead Teacher team used rubrics designed by EQUIP and Achieve the Core to assess quality standards alignment.

RiC’s Lead Teachers support their teams in engaging in on-going curriculum design and modifications each summer. These curricula design materials include updated Scope and Sequences, revised curriculum maps, and developed unit and lesson plans. In developing

curriculum, RiC draws upon widely available quality base curriculum resources (Table 1.6) as the foundation for curricula and then engages in rigorous curriculum mapping process.

Curriculum mapping, based on the work of Heidi Hayes Jacobs (2012), is the major process used at the Roses in Concrete to align curriculum integration, pacing, assessment and a process of collecting data representative of the operational curriculum. Staff works in grade level bands (K-2, 3-5, and 6-8) to design consensus maps to agree on when and what things are taught in like-grade level classrooms. The mapping process begins with the common core standards in each content area, identify the standards that align most strongly with the design principles below and calendar mapping them for the school year. Teachers use curriculum templates that display key components of the curriculum: content, skills, assessments and essential questions. Technology is central to this work as it enables the teachers to create organic documents which all staff members have access. Exemplar curriculum maps can be found in *Appendix 1.7*

Table 1.6. Base Curricular Materials (Core Subjects)

Grade Levels	Subject	Curricular Materials
K-5	ELA/SLA	Lucy Caulkins's "Writer's Workshop" "Comprehension Connections" Words Their Way/Palabras a su Paso Estrellita, Escalera Culturally-relevant and community-responsive core literature aligned to State Standards
	Social Studies	History Alive Teaching Tolerance Rethinking Schools History is a Weapon Culturally-relevant and community-responsive curriculum aligned to State Standards
	Math	Eureka Math ST Math (Spatial Temporal) CGI Math (Cognitively Guided Math) Marilyn Burns "Math Solutions"
	Science	Mystery Science Generation Genius Teacher Created Curriculum aligned to State Standards
	Arts	Teacher Created Curriculum aligned to State Standards
	Physical Education	Teacher created curriculum aligned to State Standards

6-8	ELA/SLA	Culturally-relevant and community-responsive core literature aligned to State Standards
	Ethnic Studies	Teacher created curriculum based on SFSU Ethnic Studies Course and aligned to State Standards
	Math	Eureka Math ST Math (Spatial Temporal) CGI Math (Cognitively Guided Math) Marilyn Burns "Math Solutions"
	Science	Teacher Created Curriculum aligned to State Standards
	Arts	Teacher Created Curriculum aligned to State Standards
	Physical Education	Teacher created curriculum aligned to State Standards

3. Content Areas in Depth

a. English Language Arts/Spanish Language Development/English Language Development: The Language Arts curriculum is organized and presented as the foundation and connection between all subject matters. In grades K-5, Language arts and language development will be taught in both English and Spanish at each grade level to support the simultaneous development of language and literacy. The reading, writing, speaking and listening strategies and skills taught will be used to enhance both the receptive and productive tasks in science, mathematics, as well as social sciences. In addition, language development standards will be integrated into all tasks requiring receptive and/or productive language. Across all subjects' students will read, and develop mastery of sharing their ideas, posing questions, using and analyzing evidence, and crafting arguments using their writing and oral communication skills.

Roses in Concrete uses a teacher-developed combination of Lucy Caulkins's "Writer's Workshop," "Comprehension Connections," and culturally relevant and community-responsive core literature aligned to CCSS.

Reading:

Roses in Concrete uses American Reading Company (ARC) to teach and assesses students reading development. In addition, as outlined in the Common Core State Standards (CCCS), students will engage with increasingly more complex texts as they progress to a level of college and career readiness. In addition to being able to decode and comprehend text, students are expected to develop and utilize increasingly sophisticated language practices that include, but are not limited to: making inferences, weighing evidence, critical weighing of evidence to support an argument, and discerning nuance.

Writing:

Teachers will administer a Writing Snapshot assessment at the beginning, middle and end of the year as a way to assess writing growth and goals. The demands of the writing curriculum increase as students progress across grade level. Students are expected to develop and master the ability to write across genres. This includes narratives, persuasive texts, as well as the ability to write arguments and explanations in regard to what they have read. Students will be encouraged to write with their audience and a specific purpose in mind. The writing must be logically sequenced, supported by evidence from the reading and other sources, and demonstrate their grasp of learned ideas. The Language Arts curriculum will demonstrate a clear and deep connection and transfer between what students read and what they write. Students will utilize a variety of research techniques to create writing that clearly reflects the use of evidence from a variety of written texts.

Speaking and Listening:

Students will develop and utilize a range of critical language practices associated with speaking, listening and the use of language conventions. Students will acquire the essential language practices of syntax, grammar, mechanical conventions, and word meaning in order to communicate ideas from the simple to the more complex. Students will use their oral skills to integrate and evaluate academic and other content while being mindful of tone, audience, and the context. Students will have various opportunities to use their language to teach, learn, and transfer learning in a variety of settings: one on one, small group, whole, group, formal as well as informal. Students will learn to work effectively in teams and small groups, developing their capacity to actively listen and engage. The students will learn to listen to one another with a critical ear, understanding how to express their own ideas and arguments clearly and respectfully. The art of argumentation will be taught and learned, with students being able to process, analyze, and weigh evidence when listening to others. Additionally, they will craft arguments based on what they hear, and develop the capacity to oral communicate their statements and questions based on their understanding of what others have said. As students progress through each grade level they will grow in their ability to strategically use the various language practices in order to create prose across genres, for different audiences, and contexts, and purposes.

Language Development: Language development in English and Spanish will be supported by integrated as well as targeted ELD/SLD. Integrated ELD/SLD will take place daily, throughout language arts, mathematics, social studies, and science instruction. We will incorporate a Structured English Immersion (SEI) approach as well as a variety of Sheltered Instructional (SDAIE- specially designed academic instruction in English) practices in both languages to ensure that students develop vocabulary and academic language across content areas. Targeted ELD/SLD will take place during small group instruction time, as the teacher pulls small groups for differentiated instruction in English and Spanish language development. Student progress will be individually assessed and monitored according to language proficiency standards.

b. Mathematics

The mathematical practices will be deeply embedded in language arts practices. In addition to developing number sense, having opportunities to use a variety of arithmetic procedures to engage in simple to increasingly more complex computations and word problems, students will combine mathematical and language arts standards to make sense of mathematical processes. ELD and SLD standards and strategies will be integrated across all lessons to ensure that students have the necessary scaffolding to access content across language. In order to successfully solve mathematics problems students will be exposed to the language of mathematics, including the math specific vocabulary as well as the range of mathematical representations. Students will explain abstract mathematical concepts and relationships. The use of text, visual models and representations such as graphs, charts, and symbols, as well as talk. Students will be required to explain their thinking, using explicit and precise language. Students will construct and defend arguments in math, using various logarithms, diagrams, and the language of mathematics. In mathematics, students will use proofs, specific definitions and mathematical reasoning to produce and comprehend mathematical arguments. While students will use more informal and less precise mathematical language as expressions in earlier grades, they will develop more precision in later grades to inform their claims and arguments.

Curriculum at Roses in Concrete will consist of a teacher-developed combination Eureka Math, ST Math (Spatial Temporal), and Marilyn Burns.

c. Science

The Science instruction and curriculum at the Roses in Concrete is rooted in the content and processes of scientific thinking, communication, investigation, experimentation, teamwork, research, and design that are integral to Science, Technology, Engineering, and Mathematics (STEM) fields and professions. Using a wide variety of rigorous resources including Mystery Science, "Generation Genius", ReadWorks, and ESpark as well as using/piloting teacher created STEMM and Computer Science Engineering units backed by Stanford University and Science in the City. Students will make sense of science: examining and challenge their preconceived notions and misconceptions of science, developing ideas founded on more scientifically based perspectives. Rather than simply accepting scientific explanations of phenomena and theories, students will constantly engage in discussion and experiences that challenge them to answer the question: How do you know? Students will craft their responses using the discourse unique to science as well as the Language Arts practices of reading, writing, and oral communication. As with mathematics, ELD and SLD standards and strategies will be integrated across all lessons to ensure that students have the necessary scaffolding to access content across language. The Science materials will include FOSS Science and CCSS additions.

Scientific Content and Communication:

As with Mathematics, students will learn to read and represent ideas using visual representations such as models, graphs, charts, and diagrams. These literary tools and devices will serve as evidence as they engage in both oral and written argumentation with others. Students will learn to analyze arguments, weigh evidence, and distinguish between strong and weak scientific justification of claims. The language in a science classroom is

unique, including textbooks as well as discourse, are unique and different from students' everyday language. In earlier grades students will learn to discuss science concepts using informal language that will become increasingly more complex and formal as they progress through grades.

Science Investigation and Inquiry:

Students engage in science thinking long before they reach school age. They are naturally curious about the world around them, tasting, touching, and questioning, discovering how things work. Their scientific experimentation, though informal, fosters student explanations and conceptions about the world and phenomena around them. At Roses in Concrete students will learn the history of scientific developments as well as the facts discovered by others. Even more however, our students will learn science through active involvement, or investigative and inquiry-based experiences. Students' involvement with science will be hands-on and minds-on in nature. Pedagogical strategies will provide students opportunities to manipulate and investigate elements physically and mentally.

Scientific Experimentation:

Students will ask questions, come up with hypotheses, make predictions, design experiments to test their hypotheses, as well as collect and analyze data. Students will experience science as more than simply rote memorization of facts and formulas. Rather, they will be engaged the real-world application and transfer of science knowledge, discovering and constructing meaning for themselves. As 21st Century Learners, students will move far beyond the passive learning and objectives of finding the "right" answers, to coming up with ideas on their own, through experimentation and investigation. As students learn to ask questions, test their hypotheses, and generate ideas, they will develop the disposition central to scientific inquiry and discovery. Their curiosity, desire to share ideas, and question theories will be valued and nurtured by the teachers and staff at Roses in Concrete.

d. History, Social Science and Ethnic Studies

According to the California Framework, engaging and thoughtful history-social science instruction teaches students to connect to people, ordinary and extraordinary, who came before and whose stories build sensitivity and appreciation for times past and for the long continuity of human experience. It also allows teachers to develop and cultivate a sense of community and civic duty and responsibility. At the Roses in Concrete we seek to create 21st Century Learners who study and understand the historical context of current political, social, and economic conditions. At the early levels students learn central historical facts, geography, as well as habits of mind and character such as *empathy, fairness, respect, equality, discipline, and responsibility*. Additionally, the curriculum will provide students a culturally diverse experience where they learn to appreciate and value the myriad languages, religions, races, ethnicities, and other categories and structures by which humans classify and categorize themselves.

These lessons are grounded in the Six Elements of Social Justice starting in Kindergarten. For example, In the primary grades, students learn how to write persuasively by reading about about the United Farmworker struggle and making connections to how it relates to

current the boycott against Driscoll's strawberries. Students draw connections across historical time periods deepening their understanding of current social actions examine the because of unfair wages paid to farmworkers.

Roses in Concrete uses a range of standards aligned resources including resources from History ALive, Teaching Tolerance, Rethinking Schools.

Historical Thinking:

In addition to the standard knowledge about and memorization of important historical dates, events, names, and places, students will engage in *historical thinking*. They will explore and study primary sources: artifacts, journals, diaries, photographs, and other documents as a way to more actively and creatively interact with history. Students will compare and contrast documents, considering the historical context of the time. Students will work individually and collectively to read, discuss, analyze and create historical narratives and arguments based on evidence from the past. As with Language Arts, Science, and Math, students will write essays, engage in discussion and debate, and create visual representations of their understanding, transferring their learning across different contexts and scenarios with the support of appropriate language scaffolds. As students thoughtfully and carefully read and interpret documents from competing narratives, they will assess and evaluate the degree to which claims are supported or disproved by evidence.

e. Physical Education

A student at the Roses in Concrete will experience yoga and meditation as a part of our classroom and school wide practice; organized free play 40 minutes a day with a recreational specialist and formal Physical Education 100 minutes a week. A full-time The recreational specialist will lead a weekly class game time, and organize classroom teachers to participate and support the program in their areas of interest, and solicit professional providers for specific skills and sports. We will deliver the Physical Education Model Content Standards for California Public Schools (CDE, 2006) K-12, with culturally relevant modifications.

Culturally Relevant Physical Education examples:

- Violence and safety issues are a barrier to physical activity in some neighborhoods. Green spaces and parks are scarce, and some parents do not want their children outside.
- Family structures sometimes mean older siblings have responsibilities after school while parents work. Chores, meal preparation, and caring for younger siblings make physical activity after school difficult.
- Low socioeconomic status and poverty-like conditions mean families lack additional resources for extracurricular activities (i.e., recreational sports leagues, clubs).
- Religious practices limit students' participation in physical activity. Many Muslim students fast during religious holidays, making physical activity impractical. Furthermore, some Muslim girls face additional barriers because standards of modesty prohibited physical activity in sight of boys.

- Finally, students' race and ethnicity place greater cultural value on some activities, and these usually differ from the activities that physical education teachers included.

According to Flory and McCaughy (2011), urban students craved activities done easily in their homes, with friends and family, and activities with specific cultural meaning. For instance, students reacted positively to exercise videos because their mom's could use them at home. Understanding what sports, such as soccer or basketball, are highly valued in the neighborhood and teaching aligned skills at every grade level further connect students to the program. Students indicate that it would be better if they developed skills for skating, dancing or bowling – things they want to do in their lives. Other strategies demonstrating cultural knowledge to accommodate safety concerns, family structures, and restrictive budgets, RiC teachers will include content that could be done easily at home and with little equipment. During a fitness unit, for example, students will learn to replicate strength exercises using bottles filled with water. For step benches, students can just do stairs. When religious practices impeded physical activity, we will adjust dress requirements and teaching schedules.

f. Visual and Performing Arts (VAPA)

A student at Roses in Concrete will experience VAPA instruction 45 minutes a day, two days a week and as daily part of our after-school program. A full-time certificated Arts coordinator/instructor will lead this program, organize classroom teachers to participate and support the program in their areas of interest, and solicit professional providers for specific skills in visual arts, performing arts, and music. We will deliver the Visual and Performing Arts Content Standards for California Public Schools (CDE, 2001) K-12, with culturally relevant modifications. We will implement standards in each of the four content areas: Dance, Music, Theatre and Visual Arts. Artistic perception; creative expression; historical and cultural context; aesthetic valuing; and connections, relations, and applications will be included in each of the content areas as appropriate for each grade level.

RiC's emphasis on the arts is based on five basic premises (Eisner, 2002):

- Art is critical for educating the whole child.
- Art is a basic part of a good education.
- Arts education fosters brain development.
- Arts education fosters the development of social skills.
- Skills developed in art increase achievement in other areas.

We recognize that arts are also important in reaching students who otherwise do not subscribe to traditional educational programs. RiC expects to attract students who have not achieved success in school in other areas. Many studies (Deasy & Catteral, 2002; IAEEA test; Rauscher, 2003; Welch & Greene, 1995) refer to the academic and social benefits accruing to at-risk and failing students who are involved in various arts education programs. A 20-year program among low-achieving students in 8 inner-city New York elementary schools that integrate visual and performing arts showed positive results in improving reading performance. (Welch & Greene, 2005). Research studies show that art-

based reading instruction promotes better reading, largely through the added motivation that art offers for learning. (Burger & Winner, 2000; Deasy, 2002) The RiC arts program will be integrated with other instructional content areas and projects to create meaningful applications as well as the stand-alone value of each of the arts.

g. Character and Conduct

Concepts include:

- *Right and Wrong*: Embody core beliefs that allow students to quickly identify the difference between right and wrong as well as acknowledge when transgressions occur and be willing to seek either atonement or resolution.
- *Respect for Elders*: Clear understanding of the necessity for and performance of respect for elders.
- *Right to Privacy and Personal Space*: Embody core beliefs that emanate respect for a right to privacy and personal space.
- *Resiliency and Grit*: Willingness to take emotional risks, such as trying new things, and reattempting tasks where they have previously failed.
- *Environmental Consciousness*: Fundamental understanding of the need to be environmentally conscious with respect to litter and waste, while also being able to distinguish art from vandalism.
- *Curiosity*: Preparation to follow direction and receive guidance with a curiosity and enthusiasm that does not lean into disrespectful defiance.
- *Openness to making and learning from mistakes*: Willingness to make mistakes on their pathway into adolescence with the understanding of what constitutes a mistake and what must be identified as a bad habit.

In essence, we expect students will transition into their upper school experience prepared to receive the instruction and socialization they both need and deserve in order to develop into the teenagers, the community and the world needs them to be.

VIII. Professional Development

According to Killion's national review of professional learning paradigms in education, "finding time for job-embedded professional learning is one of the most frequently cited challenges with implementing change in education" (Killion, 2013). Yet, professionals and experts alike agree that successful professional development is at the heart of effective classroom practice, teacher job satisfaction, and teacher retention. By extension then, professional development has direct and profound impact on student performance. For this reason, the Roses in Concrete places a heavy emphasis on developing and supporting a professional development program that will become a national model of teacher development.

1. Our Approach to Teacher Support and Development

RiC's approach to supporting and developing our teachers integrates some of the most cutting-edge strategies from Improvement Science (Sparks, 2013) and teacher development (Duncan-Andrade, 2011). It is the Charter School's position that while we

have acknowledged the need for differentiated instruction in classroom teaching, we have not applied this same understanding to the ways that we develop teachers. For this reason, schools typically employ one-size fits all models of professional development that stymie teacher growth and exacerbate levels of teacher attrition. Oakland is no stranger to the impacts of this kind of professional culture. However, research (Duncan-Andrade, 2005 & 2007, www.metproject.org/) suggests, that when urban teachers are provided with the opportunity to get meaningful feedback on their practice *and* to participate in professional structures that allow them to use that feedback in collaboration with colleagues, then levels of job performance, job satisfaction, and persistence in the profession all trend upward. In accordance with this research, we developed TEN, which uses technology to support a cycle of teacher inquiry and improvement that applies the classic three-phase cycle of learning development and assessment (diagnostic, formative, and summative).

Phase 1: DIAGNOSTIC: *Priorities Survey*

A user-friendly “Priorities Survey” in the TEN platform enables families, students, and educators to have greater self-determination and build a collective voice to shape the educational priorities in the school. Utilizing an easily accessible electronic platform, the survey allows families and students to choose teacher qualities that they consider most important for effective teaching in three domains: “Relationships,” “Relevance,” and “Responsibility”. This phase directly engages the stakeholders and centers students and families in the educational experience, empowering them to shape priorities of the schools serving their children.

The data from the Priorities Survey is then analyzed in teaching inquiry groups in accordance with the looping patterns of the school (K-2, 3-5, and 6-8). Teachers develop customized professional growth plans in accordance with the instructional priorities determined by the community and based on their personal strengths and needs. These are designed and executed in collaboration with their inquiry group team, and also shared with the entire instructional staff in professional development sessions and staff retreats.

Phase 2: FORMATIVE

The formative phase uses the priorities identified by the community in Phase 1 to create an electronic feedback loop that allows families, their children, administrators, and educators to provide feedback to teachers about how they are doing on the teacher qualities selected as priorities.

During the formative phase teachers create personalized growth plans based on the feedback they receive on their actual classroom practice. These plans are developed, assessed, and revised as part of their collaborative work with their colleagues in inquiry groups. Teachers are also able to get coaching, support, and access resources in TEN’s Teaching Excellence Community (TEC) designed to develop and support their individual growth plans. TEC provides a space for families and educators to create communities that share strategies, stories, and resources to develop and support effective community responsive teaching. It also serves as clearinghouse of excellence, where curated educational materials to improve teaching are accessible.

Phase 3: SUMMATIVE

At the end of each school year, teachers can access a report detailing progression of their classroom practice, which includes feedback from families, students, and colleagues. Administrators can access reports that measure improvements in practice at the school so that investments in professional development can be more effectively evaluated and so they can plan for the following school year. This summative feedback will be used by teachers in their inquiry to design their summer growth plans, identifying some key areas of development they are interested in exploring during the summer.

Our use of TEN transforms unquestioned institutional norms about expertise and input on the education of vulnerable children by centering the priorities and feedback of disenfranchised families in the discussion about what schools do and how they do it.

2. Lab School

Roses in Concrete has created *laboratory school* agreements with San Francisco State University, Stanford University, the University of California, Berkeley, the University of San Francisco, and Mills College to develop curriculum, pedagogy, and teaching apprenticeships, and training practicing educators that will work more effectively with urban students. By doing so, RiC aims to provide a permanent source of multi-year apprenticeships to create a pipeline of exceptionally well-trained urban school administrators and teachers, with an emphasis on candidates of color and bilingual candidates.

In addition to hosting those visitors, RiC also spread its work nationally and as far abroad as New Zealand through the Teaching Excellence Network (TEN) that rests inside of Roses in Concrete. Through TEN, RiC provides a platform and feedback system that aligns the voices of our educators, students and families to build *community responsive schools* dedicated to building strong relationships, creating relevance for students and families in the work we do, and fostering parent, student and staff responsibility necessary to create an environment focused on agency and racial and social justice.

In this work we hold the a specific aim to develop educators to serve in Oakland's highest need schools. RiC will be able to offer a pipeline of highly trained urban educators and school leaders for the district in keeping with our longstanding commitment to support Oakland's children, families, and schools. This pipeline will include bilingual educators that are especially well positioned to support the growth of OUSD's own dual immersion programs and K-12 dual language pathway.

3. Establishing time for professional growth

High-quality professional development usually takes place during the school day, is sustained, and is embedded in the work of teachers. There is simply no substitute for finding time during the day for educators to collaborate, apply new ideas, and share their learning. Evidence shows that effective professional development needs to be seen as a regular, on-going part of school life. Training needs to be accompanied by coaching during the school day, and educators need to have opportunities to share experiences and learn from each other. In order to accomplish this, RiC leaders will alter scheduling so that key

groups of teachers can have shared planning time, provide early-release days so that teachers can work together in their inquiry groups during afternoons, and use existing meeting time in new ways to foster professional collaboration.

- **Daily:** Grade level professional learning communities (PLCs) will have one hour, four times a month for collaboration around data, lesson planning and feedback. Arts and athletics specialists will offer enrichment activities to the students whose teachers are so engaged.
- **Weekly – Peers:** One day a week will be an early release for the entire staff from 1:30-4:00. The time will be used for all school needs, professional development topics, and cross-grade-level collaborations work.
- **Weekly – Principal:** Each grade level team of teachers will meet with the principal approximately one morning (7:30-8:15) a week to share data, resulting plans made by the team, supports needed for the week, etc.
- **Occasionally – Intersession:** Full day clinic/workshops will be included in the calendar and during intersessions to add to the professional growth of the staff.
- **On-demand:** Because of the position of RiC as a lab school, teacher and leadership teams will be attending and presenting at professional events that align with the mission, vision and activities of the Roses in Concrete. Information gained will be shared with the entire staff through whole staff and PLC collaborative sessions.

VII. Goals and Actions to Achieve the State Priorities

Pursuant to Education Code Section 47605(b)(5)(A)(ii), the following table describes the annual goals for the Charter School for all pupils and for each subgroup of pupils to be achieved in the state priorities, and specific annual actions to achieve those goals. (See Table 1.7)

Local Control and Accountability Plan

The Charter School will produce a Local Control and Accountability Plan (“LCAP”) using the LCAP template adopted by the State Board of Education pursuant to Education Code Section 47606.5. The Charter School shall submit the LCAP to the District and the Alameda County Superintendent of Schools annually on or before July 1, as required by Education Code Section 47604.33.

Table 1.7 RiC’s Goals and Actions to Achieve the State Priorities

State Priority #2 Implementation of Common Core Standards

The charter school will meet or exceed the same accountability standards as district schools regarding the Implementation of State Standards (including CCSS and ELD), including how EL students will be enabled to gain academic content knowledge and English language proficiency.

Subpriority A: CCSS Implementation

Annual Goals	Actions to Achieve Annual Goals

<p>The RiC curriculum will be aligned to the State Standards.</p> <p>By the end of the charter term, for all students and for each statistically significant student group (Latino, Low-Income, African American, EL), increase the percent of students scoring level 3 or level 4 on the ELA and MATH portion of the SBAC by at least four percent or achieve a level of 75 percent.</p>	<p>Fully implement the core curricula across grade levels and provide ongoing professional development and classroom support to teachers.</p> <p>Provide additional culturally sustaining supplementary and reading materials.</p>
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Subpriority B: EL Students & Academic Content Knowledge

Annual Goals	Actions to Achieve Annual Goals
<p>All curriculum and instruction will be designed to support English Learners and other subgroups who experience difficulties with the curriculum.</p>	<p>All maps will include ELD standards (or SLD standards, if the content is taught in Spanish) aligned to the State Standards to maximum language support.</p> <p>Recruit and prioritize the hiring of faculty and leadership that are fluent in the home languages of our students, with an emphasis on Spanish-bilingual candidates.</p> <p>Utilize effective SDAIE strategies to support access to content taught in English.</p> <p>Implement a Two-way Dual Language Immersion program in Spanish and English for Grades K-2 and Spanish Language Maintenance and Development program for primary Spanish speakers in grades 3-8 in order to ensure students maintain and develop their home language while acquiring the English skills necessary to master the State Standards.</p> <p>RiC will implement an asset-based instructional approach designed to ensure accelerated and effective acquisition of academic English and Spanish.</p> <p>RiC will demonstrate that we value students' bilingual capacity as a true asset, an admirable and important skill for present and future goals, through our relationships with families, our commitment to hiring multilingual staff, and the obvious presence of the cultures and languages of our students at the Charter School.</p>

Subpriority C: EL Students & English Language Development

Annual Goals	Actions to Achieve Annual Goals
<p>Students will grow one year on their ELPAC level each year until reclassified. when specialized language and</p>	<p>Review data regularly to follow the progress of our EL students closely to ensure we are meeting their needs.</p> <p>In PLC meetings and trimester data meetings, EL students will be</p>

<p>academic support services are deemed no longer needed for ELs to be successful in the mainstream educational program at a level commensurate to non-ELs.</p> <p>By the end of the charter term, increase the percentage of English Learners meet the English Learner progress indicator criteria as defined by the California state dashboard by at least four percent or until a level of 75% is met.</p>	<p>represented and outlined specifically to present growth data from NWEA scores each trimester.</p> <p>Teachers will group students by similar needs and support students in small group ELD instruction and support to excel towards standards.</p>
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State Priority #3— Parental Involvement and Family Engagement

Parental involvement and family engagement, including efforts the Charter School makes to seek parent input in making decisions for the Charter School, and including how the Charter School will promote parent participation in programs for unduplicated pupils and individuals with exceptional needs.

Subpriority A: Achieving and Maintaining Parent Involvement

Annual Goals	Actions to Achieve Annual Goals
<p>Parents participate in the TEN feedback process at all levels knowing that family engagement is central to the mission of RiC.</p> <p>RiC parents consider themselves as central to the success of their students and the Charter School.</p> <p>Parents input regularly queried and used about how the Charter School is meeting the needs of their children and how staff can be more responsive to those needs.</p>	<p>Teachers meet with each family to explain how TEN works and how their voices will be heard.</p> <p>Principal host neighborhood meetings to explain the essential nature of TEN to the success of RiC and parents' centrality to the success of their students and the Charter School.</p> <p>Group meetings, home visits, neighborhood meetings and other communication strategies will be utilized to inform parents of the importance of their feedback and how it is used.</p> <p>Parents participation on Shared Governance Council including a minimum of one parent in each grade level band (K-2, 3-5, 6-8).</p>

Subpriority B: Promoting Parent Participation

Annual Goals	Actions to Achieve Annual Goals
<p>RiC families will participate in a wide range of school activities.</p> <p>Parents/family members will be active members of leadership teams (ie. Board of Directors, Shared Governance).</p>	<p>Published list of additional, diverse opportunities for parents to be involved in the school.</p> <p>Establish regular, designated times for parents to give feedback to school leadership through family/principal meet and greets, visibility at arrival and dismissal, open door communication and policy.</p>

<p>Increase cohesiveness and ownership between the families and the school.</p>	<p>Communicate regularly with parents via written and electronic media, encouraging them to participate in whole school functions and opportunities.</p> <p>Leadership teams that include parents/family members will be formed as needed and as major changes become necessary. Parents will be notified of all leadership team openings with clear information on the roles and responsibilities of membership. Parents will be actively recruited as needed.</p>
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Subpriority C - Promoting Parent Participation for Unduplicated Students and Students with Exceptional Needs

Annual Goals	Actions to Achieve Annual Goals
<p>RiC families of unduplicated students and special education students will have access to and participate in school activities.</p>	<p>Roses will translate all family communications (e.g. emails, robocalls, flyers) in English and Spanish,</p> <p>Roses will hold quarterly ELAC meetings to invite families to better understand EL supports and services.</p> <p>Roses will ensure that PATT Nights (Parents Are Teachers Too) will support translation services and language support for students and that the curriculum is scaffolded to meet the needs of students at all levels.</p>

State Priority #4 - Student Achievement

The charter school will meet or exceed the same accountability standards as district schools for pupil achievement, as measured by all of the following, as applicable:

- A. California Assessment of Student Performance and Progress statewide assessment
- B. Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education [NOT APPLICABLE]
- C. Percentage of ELs who make progress toward English language proficiency as measured by the English Language Proficiency Assessment for California
- D. EL reclassification rate
- E. Percentage of pupils who have passed an AP exam with a score of 3 or higher [NOT APPLICABLE]
- F. Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 et seq.) or any subsequent assessment of college preparedness [NOT APPLICABLE]

Subpriority A - CAASPP

Annual Goals	Actions to Achieve Annual Goals
<p>Students will be proficient speakers, readers and writers of the English language.</p> <p>Students will be proficient in mathematical skills and content.</p>	<p>Regular use of curriculum embedded standards aligned classroom formative assessment</p> <p>Regular NWEA assessments that indicate students' progress towards the standards achievement on ELA and Math CCSS in grades K-8.</p> <p>Before and after school interventions, tightly aligned to the day's</p>

<p>Students will be proficient in science skills and content.</p> <p>Students will be proficient in history, social science and Ethnic Studies skills and content.</p>	<p>work, will be provided 4 days a week. Intersessions and summer school will provide remediation for the areas identified on interim/benchmark assessments.</p> <p>Extensive professional development will be provided on the use of formative assessments to improve learning, how to use formative and interim assessments to inform the work of each grade-level's professional learning community and how to design and implement just-in-time interventions.</p> <p>Specialized and intensive supports will be made available to students with IEPs and to EL students to insure adequate progress and reclassification, respectively. These will include before and after school 1 on 1 academic supports, and additional in class supports from teacher apprentices, classroom aids, and the classroom teacher.</p> <p>Teachers and support staff will create an environment for testing that will be encouraging and satisfying for students to fully engage and attend.</p>
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Subpriority B – UC/CSU Course Requirements (or CTE) [“Not Applicable”]

Subpriority C – EL Proficiency Rates

Annual Goals	Actions to Achieve Annual Goals
<p>Each cohort of English Learners will progress by at least one level annually in English Language Development proficiency level as measured by the ELPAC.</p>	<p>Curriculum maps designed with ELD standards to support emerging bilingual students.</p> <p>Extended professional development to enhance teacher skills to employ asset-based instructional approaches and accelerated effective acquisition of academic English based on formative, interim and summative assessments.</p> <p>Full time Special Education/Dual Language Coordinators will lead and support teachers' success with EL/Emerging bilingual students.</p> <p>Respect for students' mother tongue and culture will permeate all activities that move students toward the acquisition of academic English while maintaining and enhancing their home language.</p> <p>The dual language program will support all students, including emergent bilinguals, to develop academic language and content knowledge in both Spanish and English.</p>

Subpriority D – EL Reclassification Rates

Annual Goals	Actions to Achieve Annual Goals
<p>Students will grow one year on their ELPAC level each year until reclassified.</p>	<p>Review data regularly to follow the progress of our EL students closely to ensure we are meeting their needs.</p> <p>In PLC meetings and trimester data meetings, EL students will be</p>

By the end of the charter term, increase the percentage of English Learners meet the English Learner progress indicator criteria as defined by the California state dashboard by at least four percent or until a level of 75% is met.	represented and outlined specifically to present growth data from NWEA scores each trimester. Teachers will group students by similar needs and support students in small group ELD instruction and support to excel towards standards.
Subpriority E – AP Exam Passage Rate [“Not Applicable”]	
Subpriority F – College Preparedness/EAP [“Not Applicable”]	

State Priority #5 – Student Engagement
 The charter school will meet or exceed the same accountability standards as district schools regarding pupil engagement, as measured by all of the following, as applicable:
 A. School attendance rates
 B. Chronic absenteeism rates
 C. Middle school dropout rates (EC §52052.1(a)(3))

Subpriority A: School Attendance	
Annual Goals	Actions to Achieve Annual Goals
Students attend school on time, regularly and consistently.	<p>Deliver curriculum and instruction that is relevant, success oriented, and engaging so students want to be at school.</p> <p>Create such positive and powerful relationships between teachers, students and parents that any communication about an absence or tardy is immediate and welcomed.</p> <p>Looping students to create multi-year relationships between a student, their family, and their teacher, making it easier to identify and respond to reasons for absence.</p> <p>Community Council mentorship families will provide broader range support for engagement and intervention that will include multiple adults in addition to the child’s teacher and peer support.</p>
Subpriority B: Student Absenteeism Rates	
Annual Goals	Actions to Achieve Annual Goals
Students will come to school on time and will attend 95% or more of the time.	<p>RiC’s daily attention to hierarchal Levels 1 (Physiological and Safety needs) and 2 (Love and Belonging Needs) by teachers.</p> <p>Teacher calls/visits home at the first sign of absentee patterns. Admin support for home contacts.</p>
Subpriority C – Middle School Drop Out Rate	
Annual Goals	Actions to Achieve Annual Goals

<p>Ensure that all students are supported through their transition to high school.</p>	<p>Provide targeted counseling and support for students on high school options and transition plans with a focus on most vulnerable youth.</p> <p>Extensive support systems and community partnerships to insure that if a child misses school repetitively, we can intervene with the appropriate resources as aligned with our attention to Maslow's basic needs framework. A potential middle school drop out will receive extensive interventions and follow-up counseling to prevent such action, including 1 on 1 support before school, after school, and in-school breaks.</p> <p>Site will work with local high schools to support transition by holding fairs and materials with families for 8th graders.</p> <p>Alignment with curriculum to OUSD in terms of readiness for 9th grade will continue to be an established part of curriculum content and mapping.</p> <p>Advisory classes for all 6th-8th graders to support future schooling, SEL/entrepreneurship curriculum, careers and future paths of interest</p>
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State Priority #6 – School Climate

The charter school will meet the same accountability standards as district schools regarding school climate, as measured by all of the following, as applicable:

- A. Pupil suspension rates
- B. Pupil expulsion rates
- C. Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness

Subpriority A: Pupil Suspension Rates

Annual Goals	Actions to Achieve Annual Goals
<p>The culture and climate at RiC will be consistently identified as positive and supportive of student growth by all major stakeholders.</p> <p>Pupil suspensions and expulsions will be minimal.</p>	<p>Students will be regularly reminded of larger responsibilities to themselves, their families, and the community via the consistent reciting and use of the Code of Code as a paragon of the Charter School culture.</p> <p>Hire and support teachers and community partners that build community and culturally responsive arts and athletic programs to insure high levels of engagement and health for students.</p> <p>Engage a robust group of community partners (see Board and partner letters as a sample) to ensure that the Charter School meets broad family and student needs.</p> <p>Social-Emotional Learning resources integrated throughout the instructional day.</p> <p>Only the most egregious violation – those that put students and/or the Charter School in physical danger or are mandated</p>

	by state or federal law- will be considered grounds for suspension or expulsion. All other infractions will be handled with various levels of restorative justice and counseling.
Subpriority B: Pupil Expulsion Rates	
Annual Goals	Actions to Achieve Annual Goals
Continue to maintain a pupil expulsion rate of less than 1%	Only the most egregious violation – those that put students and/or the school in physical danger or are mandated by state or federal law- will be considered grounds for suspension or expulsion. All other infractions will be handled with various levels of restorative justice and counseling.
Subpriority C – Other Measures	
Annual Goals	Actions to Achieve Annual Goals
<p>Staff will understand Restorative Justice, SEL and TEN priorities and programs and will support them consistently.</p> <p>Student referrals for behavior will be minimal.</p>	<p>Staff will receive extensive training and support to implement Restorative Justice, SEL and TEN through community partners (ISEEED, RJOY, etc).</p> <p>Develop community partnerships to support all our families to secure the necessary resources so that every child we serve has a stable basic needs framework in place.</p> <p>Looping to enhance connected relationships and family involvement.</p> <p>Provide students with balanced, nutritious breakfast, lunch, and after-school meal options as well as daily access to structured and unstructured play</p> <p>Cross-grade opportunities will also deepen relationships and support structures among teachers allowing them to work collaboratively and support each other with students and families from across the Charter School community</p> <p>Emphasis on group projects and youth-led community-based research projects, will create a rigorous but collaborative academic environment where students will learn how to support each other across social and academic needs through their work together on the projects.</p>

State Priority #7— Course Access

The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster youth; E.C. §42238.02) and students with exceptional needs.

“Broad course of study” includes the following, as applicable:

Grades 1-6: English, mathematics, social sciences, science, visual and performing arts, health, physical education, and other as prescribed by the governing board. (E.C. §51210)

Grades 7-12: English, social sciences, foreign language(s), physical education, science, mathematics, visual and performing arts, applied arts, and career technical education. (E.C. §51220(a)-(i))

Annual Goals	Actions to Achieve Annual Goals
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<p>All RiC students are enrolled in a broad course of study that puts them on a path to success in high school, college and career.</p>	<p>All K-8 students will be engaged in the same highly motivating, relevant materials. All will be held to the same achievement standards with additional time and support to reach them.</p> <p>All students will have the cognitive, academic, and socio-cultural benefits of bilingualism.</p> <p>All students have access to core curricula.</p> <p>Students will participate in RSJ curriculum that supports a broader knowledge of history, including their own ethnic history.</p>
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State Priority #8 – Other Student Outcomes
Pupil outcomes, if available, in the subject areas described above in #7, as applicable

Annual Goals	Actions to Achieve Annual Goals
<p>•All RiC students will become proficient readers and writers of English and Spanish; proficient in mathematical skills and content; proficient in science concepts and scientific thinking; and proficient in history/social science practice and content.</p>	<p>Individual learning plans (ILP) for each student designed as part of each teacher’s instructional plan, based on previous performance and adjusted as relationship develops, and agreed upon by student and family.</p> <p>Regular formative assessment processes that result in additional just-in-time interventions.</p> <p>Interim assessments that identify additional gaps followed by immediate before school/after school interventions.</p> <p>Extensive professional development on formative and interim/benchmark assessment and Response to Intervention processes to maximize interventions.</p> <p>Curriculum maps that include ELD standards and supports for struggling students.</p>

VIII. Plan for Academically High Achieving Students

RiC expects that all students will be high achieving in some aspect of their participation in the Charter School. RiC believes that it is important that students experience success early and often in school, but also believes that these successes must not be artificial. The Charter School is able to modify definitions of success in ways that are developmentally appropriate and appropriately rigorous across a wide spectrum of skills. In areas where students are excelling beyond the normal achievement band for their age level, our academic program allows RiC to push the bar higher on them so that students are always being challenged. The high number of adults at the Charter School, a result from our robust family engagement program, our teacher and school leader apprenticeship programs, and our various enrichment programs (music, arts, and athletics), allows students to excel in

any number of venues. The Charter School's deep partnerships with some of the Bay Area's most prestigious universities will insure that RiC students have frequent and extensive access to clear pathways into post-secondary opportunities in their areas of greatest interest and success.

As veteran educators, we acknowledge that any two students might be coming to school with wide variances between them in their social and academic skills. RiC's response to the range of needs these students will have is built into the very essence of our instructional approach. RiC's community-responsive culture and emphasis on family engagement, as discussed previously as a key component of curriculum and instructional design, gives RiC ample opportunity to notify parents/guardians that their student is high-achieving. More importantly, RiC's approach of frequent family engagement allows parents to keep pace with their student's progress and achievements. RiC's deep investments in relationships with families and students, coupled with the collaborative professional culture of the Charter School and robust community and university partnerships, powerfully positions to meet the needs of a wide range of student needs and interests.

IX. Plan for Academically Low-Achieving Students

As evidenced by the aforementioned pedagogical strategies, RiC is aware that many of our students will arrive at the Roses in Concrete having had some challenges with their academic preparation. The G.R.O.W.T.H. team is a structure that brings together academic and behavioral support service providers at the school site in a regular weekly or bi-monthly meeting to provide identification, assessment, referral, support, and service coordination for students experiencing academic, attendance, behavior, social, or health problems that impact school success. These plans are student specific, taking into account a student's strengths, needs, weaknesses, and previous successful and failed support efforts. This kind of individualized documentation of learning growth and needs allows staff to collectively plan, implement, and evaluate strategies that are collectively designed and tracked for impact and modification. Moreover, because GROWTH plans are designed in partnership with the families, they allow for full transparency and partnership between the school and a child's family, ensuring that the Charter School is reinforcing its collective efforts to support every child in ways that are community responsive. GROWTH Plans will be regularly reviewed after quarterly comprehensive assessment periods to ensure that they are adjusting according to each student's progress. These plans will also be the guiding documents to support students as they transition on to the next looping team of teachers.

Roses in Concrete uses a Multi-Tiered System of Student Supports ("MTSS"), a framework that ensures that no matter where students are when they arrive, they will receive the necessary care and support to succeed. The first level of support is the provision of the high-level instruction on a daily basis in every program and every classroom in which they are involved. This high-quality instruction includes all the aforementioned levels of Maslow's hierarchy of needs, and our 5Rs (see Vision, How Learning Best Occurs, and Instructional Approach), along with socially and academically appropriate materials to insure a healthy level of success, rigor, and challenge for students that are academically

behind. The second level of support will come in the form of individualized 1-on-1 adult support for students that are struggling. This is made possible with local university partnerships, IA's hired by the site, volunteers, and onsite intervention support staff. The third level of support comes in the form of peer coaching, via the Community Council Mentorship Family model where students in the upper grades will loop back with peers in lower grades to support their social and academic growth. Close attention is paid to the peer pairings for academically low achieving students to ensure that they are receiving access to peers that can support their growth in meaningful and accelerated ways that are complementary to the adult support they are already receiving. The fourth level of support shows up in the form of extended school days, both in the mornings and afternoons. For academically low-achieving students, these extra minutes will be used to provide small group (2-3 students) and 1 on 1 tutoring and supplementary learning opportunities from our teacher apprentices, university undergraduate tutors, and upper grade level peers. Over the course of the school year, these intervention levels will total up to 120 additional hours of academic support.

Intervention, Assessment, and Identification

Roses in Concrete's focus is to provide support for all students who need support—regardless of the cause of academic or behavioral difficulty. Furthermore, RiC will plan and account for the inclusion of a wide range of learners, by providing researched-based instruction in the general curriculum. We honor different ways of reading, writing, perceiving, and moving through space as equally valid (Hehir, 2005; Reid & Valle, 2004). RiC adopts a "resumption of competence" rather than a deficit orientation (Biklen, 2005).

Identification of disabilities will only be used when other attempts have failed remedy a student's behavioral or learning challenges and RiC staff members believe that a disability diagnoses could provide greater understanding of the student, (for the student, parents, and teachers) and that the identification of a possible disability could be used to directly improve student outcomes or upon parent request. RiC thinks carefully about the efficacy of labels and receipt of special education services that come to feel like a form of oppression. When students are asked, they share that when they are labeled, they feel robbed of the 'energy and passion' for learning (O'Connor in Rodis et. al, 2001)

Tiered Supports

RiC provides a full suite of supports for students with special needs. At the core of the program is MTSS. The Director of Special Education assists teachers to integrate Special Education supports into this larger Tiered Support Framework as well as the larger schoolwide assessment framework. The schoolwide assessment framework, described in Element 3 of this charter, is a comprehensive assessment program that regularly assesses students using a variety of tools to track progress across grade levels and disciplines.

The GROWTH Team utilizes data from this assessment framework to monitor student growth, and any lack of progress is flagged immediately. The GROWTH Team is composed of administrators, interventionists, and resource specialists. Through the Tiered Support Framework, teachers are coached and supported in developing both behavioral and academic intervention plans for their students. This support is provided through coaching

meetings with the Principal and lead teachers. Students not making adequate progress through the in-class Tier 1 interventions will receive either a revised Tier 1 intervention plan or more intensive supports called Tier 2 services. Should the team observe evidence that a child may be eligible for special education and related services after Tier 1 and Tier 2 interventions have failed to remedy the student's academic or behavioral challenges, the team submits a referral for special education assessment to the Resource Specialist who will develop an assessment plan if appropriate.

X. Plan for Students with Disabilities

A. Overview

Core to Roses in Concrete's vision and purpose is inclusive education for students from diverse backgrounds. Research-based, culturally and linguistically sensitive practices will be utilized to promote positive academic, behavioral, and social outcomes for students with a wide range of abilities and disabilities. We take a stand against all forms of segregation and marginalization, whether based on racism or ableism or any other-ism (Ferri & Connor, 2006). This requires that RiC take responsibility for all students and reject deficit models of disability and ethnocentric views of culture, ethnicity, and race.

Roses in Concrete Community School makes the following assurances:

- **Free and Appropriate Public Education** – RiC will ensure that a free and appropriate public education ("FAPE") shall be provided to all enrolled students including children with disabilities. No assessment or evaluation will be used for admissions purposes. No student will be denied admission to the Charter School because he or she needs special education or related services.
- **Full Educational Opportunity** – RiC will ensure that all students with disabilities have access to the full range of programs available to non-disabled students.
- **Least Restrictive Environment** – RiC will ensure that students with disabilities are educated with students who are not disabled to the maximum extent appropriate. This will be addressed through the use of supplementary aids and services in the general education environment in accordance with each student's IEP.
- **Individualized Education Program** – RiC will assure that an Individualized Education Program is developed, reviewed and revised for each eligible student. The Charter School will ensure that all students are appropriately placed in the least restrictive environment and that the services, accommodations, and modifications in each student's IEP are provided.
- **Assessments** – RiC will ensure that, for each student with an IEP, an IEP review shall be conducted on, at a minimum, an annual basis. In addition, a reassessment shall be conducted at least once every three years, in accordance with the IDEA, and more often if conditions warrant or if requested by the student's parents or teachers. Parents will receive reports on their individual student's progress toward IEP goals and progress at IEP meeting and student-led conferences at least four times per year.

- **Confidentiality and Procedural Safeguards** – RiC will ensure that the confidentiality of identifiable data is protected at the collection, storage, disclosure and destruction stages. In addition, students and their parents shall be provided with a copy of written procedural safeguards processes and notified of the provisions for a free appropriate public education during the identification, evaluation and placement.
- **Personnel Standards** – RiC will attract, recruit and hire appropriately trained and credentialed personnel to provide special education and related services to children with disabilities pursuant to the child’s IEP.
- **State Assessments** – RiC will ensure that students with disabilities, whether identified under the IDEA or Section 504, are included in state assessment programs with appropriate accommodations and modifications when necessary and appropriate. These assessments include, but are not limited to, the Smarter Balanced Assessment Consortium (“SBAC”) and California Science Test.
- **Child Find** – RiC will assure that all students with disabilities are identified in accordance with the policies and procedures of the El Dorado County Charter Special Education Local Plan Area (“SELPA”).

F. State and Federal Law

RIC recognizes its responsibility to enroll and support students with disabilities who can benefit from its programs and who otherwise qualify for enrollment. RIC will not discriminate against any pupil with a disability in the admissions process or any other aspect of operation. The Charter School will comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to the Individuals with Disabilities Education Improvement Act of 2004, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and any other civil rights laws enforced by the U.S. Department of Education Office for Civil Rights (“OCR”).

G. SELPA

RIC pledges to work in cooperation with its SELPA to ensure that a free and appropriate public education is provided to all students with exceptional needs. California law gives charter schools various options on how to deliver special education and related services. Charter schools may choose to operate either as (1) a school of the chartering authority, or (2) an independent local education agency (“LEA”) member of a SELPA. The Charter School shall be its own local education agency pursuant to Education Code Section 47641(a). RIC is currently a member of the El Dorado County Charter SELPA. Finally, RiC retains the Charter School’s right to operate as a school of the District for purposes of special education. In this case, a Memorandum of Understanding (“MOU”) or similar would be developed between the Charter School and the District to memorialize this relationship.

The Charter School shall comply with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures and shall utilize appropriate SELPA forms.

Roses in Concrete will adhere to the provisions of the IDEA and State special education laws and regulations to assure that all students with disabilities are accorded a FAPE. RiC will also ensure that no student otherwise eligible to enroll in their charter school will be denied enrollment. RiC complies with Section 504 of the Federal Rehabilitation Act, the Americans with Disabilities Act, and all Office for Civil Rights mandates for students enrolled in Roses in Concrete.

Roses in Concrete is committed to maintaining high expectations for all students and will ensure all receive a free and appropriate public education in the least restrictive environment. Our education program is designed to meet the academic and behavioral needs of all students, including those with learning differences and disabilities.

H. Referral for Assessment

A student shall be referred for special education and related services only after the resources of the general education program have been considered and, where appropriate, utilized. The referral process is a formal, ongoing review of information related to students who are suspected of having special needs and show potential signs of needing special education and related services. Through the GROWTH process, a student may be referred for assessment to determine eligibility for special education and related services.

Parents have the right to request in writing that their child be assessed to determine eligibility for special education services. Any such referrals will be responded to in writing by the Charter School within 15 days. RIC will notify the SELPA of the assessment request within 5 days of receipt

If RIC concludes that an assessment is appropriate, the parent will receive a written Assessment Plan within 15 days. Parents will be informed via the Resource Specialist that special education and related services are provided at no cost to them. The parent will be given at least 15 days to provide written consent to the Assessment Plan. Assessments will be done only upon receipt of written parent permission. The assessment will be completed and an IEP meeting held within 60 days of receipt of the parent's written consent for assessment.

I. Assessment Process

The Resource Specialist will be responsible for gathering all pertinent information and sharing such information with RiC. Information gathered will be used as tools to determine the student's disability, eligibility for services, and the nature and extent of required services. Assessment procedures will be conducted in the student's primary language, and an interpreter will be provided if needed. The types of assessments that may be used for determining eligibility for special education and related services may include, but not be limited to:

- Standardized Individual Assessment;
- Teacher observations;
- Interviews;
- Review of school records, reports, and work samples; and

- Parent input.

Unless conflicting with SELPA policies and procedures, the Charter School will follow the following assessment guidelines. If a conflict with SELPA policies and procedures exists, then SELPA policies and procedures will govern.

- Parents or guardians of any student referred for assessment must give their written consent for the school to administer the assessment;
- The assessment will be completed and an IEP meeting held within 60 days of receipt of the parent's written consent for assessment;
- The student must be evaluated in all areas related to his/her suspected disability;
- Assessments must be conducted by a person with knowledge of the student's suspected disability, and administered by trained and knowledgeable personnel and in accordance with any instructions provided by the producer of the assessments;
- Individually administered tests of intellectual or emotional functioning must be administered by a credentialed school psychologist;
- Assessments must be selected and administered so as not to be racially, culturally, or sexually discriminatory;
- Assessments will be delivered in the student's primary language, and a qualified interpreter will be provided if needed;
- Assessment tools must be used for purposes for which the assessments or measures are valid and reliable;
- Assessments will be adapted as necessary for students with impaired sensory, physical or speaking skills;

A multidisciplinary team will be assembled to assess the student, including a teacher knowledgeable in the disability. Upon completion of the assessment, an IEP team will be assembled to review the results of the assessment and determine the student's need for special education and related services. The Charter School will be responsible for scheduling, coordinating and facilitating the IEP meeting. Educators qualified to interpret test results will present the assessment data at the IEP meeting. Parents will be provided with written notice of the IEP meeting, and the meeting will be held at a mutually agreeable time and place.

J. Development and Implementation of IEP

Every student who is assessed by the Charter School will have an IEP that documents assessment results and eligibility determination for special education and related services. The Charter School will ensure that all aspects of the IEP and school site implementation of the IEP are maintained. The Charter School will provide modifications and accommodations (consistent with each individual's IEP) in the general education environment taught by the general education teacher. Students at the Charter School who have IEPs will be served in the Least Restrictive Environment ("LRE"). Each student who has an IEP will have an IEP team that oversees the IEP development, implementation and progress of the student. All decisions concerning the special education programs and

services to be provided to a student with a disability are to be made by the IEP team. The IEP team must include all of the following members:

- The parent or guardian of the student for whom the IEP was developed;
- The student, if appropriate;
- The Principal;
- The Director of Special Education;
- At least one special education teacher;
- A general education teacher who is familiar with the curriculum appropriate to that student, if the student is, or may be, participating in the general education environment;
- If the child was recently assessed, the individual who conducted the assessment or who is qualified to interpret the assessment results;
- Others familiar with the student may be invited as needed.

The Charter School views the parent as a key stakeholder in these meetings and will make every effort to accommodate parents' schedules and needs so that they will be able to participate effectively on the IEP team. The Charter School will provide an interpreter if necessary, to ensure that all parents and/or guardians understand and can participate in the IEP process. If a parent cannot attend the IEP meeting, the Charter School will ensure his/her participation using other methods, such as conferencing by telephone or meeting at the parent's home. A copy of the IEP will be given to the parent in accordance with state laws and SELPA policies. In cooperation with the parent or guardian, the IEP will be implemented by the Charter School, in cooperation with the SELPA.

Upon the parent or guardian's written consent, the IEP will be implemented by the Charter School. The IEP will include all required components and be written on SELPA forms.

The student's IEP will be written on SELPA forms and will include the following:

- A statement of the student's present levels of academic achievement and functional performance;
- The rationale for placement decisions;
- The services the student will receive and the means for delivering those services;
- A description of when services will begin, how often the student will receive them, who will provide them, and where and when they will be delivered;
- Measurable annual goals and short-term objectives focusing on the student's current level of performance;
- A description of how the student's progress toward meeting the annual goals will be measured and monitored and when reports will be provided;
- Accommodations necessary to measure the academic achievement and functional performance of the pupil on state and district assessments; and

IEP meetings will be held according to the following schedule:

- Annually, to review the student's progress and make any necessary changes;
- Every three years to review the results of a mandatory comprehensive reevaluation of the student's progress;

- After the student has received a formal assessment or reassessment;
- When a parent or teacher feels that the student has demonstrated significant educational growth or a lack of anticipated progress (consistent with state and federal law, IEP meetings will be held within 30 days of a parent's request);
- When an Individual Transition Plan ("ITP") is required at the appropriate age;
- When the Charter School seeks to suspend or remove the student for a period of more than 10 days for the same behavior, in order to determine if the student's misconduct was a manifestation of his/her disability.

K. IEP Review Process & Reporting

The IEP team will formally review the student's IEP at least once a year to determine how the IEP is meeting his/her needs. In accordance with IDEA regulations, the IEP team will also conduct a formal review of the IEP once every three years, in which the student is reassessed and the IEP is reviewed as part of an overall comprehensive reevaluation of the student's progress and continued eligibility. If a parent or faculty member feels the student's educational needs are not being met, they may request a reassessment or a review of the IEP by the IEP team at any time during the year via written notice to the Charter School. Once the request is received, the Charter School will have thirty days to hold the IEP meeting.

Unless otherwise specified on the student's IEP, parents will be informed four times a year (which is the same frequency as progress is reported to all students and parents) of the student's progress toward meeting annual goals and whether the student is expected to meet his/her annual goals. The Goals and Objectives section of the IEP will be an attachment to the general progress report. This will serve to document the method by which the student's progress toward achieving the annual goal is measured, the student's progress during the relevant period, the extent to which it is anticipated that the student will achieve the annual goal prior to the next annual review, and where needed, the reasons the student did not meet the goal.

In addition, the Charter School shall comply with the SELPA Local Plan. It is RIC's understanding that it shall represent itself at all SELPA meetings. The Charter School understands that it will be subject to the Allocation Plan of the SELPA. The Principal and the Special Education lead from Seneca Family of Agencies (RIC's current contractor for special education and related services) will work together to manage the budget and contract for appropriate services, take responsibility for meeting the special education compliance and quality requirements, and ensure confidentiality and accurate and timely reporting.

L. Professional Development for All Staff

Special education teachers and other team members will participate in the professional development opportunities provided by the SELPA. This will help to build the capacity of the special education staff in the areas of promising instructional practices, compliance with state and federal statutes, reporting requirements and use of instructional data. In addition, all staff members will be provided a personalized professional learning plan that

will identify high leverage areas to build capacity, along with specific activities and strategies for developing in these areas. In addition, special education teachers will receive training to ensure they have research-based instructional strategies specific to supporting special education students – strategies may include, but will not necessarily be limited to, the Slingerland Approach, or Linda Mood Bell, Wilson Reading, Orton-Gillingham, or Davis Math. This is to ensure that all students receive the targeted academic interventions as well as the interventions specific to supporting their disabilities.

M. Staffing

RIC is committed to assuring all IEPs are properly implemented and all students supported. Toward that end, all special education services at the Charter School will be delivered by individuals or nonpublic agencies qualified to provide special education and related services as required by the Education Code and the IDEA. The Charter School may contract with third-party providers to provide targeted services. The Principal will be responsible for the selection, training and supervision of staff necessary to provide services to students.

N. Due Process, Procedural Safeguards, & Reporting

RiC may initiate a due process hearing or request for mediation with respect to a student with special needs enrolled in the Charter School if it determines such action is legally necessary or advisable. In the event that the parent/guardian file for a due process hearing or requests mediation, RiC shall defend the case. In either situation, RiC will be responsible for the cost of such representation and the outcome.

RiC will work closely with SELPA staff to ensure a student's procedural safeguards are implemented and to resolve problems and concerns at the lowest possible level. The Charter School will acquire parental written consent and ensure parental participation.

RiC will collect and maintain information required by IDEA including, but not limited to: age, grade, type of disability, EL status, number of students receiving services, number of students receiving and the types of test modifications and exemptions, settings of service, suspension data, and reasons for exiting if applicable.

O. Section 504 of the Rehabilitation Act

The Charter School 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 the Charter School. A student who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment, is eligible for protections under Section 504.

A 504 team will be assembled by the Principal and shall include the parent/guardian, the student (where appropriate) and other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options, and accommodations. The 504 team will review 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 IDEA but found ineligible for special education instruction or related services under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team who will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- Tests and other evaluation materials include those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligent quotient.
- Tests are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student's aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills.

The final determination of whether the student will or will not be identified as a person with a disability is made by the 504 team in writing and notice is given in writing to the parent or guardian of the student in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the student for special education per the IDEA, a referral for assessment under the IDEA will be made by the 504 team. Section 504 is considered a program within the regular education program and therefore the school will be responsible for all aspects of the 504 plan and delivery.

If the student is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations or services are needed to ensure that the student receives the free and appropriate public education. In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the Charter School's professional staff. The 504 Plan shall describe the Section 504 disability and any program accommodations, modifications or services that may be necessary. All 504 team participants, parents, guardians, teachers and any other participants in the student's education, including substitutes and tutors, must have a copy of each student 504 Plan.

The Principal will ensure 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 shall be maintained in the student's file. Each student's 504 Plan will be reviewed at least once per year to determine the appropriateness of the Plan, needed modifications to the plan, and continued eligibility.

Roses in Concrete will support all special education students in compliance with state and federal laws. No student will be denied admission because of need of special education services.

XI. Plan for English Learners/Emerging Bilingual Students

RiC upholds the same rigorous academic and behavioral expectations for every Roses in Concrete student, regardless of native language. The Charter School has decided to implement a two-way dual language immersion program because it is the most successful, research-based instructional program in meeting the specific needs of English Learners (“ELs”), who we refer to as *Emerging Bilingual Learners* (“EBL”).

Roses in Concrete will meet all legal requirements for English Learners, including long-term English Learners or English Learners at risk of becoming long-term English Learners, as they pertain to annual notification of parents, student identification, EL and core content instruction, teacher qualifications, reclassification to fluent English proficient status, monitoring, training, and standardized test requirements. Roses in Concrete will meet all requirements of federal and state law relative to equal access to the curriculum for ELs. RiC will exercise the autonomies afforded by Education Code 47610, as it establishes methodologies and practices, all within the law, that may be different from those of the school district in which it operates.

Supporting Emerging Bilingual Learners requires that RiC implement an asset-based instructional approach (Fuentes, 2013) designed to ensure accelerated and effective acquisition of academic English in alignment with the Charter School’s mission of high school and college preparation as defined by the State Standards. Dual language immersion is an asset based approach that operates under the framework of additive bilingualism (Garcia et al, 2011) It requires that the Charter School respect and value the culture and home language of its students (Howard, Sugarman, Christian, Lindholm-Leary, & Rogers, 2007, Rogoff, 2003). In order to reach the dual goals of English and Spanish literacy the Charter School provide a developmentally appropriate and highly structured approach to teaching language across all core academic classes (Walqui, 2013). RiC values students’ bilingual capacity as a true asset, an admirable and important skill for the present and for their future educational and leadership goals.

Roses in Concrete employs evidence-based practices that enhance the academic engagement and learning of our Emerging Bilingual Learners. Students will actively construct understandings within a social and cultural context (Greenfield, 2009), build new knowledge on what they already know (Bransford, Brown, & Cocking, 2000; Vygotsky, 1978), and develop the metacognitive skills necessary to regulate their own learning (Bruner, 1985; Rogoff, 1998, 2003; Vygotsky, 1978). All EBLs, regardless of their socioeconomic or cultural background, bring to school immense resources and a range of learning skills that need to be appreciated and built upon. In other words, the cultural backgrounds of RiC students, as well as their social foundations of learning, are important. The prior knowledge on which students build new learning is culturally shaped (Greenfield, 2009; Heath, 1983; Rogoff, 2003) and will be respected. This includes ideas

about social roles in the classroom, the role of schooling, and how to use language in the learning process (Bransford et al., 2000).

A. Student Identification

Roses in Concrete will serve its Emerging Bilingual Learners in accordance with all applicable state and federal laws and regulations. The Charter School shall adhere to the following plan with Emerging Bilingual students:

- Upon enrollment into the Charter School, parents will complete a survey (available in the language(s) spoken by the parents) indicating languages spoken in the home.
- Within 30 calendar days of enrollment RiC will assess the English proficiency of all students who do not have a previous EL classification in the State of California and whose primary home language is not be English using the English Language Proficiency Assessments for California (“ELPAC”) Initial Assessment (“IA”).
- The ELPAC has four proficiency levels (Level 4: well developed; Level 3: moderately developed; Level 2: somewhat developed; and Level 1: minimally developed) and is aligned with the 2012 California ELD Standards.
- Families will receive notification of how their child’s ELPAC results and initial language designation within 30 days of receipt of these results, as well as information on how their child’s learning needs are being addressed by the Charter School.
- Each Roses in Concrete family will be connected with a staff liaison with fluency in the home language. In addition to reaching out to the family to establish a friendly point of contact and for regular feedback, the staff member will provide explanation and support for completion of the Home Language Survey; provide literature in the student’s home language that explains RiC’s plan for meeting the specialized need of Emerging Bilingual Learners; and explain all assessments, including ELPAC levels.

RiC reports the number of Emerging Bilingual Learners attending the Charter School to the District and the State. In compliance with OCR, upon enrollment at Roses in Concrete, if a parent affirms on the Home Language Survey that the child learned first to speak a language other than English, that the child currently speaks a language other than English, or that a language other than English is spoken in the home, the child will be classified as having a primary home language other than English.

P. Implementation of Dual Language Immersion

All EBLs will learn with all other students in the regular classroom setting during instructional time. As part of RiC’s dual language immersion model, Emerging Bilingual Learners will benefit from a variety of Sheltered Instructional (Specially Designed Academic Instruction in English (“SDAIE”)) practices across content in both English and Spanish. This will ensure that students develop their language proficiency while simultaneously working towards State Standards. Making meaning of academic language – as with any language – requires drawing on relevant background knowledge and previous participation in discourse, a process Aukerman calls “situating that language vis-à-vis other experiences and what others have said” (Aukerman, 2006, p. 631). This contextualization

serves as a gatekeeping mechanism and obscures meaning when students cannot draw upon this shared context.

For Grades K-5, RiC will implement a 50/50 two-way dual language immersion model. This will enable each student to have two teachers: an English-Speaking teacher and a Spanish-speaking teacher that collaborate at each grade level. Teachers will have built in weekly collaboration time every Wednesday (see minimum day schedule) as well as opportunities to be released for peer observation on a regular basis. This collaboration will promote maximum transferability of content and skills across language. All teaching staff will also be trained in instructional strategies that support language acquisition, such as “cooperative learning, hands-on activities, thematic units, separation of languages, and sheltered instruction” (Howard et al., 2003, p. 5).

Language arts and other subjects will integrate specific strategies to promote vocabulary acquisition, oral language development, reading comprehension, and writing production. RiC does not intend to adopt a singular English Language Development program, rather it will accelerate its Emerging Bilingual Learners’ acquisition of English through a balanced literacy approach, focus on vocabulary development, implementation of the targeted instructional strategies delineated below, and training for teachers in the most effective practices of SDAIE all within a safe, structured, supportive school environment. Thus effective instruction involves the integrated learning of concepts and language through meaningful experiences in conjunction with scaffolding by teachers and peers of the features of academic language, both spoken and written, that are needed to construe meaning (Heritage, Silva & Pierce, 2007; van Lier, 2004;). Teachers will understand the ELD and SLD standards for the proficiency levels they serve and will use cross-walk documents to align their State Standard content instruction with ELD and SLD strategies.

Instruction in the four core academic subjects of English and Spanish language arts, mathematics, science, and social studies will be delivered by teachers who hold a Cross-cultural, Language and Academic Development (“CLAD”) Certificate or a Bilingual, Cross-cultural, Language and Academic Development (“BCLAD”) Certificate. RiC will work to recruit and hire teachers who are bilingual in English and Spanish to ensure accurate assessment of students’ language and literacy skills, appropriate academic support, and effective communication with parents.

The Charter School will implement the proven strategies to support success of all Emerging Bilingual Learners including: screening and monitoring progress, providing reading interventions, teaching vocabulary, developing academic English, and supporting peer communication.

1. Screen and monitor progress

The federal recommendation for EL students is an effective program of well-developed assessments to identify student needs. RiC assesses student progress frequently and use the results of the assessments to drive overall instruction of as well as identify students in need of individual intervention. In addition, RiC will ensure that assessment tasks are appropriate to students assessed language development and that enough time

to complete tasks is provided. On-the-spot formative, appropriate feedback, rubrics and models to guide students' self-assessment; guided reading, completing chapter pre-reading guides, reciprocal teaching, double entry journals, learning logs/journals, quick-writes, vocabulary journals, vocabulary cards word webs, interactive editing, cloze paragraphs understanding, dictations, subject-specific journals and regalia usage will all stand as authentic assessments to guide on-going interventions.

2. Provide reading interventions

Recognizing that Emerging Bilingual Learners are often at risk for reading problems, the strongest programs respond quickly to the results of formative assessments by offering small group reading intervention for struggling readers that augments the core reading program. By looking at reading assessment data and language proficiency levels side by side in English and Spanish, RiC is able to determine the appropriate interventions for both language and literacy for Emerging Bilingual Learners. RiC provides these interventions during daily literacy blocks during the regular school day and provide additional support as needed and appropriate during other core blocks. Reading intervention will be provided in Spanish when Spanish is the student's dominant language.

3. Teach vocabulary

One of the most critical components in language acquisition is vocabulary development. In order to be able to read and understand grade-appropriate material, students are taught vocabulary through formal instruction as Emerging Bilingual Learners as through authentic use in language-rich settings in and out of the classroom, across subject areas. Roses in Concrete classrooms provide formal vocabulary instruction using essential word lists and words in context.

4. Develop academic English

For EBLs to achieve academic success, it is imperative for them to develop cognitive academic language proficiency ("CALP"), and not simply the basic interpersonal communication skills ("BICS") of social language. CALP includes not only the content area vocabulary specific to academic subjects, but also the sophisticated use of language necessary to carry out higher-order academic tasks such as comparing, synthesizing, and inferring. At Roses in Concrete, vocabulary development is integrated into all subjects and includes application to higher-order academic tasks. Teachers collaborate at each grade level to align academic language instruction across language and maximize transferability.

5. Peer communication

Throughout the instructional day, students have the opportunity to work in partners and small cooperative groups, which, when facilitated effectively each day, provide a significant cumulative increase in authentic language practice. Furthermore, English language development sessions during daily Academic Support time will utilize structured oral response, role-play, pair-share, and conversation techniques to provide speaking practice and authentic application of language.

Q. Strategies and Practices for English Learners:

In order to address the needs of the Emerging Bilingual Learner population, curriculum will incorporate strategies to address the needs that will include (Schlepppegrell & Colombi, 2002):

- Use of Realia
- Recasting and Ballparking techniques
- Total Physical Response (“TPR”) and the use of gestures
- Communication Guides and Sentence Frames/Starters
- Various Thinking Maps and Graphic Organizers
- Pre-Teach lessons to front load content
- Pair Sharing with others both heterogeneously and by ability grouping
- Visual Dictionaries and Cues
- Guided Language Acquisition Design (“GLAD”) and SDAIE

Culturally Responsive and Relevant Pedagogical strategies will be implemented and infused into the curriculum to address the needs of Emerging Bilingual Learners. Effective instruction involves the integrated learning of concepts and language through meaningful experiences in conjunction with scaffolding by teachers and peers of the features of academic language, both spoken and written, that are needed to construe meaning (Heritage, Silva & Pierce, 2007; van Lier, 2004;). Other examples include:

- Incorporating Academic English Mastery Program strategies
- Developing “Personal Thesaurus”
- Use of Realia/TPR
- Use of Contrastive Analysis techniques and T-Charts

R. Assessment, Monitoring, and Exit or Re-designation Criteria for Students

RiC will comply with all applicable state and federal laws in regard to the testing and service requirements for Emerging Bilingual students. Students who are identified as Emerging Bilingual will take the ELPAC Summative Assessment (“SA”) annually to determine growth in English language proficiency until they are reclassified. In accordance with the guidance from the State Board of Education, there are four components to reclassification: the ELPAC, an academic measure, teacher recommendation and parent consent. RiC will follow the ELPAC Language Classification process as summarized in Figure 1.8 to determine eligibility for reclassification. Should the State Board of Education change its tool and recommendations for reclassification during the term of this charter, RiC will adopt the state tool and recommendations and this change will not be considered a material change of the charter.

Figure 1.8 Reclassification Criteria

State Requirement	Measure	Threshold
Assessment of English Language Proficiency	ELPAC	4 Overall <ul style="list-style-type: none">• No sub scores of 1

Comparison of Student Performance with English Proficient Students	SBAC ELA (tested grades) or NWEA Measures of Academic Progress (“MAP”)	Met or Exceeded Standards At Grade Level Benchmark Above 50th percentile
Teacher Evaluation	English Grade	Meeting
Parent Opinion and Consultation	Parent Notification Letter	Notice to parents or guardians and parent’s or guardian’s opportunity to participate in the reclassification process.

S. Metrics for Progress of Emerging Bilingual Learners

RiC monitors the progress of Emerging Bilingual Students in the following ways:

- Teachers pay close attention to emergent language and content learning during the ongoing course of instruction so that they can adapt their teaching to keep student learning moving forward. RiC teachers integrate assessment into the processes of teaching and learning to have the information they need to engage in contingent learning. (Walqui. 2013)
- Emerging Bilingual Learners are making strong academic progress as measured by school-based interim assessments.
- Emerging Bilingual Learners are classified as proficient in English in three years or less.
- Emerging Bilingual Learners are proficient in English Language Arts as evidenced by proficiency on state and other standardized exams.
- Emerging bilingual Learners are meeting promotion standards to advance from grade level to grade level, evidencing mastery of foundational skills and core subjects on par with native English-speaking students. If students are not making sufficient academic progress as indicated through ELPAC results and the above data, RiC will modify the Emerging Bilingual Learner program as needed based on the latest research in the field.
- In addition, Emerging Bilingual Learners who do not make the minimum expected growth of one EL level per year may be referred to the GROWTH process. Parents, teachers and administrators may also refer an Emerging Bilingual Learners to the GROWTH process.

T. English Learner Advisory Committee

Roses in Concrete has an active English Learner Advisory Committee (“ELAC”). In addition to being engaged in all aspects of the Emerging Bilingual Learner program, including data analysis, methodology, assessments and interventions for their children, they will also be key players in the Teaching Excellence Network.

ELEMENT 2: MEASURABLE PUPIL OUTCOMES

1. Pupil Outcome Goals: Increases in Academic Achievement by Subgroup

DRL: "In accordance with Education Code section 47607(b)(5)(B), Roses in Concrete pupil outcomes will be set related to increases in pupil academic achievement both schoolwide and for all numerically significant subgroups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of section 47607. The pupil outcomes shall align with state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school.

Roses in Concrete's pupil outcomes, related to increases in pupil academic achievement both schoolwide and for all numerically significant subgroups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of section 47607, shall be aligned with state priorities, as described in subdivision (d) of Section 52060, are as follows:"

Roses in Concrete MPOs

By the end of the charter term, increase the percent of students scoring level 3 or level 4 on the ELA portion of the SBAC by at least four percent or achieve a level of 75 percent.

By the end of the charter term, for each statistically significant student group (Latino, Low-Income, African American, EL), increase the percent of students scoring level 3 or level 4 on the ELA portion of the SBAC by at least four percent or achieve a level of 75 percent.

By the end of the charter term, increase the percent of students scoring level 3 or level 4 on the Math portion of the SBAC by at least four percent or achieve a level of 75 percent.

By the end of the charter term, for each statistically significant student group, (Latino, African American, EL, Low-Income) increase the percent of students scoring level 3 or level 4 on the ELA portion of the SBAC by at least four percent or achieve a level of 75 percent.

Each year, the percent of students who are high achieving or high growth on the Reading portion of the NWEA will grow by 1% annually until the goal of 80% or greater is met.

Each year, for each statistically significant student groups (Latino, Low Income, EL, African American), the percentage of students who are high achieving or high growth on the Reading portion of the NWEA will grow by 1% annually until the goal of 80% or greater is met.

By the end of the charter term, increase the percentage of English Learners meet the English Learner progress indicator criteria as defined by the California state dashboard by at least four percent or until a level of 75% is met.

Each year, have less than 5 percent of students absent more than 10% of the school days (chronic absence).

Each year, for each statistically significant student group (Latino, Low-Income, EL, African American) have less than 5 percent of students absent more than 10% of the school days (chronic absence).

Each year, at least 70% percent of both students and families positively rate school safety.

Each year, at least 70% percent of both students and families positively rate academic instruction.

Each year, at least 70% percent of both students and families positively rate their voice in school decision-making and/or opportunity for feedback.

2. Application of Education Code section 47607.3

DRL: "Under Education Code section 47607.3, if RiC fails to improve outcomes for 3 or more pupil subgroups (or, if less than 3, all pupil subgroups) in 3 or 4 consecutive school years, the following shall apply:

- *The chartering authority shall provide technical assistance to the charter school using an evaluation rubric adopted by the State Board.*
- *The Superintendent may assign, at the request of the chartering authority and approval of the State Board, the California Collaborative for Educational Excellence to provide advice and assistance to the charter schools.*
- *The chartering authority shall consider for revocation any charter school to which the California Collaborative for Educational Excellence has provided advice and assistance, and has made findings that: 1) the charter school has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence; or 2) that the inadequate performance of the charter school, based upon the evaluation rubric, is so persistent or so acute so as to require revocation of the charter."*

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

Pursuant to Education Code Section 47605(b)(5)(B), Roses in Concrete has established measurable pupil outcomes that align with the State Priorities and address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the Charter School. .

Roses in Concrete's student outcomes are designed to align with its mission, vision, curriculum and assessments, and our definition of an educated person in the 21st century as discussed in *Element 1*, as well as the State Standards. RiC has created the following goals and measurable pupil outcomes to ensure that it meets its mission and federal and state goals for all subgroups attending the Charter School. Charter School staff will continuously examine and refine the Charter School's outcomes to reflect its mission and any changes to state or local standards that support the Charter School's vision and mission.

State Priority #2 Implementation of Common Core Standards

The charter school will meet or exceed the same accountability standards as district schools regarding the Implementation of State Standards (including CCSS and ELD), including how EL students will be enabled to gain academic content knowledge and English language proficiency.

Subpriority A: CCSS Implementation

Annual Goals to achieve Priority 2A.

The RiC curriculum will be aligned State Standards.

Measurable Pupil Outcomes

- By the end of the charter term, increase the percentage of students scoring level 3 or level 4 on the ELA and Math portion of the SBAC by at least four percent or achieve a level of 75 percent standards met and exceeded.
- By the end of the charter term, for each statistically significant student group, increase the percent of students scoring level 3 or level 4 on the ELA and Math portion of the SBAC by at least four percent or achieve a level of 75 percent standards met and exceeded.
- Each cohort of students will improve their average Distance from 3 (Df3) scores on ELA SBAC by 5 points per year.

Subpriority B: EL Students & Academic Content Knowledge

Annual Goals to achieve Priority 2B

All curriculum and instruction will be designed to support English Learners and other subgroups who experience difficulties with the curriculum.

Measurable Pupil Outcomes

- By the end of the charter term, the percent of EL students scoring level 3 or level 4 on the ELA & Math portion of the SBAC by at least four percent or achieve a level of 75 percent standards met and exceeded.

Subpriority C: EL Students & English Language Development

Annual Goals to achieve Priority 2C

Each cohort of English Learners will progress by at least one level annually in

Measurable Pupil Outcomes

- By the end of the charter term, increase the percentage of English Learners meet

English Language Development proficiency level as measured by the ELPAC.	the English Learner progress indicator criteria as defined by the California state dashboard by at least four percent or until a level of 75% is met.
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State Priority #3— Parental Involvement and Family Engagement
 Parental involvement and family engagement, including efforts the Charter School makes to seek parent input in making decisions for the Charter School, and including how the Charter School will promote parent participation in programs for unduplicated pupils and individuals with exceptional needs.

Subpriority A: Achieving and Maintaining Parent Involvement

Annual Goals to achieve Priority 3A	Measurable Pupil Outcomes
<p>Parents participate in the TEN feedback process at all levels knowing that family engagement is central to the mission of RiC.</p> <p>RiC parents consider themselves as central to the success of their students and the Charter School.</p> <p>Parents input regularly queried and used about how the Charter School is meeting the needs of their children and how staff can be more responsive to those needs.</p>	<ul style="list-style-type: none"> • 50% or more parents will complete the TEN Survey Annually.

Subpriority B: Promoting Parent Participation

Annual Goals to achieve Priority 3B	Measurable Pupil Outcomes
<p>RiC families will participate in a wide range of school activities.</p> <p>Parents/family members will be active members of leadership teams (i.e. Board of Directors, Shared Governance Council).</p>	<ul style="list-style-type: none"> • 95% of parents will attend at least one parent engagement event or student led conference. • Board composition of parents maintains 50% or higher.

Subpriority C - Promoting Parent Participation for Unduplicated Students and Students with Exceptional Needs

Annual Goals to achieve Priority 2C	Measurable Pupil Outcomes
<p>RiC families of unduplicated students and special education students will have access to and participate in school activities.</p>	

State Priority #4 - Student Achievement
 The charter school will meet or exceed the same accountability standards as district schools for pupil achievement, as measured by all of the following, as applicable:

- A. California Assessment of Student Performance and Progress statewide assessment
- B. Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education [NOT APPLICABLE]
- C. Percentage of ELs who make progress toward English language proficiency as measured by the English Language Proficiency Assessment for California
- D. EL reclassification rate
- E. Percentage of pupils who have passed an AP exam with a score of 3 or higher [NOT APPLICABLE]
- F. Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 et seq.) or any subsequent assessment of college preparedness [NOT APPLICABLE]

Subpriority A – CAASPP

Annual Goals to achieve Priority 4A.	Measurable Pupil Outcomes
<p>Students will be proficient speakers, readers and writers of the English language.</p> <p>Students will be proficient in mathematical skills and content.</p> <p>Students will be proficient in science skills and content.</p> <p>Students will be proficient in history, social science and Ethnic Studies skills and content.</p>	<ul style="list-style-type: none"> • By the end of the charter term, increase the percent of students scoring level 3 or level 4 on the ELA & Math portion of the SBAC by at least four percent or achieve a level of 75 percent standards met and exceeded. • By the end of the charter term, for each statistically significant student group, increase the percent of students scoring level 3 or level 4 on the ELA & Math portion of the SBAC by at least four percent or achieve a level of 75 percent standards met and exceeded. • By the end of the charter term, increase the percent of students scoring level 3 or level 4 on the CAST by at least four percent or achieve a level of 75 percent standards met and exceeded. • Annually, 75% of students successfully complete one social action project/performance/demonstration as measured by classroom rubrics.

Subpriority B – UC/CSU Course Requirements (or CTE) [“Not Applicable”]

Subpriority C – EL Proficiency Rates

Annual Goals to achieve Priority 4C	Measurable Pupil Outcomes
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Each cohort of English Learners will progress by at least one level annually in English Language Development proficiency level as measured by the ELPAC.	<ul style="list-style-type: none"> Each cohort of English Learners will progress by at least one level annually in English Language Development proficiency level as measured by the ELPAC.
Subpriority D - EL Reclassification Rates	
Annual Goals to achieve Priority 4D	Measurable Pupil Outcomes
Each cohort of English Learners will progress by at least one level annually in English Language Development proficiency level as measured by the ELPAC.	<ul style="list-style-type: none"> 75% of EL Students will reclassify within 5 years of entering the school.
Subpriority E - AP Exam Passage Rate ["Not Applicable"]	
Subpriority F - College Preparedness/EAP ["Not Applicable"]	

State Priority #5 - Student Engagement

The charter school will meet or exceed the same accountability standards as district schools regarding pupil engagement, as measured by all of the following, as applicable:

- A. School attendance rates
- B. Chronic absenteeism rates
- C. Middle school dropout rates (EC §52052.1(a)(3))

Subpriority A: School Attendance

Annual Goals to achieve Priority 5A.	Measurable Pupil Outcomes
Students attend school on time, regularly, and consistently.	<ul style="list-style-type: none"> Each year decrease by 1% percentage of students absent more than 10% of the school days (chronic absence). Each year, for each numerically significant student subgroup, decrease by 1% percentage of students absent more than 10% of the school days (chronic absence).

Subpriority B: Student Absenteeism Rates

Annual Goals to achieve Priority 5B	Measurable Pupil Outcomes
Students will come to school on time and will attend 95% or more of the time.	<ul style="list-style-type: none"> Each year decrease by 1% percentage of students absent more than 10% of the school days (chronic absence). Each year, for each numerically

	significant student subgroup, , decrease by 1% percentage of students absent more than 10% of the school days (chronic absence).
Subpriority C – Middle School Drop Out Rate	
Annual Goals to achieve Priority 5C	Measurable Pupil Outcomes
Ensure that all students are supported through their transition to high school.	<ul style="list-style-type: none"> • 100% of RiC eighth graders matriculate to high school.

State Priority #6 – School Climate
The charter school will meet the same accountability standards as district schools regarding school climate, as measured by all of the following, as applicable:
A. Pupil suspension rates
B. Pupil expulsion rates
C. Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness

Subpriority A: Pupil Suspension Rates	
Annual Goals to achieve Priority 6A.	Measurable Pupil Outcomes
<p>The culture and climate at RiC will be consistently identified as positive and supportive of student growth by all major stakeholders.</p> <p>Pupil suspensions and expulsions will be minimal.</p>	<ul style="list-style-type: none"> • Decrease suspension rate by 1% annual or achieve a suspension rate of less that 5% for all students and each subgroup.
Subpriority B: Pupil Expulsion Rates	
Annual Goals to achieve Priority 6B	Measurable Pupil Outcomes
Pupil suspensions and expulsions will be minimal.	<ul style="list-style-type: none"> • Continue to maintain a pupil expulsion rate of less than 1%
Subpriority C – Other Measures	
Annual Goals to achieve Priority 6C	Measurable Pupil Outcomes
<ul style="list-style-type: none"> •Staff will understand Restorative Justice, SEL and TEN priorities and programs and will support them consistently. •Student referrals for behavior will be minimal. 	<ul style="list-style-type: none"> • Decrease suspension rate by 1% annual or achieve a suspension rate of less that 5% for all students and each subgroup.

State Priority #7— Course Access
The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster

youth; E.C. §42238.02) and students with exceptional needs.
 "Broad course of study" includes the following, as applicable:
Grades 1-6: English, mathematics, social sciences, science, visual and performing arts, health, physical education, and other as prescribed by the governing board. (E.C. §51210)
Grades 7-12: English, social sciences, foreign language(s), physical education, science, mathematics, visual and performing arts, applied arts, and career technical education. (E.C. §51220(a)-(i))

Annual Goals to achieve Priority 7	Measurable Pupil Outcomes
All RiC students are enrolled in a broad course of study that puts them on a path to success in high school, college and career.	100% of students at RiC participate in full range of elective courses including VPA and PE.

State Priority #8 – Other Student Outcomes
 Pupil outcomes, if available, in the subject areas described above in #7, as applicable

Annual Goals to achieve Priority 8	Measurable Pupil Outcomes
<ul style="list-style-type: none"> •All RiC students will become proficient readers and writers of English and Spanish; proficient in mathematical skills and content; proficient in science concepts and scientific thinking; and proficient in history/social science practice and content. 	Students will rank Relevance, Rigor and Relationships above 8.5 on TEN Survey Annually.

ELEMENT 3: METHODS OF STUDENT ASSESSMENT

1. Statewide Testing

DRL: "Pursuant to the implementation of California's Common Core and the California Assessment of Student Performance and Progress (CAASPP) System, RiC will establish baseline performance in the first year of testing administration and will demonstrate growth in performance each year thereafter."

DRL: "If RiC does not test with the District, RiC 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 provided directly to the District by the State, will be provided by RiC to the District no later than September 1 of each year."

I. **Approach to Assessment**

Roses in Concrete implements a comprehensive assessment system to measure and track student mastery of grade-level content standards and requisite skills in each subject area. As constructivist educators, we believe that assessment should be used as a tool to enhance both the student's learning and the teacher's understanding of the student's current understanding (Brooks and Brooks, 1993). RiC assessments will not be used as an accountability tool that makes some students feel good about themselves and causes others to give up. We will use methods that either allow us to engage in dialogue with the learner or give us opportunities to observe a student as he or she develops knowledge (Wilson, Teslow, & Osman-Jouchoux as cited in Skaalid, n.d.; Holt & Willard-Holt, 2000). Baseline assessments, mind mapping, portfolios, checklists, investigative projects, paper and pencil tests, and performance tasks will also be used to evaluate work in a constructivist frame (Badders, 2000).

At RiC we use several kinds for assessment to support all learners in growing and achieving towards the outcomes described in Element 2.

Initial Diagnostic Assessments

At the onset of the academic school year we conduct individual student pre-assessments to determine students' language proficiency in English and Spanish, reading level and math proficiency. Initial student levels provide data against which we can measure student growth over the course of the school year. In addition, this data will be formative in nature, providing information that will help us determine pacing, make curricular choices, and ensure that we are strategic in our efforts to move all students to grade level proficiency and mastery by the end of the school year. We use a range of tools including NWEA

Measures of Academic Progress, American Reading Company Assessments, and teacher generated assessments.

Interim Assessments

Assessments will be used as instructional as well as evaluative tools. We conduct a variety of assessments throughout the academic year to inform teachers about student learning which directly impacts teacher decision-making. We conduct CCSS standards-based assessments of student progress in English language arts and mathematics using MAP assessments which are designed to be given three times a year to evaluate a pupil's knowledge and skills relative to a specific grade level standards. Spanish Language Arts, Science and History/Social Science assessments are aligned with the Common Core State Standards, the Next Generation Science Standards, and The California State Standards for History and Social Sciences as benchmark measures.

Formative Classroom Assessments.

Formative assessment processes are among the most powerful learning strategies identified by research to date. Research suggests that attention to the use of assessment to inform instruction, particularly at the classroom level, in many cases effectively doubles the speed of student learning. (Black and William, 2012)., An assessment functions formatively to the extent that evidence about student achievement is elicited, interpreted, and used by teachers, learners, or their peers to make decisions about the next steps in instruction that are likely to be better, or better founded, than the decisions they would have made in the absence of that evidence. RiC teachers will administer and utilize assessment data daily/weekly through just- in-time tools such as exit/admit tickets, quizzes, writing prompt, problem of the day, performance task, presentation, questions, learning/response logs, graphic organizers, peer/self-assessments, visual representations, kinesthetic assessments, individual whiteboards, four corners, and think-pair-share.

State Mandated Testing

Roses in Concrete shall adhere to all state testing requirements. As established in the previous section, Roses in Concrete will be utilizing diverse assessments that are aligned with the curriculum and instructional program, compliant with state expectations.

RiC administers annual state mandated assessments as required under Education Code Section 60605, including but not limited to the SBAC, CAST, ELPAC and PFT. The Smarter Balanced Assessments in English Language Arts and Mathematics will be administered to students in grades three through eight in the spring of each year and CAST in science in grades 5 and 8 to measure students' mastery of grade-level standards and to assess annual progress in meeting Common Core State Standards.

The chart below provides detailed overview of the assessment tools, timelines, and minimum performance levels required to demonstrate mastery of standards and progress toward the outcomes delineated in Element 2 of this charter.

ENGLISH LANGUAGE ARTS

ASSESSMENT	PURPOSE	GRADE S	TIMELINE	MINIMUM
MAP in ELA and ARC Reading	<i>Diagnostic & Growth</i> Determine initial instructional and language fluency level and growth measure throughout year	K-8	Tri-Annual	NA
Formative Classroom Assessments	Measure competency against lesson objectives leading to CCSS	K-8	On-going	Variable: indication that students reached mastery
Rubrics	Provide feedback to students on ELA aspects of projects/YPAR work	2-8	On-Going	Highest 2 levels
Curriculum Embedded CCSS aligned assessments	Measure competency against standards	3-8	Periodically	Met
SBAC; CAPA for special needs	State Criterion-Based Assessment	3-8	Annually	Met

SPANISH LANGUAGE ARTS

ASSESSMENT	PURPOSE	GRADE S	TIMELINE	MINIMUM
Curriculum Based Spanish Language Assessment	<i>Diagnostic & Growth</i> Determine initial instructional and language fluency level and growth measure throughout year	K-5	Fall	NA
Formative Classroom Assessments	Measure competency against lesson objectives	K-8	Daily	Variable: indication that students reached mastery
Rubrics	Provide feedback to students on SLA aspects of projects/YPAR work	2-8	As produced	Highest 2 levels
Teacher created and Curriculum Embedded Assessments	Measure competency against standards	3-8	Periodically	Proficient

MATHEMATICS

ASSESSMENT	PURPOSE	GRADE S	TIMELINE	MINIMUM
NWEA MAP Assessment in Math	<i>Diagnostic & Growth</i> Determine initial mathematics fluency level and growth measure throughout year	K-8	Tri-Annual	NA
Formative Classroom Assessments	Measure competency against lesson objectives leading to CCSS	K-8	On-Going	Variable: indication that students reached mastery
Rubrics	Provide feedback to students on ELA aspects of projects/YPAR work	2-8	As produced	Highest 2 levels
Curriculum Embedded CCSS aligned assessments	Measure competency against standards	3-8	Periodically	Met
SBAC; CAPA for special needs	State Criterion-Based Assessment	3-8	Annually	Met

SCIENCE

ASSESSMENT	PURPOSE	GRADE S	TIMELINE	MINIMUM
Formative Classroom Assessments	Measure competency against lesson objectives leading to NGSS	K-8	On-going	Variable: indication that students reached mastery
Rubrics	Provide feedback to students on ELA aspects of projects/YPAR work	2-8	As produced	Highest 2 levels
California Science Test (CAST)	Measure competency against NGSS standards	5 and 8	Periodically	Met

SOCIAL STUDIES/HISTORY

ASSESSMENT	PURPOSE	GRADE S	TIMELINE	MINIMUM
Formative Classroom Assessments	Measure competency against lesson objectives	K-8	Daily	Variable: indication that

	leading to CCSS			students reached mastery
Rubrics	Provide feedback to students on social studies aspects of projects/YPAR work	2-8	As produced	Highest 2 levels
Teacher developed aligned assessments for CA Content Standards	Measure competency against standards	3-8	Annual	Met

EMERGING BILINGUAL STUDENTS

ASSESSMENT	PURPOSE	GRADE S	TIMELINE	MINIMUM
ELPAC	Measure English language development	K-8	Upon enrollment and annually thereafter	Growth until proficiency level is reached & maintained.

SPECIAL EDUCATION

ASSESSMENT	PURPOSE	GRADE S	TIMELINE	MINIMUM
Individual Education Plan (IEP)	Measure student progress	K-8	Three times annually	Meet IEP goals

II. Collecting, Analyzing, and Reporting Student/School Performance Data

Roses in Concrete teachers will analyze assessments and results in their PLCs in order to identify patterns of progress and partial understandings and misconceptions noted in student progress. The data will also give information about gaps in skills and proficiency levels. Teachers will create instructional action plans for individual students, sub-groups, classes, and grade levels based on the assessment data. Students and their parents/guardians will be apprised on students' and goals with both individually and through progress reports and report cards.

Technology is essential to provide useable and understandable data to all concerned stakeholders. Our technology system will be designed to maximize leadership, teachers, parents and students' access to progress towards RiC's vision, mission and goals and we move forward. We will use this system to create reports that will allow us to disaggregate, analyze, and disseminate performance data to staff, parents, students, and the authorizing

agency. School leaders and teachers will review and dissect student performance data systematically throughout the school year and use this data strategically to inform instructional plans and strategies. We will adhere to the Family Educational Rights and Privacy Act (FERPA) policies relative to the use of personal student data.

We will produce a School Accountability Report Card (SARC) each academic year to report required school data to our authorizing agency, parents, the Board, and the community at large. The SARC will describe our school, including student demographics as well as teacher and staff qualifications. The SARC will include information about students' performance on the Smarter Balanced Assessments, statewide rank, growth API scores, and whether or not AYP requirements are met. All student data will be disaggregated at benchmark/interim points and annually to track subgroups by race/ethnicity, gender, English Learners, socioeconomically disadvantaged students and students with disabilities, regardless of the number of students in each subgroup.

A. Local Control Accountability Plan ("LCAP")

RiC will use the multiple forms of data collected to assess progress toward the goals described in Element 1 of this charter. Pursuant to Education Code Section 47606.5, on or before July 1, each year, RiC produce a Local Control and Accountability Plan ("LCAP"), which shall update the goals and annual actions to achieve the goals identified in Element 1 of this charter regarding the State Priorities, using the LCAP template adopted by the State Board of Education. RiC and the Charter School shall submit the LCAP to OUSD and the County Superintendent of Schools annually on or before July 1, as required by Education Code Section 47604.33.

U. Grading

Because we agree with Marzano (2012) that "grades are so imprecise that they are almost meaningless," Roses in Concrete will implement a Common Core State Standards-based grading policy that is based on the following principles:

- Standards-based grading and reporting will be clear and meaningful to all stakeholders.
- Grades/marks will reflect academic standards demonstrating what students know and are able to do.
- Non-academic indicators are essential in understanding the whole child and will be reported on separately from academic grades and marks.
- The teaching of essential standards and providing multiple opportunities/methods to determine proficiency are necessary.
- Quality assessments and rubrics are key to the process.

Professional development and the work of grade level PLCs support the implementation of a standards-based grading and reporting system with mastery as the standard. RiC students can retest or resubmit any summative assessment not mastered earlier, and the new score will replace the original score in a grade book. The consequence for a student who fails to

meet a standard is not a low grade but rather the opportunity, the requirement, to resubmit his or her work. There are no zeros. (Guskey, 2011; Reeves, 2011) Our summative assessments, assessment of learning, will be designed to provide information to be used in making judgments about a student's achievement at the end of a period of instruction include quizzes, tests, exams, quarterly assessments, final drafts, assignments, projects and performances. Summative assessments provide measurable evidence of learning and therefore will be counted for the overall grade. Reassessment of summative assessments will be required on any score below a proficient level. When reassessment is offered, all students may reassess, regardless of grade on original task/assessment if they meet the following requirements:

- complete all required formative assessments
- complete reteaching/ relearning activities as determined by the teacher.
- Reassessment is completed within the predetermined timeline
- When tasks/assignments are reassessed, they may be reassessed partially, entirely, or in a different format, as determined by the teacher.

Proficiency Levels Based on Common Core Grade Level Standards may include:

- Exceeds Standard – In addition to exhibiting level 3 performance, in-depth inferences and applications go beyond what was taught in class.
- Meets Standard – No major errors or omissions regarding any of the information or processes (simple or complex) that were explicitly taught
- Approaching Standard – No major errors or omissions regarding the simpler details or processes but major errors or omissions regarding the more complex ideas or processes
- Beginning– Only a partial knowledge of some of the simpler details or processes or no understanding or skill demonstrated
- Insufficient Evidence – Student has not submitted required evidence of learning. Assignments have not been completed by the due date.
- Standard Not Assessed – (Used 1st and 2nd trimester only) – Standard has not been taught and/or measured to date. This symbol is not used third trimester.

Progress

- On Track– (Used 1st and 2nd trimester only) based on what has been taught and assessed, the student is on track to master the standard by the end of the year.
- Progressing – based on what has been taught and assessed, the student is moving quickly toward becoming proficient, and should be expected to meet standard with additional time.
- Inadequate Progress – Based on what has been taught and assessed, the student has not demonstrated that s/he is on track to master the standard by the end of the year.

V. Report Cards

The purpose of the report card is to report separately:

- Student achievement based on content standards

- Student social development and work habits

RiC grades will be accurate in describing what students know and are able to do in terms of academic standards. We will not include things like effort, participation, or adherence to school rules in grades. To accurately communicate specific information about achievement to students and their families, grades must be a pure measure of student achievement. Other behaviors that promote learning like social development and work habits are important, but they will be reported in a separate section. There will be no letter grades in grades K-6.

Roses in Concrete will share the grading policy with every parent and child during their first home visit and will publish written grading policy for each level, include grading policy in the parent handbook, include the policy and questions and answers in school newsletters, explain during parent nights and explain during conferences.

ELEMENT 4: GOVERNANCE

1. Operation by or as a Nonprofit Public Benefit Corporation

DRL: "As an independent charter school, Roses in Concrete, operated as or by its nonprofit public benefit corporation, is a separate legal entity and shall be solely responsible for the debts and obligations of Roses in Concrete. The Charter School shall comply with the provisions of Education Code section 47604(b)(1) and shall not operate as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. A for-profit educational management organization and a for-profit charter management organization are entities that manage or operate a charter school.

RiC shall ensure that, at all times throughout the term of the Charter, the bylaws of its governing board and/or nonprofit corporation are and remain consistent with the provisions of this Charter. In the event that the governing board and/or nonprofit corporation operating RiC amend the bylaws, RiC shall provide a copy of the amended bylaws to the OCS within 30 days of adoption.

2. Indemnification of District

DRL: "RiC through this Charter agrees to defend, and indemnify and hold harmless the District, its officers, directors, employees, attorneys, agents, representatives, volunteers, successors and assigns (collectively hereinafter "District" and "District Personnel") from and against any and all actions, suits, claims, demands, losses, costs, penalties, obligations, errors, omissions, or liabilities that may be asserted or claimed by any person, firm or entity arising out of, or in connection with, RiC's performance under this Agreement or the Charter, the condition or use of its facilities, or any acts, errors, negligence, omissions or intentional acts by RiC, its Governing Board, administrators, employees, agents, representatives, volunteers, successors and assigns."

3. Governing Board Operation

DRL: "RiC shall follow Education Code section 47604.1, and comply with the Ralph M. Brown Act (Government Code section 54950 et seq.); the California Public Records Act (Government Code section 6250 et seq.); Government Code section 1090 et seq.; and the Political Reform Act (Government Code section 81000 et seq.) Roses in Concrete shall also comply with the provisions of Education Code section 47604.1(c) with respect to the location of its meetings, and broadcasting its meetings on a two-way teleconference where required.

RiC shall send to the OCS copies of all governing board meeting agendas at the same time that they are posted in accordance with the Brown Act. RiC shall also send to the OCS copies of all board meeting minutes within one week of governing board approval of the minutes. Timely posting of agendas and minutes on Roses in Concrete's website will satisfy this requirement.

The District reserves the right, but is not obligated, to appoint a single representative of the District's choosing to the RiC governing board pursuant to Education Code section 47604(b)."

4. Required Notifications to the District

DRL: "RiC shall notify the OCS in writing of any citations or notices of workplace hazards; investigations by outside regulatory or investigative agencies, lawsuits, changes in corporate or legal status (e.g. loss of IRS 501(c)(3) status), or other formal complaints or notices, regarding any aspect of RiC's operations, within one week of receipt of such notices by RiC. Unless prohibited by law, RiC shall notify the OCS in writing of any internal investigations within one week of commencing investigation. RiC shall notify the OCS within 24 hours of any dire emergency or serious threat to the health and safety of students or staff."

5. Charter School Records

DRL: "STUDENT RECORDS"

Upon receiving a records request from a receiving school/school district, RiC shall transfer a copy of the student's complete cumulative record within ten (10) school days in accordance with Education Code section 49068. RiC shall comply with the requirements of California Code of Regulations, title 5, section 3024, regarding the transfer of student special education records. In the event RiC closes, RiC shall comply with the student records transfer provisions in Element 15. RiC shall comply with the requirements of Education Code section 49060 et seq., regarding rights to access student records, and Education Code section 49069.3 and 49069.5 regarding transfer of records for youth in foster care.

RiC 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 require schools, including RiC to provide certain information in certain formats in certain ways to the general public and specifically to parents of students at RiC and of the District. RiC 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 RiC does not have that RiC needs in order to meet its obligations, the District shall provide the same to RiC in a reasonably timely manner upon request under Education Code section 47604.3.

RiC 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 such inquiries. RiC acknowledges that it is subject to audit by OUSD. If OUSD seeks an audit of RiC, OUSD shall assume all costs of such audit. This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by RiC by law or charter provisions."

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

I. GOVERNANCE STRUCTURE

Roses in Concrete is a directly funded independent charter school and is operated as a nonprofit public benefit corporation in accordance with Education Code Section 47604. With the exception of the supervisory oversight as required by statute and other contracted services as negotiated between the District and the Charter School, Roses in Concrete operates autonomously from the District. Pursuant to Education Code Section 47604(d), the District shall not be liable for the debts and obligations of the Charter School, operated as a California non-profit public benefit corporation, or for claims arising from the performance of acts, errors, or omissions by the Charter School, as long as the District has complied with all oversight responsibilities required by law.

Board members, Charter School administration, faculty, and families are involved in the governance and decision-making processes at RiC. The governance structure is composed of the Board of Directors ("Board") which makes decisions and oversees RiC development and organization; the Principal who manages the Charter School's operations, academic program and related activities; and the Charter School's Shared Governance Council whose purpose is to support co-governance of the Charter School with a focus on ensuring the achievement and engagement of all students through continuous improvement of curriculum, instruction, assessment, culture and climate.

California Non-Profit Public Benefit Corporation

Roses in Concrete is operated as a California non-profit public benefit corporation. This non-profit corporation has been formed for public purposes, to support and improve urban education, and to create a model that prioritizes the needs of youth and families as the pathway to building healthy and sustainable communities across the U.S. and around the world.

Roses in Concrete's Articles of Incorporation are included in Appendix 4.1, the Bylaws are included in Appendix 4.2, and the Conflict of Interest Code in in Appendix 4.3, which complies with the Political Reform Act, Government Code 1090, *et seq.*, as set forth in Education Code Section 47604.1, and Corporations Code Conflicts of Interest rules. RiC shall update these documents as necessary to reflect any changes in regulations applicable in the future.

XII. BOARD OF DIRECTORS

A. Directors

The Board of Directors includes between (3) and (25) members. All directors shall have full voting rights, including any representative appointed by the District as consistent with Education Code Section 47604(c). If the District appoints a representative to serve on the Board of Directors, the Board of Directors may appoint an additional director to ensure an odd number of Board members. All directors shall be designated by the existing Board of Directors. The Principal of the Charter School and the President of the Parents Association attend board meetings in their official capacities but are not members of the Board of Directors.

The Roses in Concrete Governance Committee will present potential Board members and officers for election by the Board of Directors. This list will be presented at the annual meeting of the Board, although additional members may also be added between annual meetings if deemed necessary by the Governance Committee and approved by a vote of the Board.

Directors will serve three-year terms. Any vacancy occurring on the Board of Directors and any position to be filled by reason of an increase in the number of Directors may be filled, upon recommendation of a qualified candidate by the Governance Committee, by majority vote of the seated Directors. A Director elected to fill the vacancy will be elected for the unexpired term of his/her predecessor in office. A Director may resign at any time by filing a written resignation with the Chair of the Board.

The Board may remove any Officer or Director by a majority vote of the entire Board of Directors at any regular or special meeting of the Board, provided that a statement of the reason or reasons shall have been mailed by registered mail to the Officer or Director proposed for removal at least thirty (30) days before any final action is taken by the Board. This statement will be accompanied by a notice of the time when, and the place where, the Board is to take action on the removal. The Officer or Director shall be given an opportunity to be heard and the matter considered by the Board at the time and place mentioned in the notice.

Founding Board members were recruited by the Charter School, and were selected based upon mission alignment, deep commitment to the community, and a professional skill set that contributes to the successful founding and governance of a charter school. A majority of Board members are parents of children admitted to or attending Roses in Concrete.

As demonstrated in *Table 4.1: Roses in Concrete's Board's Expertise and Experience*, the Board of Directors includes individuals who contribute a wide range of knowledge and skills needed to oversee a successful charter school. See Appendix 4.4 for Board Roster and Board Member Biographies.

TABLE 4.1 ROSES IN CONCRETE'S BOARD EXPERTISE AND EXPERIENCE

LEADERSHIP	Board Director	Educational Program	RIC PARENT	Student Target Population	Community Outreach	Assessment	Facilities/Real Estate	Finance	Fundraising	Governance	Legal	Medical	Operations
ALIA PHELPS	X	X	X	X	X								
AMY ARGENAL	X	X	X	X	X								
ASHLI EDWARD	X	X	X	X	X								
AYATA COLBERT	X	X	X	X	X								
BRIAN FEAGANS	X						X						X
JASMIN PRECIADO CRUZ	X	X	X	X	X								
JAVIER CABRA WALTEROS	X	X		X		X				X			X
JEFF DUNCAN-ANDRADE	X	X	X	X	X	X	X		X	X			X
JUAN CARLOS CANCINO	X			X	X						X		
KEARNE PRENDERGAST	X	X	X	X	X								
LATISHA JACKSON	X	X	X	X	X								
MOLLY GREENE	X	X				X							
ROBIN GIBSON	X	X		X				X				X	
PEDRO NAVA	X	X	X	X									
TAJUANA GRAY	X	X	X	X									

While the Roses in Concrete Board of Directors delegates management of the Charter School to the Principal, the Board is ultimately responsible for the educational and fiscal integrity of the Charter School and for fulfilling the terms of the charter. The Board is responsible for ensuring that the Charter School meets its mission of preparing students with the knowledge, skills and strength of character needed to succeed in college and serve as leaders in their communities. Therefore, the primary qualification for serving on the Board is an unwavering commitment to this mission and the expectation that the Charter School and all its students can and will fulfill it.

Additionally, Board members possess a set of personal and professional skills and attributes including but not limited to:

- A commitment to improving access to quality education for all children regardless of race, ethnicity or socio-economic status;
- An understanding of the Board's obligation to act as an effective and vigilant steward of public funds;
- The ability to evaluate information regarding the Principal's educational and fiscal management of the Charter School, and a willingness to replace the Principal if results are not satisfactory;

- A commitment to focusing on the academic achievement of children from deep urban environments who may be suffering from traumatic stress which manifests in the Charter School;
- An ability to fairly and accurately assess the needs of the community, and to represent the Charter School to the community and others;
- Financial, legal, business, fundraising, marketing, non-profit, community, management, governance, human resources, real estate development, technology, and/or educational experience; and
- Having reached at least 18 years of age.

Board members also demonstrate the willingness and ability to: accept and support decisions made in accordance with RiC's Bylaws; give time and energy to the Charter School; provide access to resources, both financial and in-kind, in order to support and strengthen the Charter School. The Principal and the leadership of the parent/guardian association shall serve as advisors to the Board.

In addition, Board members shall:

- a. Receive no payment of honoraria, excepting reimbursement for expenses incurred in performance of voluntary Roses in Concrete activities in accordance with Charter School policies.
- b. Serve Roses in Concrete with the highest degree of undivided duty, loyalty, and care and shall undertake no enterprise to profit personally from their position with the Charter School.
- c. Be bound by Roses in Concrete Code of Conduct and Conflict of Interest policy statements.

W. Governance Training

All Directors attend a governance orientation prior to serving on the Board and receive proper training annually. Board professional development will be focused on effective governance practices, maintaining organizational accountability, and in-person study of high-achieving urban charter schools. Governance training topics may include the following: Brown Act compliance, parliamentary procedures, conflicts of interest, delineation of roles and responsibilities, legal and financial responsibilities, effective board-staff relations, creating effective committees and effective board self-assessment.

X. Conflict of Interest

The Board has adopted a Conflict of Interest Code that complies with the Political Reform Act, Government Code 1090, et seq., as set forth in Education Code Section 47604.1, and Corporations Code conflict of interest rules, and which shall be updated with any charter school-specific conflict of interest laws or regulations. As noted above, the Conflict of Interest Code is attached in *Appendix 4.3*.

XIII. OPERATING PLAN

A. Board Duties

The Board shall be ultimately responsible for the operation and activities of the Charter School. The Board shall be governed in accordance with its corporate Bylaws which shall be consistent with the charter, the Charter Schools Act and all other applicable laws.

The Charter School's mission and vision guide the work of the Board of Directors which hires, oversees, and evaluates the Principal who, in turn, hires, leads, and evaluates all staff in executing the mission and vision.

The Board of Directors maintains oversight of Roses in Concrete's academic performance in accordance with the Measurable Student Outcomes outlined in *Element 2* of this charter. Furthermore, the Board maintains oversight of the following organizational viability factors to which the Charter School will be held accountable: student enrollment, financial solvency and soundness, parent satisfaction, legal compliance, satisfactory facilities, and organizational viability.

The Board is be responsible for the operation and fiscal affairs of the School, including but not limited to:

- Acting as a fiscal agent. This includes but is not limited to the receipt of funds for the operation of the Charter School in accordance with applicable laws and the receipt of grants and donations consistent with the mission of the Charter School;
- Approving all contractual agreements over \$5,000;
- Monitoring the performance of the Charter School and taking necessary action to ensure that the Charter School remains true to its mission, charter, and applicable law;
- Negotiating and approving a Memorandum of Understanding ("MOU") or other contracts with the District;
- Approving the annual school budget, salary schedules (unless collectively bargained), major fundraising events, and grant writing;
- Participating in collective bargaining on behalf of the Charter School.
- Selection, hiring, and evaluation of the Principal (with Shared Governance Council)
- Approving bylaws, resolutions, and policies and procedures of Charter School operation;
- Approving all changes to the charter to be submitted to the District as necessary in accordance with applicable law;
- Supporting development of, and approving, the long-term strategic plan for the Charter School;
- Participating as necessary in dispute resolution with the District;
- Monitoring the fiscal solvency of the Charter School;
- Participating in the Charter School's independent fiscal audit;
- Participating in the School's performance report to the District;
- Increasing public awareness of the Charter School; and
- Leading fundraising efforts.

The Board may initiate and carry out any program or activity that is not in conflict with or inconsistent with its charter, governance documents, and any applicable law and which is not in conflict with the purposes for which charter schools are established. The Board's governance and decision-making will be informed by its committees, described below in section F. (See *Appendix: 4.2 Bylaws* for details.)

Y. Board Delegation of Duties

The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee or contractor of the Charter School any of those duties with the exception of employment of the Principal, dismissal of employees, approval of Board policies, approval of the fiscal audit, approval of the budget or budget revisions or purchases over \$5,000. The Board however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:

- Be in writing;
- Specify the entity designated;
- Describe in specific terms the authority of the Board of Directors being delegated, any conditions on the delegated authority or its exercise and the beginning and ending dates of the delegation; and
- Require an affirmative vote of a majority of present Board members.

Z. Meetings, Notices and Selection Process

1. Board Meetings

The Board shall hold an annual meeting each year for the purpose of electing directors and officers of the corporation and for the transaction of other business. See sections 15-18 of the *Bylaws* for details about Board meetings. The Board of Directors meets on a monthly basis. All meetings of the Board of Directors shall be held in accordance with the Ralph M. Brown Act ("Brown Act") and Education Code Section 47604.1(c). The Board of Directors meetings will be headed by the Board Chair, who will be elected annually by the Board of Directors.

2. Meeting Notices

Board agendas shall be distributed to Board members and the public in accordance with the Brown Act. All meetings of the Board of Directors and Board committees shall be called, noticed, and held in compliance with the provisions of the Brown Act. The School shall accurately record governing board actions.

AA. Board Officers

The work of the Board of Directors is organized according to the Officer positions of Chair, Vice-Chair, President, Secretary, and Treasurer detailed in Sections 7 through 10 of the *Bylaws*.

XIV. SHARED GOVERNANCE COUNCIL

Roses in Concrete recognizes that school-based decision making that directly involves the participation of a diverse group of the Charter School community stakeholders and that affects core areas of schooling is critical to ensure our mission and vision of the Charter School. RiC believes that school-level professionals, the family community, and the students themselves are in the best position to organize teaching, adapt to the present needs of all students, and set priorities about how adult and student time should be spent. As such, the Shared Governance Council ("Council") was created as part of the Collective Bargaining Agreement ("CBA") between Rosas Unidada and Roses in Concrete and was implemented during starting the 2019-2020 school year. (See full CBA in Appendix 4.5)

A. Composition of the Shared Governance Council

Members of the Council are elected to two-year terms. The Council is composed of: 1 administrator; 1 Financial Support member (non-voting member) 3 Teachers (1 for each grade level band, K-2, 3-5, and 6-8); 3 family members (one for each grade level band, K-2, 3-5, and 6-8); 4 employee representatives, one from each specialized department (Arts, Culture & Climate, Instructional Aides, and special education); and 2 student representatives who shall be elected by the student body through the student government .

The Council has two Co-Chairs who are elected by the Council. The Co-Chairs will be elected for a two-year term, with the last 6 months dedicated to transition out and supporting new Co-Chairs. One of the Co-Chairs will be a unionized staff member from Rosas Unidas. The other Co-Chair shall be a parent/family member.

BB. Functions and Responsibilities

This Council will serve as a pathway to a community-led school and will determine the structure for what that community-led school will look like. The Council shall consider all points of view and shall solicit advice and counsel of parent organizations, other employee groups, students and other interested parties. The Council shall assume the role of and operate as the School Site Council and the Faculty Staff Association. The Council shall support the following through shared delegation and shared decision-making processes with the whole community:

- Professional development program including but not limited to topics and trainer(s),
- Review student discipline guidelines and code of student conduct, and support development of Restorative Justice practices
- Approve the schedule of Charter School activities and events including but not limited to school calendar, assessment calendar, promotion, culmination and graduation dates, fundraising events with dates, assemblies, concerts and changes in class (bell) schedules,

- Identify Charter School equipment needs, textbooks, instructional materials, and supplies other than books,
- Review and co-approve the Charter School's Local Control Accountability Plan,
- Create the process to determine lead teachers, the job responsibilities, as well as any stipends that these positions might receive,
- Develop a school-wide communication and social media plan both to and for staff and families,
- Determine the process and timeline to ensure transparent and inclusive consultation with bargaining unit members, administrators, other Charter School personnel, parents and pupils regarding the Local Control Accountability Plan .
- Provide input into the development the Charter School budget annually in conjunction with all relevant stakeholders.
- Support the evaluation process for the Principal.
- Make recommendations and support revisions for the Roses in Concrete Charter as needed.
- Other activities and objectives as established by the Council.

All determinations shall be consistent with applicable laws, regulations and this collective bargaining agreement.

CC. Committees

Each member of the Shared Governance Council must be a member of one of the following committees. Membership of committees will not be exclusive to Shared Governance Council members. Each committee will elect a committee chair from the Shared Governance Council. The committee chair is responsible for setting an agenda and reporting out committee work during Shared Governance Council meetings. Major decisions must be approved through the Shared Governance Council. Committees should meet as frequently as necessary to work on the following:

Instructional Leadership Team

- Use student achievement data to set rigorous goals for student learning, staff development and usage of resources (textbooks, instructional materials, and supplies other than books) in the relevant portions of the LCAP.
- Develop and support implementation of actions plan to achieve those goals.
- Track effectiveness of the teams work quarterly and make adjustments as needed.
- Develop the process to determine instructional lead teachers, the job responsibilities, and any stipends that these positions might receive.

Culture and Climate Team

- Use student experience data to set rigorous goals for student experience and staff development and usage of resources in the relevant portions of the LCAP.
- Develop and support implementation of actions plan to achieve those goals.
- Track effectiveness of the teams work quarterly and make adjustments as needed.

- Review and co-approve student discipline guidelines and Code of Student Conduct.

Systems and Operations Team

- Use student achievement and experience data to set rigorous goals for budget and finances in the relevant portions of the LCAP.
- Develop and support implementation of actions plan to achieve those goals.
- Track effectiveness of the team's work quarterly and make adjustments as needed.
- Develop system to oversee the implementation of all current grants as well as an equitable distribution of grant materials and funding.

Community Engagement Team

- Use student achievement and experience data to set rigorous goals for coordinating wrap-around services for students, staff and families in the relevant portions of the LCAP.
- Develop and support implementation of actions plan to achieve those goals.
- Track effectiveness of their work quarterly and make adjustments as needed.
- Create the process for staff and family complaints in conjunction with family organizations
- Create and maintain a school-wide communication and social media plan for staff as and families.

XV. PARENTAL AND COMMUNITY INVOLVEMENT

As required by Education Code Section 47605(c), Roses in Concrete will, on a regular basis, consult with its parents and teachers regarding the Charter School's educational programs. Parents and families of the Roses in Concrete students will have ample and ongoing opportunities to communicate and engage with the Charter School's leadership and the Board.

While there is not a Board seat specifically reserved for parents, the Board will consider parents recommended by the Governance Committee. join the Board of Directors. In the 2019-2020 school year, the Board of Directors was predominantly led by parents. Parent participation will play a vital role in the effectiveness of our program. Additionally, all regular Board meetings will be open meetings as required by the Brown Act. Parents will be notified of meeting times and locations so that they may attend to offer public comments to the Board, offer feedback about the school, or make suggestions for Board action on items being discussed by the Board. Parents who fulfill needed expertise identified by existing Board members may also be recommended to the RiC Board of Directors in future years.

As a community-responsive school, the Roses in Concrete considers parental input vital to the school's effectiveness. The Charter School will conduct regular surveys of parents to measure their satisfaction with the school's performance and to gather parent input. Other methods used at RiC to engage parents, as described in *Element 1*, include parent/teacher

conferences, orientation meetings for all new and incoming student families, town halls, special events, phone/internet communication.

XVI. LEADERSHIP ROLES

The following details the leadership roles within Roses in Concrete. See *Appendix 4.6* for full job descriptions.

Principal

The Principal leads the academic program, oversees school culture and climate, and is ultimately responsible for the smooth functioning of the Charter School community and ensuring outcomes for students aligned to the goals set forth in this petition. The Principal hires all staff members and the Principal is supervised by the Board Chair.

The Essential Duties and Responsibilities include the following:

- Having a clear vision for implementing a humanizing and intellectually challenging curriculum in a school committed to social justice education;
- Cultivating a professional teaching climate where teachers drive their own growth;
- Ensuring a positive school culture by maintaining behavioral standards for students and adults that align with the highest expectations of the community we serve;
- Creating and sustaining a safe, healthy, and empowering school environment through clear and consistent disciplinary boundaries;
- Prioritize character development as a key element of the Charter School's overall purpose to challenge *all* systems of oppression to achieve community liberation and empowerment;
- Recruiting and hiring, teachers and other staff to meet ambitious performance standards;
- Supervising and evaluating the performance of all teachers and staff except staff assigned to the Director of Special Education;
- Developing a team culture with a group of accomplished and experienced educators who are aligned to the vision and goals of the Charter School;
- Understanding the emerging federal, state and local law, policies and budgetary practices that will impact the Charter School's mission of educational empowerment;
- Build loving, trusting and effective relationships with students and families;
- Build and maintain various partnerships with mission aligned community organizations in order to ensure students, families and staff have the best resources; and
- Develop and maintain a lab school culture for emerging educators while successfully collaborating with all community members and stakeholders that include

universities, philanthropic entities, school districts, non-profit agencies, and community members.

Business Manager

The Business Manager is responsible for providing complex administrative and clerical support to the Principal and the Charter School community as a whole. The position is responsible for overseeing the day to day Charter School office activities, up keeping a facilities maintenance and repair plan, overseeing and managing RiC's implementation of the National School Lunch Program, maintaining and monitoring student and employee information, additional duties as may be requested by the Principal.

The Essential Duties and Responsibilities include the following:

- Overseeing all aspects of on-site finances including: accounting including accounts receivable/accounts payable and purchasing in conjunction with external business service provider.
- Managing federal, state, local and grant reporting
- Coordinating testing
- Overseeing faculties and site safety including facilities upkeep, security and emergency plans.
- Overseeing enrollment and scheduling
- Overseeing attendance monitoring and reporting

Director of Special Education

The Director of Special Education develops, coordinates and implements RiC's special education program to improve student academic success and socio-emotional development.

The Essential Duties and Responsibilities include the following:

- Supervising and evaluating the performance of assigned staff.
- Overseeing compliance for the Special Education program.
- Supervising the identification, evaluation, and placement of students referred for special education and related services.
- Assisting the Principal and special education teachers with student academic and socio-emotional support.
- Participating in special education programs with public and private organizations and agencies including the County Office of Education and Special Education Local Plan Area (SELPA).
- Supervising implementation of Individualized Education Programs (IEP's)
- Serving as the Charter School's 504 coordinator.

Director of Visual and Performing Arts

The Director of Visual and Performing Arts (DVAPA) provides leadership that results in a performing arts program that affords first class teaching and learning opportunities for students, staff and community.

The Essential Duties and Responsibilities include the following:

- Developing and implementing an innovative approach to Visual and Performing Arts (“VAPA”) curriculum and instruction.
- Ensuring delivery of high-quality visual art, music, drama, and dance in all curricular and extra-curricular activities.
- Partnership with teachers to develop curriculum that integrates VAPA with the classroom curriculum.

Dean of Students

The Dean of Students is responsible for shaping and sustaining the school's culture and ensuring that the students internalize the school's values for academic excellence and social justice providing leadership to the staff and overseeing the implementation of school-wide systems and procedures.

The Essential Duties and Responsibilities include the following:

- Organizing and implementing the Positive Behavioral Interventions and Supports (“PBIS”) Program.
- Facilitating healing/restorative circles for students, staff and parents
Monitoring students during lunch, recess, passing periods, and other activities.
- Coordinating and implementing a school-wide behavior management system with meaningful incentives and re-direction strategies.
- Partnering with parents and families to build an authentic school-wide community
- Providing attendance support and monitoring.

Lead Teacher

The Lead Teacher supports the instructional growth and development of grade-level team members (K-2, 3-5, 6-8) to ensure successful, culturally relevant, rigorous curriculum and instruction. Lead teachers sit on the Instructional Leadership Team and Shared Governance Council.

The Essential Duties and Responsibilities include the following:

- Planning and facilitating bi-weekly Praxis Learning Community meetings that support the development and maintenance of the Charter School’s instructional framework.
- Providing visionary leadership in Dual Immersion (Language and Culture) Program.
- Leading school-wide efforts to develop the Dual Language Immersion Program emphasizing both language and culture.
- Modeling effective classroom practices.
- Serving as mentor to apprentice/student teachers.

ELEMENT 5: EMPLOYEE QUALIFICATIONS

1. Nondiscrimination

DRL: "EQUAL EMPLOYMENT OPPORTUNITY

RiC acknowledges and agrees that all persons are entitled to equal employment opportunity. RiC shall not discriminate against applicants or employees on the basis of race, color, religion, sex, gender, gender expression, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, genetic information, military and veteran status, or any other characteristic protected by California or federal law. Equal employment opportunity shall be extended to all aspects of the employer-employee relationship, including recruitment, selection, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and dismissal from employment."

2. Teacher Credentialing Requirements

DRL: "CREDENTIALING REQUIREMENTS

RiC shall adhere to all State and federal requirements that are applicable to teachers and paraprofessional employees. RiC shall ensure that all teachers meet applicable state requirements for certificated employment, including the provisions of Education Code section 47605(1). RiC shall maintain current copies of all teacher credentials and make them readily available for inspection."

3. Reports of Educator Misconduct to C.C.T.C.

DRL: "OBLIGATION TO REPORT TO CALIFORNIA COMMISSION ON TEACHER CREDENTIALING

RiC shall comply with Education Code section 44030.5 with respect to reporting the change in employment status to the California Commission on Teacher Credentialing where the change of employment status is a result of an allegation of misconduct, or while an allegation of misconduct is pending, and with Education Code section 44939.5 regarding the reporting of egregious misconduct."

4. Employment of Felons

DRL: "EMPLOYMENT OF FELONS

The RiC shall comply with the provisions of Education Code section 44830.1 and 45122.1 with respect to the submission of fingerprints to the Department of Justice and the employment of persons convicted of violent or serious felonies."

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

I. ORGANIZATIONAL STRUCTURE

Roses in Concrete employs a staff of professionals committed to upholding the highest academic and behavioral expectations for each child and providing a rigorous, college-preparatory educational program. All staff members will demonstrate alignment with the mission and vision of Roses in Concrete and will work diligently to assure they are realized.

XVII. HIRING PROTOCOL

Roses in Concrete seeks to select, hire, and support individuals who possess the qualifications to work successfully with the target student population, deliver the education program effectively, and support and sustain the Charter School's college-going culture. In accordance with Education Code Section 47605(d)(1), Roses in Concrete is nonsectarian in its employment practices and all other operations. RiC does not discriminate against any individual (employee or pupil) based upon the actual or perceived characteristics of race, religion, creed, color, gender, gender identity, gender expression, nationality, national origin, ancestry, ethnic group identification, genetic information, age, medical condition, marital status, sexual orientation, sex and pregnancy, physical or mental disability, childbirth or related medical conditions, military and veteran status, denial of family and medical care leave, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, local law, ordinance or regulation. The Charter School is a school of choice and no employee will be required to work at RiC. RiC shall comply with all applicable laws regarding criminal background checks, including Education Code Sections 45125.1 and 44237. The Charter School will comply with all state and federal laws concerning the maintenance and disclosure of employee records. The Charter School will comply with all applicable state and federal mandates and legal guidelines relative to ESSA.

A. Staff Recruitment and Selection Process

The Board of Directors hires the Principal. The Principal makes all other staffing decisions. To ensure selection of the highest quality staff, we implement the following selection process:

- Post job openings (career and education websites, newspapers, Schools of Education, referrals, and email).
- Request resume, cover letter.
- Brief screening interview (in-person or by phone).
- For teaching positions: Sample teaching lesson followed by debrief with the

- Principal (for instructional positions).
- Extensive in-person interview with members of the Charter School's current staff.
 - Verification of credential, if applicable, and previous employment.
 - State and Federal background checks including criminal background check and other required health and safety checks.
 - Personal reference checks.
 - The Principal will make offers of employment to the strongest candidates.

DD. Record keeping and Minimization of Use of Emergency Credentialed Teachers

The Roses in Concrete maintains current copies of all teacher credentials and ensures that they are readily available for inspection. Roses in Concrete takes all steps necessary to minimize the use of teachers holding emergency credentials, including active recruitment of duly credentialed teachers through EdJoin, the California Charter Schools Association, the Charter Schools Development Center, state-wide and national job search sites and agencies, and local newspapers. Roses in Concrete maintains a potential list of credentialed teachers from which to draw in the case of a teacher vacancy during the school year.

EE. Personnel Policies

The Board has adopted and maintain personnel policies that shall be compiled and included in an Employee Handbook to be provided to all employees upon commencing employment. (See Appendix 5.1 for Employee Handbook)

XVIII.EMPLOYEE QUALIFICATIONS

All members of the staff of Roses in Concrete must have an unwavering commitment to preparing all students with the knowledge, skills, and strength of character needed to succeed in college and serve as leaders in their communities. Furthermore, all staff members, in all positions, must hold a firm belief in the potential of every child and be willing to uphold the same high academic and behavioral expectations for all students. In order to serve low-income students of color from the Charter School's surrounding neighborhoods, specifically those who have historically been underserved in traditional public schools and many of whom are emergent bilinguals, RiC will aim to hire dedicated professionals who:

- Exude characteristics of humility, natural inquiry, kindness, creativity, courage, and resiliency.
- Have a solid grasp on effective uses of technology and multimedia tools to not only better their teaching but also to inspire positive social change for the greater good.
- Have the will and skill to use critical lenses and tools developed in the 21st Century to examine issues of race, power, status, gender, and wealth distribution.
- Express pride and honor in ancestral roots and be able to identify historical and contemporary alliances across lines of national and ethnic identity.

- Are local educators from similar socioeconomic culture and racial backgrounds preferred.
- Are bilingual, bi-literate, and/or bicultural with a strong grasp of academic language.
 - For dual immersion Spanish teachers, RiC measures these competencies through proof of possession of a BCLAD credential and an intensive Spanish speaking, reading, and writing interview.

A. Leadership Qualifications

Principal

The following are the required qualifications for the role of Principal:

- Bachelor's degree
- Clear Administrative Service Credential
- Minimum of five (5) years' experience as a social justice classroom teacher
- Steadfast commitment to East Oakland or a similar community
- Success leading a school for at least five years in East Oakland or a similar community that included:
 - supporting families and ensuring a high level of engagement;
 - developing talented and accomplished teachers;
 - establishing and maintaining effective community partnerships;
 - achieving exemplary outcomes for students;
 - familiarity with independent charter schools and the RiC target population;
 - experience with facilities and technology;
 - supervisory experience involving accomplished veteran instructors and staff;
 - successful fundraising experience;
 - active participation in a professional learning network; and
 - positive references from school stakeholders.

Business Manager

The following are the required qualifications of the role of Business Manager:

- Bachelor's Degree or higher, supplemented by additional training in office organization and secretarial skills.
- Three (3) years of experience in increasingly responsible roles which have included the exercise of independent judgment, preferably including experience in a public-school system, or any combination of training and experience that could likely provide the desired knowledge and abilities.

Dean of Students

The following are the qualifications for the role of the Dean of Students

- Bachelor's degree
- Master's degree preferred
- California teaching credential; BCLAD preferred
- Fluent in English and Spanish preferred
- Minimum of five (5) years of classroom teaching experience as a full-time teacher in Oakland or similar community;

- Minimum of three (3) years administrative experience

Director of Special Education

The following are the qualifications for the role of Director of Special Education

- Five (5) years teaching or special education (school psychologist, etc.) experience.
- Three (3) years of increasingly responsible educational management experience preferred.
- Master's degree in education or a related field from an accredited university or college.
- Experience collaborating with community-based organizations and other local agencies.
- Experience providing case management, facilitating support groups, and counseling in a school setting.
- Excellent communication and interpersonal skills, experience working with multidisciplinary teams,
- English/Spanish bilingual preferred.
- Knowledge and experience with computers including word processors, databases, and Internet use.

Director of Visual and Performing Arts

The following are the qualifications for the role of Director of Visual and Performing Arts.

- At least a master's degree in a visual or performing arts field.
- At least five (5) years of successful visual or performing arts instruction, administrative and/or supervisory experience.

Lead Teacher

The following are the qualifications for the role of Lead Teacher.

- Possession of a valid California Teaching Credential in the appropriate content area and English Learner certificate (CLAD or BCLAD) as required by Board Policy
- Outstanding and /or Highly Satisfactory Summary Evaluations or the equivalent
- At least seven (7) years of classroom teaching experience with demonstrated effectiveness in the subject matter, use of standards-based curriculum, instruction and assessment
- Successful experience working with diverse adult and student population; track record of success in an urban school setting
- Skillful in analyzing student assessment data, instructional planning and professional development of teachers
- Experience in coaching, mentoring and modeling of data use in improving instruction
- Experience in group facilitation and conducting professional development in continuous school improvement
- Demonstrated knowledge of the State Standards and the CAASPP

FF. Teacher Qualifications

Pursuant to Education Code Section 47605(l), all teachers at the Roses in Concrete will be required to hold a Commission on Teacher Credentialing certificate, permit, or other document for the teacher's certificated assignment. Teachers employed by charter schools during the 2019–20 school year shall have until July 1, 2025 to obtain the certificate required for the teacher's certificated assignment. Preference will be given to teachers who live in the neighborhoods served by Roses in Concrete.

A teacher must have:

- Bachelor's degree
- A valid single subject California teaching certificate, Educational Specialist permit, or other document required by the Commission on Teacher Credentialing required for the teacher's certificated assignment. Teachers employed by charter schools during the 2019–20 school year shall have until July 1, 2025, to obtain the certificate required for the teacher's certificated assignment.
- BCLAD or CLAD authorization or valid English Learner authorization.
- Demonstrated successful instructional expertise with deep urban students, subject matter competence and experience with students from diverse cultural and ethnic backgrounds
- Background clearance
- Tuberculosis risk assessment and, if necessary, examination.
- Dual immersion Spanish teachers must also hold BCLAD authorization and complete intensive Spanish speaking, reading, and writing interview.

A teacher of non-core, non-college prep courses at Roses in Concrete are not required to hold a teaching credential Teachers employed by charter schools during the 2019–20 school year shall have until July 1, 2025 to obtain the certificate required for the teacher's certificated assignment.

XIX. COLLECTIVE BARGAINING AGREEMENT

Roses in Concrete is proud to recognize Rosas Unidas/CTA/NEA ("Rosas Unidas") as the exclusive bargaining representative pursuant to the Educational Employment Relations Act ("EERA") (Government Code Section 3540, *et seq.*) for all professional educational personnel including but not limited to teachers; lead teachers; and for all full-time and regular part-time classified personnel, including, but not limited to, instructional aides, custodians, director of community organizing, recreation specialists, lunch monitors, administrative assistants and behavior technicians, excluding all supervisory, managerial and confidential employees of the Employer.

XX. PERFORMANCE EVALUATION

All Roses in Concrete staff will be evaluated formally by their supervisor. Details of the evaluation process are delineated in Appendix 4.5 as part of the CBA between RiC and Rosas Unidas.

The Principal will be evaluated annually by the Board of Directors and Council. This evaluation will be based on the degree to which the Charter School has reached the academic and organizational goals established in the adopted accountability plan. (See Appendix 5.2 for Sample Principal Evaluation Tool.) If the Principal fails to reach acceptable academic and organizational outcomes, the Board of Directors may terminate the Principal's employment and seek a qualified replacement.

ELEMENT 6: HEALTH AND SAFETY

1. Site Safety Plan

DRL: "RiC shall develop a school safety plan, which shall include the following topics set forth in Education Code section 32282(a)(2), and which shall be updated by March 1 every year:

- (A) Child abuse reporting procedures;
- (B) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities;
- (C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations;
- (D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079;
- (E) A discrimination and harassment policy consistent with the prohibition against discrimination set forth in Education Code section 200;
- (F) The provisions of any schoolwide dress code, pursuant to Section Education Code 35183 that prohibits pupils from wearing "gang-related apparel," if the school has adopted that type of a dress code;
- (G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school;
- (H) A safe and orderly environment conducive to learning at the school;
- (I) The rules and procedures on school discipline adopted pursuant to Education Code sections 35291, 35291.5, 47605, and 47605.6;
- (J) Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions. The procedures to prepare for active shooters or other armed assailants shall be based on the specific needs and context of each school and community."

2. Pupil Safety

DRL: "VISION, HEARING AND SCOLIOSIS

RiC shall comply with all federal and state legal requirements related to student immunization, health examination, and health screening, including but not limited to screening for vision, hearing, and scoliosis, to the same extent as would be required if the students were attending a non-charter public school. RiC shall maintain student immunization, health examination, and health screening records on file.

EPINEPHRINE AUTO-INJECTORS

RiC shall stock and maintain the required number and type of emergency epinephrine auto-injectors onsite and provide training to employee volunteers in the storage and use of the epinephrine auto-injector, and shall comply with the requirements of Education Code section 49414..

COMPETITIVE ATHLETICS

RiC shall comply with the requirements of Education Code section 221.9 with respect to the posting and/or disclosure requirements regarding pupil participation in competitive athletics, and shall comply with the requirements of Education Code section 33479 et seq. regarding recognition of signs of sudden cardiac arrest with respect to any athletic program that it offers.

CONCUSSIONS/HEAD INJURIES

RiC shall comply with the requirements of Education Code section 49475 regarding concussions/head injuries with respect to any athletic program (as defined in Education Code § 49475) offered by or on behalf of RiC."

SAFE PLACE TO LEARN ACT

RiC shall comply with all applicable requirements of the Safe Place to Learn Act, Education Code section 234 et seq.

GUN-FREE SCHOOLS ACT

RiC shall comply with the federal Gun-Free Schools Act.

TOBACCO USE PREVENTION

RiC shall enact policies to prohibit the use of Tobacco near its school site in accordance with the provisions of California Health and Safety Code section 104495."

SUICIDE PREVENTION POLICY (GRADES 7-12)

RiC shall adopt, at a regularly scheduled meeting, a policy on pupil suicide prevention in Grades 7 through 12 inclusive, that meets the requirements of Education Code section 215, if it serves any of those grade levels. The policy shall be developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts and shall, at a minimum, address procedures relating to suicide prevention, intervention, and postvention, and shall specifically address the needs of high-risk groups, including, but not limited to, all of the following: Youth bereaved by suicide; Youth with disabilities, mental illness, or substance use disorders; Youth experiencing homelessness or in out-of-home settings, such as foster care; and Lesbian, gay, bisexual, transgender, or questioning youth.

TRANSPORTATION

The RiC shall meet the requirements of Education Code section 39831.3 with respect to any transportation services provided to or from school or a school activity.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

RiC, including its employees and officers, shall comply with the Family Educational Rights and Privacy Act (FERPA) and Education Code section 49060 et seq. at all times.

DATA PRIVACY

RiC shall take the required steps to protect the data privacy of its pupils, including but not limited to compliance with Education Code section 49073-49079.7, as well as complying with

the requirements of Education Code section 49073.6 with respect to any maintenance of any information obtained from social media in its pupil records.

OTHER REQUIREMENTS

RiC shall comply with the requirements of Education Code section 33133.5 with respect to notifying pupils of the appropriate telephone number to call to report child abuse or neglect, and Education Code section 51900.6 with respect to the age-appropriate content in sexual abuse and sexual assault awareness and prevention.”

3. Employee Training

DRL: “RiC shall ensure that all staff members receive annual training on RiC’s health, safety, and emergency procedures, including but not limited to training on blood borne pathogens, and shall maintain a calendar for, and conduct, emergency response drills for students and staff. Charter School shall also ensure that its employees receive the required sexual harassment training under Govt. Code 12950.1.

RiC shall provide all employees, and other persons working on behalf of RiC who are mandated reporters, with annual training on child abuse detection and reporting, which shall occur within the first six weeks of each school year, or within the first six weeks of a person’s employment if employed after the beginning of the school year, in accordance with the requirements of Education Code section 44691.).”

4. Employee Background/Tuberculosis Check

DRL: “CRIMINAL BACKGROUND CLEARANCES AND FINGERPRINTING

RiC shall comply with all requirements of Education Code sections 44237, 44830.1 and 45125.1. RiC shall designate and maintain at all times at least one Custodian of Records duly authorized by the California Department of Justice.

RiC shall maintain on file and available for inspection evidence that (1) RiC has performed criminal background checks and cleared for employment all employees prior to employment; (2) RiC has obtained certification from each of its contracting entities/independent contractors that the entity/contractor has conducted required criminal background clearances for its employees prior to provision of school site services and/or any contact with students and has requested subsequent arrest notification service; and (3) RiC has performed criminal background checks and cleared for service all volunteers not directly supervised by staff and who may have contact with students. RiC shall also ensure that it requests and receives subsequent arrest notifications from the California Department of Justice for all employees and volunteers not directly supervised by staff. Upon request, RiC shall provide a copy of Department of Justice confirmation of Custodian of Records status for each Custodian of Records.

IMMUNIZATION AND HEALTH SCREENING REQUIREMENTS

RiC shall require all employees, and any volunteer or vendor/contracting entity employee who may have frequent or prolonged contact with students, to undergo a risk assessment and/or be examined and determined to be free of active tuberculosis (TB) within the period of 60 days prior to employment/service, in accordance with Education Code section 49406. RiC shall maintain TB clearance records and certifications on file.

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

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

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

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

In order to provide safety for all students and staff, the Charter School has adopted and implemented full health and safety policies and procedures and risk management policies at its school site in consultation with its insurance carriers and risk management experts. These procedures are incorporated into the Charter School's student and Employee Handbooks and will be reviewed on an ongoing basis by the Principal, Council, and Board of Directors. The Charter School shall ensure that staff are trained annually on the health and safety policies.

The following is a summary of the health and safety policies of the Charter School:

I. BACKGROUND CHECKS

RiC will comply with all applicable state and federal laws regarding the background checks and clearance and all state and federal laws concerning the maintenance and disclosure of employee records. Employees and contractors of RiC will be required to submit to a criminal background check and furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. Applicants for employment must submit two sets of fingerprints to the California Department of Justice and the Federal Bureau of Investigation for the purpose of obtaining a criminal record summary. The Charter School shall not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law, pursuant to Education Code Sections 44830.1 and 45122.1. The Principal and Business Manager shall monitor compliance with this policy and report to the Board of Directors on a regular basis. Volunteers who will volunteer outside of the direct supervision of a credentialed employee or under the supervision of a credentialed employee for more than seven (7) days if a community member and more than ten (10) days if a parent or guardian, shall be fingerprinted and receive background clearance prior to volunteering..

XXI. FACILITY SAFETY

Roses in Concrete complies with Education Code Section 47610 by utilizing facilities that are either compliant with the Field Act or facilities that are compliant with the California Building Standards Code. If OUSD facilities are used during the term of this charter, Roses in Concrete shall abide by all OUSD policies relating to Maintenance and Operations Services.

Asbestos Management: The Roses in Concrete shall occupy facilities that comply with the Asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40CFR part 763. AHERA requires that any building leased or acquired that is to be used as a school or administrative building shall maintain an asbestos management plan.

Certificate of Occupancy Assurance: Roses in Concrete assures that a site will be secured with an appropriate Certificate of Occupancy 45 days prior to the opening of school, or as otherwise agreed upon by the District and Charter School.

Emergency Preparedness: Roses in Concrete adheres to an Emergency Preparedness Handbook drafted specifically to the needs of the school site in conjunction with law enforcement and the Fire Marshal prior to school opening. This handbook will include, but not be limited to, the following responses: fire, flood, earthquake, terrorist threats, gang activity, and hostage situations. If assuming a facility used prior as a school site, any existing emergency preparedness plan for the school site shall be used as a starting basis for updating the handbook for Roses in Concrete. All Roses in Concrete staff will be trained on emergency preparedness procedures. All instructional staff and Charter School leadership will be CPR and first aid certified.

Fire, Earthquake, and Evacuation Drills: Students and staff will participate in earthquake drills every other month, fire drills monthly, and at least one lock-down drill annually. As noted above, the school will develop a school safety plan which will be kept on file for review. School staff will be trained annually on the safety procedures outlined in the plan.

Fire Safety: The Roses in Concrete agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. . The Charter School shall conduct fire drills as required under Education Code Section 32001.

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

- child abuse reporting procedures
- routine and emergency disaster procedures

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

XXII. HEALTH SAFETY

Bloodborne Pathogens: Roses in Concrete will meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. The Board has established a written infectious control plan designed to protect employees and students from possible infection due to contact with blood borne viruses, including human immunodeficiency virus ("HIV") and hepatitis B virus ("HBV"). Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

Drug Free/Alcohol Free/Smoke Free Environment: Roses in Concrete functions as a drug, alcohol and smoke free environment.

Food Service and Other Auxiliary Services Safety: The Roses in Concrete will contract with an outside agency for its food service needs. The Roses in Concrete will be responsible and accountable for filing all documents necessary for operating the food service program, as well as for reimbursement. The Roses in Concrete will ensure that its auxiliary services such as food services, transportation, and custodial services are safe and free from hazardous materials.

Immunizations: All enrolled students and Roses in Concrete employees are required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Section 120325-120375, and Title 17, California Code of Regulations Section 6000-6075. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster.

Medication in School: Roses in Concrete will adhere to Education Code Section 49423 regarding administration of medication in school. The Charter School will adhere to Education Code Section 49414 regarding epinephrine auto-injectors and training for staff members.

Tuberculosis Risk Assessment and Examination: Roses in Concrete employees and volunteers who have frequent or prolonged contact with students, will be assessed and examined (if necessary) for tuberculosis prior to commencing employment and working with students, and for employees at least once each four years thereafter, as required by Education Code Section 49406.

Vision, Hearing, and Scoliosis Screenings: Students will be screened for vision, hearing and scoliosis. Roses in Concrete will adhere to Education Code Section 49450, et seq. as applicable to the grade levels served by the Charter School.

Role of Staff as Mandated Child Abuse Reporters: All employees are mandated child abuse reporters, follow all applicable reporting laws, and submit proof of fulfillment of the annual training requirements, as required by the California Child Abuse and Neglect Reporting Act ("CANRA") and Education Code Section 44691 regarding mandated reporting requirements for school personnel. The Charter School shall provide mandated reporter training to all employees annually in accordance with Education Code Section 44691.

Suicide Prevention Policy

RiC has adopted a policy on pupil suicide prevention that meets the requirements of Education Code Section 215. The Charter School shall review, at minimum every fifth year, its policy on pupil suicide prevention and, if necessary, update its policy.

Prevention of Human Trafficking: The Charter School shall identify and implement the most appropriate methods of informing parents and guardians of students in grades 6 through 8 of human trafficking prevention resources.

Nutritionally Adequate Free or Reduced-Price Meal

The Charter School shall provide each needy student, as defined in Education Code Section 49552, with one nutritionally adequate free or reduced-price meal, as defined in Education Code Section 49553(a), during each school day.

California Healthy Youth Act: The Charter School shall teach sexual health education and HIV prevention education to students in grades 7-8, at least once, pursuant to the California Healthy Youth Act (Education Code Section 51930, *et seq.*).

Bullying Prevention

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

Feminine Hygiene Products

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

Diabetes: The Charter School will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but shall not be limited to, all of the following:

1. A description of type 2 diabetes.
2. A description of the risk factors and warning signs associated with type 2 diabetes.
3. A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes should be screened for type 2 diabetes.
4. A description of treatments and prevention methods of type 2 diabetes.
5. A description of the different types of diabetes screening tests available.

Comprehensive Discrimination and Harassment Policies and Procedures

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

ELEMENT 7: MEANS TO ACHIEVE RACIAL AND ETHNIC BALANCE

Governing Law: 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. Education Code Section 47605(b)(5)(G).

Roses in Concrete strives to achieve a student population from surrounding neighborhoods within East Oakland and the greater OUSD area that is reflective of the general population residing within the territorial jurisdiction of OUSD. No test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School. As previously noted, the Charter School shall not discriminate against a pupil on the basis of the characteristics listed in Education Code Section 220. Inclusive recruitment strategies will be implemented throughout our communities to provide East Oakland families with the opportunity to participate in the Charter School. Roses in Concrete will work with community organizations, churches, stores, merchant associations, other Bay Area charter schools, and traditional district schools within the Oakland Unified School District boundaries to recruit a student population that reflects the general population residing within the territorial jurisdiction of the school district.

I. RECRUITING FOR RACIAL AND ETHNIC BALANCE

While Roses in Concrete is committed to serving any child who wishes to attend the Charter School, the majority of our recruitment efforts will focus on attracting students living in East Oakland with its high numbers of Latino, African American and socioeconomically disadvantaged residents in order to reflect the ethnic and racial balance of the Charter School's community.

Our recruitment plan includes ongoing community outreach in English and Spanish informing families about an educational alternative for any interested families in Oakland, with a particular emphasis on families residing in East Oakland. The Charter School will facilitate presentations and individual interactions with families in other languages as appropriate.

Community outreach and recruitment runs through the Charter School's open enrollment period. Planned outreach strategies will include, but are not limited to:

- Development and distribution of marketing materials in English and Spanish.
- Presentations and information distribution at community organization meetings and local churches.
- Presentations and information distribution at adult classes, such as those held at the local public libraries, social service agencies, and park and recreation centers.
- Information booths and information distribution at community events, community centers, local businesses, faith-based organizations, grocery stores, and shopping centers.

- Holding Open Houses and informational meetings at the school site (as appropriate).
- Outreach to local television, radio, and print media reporters.
- Advertisements in local newspapers.
- Advertisements in local organization newsletters.
- Advertisements on local radio stations.
- Visit "feeder" pre-schools and day care centers located within the Roses in Concrete community

XXIII. ACHIEVING RACIAL AND ETHNIC BALANCE

Roses in Concrete will keep on file documentation of the efforts made to achieve a racial and ethnic balance and the results achieved, as well as an accurate accounting of the ethnic and racial balance of students enrolled in the Charter School. In order to accomplish this, the Charter School will continuously track and refine its recruitment efforts and outreach programs and activities through the following or other indicators of effectiveness:

- Maintain student demographic data to ensure accurate accounting of racial and ethnic balance of students enrolled in the Charter School. These data will inform the Charter School annual self-evaluation on progress in achieving desired population balance.
- Keep copies of flyers or brochures, applications, and other recruitment materials developed in the primary languages of the families in the surrounding neighborhoods (i.e., English and/or Spanish).
- Establish a database of contacts at various distribution channels to enable public relations efforts to reach a wide audience, including community presentations, flyers, the Charter School website, and/or sending out press releases to the local media.

ELEMENT 8: ADMISSION POLICIES AND PROCEDURES

1. Admissions Lottery

DRL: "DOCUMENTATION OF ADMISSIONS AND ENROLLMENT PROCESSES

As part of the Fall Information Update, RIC will notify the District in writing of the application deadline and proposed lottery date. RIC will ensure that all application materials will reference these dates as well as provide complete information regarding application procedures, key dates, and admissions preferences and requirements consistent with approved charter.

RIC shall maintain complete and accurate records of its annual admissions and enrollment processes, including but not limited to documentation of implementation of lottery and waitlist criteria and procedures in accordance with the terms of the Charter, and a record of all written communications with parents related to admissions. These records shall be made available to the District upon request.

RIC shall also comply with the following requirements of Education Code section 47605(d)(2)(B)(i)-(iv):

(i) Each type of preference shall be approved by the chartering authority at a public hearing.

(ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.

(iii) Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.

(iv) Preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment."

[Add additional provisions showing how RIC will comply with the above requirements, including how the preferences "shall not result in limiting enrollment access for pupils listed in Education Code section 47605(d)(2)(B)(ii).]

2. Homeless and Foster Youth

DRL: "HOMELESS AND FOSTER YOUTH

RIC shall adhere to the provisions of the McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths. RIC shall provide specific information, in its outreach materials, websites, at community meetings, open forums, and regional center meetings, that notifies parents that RIC is open to enroll and provide services for all students, and provides a standard District contact number for access to additional information regarding enrollment. RIC shall comply with all applicable provisions of Education Code sections 48850 – 48859 with respect to foster children and homeless youth.”

3. Non-Discrimination

DRL: “NON-DISCRIMINATION

RIC shall not require a parent/legal guardian/student to provide information regarding a student’s disability, gender, gender identity, gender expression, nationality, legal or economic status, primary language or English Learner status, 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 any other information that would violate federal or state law, prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment. RIC may request, at the time of, and as part of, conducting its lottery process, the provision of information necessary to apply specific admissions preferences set forth in this Charter.

RIC shall not request or require submission of a student’s IEP, 504 Plan, or any other record or related information prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment.”

4. Parent Engagement

PARENT ENGAGEMENT

RIC shall not require a parent or legal guardian of a prospective or enrolled student to perform volunteer service hours, or make payment of fees or other monies, goods, or services in lieu of performing volunteer service, as a condition of his/her child’s admission, continued enrollment, attendance, or participation in the school’s educational activities, or otherwise discriminate against a student in any manner because his/her parent cannot, has not, or will not provide volunteer service to RIC.

GOVERNING LAW: ADMISSION POLICIES AND PROCEDURES, CONSISTENT WITH [EDUCATION CODE SECTION 47605] SUBDIVISION (D). EDUCATION CODE SECTION 47605(B)(5)(H).

Roses in Concrete is an open enrollment, tuition-free public school with no specific requirements for admission (e.g., minimum grade point average, test scores, discipline records, etc.) aside from residents of California.

Roses in Concrete intends to be a neighborhood school but will enroll all pupils who wish to attend to the extent that space and program allows.

Roses in Concrete will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition nor discriminate against any student based upon the characteristics listed in Education Code Section 220.

No test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School. The Charter School will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Admission, except in the case of a public random drawing, shall not be determined by the place of residence of the pupil or his or her parent or legal guardian within the state. In accordance with Education Code Sections 49011 and 47605(d)(2)(B)(iv), admission preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

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

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

I. OPEN ENROLLMENT PROCESS

RiC will actively recruit a diverse student population residing in the District, who understand and value the Charter School's mission and are committed to the Charter School's instructional and operational philosophy. Admission to the Charter School shall be open to any resident of the State of California, although preferences will be given to students as detailed below. Each year, RiC will begin collecting applications during OUSD's open enrollment window. By October 1 of each year and/or when the District releases the open enrollment period dates, RiC will notify the District in writing of the application deadline and proposed lottery date. The charter school's enrollment window will align with OUSD's open enrollment window and the first lottery date will be held within 30 days of the close of the open enrollment window. RiC will ensure that all application materials will

reference these dates as well as provide complete information regarding application procedures, key dates, and admissions preferences and requirements consistent with approved charter. If necessary, RiC will have subsequent enrollment periods and public lotteries if not all spaces are filled in the first enrollment window or if additional applications are received. After all available openings have been filled via lottery, students will be placed on a waiting list in the order in which their names are drawn. Should spaces open during the course of the school year, RiC will contact students in the order they appear on the waiting list. Students are asked to accept the spot with one week of notification. In no circumstance will a waitlist carry over to the following school year.

XXIV. DUAL LANGUAGE PROGRAM

(Note: This enrollment policy applies to students in the dual language program at RiC).

A. Overview

Roses in Concrete's Dual Language Program is an open enrollment program, designed to serve students from any language background. However, in order to provide effective and continuous Dual Language Program, RiC will institute processes during enrollment to have a balance of students who are proficient in Spanish and students who have not demonstrated grade level proficiency in Spanish.

GG. Eligibility

As part of the enrollment process, student's parents/guardians complete the Home Language Survey. Following this, the student will be assessed to determine their fluency levels in Spanish. This will be done through oral language interviews. Depending if they demonstrate proficiency, students will be assigned to the Spanish lottery.

XXV. ADMISSION PREFERENCES

Applications will be accepted during a publicly advertised open enrollment period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, the Charter School will hold a public random drawing to determine admission for the impacted grade level, with the exception of existing students, who are guaranteed admission in the following school year.

Admission preference, for students entering Kindergarten and 1st grade, in the case of a public random drawing shall be given to students in the following sequence of priority:

- Siblings of students admitted to or attending the Charter School will receive [x] entries per child.
- Children of Charter School teachers and staff will receive [x] entries per child.
- Children from the surrounding East Oakland neighborhood² will receive three

- entries per child;
- Students who qualify for free or reduced price meals will receive three entries per child;
- Residents of OUSD will receive two entries per child; and
- All other non-OUSD residents will receive one entry per child.

Children who meet multiple preference categories will receive the number of entries in the drawing for *each* of the preferential categories for which they qualify (e.g. a child from the surrounding East Oakland neighborhood who qualifies for free and reduced price meals, and is a resident of OUSD would receive 8 entries in a drawing). Once an entry has been pulled, any subsequent draws of the same name will be set aside, and another name will be drawn.

Admission preference, for students entering 2nd grade and beyond, in the case of a public random drawing shall be given to students in the following sequence of priority:

- Siblings of students admitted to or attending the Charter School will receive [x] entries per child.
- Children of Charter School teachers and staff will receive [x] entries per child.
- Spanish language competency (as measured by Spanish language competency exam conducted by Roses in Concrete dual immersion staff) will receive five entries per child;
- Children from the surrounding East Oakland neighborhood³ will receive three entries per child;
- Students who qualify for free or reduced price meals will receive three entries per child;
- Residents of OUSD will receive two entries per child; and
- All other non-OUSD residents will receive one entry per child.

For incoming Kindergarten students in the dual language program, two drawings will be held to ensure a balance of students across English and Spanish. Half of all Kindergarten seats will be reserved for children with age appropriate Spanish fluency (as measured, pre-lottery, through an oral language assessment conducted by dual immersion staff). One lottery will be conducted for students desiring a Spanish-speaking seat. A separate lottery will be conducted for students desiring an English-speaking seat. A child is only eligible for one lottery.

For 1st grade students seeking a seat in the Dual Language Program, two drawings will be held to ensure a balance of students across English and Spanish. Pre-lottery, Roses in Concrete staff will determine the number of Spanish-speaking and English-speaking open seats. Two lotteries will then be conducted as necessary. Students seeking a Spanish-speaking seat must show age appropriate Spanish fluency (as measured, pre-lottery, through an oral language assessment conducted by dual immersion staff). A separate

² We define surrounding community as the neighborhoods between Highway 13 and San Leandro Boulevard, and 73rd Avenue and 35th Avenue.

³ We define surrounding community as the neighborhoods between Highway 13 and San Leandro Boulevard, and 73rd Avenue and 35th Avenue.

lottery will be conducted for students desiring an English-speaking seat. A child is only eligible for one lottery.

The Charter School and District mutually agree that the preferences in the public random drawing as listed above are consistent with Education Code Section 47605(d)(2) and applicable federal law and non-regulatory guidance.

XXVI. PROCEDURES

A. Public Random Drawing

In the event that the Charter School receives more enrollment forms than the number of seats open for a particular grade or language by the application deadline, we will conduct an annual public random drawing to determine admission in accordance with Education Code Section 47605(d)(2)(B) and the procedures described above.

HH. Waitlist

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a wait list according to their draw in the lottery.

Any applications received after the closing of the open enrollment period will be held in abeyance for an additional lottery, if needed, and will not be added to the existing waitlist.

Families of students who are offered admission will have one week to confirm in writing their intent to enroll and submit an enrollment packet including proof of age, proof of address, and immunization records.

The waitlist will be kept on file at the Charter School and will be valid only for the duration of the current school year. In no circumstance will a waitlist carry over to the following school year. During the school year if vacancies should arise, the Charter School will notify families on the wait list to see if they would like to enroll. If the notified family declines or does not respond within 7 business days, they are removed from the waitlist and the next family is contacted.

II. Record Keeping

Roses in Concrete will keep the following records on file in the main office:

- Public Lottery Procedures: Documentation of drawing procedures as defined in the charter and any subsequent policy or policies approved by the Board.
- Public Lottery Results: Results of the public drawing, indicating ranking.
- Updated Waiting List: The most up to date waiting list including contact information.

Roses in Concrete will notify the District in writing of the proposed lottery date. RiC will ensure that all application materials will reference these dates as well as provide complete information regarding application procedures, key dates, and admissions preferences and requirements consistent with the approved charter.

ELEMENT 9: INDEPENDENT FINANCIAL AUDIT

Governing Law: 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. Education Code Section 47605(b)(5)(l).

An annual independent financial audit of the books and records of Roses in Concrete will be conducted as required by Education Code Sections 47605(b)(5)(l) and 47605(m). The books and records of Roses in Concrete will be kept in accordance with generally accepted accounting principles, and as required by applicable law, the audit will employ generally accepted accounting procedures. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller's K-12 Audit Guide.

The Board shall oversee the selection of an independent auditor and the completion of an annual audit of the Charter Schools financial books and records, including attendance. The independent auditor must have, at a minimum, a CPA and educational institution audit experience, and must be named on the State Controller's published list of approved educational audit providers. To the extent required by law, the scope of this audit will be expanded to include any relevant items or processes specified in applicable Office of Management and Budget circulars.

It is anticipated that annual audits will be completed within five months of the close of each school year. A copy of the annual audit will then be forwarded to OUSD, the Alameda County Superintendent of Schools, the State Controller, and the CDE by December 15th of each year. The Audit Committee will review the audit and report to the Board of Directors with any deficiencies and recommendations on how to resolve them. The Board will submit 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. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel ("EAAP") in accordance with applicable law.

The independent financial audit of Roses in Concrete is a public record to be provided to the public upon request. Any disputes concerning the resolution of audit exceptions shall be referred to the Dispute Resolution Process described in *Element 14* of this charter.

ELEMENT 10: SUSPENSION AND EXPULSION POLICY and PROCEDURES

1. Student Due Process Protections

DRL: "The RIC's student discipline procedures, at a minimum, shall comply with federal and state constitutional procedural and substantive due process requirements as follows:

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

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

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

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

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

[Insert other procedures designed to ensure that the RIC's disciplinary procedures comply with federal and state constitutional procedural and substantive due process requirements.]

2. Required Notifications

REQUIRED NOTIFICATIONS

DRL: "RIC shall notify, within 30 days, the superintendent of the school district of any pupil who is expelled or leaves RIC without graduating or completing the school year for any reason. The school district notified shall be determined by the pupil's last known address. RIC

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, pursuant to Education Code Section 47605(d)(3)."

3. Compliance with OCS Student Discipline Guidelines

DRL: "RIC shall comply with the District's "Disciplinary and Expulsion Documentation Policy," which can be accessed at <https://www.ousdcharters.net/expulsions.html>, and whose terms are incorporated by reference as if set forth expressly in this Charter. The purpose of this policy is to outline the notification requirements to families and to the Office of Charter Schools."

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

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

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

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

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

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

I. DISCIPLINE PROCEDURES

Roses in Concrete recognizes that the humanization of our students must be our most pressing priority. Without an environment that affirms the value of our students as precious human beings, all attempts to prepare them for the future becomes less potent. Student discipline and proper conduct is essential to the success of the Charter School, each student, and the broader community. Researchers have demonstrated a correlation between discipline and achievement. High expectations for student behavior is a key characteristic of high-performing urban charter schools. The Charter School also acknowledges that such high expectations for performance and behavior are deeply embedded in historically targeted communities. Therefore, the Charter School has implemented a discipline policy that holds all students to a standard that reflects the legacy of sociopolitical struggle and critical resistance that appropriately prepares students to move forward in our nation and keep each other healthy while doing so.

It is the Charter School's belief that respectful behavior can be anticipated when the behavioral expectations for the students are made clear and consistently implemented through community-wide messaging, culturally relevant instruction, and culturally responsive discipline practices. It is the responsibility of the teachers to prevent and intervene in response to inappropriate behaviors through direct confrontation of social transgressions, keeping lessons relevant, and treating each mistake as an instructional moment. Students who are deeply engaged in learning are far less likely to demonstrate inappropriate behavior when they also have skilled adults that prioritize their safety and healthy development. The Charter School encourages regular discussions between parents and their children to foster developmentally appropriate reflection on their behavior. Additionally, parents are asked to voice their opinion of the efficacy of the Charter School's discipline policy and offer suggestions through the establishment of an open-door policy for parental visits and communication with Charter School administrators.

The approach to discipline at Roses in Concrete will be culturally congruent to the community it serves and will be rooted in the Charter School's core values of **Resources, Relationships, Relevancy, Rigor, and Responsibility**. Teachers will implement developmentally appropriate systems, consistent across each grade level, that record student behaviors and assign incentives and consequences according to a pre-determined progressive scale. Class-wide and school-wide incentives, including monthly field trips linked to learning goals, will be awarded based on attendance, homework completion, and demonstration of the Charter School's core values. Parents will receive notification of positive and negative behavior through weekly behavior logs. Students in our lower grades will receive star stickers on a behavior chart and take-home log for appropriate behavior each day.

When discipline issues develop a typical progression of consequences might follow this sequence:

- a. Warning
- b. Loss of privilege
- c. Discussion with advisor/administrator with an opportunity for act of class/teacher/peer atonement
- d. Conference with parent, develop an analysis of cause including possible Post Traumatic Stress Disorder ("PTSD ") and behavior action plan.

Atonement, literally meaning "reparation for offense or injury," is at the core of the Roses in Concrete disciplinary culture. The goal of our work is to ensure that students continue to develop the awareness necessary to acknowledge when wrong has been done and seek the appropriate resolution- especially when they are the perpetrator of a transgression. Discussions with students and mediations between students are to lead to a reconciliation that is humanizing to all parties involved. Our aim is to evoke a sense of communal responsibility without using guilt or shame as a tactic to induce empathy. Instead, our staff, faculty, and administrators will rely on framing incidents in terms of human safety and inclusion with the needs of the community as the overarching realm of concern. We do not intend for students to feel no guilt or shame when harm has been done, but we expect these feelings to come from the students' realization of the depth of the violation, rather than attempts at shaming from the Charter School staff.

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

For the most severe cases, a student may be referred to the Roses in Concrete administration for consideration of suspension (in or out of school) or expulsion in accordance with the policies and procedures described below.

XXVII. SUSPENSION & EXPULSION POLICY

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 Roses in Concrete. In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describes the noncharter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the 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.

Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations.

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

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

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

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

A. Grounds for Suspension and Expulsion of Students

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

period, whether on or off the school campus; or d) during, going to, or coming from a school-sponsored activity.

JJ. Enumerated Offenses

1. **Discretionary Suspension Offenses.** Students may be suspended for any of the following acts when it is determined the pupil:
 - a)
 - i. Caused, attempted to cause, or threatened to cause physical injury to another person.
 - ii. Willfully used force or violence upon the person of another, except in self-defense.
 - b) Possessed, sold, or otherwise furnished any knife, unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.
 - c) Unlawfully possessed, used, 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.
 - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as a controlled substance, alcoholic beverage or intoxicant.
 - e) Committed or attempted to commit robbery or extortion.
 - f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
 - g) Stole or attempted to steal school property or private property, which includes but is not limited to electronic files and databases.
 - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use or possession by a pupil of his or her own prescription products by a pupil.
 - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
 - k) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
 - l) Possessed an imitation firearm, i.e.: a replica firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
 - m) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that

student from being a witness and/or retaliating against that student for being a witness.

- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 8, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 8, inclusive.
- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 8, inclusive.
- t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act. For purposes of this subdivision, the following terms have the following meanings:

- 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

- 2) "Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 1. A message, text, sound, video, or image.
 2. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph 1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

3. An act of cyber sexual bullying.

- (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of subparagraph 1), above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
- (b) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- (c) Notwithstanding subparagraphs 1) and 2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

- u) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision 1 (a)-(b).
- v) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.

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

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.
- b) Brandishing a knife at another person.
- c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, et seq.
- d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n)

3. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing

that student from being a witness and/or retaliating against that student for being a witness.

- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 8, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work,

creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 8, inclusive.

t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
- ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
- iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
- iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) "Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- i. A message, text, sound, video or image.
- ii. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph 1) above.
 - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph 1) above. "Credible impersonation"

means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

- c. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph 1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. An act of cyber sexual bullying.

- a. For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of subparagraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
- b. For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

- iv. Notwithstanding subparagraphs 1) and 2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

- u) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision 3 (a)-(b).
- v) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.

2. **Non-Discretionary Expellable Offenses:** Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous Object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.
- b) Brandished a knife at another person.
- c) Unlawfully selling any controlled substance listed in Health and Safety Code Section 11053, *et seq.*
- d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n).

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

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

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

KK. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

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

The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present

danger to the lives, safety or health of students or Charter 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, in accordance with Education Code Section 47605(b)(5)(J)(i).. This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Charter 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 the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If Charter 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 Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Principal or Principal's designee, the pupil and the pupil's parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Principal or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing. . In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

LL. Authority to Expel

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

notice of said hearing, as required by law.

A student may be expelled either by the neutral and impartial Charter School Board following a hearing before it or by the Charter School Board upon the recommendation of a neutral and impartial Administrative Panel to be assigned by the Board as needed. The Administrative Panel shall consist of at least three members who are certificated and neither a teacher of the pupil nor a member of the Board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board shall make the final determination.

MM. Expulsion Procedures

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

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

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

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

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days' notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding entity finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the

presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance 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.

OO. 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.

PP. Presentation of Evidence

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

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

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

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

QQ. Written Notice to Expel

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

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

RR. Disciplinary Records

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

SS. No Right to Appeal

The pupil shall have no right of appeal from expulsion from the Charter School as the Charter School Board's decision to expel shall be final.

TT. Expelled Pupils/Alternative Education

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

UU. Rehabilitation Plans

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the 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 year from the date of expulsion when the pupil may reapply to the Charter School for readmission.

VV. Readmission

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

WW. Notice to Teachers

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

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

1. Notification of SELPA

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

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting (which could constitute a change of placement and the student's IEP would reflect this change), and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment , and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alterative 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, the Charter School, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

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

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

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

- a. Conduct a functional behavioral assessment, and implement a behavioral intervention plan for such child, provided that the Charter School 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 the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a direct result of the failure to implement the IEP/504 Plan, then the Charter School 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 the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

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

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

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

5. Special Circumstances

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

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

6. Interim Alternative Educational Setting

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

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

A student who has not been identified as an individual with disabilities pursuant to IDEA and who has violated the Charter School's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the Charter School 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 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 the Charter School knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEA-eligible children with disabilities, including the right to stay-put.

If the Charter School 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 the Charter School pending the results of the evaluation.

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

ELEMENT 11: STAFF RETIREMENT SYSTEM

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

All eligible certificated staff at Roses in Concrete shall be covered by the State Teachers' Retirement System ("STRS") and all eligible classified staff shall participate in the Public Employees' Retirement System ("PERS"). The Business Manager shall be responsible for ensuring that appropriate arrangements for retirement coverage are made for all employees.

Mandatory employer contributions, such as workers compensation, unemployment insurance, and Medicare, will be made by Roses in Concrete. Health, dental, vision, and related benefits will also be provided to all full-time employees by the Charter School.

ELEMENT 12: PUBLIC SCHOOL ATTENDANCE ALTERNATIVES

DRL: "Pupils who choose not to attend the RiC may choose to attend other public schools in their district of residence or pursue inter-district transfers in accordance with existing enrollment and transfer policies of the District. Parents or guardians of each pupil enrolled in RiC shall be informed that the pupil has no right to admission in a particular school of any local educational agency (LEA) (or program of any LEA) as a consequence of enrollment in RIC except to the extent that such a right is extended by the District."

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

No student may be required to attend Roses in Concrete. . Students who reside within the District who choose not to attend the Charter School may attend school within the District according to District policy or at another school district or school within the District through the District's intra- and inter-district transfer policies. Parents and guardians of each student enrolled in the Charter School will be informed on admissions forms that students have no right to admission in a particular school of a 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 13: EMPLOYEE RETURN RIGHTS

DRL: Employees of the District who choose to leave the employment of the District to work at RiC shall have no automatic rights of return to the District after employment at RiC unless specifically and explicitly granted by the District through a leave of absence or other agreement or policy of the District as aligned with the collective bargaining agreements of the District. Leave and return rights for District union-represented employees and former employees who accept employment with RiC, if any, will be administered in accordance with applicable collective bargaining agreements and any applicable judicial rulings."

Governing Law: *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. Education Code Section 47605(b)(5)(M).*

No public school district employee shall be required to work at Roses in Concrete. Employees of the District who choose to leave the employment of the District to work at the Charter School will have no automatic rights of return to the District after employment by the Charter School unless specifically granted by the District through a leave of absence or other agreement. Charter School employees shall have any right upon leaving the District to work in the Charter School that the District may specify, any rights of return to employment in a school district after employment in the Charter School that the District may specify, and any other rights upon leaving employment to work in the Charter School that the District determines to be reasonable and not in conflict with any law.

Sick or vacation leave or years of service credit at the District or any other school district will not be transferred to Roses in Concrete. Employment by Roses in Concrete provides no rights of employment at any other entity, including any rights in the case of closure of the Charter School.

ELEMENT 14: DISPUTE RESOLUTION FOR SCHOOL-AUTHORIZER ISSUES

1. Procedures for Complaints against Charter School

DRL: "RIC will establish complaint procedures that address both complaints against the Charter School alleging discrimination or violations of law and complaints regarding other areas. RIC will not, at any time, refer such complaints to the District for handling.

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 impartial and neutral ombudsperson for situations in which the school leader is the subject of the complaint. The complaint procedures will be clearly articulated in the school's student and family handbook or distributed widely.

RIC 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 RIC alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. RIC will notify all its students and employees of the name, office address, and telephone number of the designated employee or employees.

RIC shall comply with the requirements of Education Code section 221.61 with respect to posting information regarding the filing complaints under Title IX, including but not limited to the following: 1) the name and contact information of the Title IX coordinator; 2) the rights of the pupil and the public and the responsibilities of the RIC under Title IX; 3) a description of how to file a complaint under Title IX, including an explanation of the statute of limitations, how the complaint will be investigated and how the complainant may further pursue the complaint; and a link to the United States Department of Education Office for Civil rights complaint form."

DRL: "RIC 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."

2. Complaints by Students and Employees

DRL: "RIC 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."

3. Disputes between the District and the Charter School

DRL: "The staff and Governing Board members of RIC agree to attempt to resolve all disputes between the District and RIC 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 RIC, 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, except any controversy or claim that in any way related to revocation of the Charter, must be put in writing ("Written Notification") by the party asserting the existence of such dispute. If the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with Education Code section 47607(c), the matter will be addressed at the District's discretion in accordance with that provision of law and any regulations pertaining thereto. 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, certified mail, or electronic mail. The Written Notification, and all subsequent notifications under this procedure, shall be deemed received (a) if personally delivered, or sent by electronic mail, upon date of delivery to the address of the person to receive such notice if received by the District by 5:00 PM; (b) if by facsimile, upon electronic confirmation of receipt; (c) if by mail, two (2) business days after deposit in the U.S. Mail. All written notices shall be addressed as follows:

*To: c/o Principal:
Roses in Concrete
4551 Steele Street
Oakland, CA 94619*

*To Director, Office of Charter Schools:
1000 Broadway, 3rd Floor, Suite 398
Oakland, CA 94607*

(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 facts which the responding party believes supports its position. The Written Response may be tendered by personal delivery, by facsimile, certified mail, or electronic 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 calendar 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. If no agreement on a mediator is reached within 30 days after a request to mediate, the parties will use the processes and procedures of the American Arbitration Association ("AAA") to have an arbitrator appointed...

(4) If the mediation is not successful, the parties agree that each party has exhausted its administrative remedies and shall have any such recourse available by law."

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

Internal Disputes

Roses in Concrete requests that the District promptly forward any complaints it receives regarding RiC to the RiC Principal. See Appendix 14.1 for Uniform Complaint Procedures.

Roses in Concrete has designated Jeff Ducan Andrade to coordinate its efforts to comply with and carry out its responsibilities under Title IX and Section 504.

Roses in Concrete has adopted and published grievance procedures providing for prompt and equitable resolution of employee complaints.

ELEMENT 15: PROCEDURES FOR SCHOOL CLOSURE

DRL: "CLOSURE ACTION"

The decision to close RiC, either by the governing board of RiC or by the OUSD Board of Education, must be documented in a "Closure Action." A Closure Action shall be deemed to have been automatically taken when any of the following occur: the Charter is revoked (subject to the provisions of Education Code section 47607(i)) or non-renewed by the OUSD Board of Education, and the Charter has exhausted any appeals procedures the Charter pursued; the governing board of RIC votes to close RIC or the Charter lapses or is surrendered.

CLOSURE PROCEDURES

The procedures for charter school closure set forth below are guided by Education Code sections 47604.32, 47605, and 47607 as well as California Code of Regulations, title 5, sections 11962 and 11962.1, and are based on "Charter School Closure Requirements and Recommendations (Revised 08/2009)" posted on the California Department of Education website. All references to "Charter School" apply to RIC, including its nonprofit corporation and governing board.

A) Designation of Responsible Person(s) and Funding of Closure

Prior to or at the time of the taking of a Closure Action by either the governing board of RIC or the OUSD Board of Education, the governing board of RIC shall designate a person or persons responsible for conducting and overseeing all closure-related procedures and activities, and allocate sufficient funding for, or otherwise determine how RIC will fund, these activities.

B) Notification of Closure Action

Upon the taking of a Closure Action, RIC shall send written notice of its closure to:

- 1. The OUSD OCS. RIC shall provide the OCS with written notice of the person(s) designated to be responsible for conducting and overseeing all closure activities and the funding for such activities. If the Closure Action is an act of RIC, RIC shall provide the OCS with a copy of the governing board resolution or minutes that documents its Closure Action.*
- 2. Parents/guardians of all students, and all majority age and emancipated minor students, currently enrolled in RIC within 72 hours of the Closure Action. RIC shall simultaneously provide a copy of the written parent notification to the OCS.*
- 3. Alameda County Office of Education (ACOE). RIC shall send written notification of the Closure Action to ACOE by registered mail within 72 hours of the Closure Action. RIC shall simultaneously provide a copy of this notification to the OCS.*
- 4. The Special Education Local Plan Area (SELPA) in which RIC participates. RIC shall send written notification of the Closure Action to the SELPA in which RIC participates by registered mail within 72 hours of the Closure Action. RIC shall simultaneously provide a copy of this notification to the OCS.*

5. *The retirement systems in which RIC's employees participate. Within fourteen (14) calendar days of the Closure Action, RIC shall notify, as applicable, the State Teachers Retirement System (STRS), Public Employees Retirement System (PERS), the Social Security Administration, and the Alameda County Office of Education of the Closure Action, and follow their respective procedures for dissolving contracts and reporting. RIC shall provide a copy of this notification and correspondence to the OCS.*
6. *The California Department of Education (CDE). RIC shall send written notification of the Closure Action to the CDE by registered mail within 72 hours of the Closure Action. RIC shall provide a copy of this notification to the OCS.*
7. *Any school district that may be responsible for providing education services to the former students of RIC. RIC shall send written notification of the Closure Action within 72 hours of the Closure Action. This notice must include a list of potentially returning students and their home schools based on student residence. RIC shall provide a copy of these notifications, if any, to the OCS.*
8. *All RIC employees and vendors within 72 hours of the Closure Action. RIC shall simultaneously provide a copy of the written employee and vendor notification to the OCS.*

Notification of all the parties above, with the exception of employees and vendors, must include but is not limited to the following information:

1. *The effective date of the closure of RIC*
2. *The name(s) and contact information for the person(s) handling inquiries regarding the closure*
3. *The students' school districts of residence*
4. *How parents/guardians of all students, and all majority age and emancipated minor students, may obtain copies of student records and transcripts, including specific information on completed courses and credits that meet graduation requirements*

In addition to the four required items above, notification of the CDE shall also include:

1. *A description of the circumstances of the closure*
2. *The location of student and personnel records*

In addition to the four required items above, notification of parents/guardians of all students, and all majority age and emancipated minor students, shall also include:

1. *Information on how to enroll or transfer the student to an appropriate school*
2. *A certified packet of student information that includes closure notice, a copy of the student's cumulative record, which will include grade reports, discipline records, immunization records, completed coursework, credits that meet graduation requirements, a transcript, and state testing results*
3. *Information on student completion of college entrance requirements, for all high school students affected by the closure*

Notification of employees and vendors shall include:

1. *The effective date of the closure of RIC*
2. *The name(s) and contact information for the person(s) handling inquiries regarding the closure*
3. *The date and manner, which shall be no later than 30 days from the effective date of the closure of RIC, by which RIC shall provide employees with written verification of employment*

Within 30 days of the effective date of closure, RIC shall provide all employees with written verification of employment. RIC shall send copies of such letters to the OCS.

C) Records Retention and Transfer

RIC shall comply with all applicable laws as well as District policies and procedures, as they may change from time to time, regarding the transfer and maintenance of Charter School records, including student records. These requirements include:

1. *RIC shall provide the District with original student cumulative files and behavior records, pursuant to District policy and applicable District handbook(s) regarding cumulative records for secondary and elementary schools, for all students, both active and inactive, of RIC. Transfer of the complete and organized original student records to the District, in accordance with District procedures applicable at the time of closure, shall occur within seven (7) calendar days of the effective date of closure.*
2. *RIC's process for transferring student records to receiving schools shall be in accordance with OUSD procedures for students moving from one school to another.*
3. *RIC shall prepare and provide an electronic master list of all students to the RICs Division in accordance with the District procedures applicable at the time of closure. This list shall include the student's identification number, Statewide Student Identifier (SSID), birthdate, grade, full name, address, home school/school district, enrollment date, exit code, exit date, parent/guardian name(s), and phone number(s). If the RIC closure occurs before the end of the school year, the list also shall indicate the name of the school to which each student is transferring, if known. This electronic master list shall be delivered to the OCS in the form of a CD or otherwise in accordance with District procedures.*
4. *RIC must organize the original cumulative files for delivery to the District in two categories: active students and inactive students. RIC will coordinate with the OCS for the delivery and/or pickup of student records.*
5. *RIC must update all student records in the California Longitudinal Pupil Achievement Data System (CALPADS) prior to closing.*
6. *RIC must provide to the OCS a copy of student attendance records, teacher gradebooks, RIC payroll and personnel records, and Title I records (if applicable). Personnel*

records must include any and all employee records including, but not limited to, records related to performance and grievance.

7. RIC shall ensure that all records are boxed and clearly labeled by classification of documents and the required duration of storage in accordance with District procedures.
8. RIC shall provide to the responsible person(s) designated by the governing board of RIC to conduct all closure-related activities a list of students in each grade level and, for each student, a list of classes completed and the student's district of residence.

D) Financial Close-Out

After receiving notification of closure, the CDE will notify RIC and the authorizing entity of any liabilities RIC owes the state, which may include overpayment of apportionments, unpaid revolving fund loans or grants, and/or similar liabilities. The CDE may ask the County Office of Education to conduct an audit of the charter school if it has reason to believe that the school received state funding for which it was not eligible.

RIC shall ensure completion of an independent final audit within six months after the closure of RIC that includes:

1. An accounting of all financial assets. These may include cash and accounts receivable and an inventory of property, equipment, and other items of material value.
2. An accounting of all liabilities. These may include accounts payable or reduction in apportionments due to loans, unpaid staff compensation, audit findings, or other investigations.
3. An assessment of the disposition of any restricted funds received by or due to Charter School.

This audit may serve as RIC's annual audit, if so permitted by the California Department of Education, California State Controller, and/or the State Superintendent of Public Instruction.

RIC shall pay for the financial closeout audit of RIC. This audit will be conducted by a neutral, independent licensed CPA who will employ generally accepted accounting principles. Any liability or debt incurred by RIC will be the responsibility of RIC and not OUSD. RIC understands and acknowledges that RIC will cover the outstanding debts or liabilities of RIC. Any unused monies at the time of the audit will be returned to the appropriate funding source. RIC understands and acknowledges that only unrestricted funds will be used to pay creditors. Any unused AB 602 funds or other special education funding will be returned to the District SELPA or the SELPA in which RIC participates, and other categorical funds will be returned to the source of funds.

RIC shall ensure the completion and filing of any annual reports required. These reports include but are not necessarily limited to:

1. Preliminary budgets
2. Interim financial reports
3. Second interim financial reports
4. Final unaudited reports

These reports must be submitted to the CDE and the authorizing entity in the form required. If RIC chooses to submit this information before the forms and software are available for the fiscal year, alternative forms can be used if they are approved in advance by the CDE. These reports should be submitted as soon as possible after the Closure Action, but no later than the required deadline for reporting for the fiscal year.

For apportionment of categorical programs, the CDE will count the prior year average daily attendance (ADA) or enrollment data of the closed RIC with the data of the authorizing entity. This practice will occur in the first year after the closure and will continue until CDE data collection processes reflect ADA or enrollment adjustments for all affected LEAs due to the charter closure.

E) Disposition of Liabilities and Assets

The closeout audit must identify the disposition of all liabilities of RIC. RIC closure procedures must also ensure appropriate disposal, in accordance with RIC's governing board bylaws, fiscal procedures, and any other applicable laws and regulations, of any net assets remaining after all liabilities of RIC have been paid or otherwise addressed. Such disposal includes, but is not limited to:

1. RIC, at its cost and expense, shall return to the District any and all property, furniture, equipment, supplies, and other assets provided to RIC by or on behalf of the District. The District discloses that the California Education Code sets forth the requirements for the disposition of the District's personal property and RIC shall bear responsibility and liability for any disposition in violation of statutory requirements.
2. The return of any donated materials and property in accordance with any terms and conditions set when the donations were accepted.
3. The return of any grant and restricted categorical funds to their sources according to the terms of the grant or state and federal law.
4. The submission of final expenditure reports for any entitlement grants and the filing of Final Expenditure Reports and Final Performance Reports, as appropriate.

If RIC is operated by a nonprofit corporation, and if the corporation does not have any functions other than operation of RIC, the corporation shall be dissolved according to its bylaws.

RIC shall retain sufficient staff, as deemed appropriate by the RIC governing board to complete all necessary tasks and procedures required to close the school and transfer records in accordance with these closure procedures.

RIC's governing board shall adopt a plan for wind-up of RIC and, if necessary, the corporation, in accordance with the requirements of the Corporations Code.

RIC shall provide OUSD within fourteen (14) calendar days of the Closure Action with written notice of any outstanding payments due to staff and the time frame and method by which RIC will make the payments.

Prior to final close-out, RIC shall complete all actions required by applicable law, including but not limited to the following:

- a. File all final federal, state, and local employer payroll tax returns and issue final W-2s and Form 1099s by the statutory deadlines.*
- b. File a Federal Notice of Discontinuance with the Department of Treasury (Treasury Form 63).*
- c. Make final federal tax payments (employee taxes, etc.)*
- d. File its final withholding tax return (Treasury Form 165).*
- e. File its final return with the IRS (Form 990 and Schedule).*

This Element 15 shall survive the revocation, nonrenewal, expiration, termination, cancellation of this Charter, or any other act or event that would end RIC's authorization to operate as a charter school or cause RIC to cease operation. RIC agrees that, due to the nature of the property and activities that are the subject of this Charter, the District and public shall suffer irreparable harm should RIC breach any obligation under this Element 15. The District therefore reserves the right to seek equitable relief to enforce any right arising under this Element 15 or any provision of this Element 15 or to prevent or cure any breach of any obligation undertaken, without in any way prejudicing any other legal remedy available to the District. Such legal relief shall include, without limitation, the seeking of a temporary or permanent injunction, restraining order, or order for specific performance, and may be sought in any appropriate court."

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

MISCELLANEOUS CHARTER REQUIREMENTS

I. Insurance

Roses in Concrete shall hold and finance general liability, workers compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance.

XXVIII. Administrative Services

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

Roses in Concrete will provide or procure most of its own administrative services including, but not limited to, financial management, accounts payable/receivable, payroll, human resources, and instructional program development either through its own staff or through an appropriately qualified third-party contractor.

XXIX. School Accountability Report Card

Roses in Concrete acknowledges that pursuant to Education Code Sections 33126.1(b), 35256(c), charter schools, including Roses in Concrete are required to provide certain information in certain formats in certain ways to the general public and specifically to parents of students at Roses in Concrete and of the District. Roses in Concrete 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 Roses in Concrete does not have that Roses in Concrete needs in order to meet its obligations, the District shall provide the same to Roses in Concrete in a reasonably timely manner upon request.

XXX. Facilities

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

Roses in Concrete is located at 4551 Steele St, Oakland, CA 94619. Our current lease with OUSD extends through June 2024 and our requested charter term will extend through June 2025. To close the one-year gap between the end of the lease and the end of the five-year charter term, we plan to negotiate an extension of our existing lease.

RiC's current campus site is adequate for our current facilities' needs. If funds become available from a donor and per the terms of our current lease, the Charter School may opt

to build additional facilities on our existing site, renovate existing spaces, or replace older portables with new space to better support our program.

XXXI. Attendance Accounting

RiC uses the PowerSchool Student Information System to implement an attendance recording and accounting system to ensure contemporaneous record keeping that complies with state law. Depending on needs, RiC may change system and this will not constitute a material revision to the charter.

XXXII. Reporting

RiC will provide reporting to OUSD as required by law including but not limited to the following: California Basic Educational Data System (“CBEDS”), actual Average Daily Attendance reports, all financial reports required by Education Code Sections 47604.33 and 47605(m) and the School Accountability Report Card (SARC).

XXXIII. Potential Civil Liability Effects

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

Roses in Concrete agrees to permit the District to inspect and receive copies of all records relating to the operation of the Charter School, including financial, personnel, and pupil records. Pursuant to Education Code Section 47604.3, RiC shall promptly comply with all such reasonable written requests. The records of the Charter School are public records under shall comply with the California Public Records Act.

RiC agrees to and submits to the right of OUSD to make random visits and inspections in order to carry out its statutorily required oversight in accordance with Education Code Sections 47604.32 and 47607.

RiC shall be operated by Roses in Concrete, 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 23701(d).

Pursuant to Education Code Section 47604(d), an entity that grants a charter to the charter school operated by 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 the Charter School if the authority has complied with all oversight responsibilities required by law. RiC and the Charter School shall work diligently to assist OUSD in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other District-requested protocol to ensure OUSD shall not be liable for the operation of the Charter School.

The corporate bylaws of RiC shall provide for indemnification of OUSD's Board, officers, agents, and employees, and RiC will purchase general liability insurance, Board Members' and Officer's insurance, and fidelity bonding to secure against financial risks.

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

The RiCBoard will institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

XXXIV. Impact on Charter Authorizer

In accordance with Education Code Section 47604.3, Roses in Concrete will promptly respond to all reasonable inquires of the chartering agency. RiC recognizes the right of the chartering agency to inspect or observe any part of RiC at any time.

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;

July 1 – An LCAP and annual update to the LCAP required pursuant to Education Code Section 47606.5.

September 1 – Final Unaudited Financial Report for Prior Year

December 1 – First Interim Financial Report for Current Year

December 15 – Final Audited Financial Report for Prior Year

March 1 – Second Interim Financial Report for Current Year

June 15 – Preliminary Budget for Subsequent Year

RiC agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining their charter authorization:

- Roses in Concrete 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 Roses in Concrete.
- The District is authorized to revoke this charter for, among other reasons, the failure of Roses in Concrete to meet generally accepted accounting principles or if it engages in fiscal mismanagement in accordance with Education Code Section

47607, or any successor provisions to section 47607, or other statutory provisions, if enacted after the date of the charter, regarding the revocation of charters.

XXXV. Federal Funds Compliance

To the extent that RiC is a recipient of federal funds, including federal Title I, Part A funds, RiC has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the ESSA and other applicable federal grant programs. RiC agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of the ESSA 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.

RiC also understands that as part of its oversight of the Charter School, the Office of Charter Schools may conduct program review of federal and state compliance issues.

XXXVI. Charter Term

Term

The term of this charter shall begin July 1, 2020 and expire five years thereafter on June 30, 2025.

Roses in Concrete must submit its renewal petition to the Office of Charter Schools no earlier than 270 days before the charter is due to expire unless otherwise agreed by the Office of Charter Schools.

Renewal

Renewal of the charter shall be in accordance with the standards set forth in the Education Code Sections 47605 and 47607 and its implementing regulations.

Any material revisions to this charter shall be made by mutual agreement of the Board of Directors of the Roses in Concrete and the Oakland Unified School District. Material revisions shall be made pursuant to the standards, criteria, and timelines in Education Code Section 47605.



Roses in Concrete Community School

Head of School
Carla Victor

November 6, 2019




1

Our Primary Goal

OUR PRIMARY GOAL IS TO DEVELOP YOUTH COMMITTED TO LIVES CHARACTERIZED BY SELF-DISCIPLINE, INTEGRITY, LOVE AND HOPE IN THE PURSUIT OF JUSTICE AND EQUITY FOR ALL COMMUNITIES.



2

Core Mission

- Racial & Social Justice
- Community Responsive Pedagogy
- Ethnic Studies Curriculum
- Cultivation of Self-Esteem & Cultural Identity




3

Defining Achievement

California Charter Law insists that **STUDENT ACHIEVEMENT** is the primary focus for authorization of a charter school.



Charter law does NOT legally define the parameters of what does and does not constitute **STUDENT ACHIEVEMENT**



4

Indicators of Achievement

Youth Wellness:

- Cultural Identity
- Relationships
- Self-Esteem
- Sense of Belonging
- Identity Safety




5

Three Core Programs

1. S.T.E.A.M.
2. Dual-Language Program
3. Visual & Performing Arts



6



7



8



9



How Do We Assess ?

LEADING INDICATORS

- Cultural identity
- TEN (Teacher Excellence Network)
- Relationships (self, peers, adults)

LAGGING INDICATORS

- NWEA
- SBAC
- SchoolFace

10


Roses = Community

- Diverse Students and Staff (Large Number of Diverse Male Staff)
- Daily Drum Circle & Morning Affirmations
- Learning Minority History
- Food Pantry, Washing Service, Carpool Walls & Clipper Cards
- Home School Communication & Collaboration
- High Level of Parent Participation (All-Parent Board)



11

The Essential Question?



Are YOU Willing to Define Achievement in a Way That Truly Measures Student Success ?

12