



# Renewal Charter Petition

Submitted to  
Huntington Beach City School District

*Submitted October 30, 2020*

*Request for Five-Year Renewal Term July 1, 2021 to June 30, 2026*

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## AFFIRMATIONS AND DECLARATION

Kinetic Academy ("Kinetic Academy," "KA," or the "Charter School"), located within and authorized by the Huntington Beach City School District ("DISTRICT" or the "District will follow any and all federal, state, and local laws and regulations that apply to the Charter School, including, but not limited to:

- The Charter School shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(e)(1)]
- The Charter School shall not charge tuition, or fees, for educational activities. [Ref. Education Code Section 47605(e)(1)]
- 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(e)(1)]
- The Charter School will meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(d)(1)]
- The Charter School declares that it shall be deemed the exclusive public school employer of the employees of the Charter School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(c)(6)]
- The Charter School will meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- The Charter School will admit all students who wish to attend the Charter School, 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 Sections 47605(e)(1) and 47605(e)(2)(B), 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(e)(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(e)(2)(C). [Ref. Education Code Section 47605(e)(2)(A)-(C)]
- The Charter School will adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities Education Improvement Act of 2004.
- The Charter School will ensure that teachers in the Charter School hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher's certificated assignment. The Charter School may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in the same manner as a governing board of a school district. Teachers employed by charter schools during the 2019-20 school year shall have until July 1, 2025, to obtain the certificate required for the teacher's certificated assignment. [Ref. California Education Code Sections 47605(l) and 47605.4(a)]
- The Charter School will at all times maintain all necessary and appropriate insurance coverage.

- The Charter School shall comply with the Ralph M. Brown Act. [Ref. Education Code Section 47604.1]
- The Charter School shall comply with Government Code 1090, as set forth in Education Code Section 47604.1, and the Political Reform Act. [Ref. Education Code Sections 47604.1]
- The Charter School shall comply with all applicable portions of the Elementary and Secondary Education Act.
- The Charter School shall comply with the Public Records Act. [Ref. Education Code Section 47604.1(b)(2)(A)]
- The Charter School shall comply with the Family Educational Rights and Privacy Act.
- 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(e)(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(d)(2)]
- The Charter School shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. Education Code Section 47605-47605.1]
- 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 meet or exceed the legally required minimum of school days. [Ref. Title 5 California Code of Regulations Section 11960]
- The Charter School embraces Section 47601 of the Education Code which establishes the intent of the Legislature to establish and maintain charter schools as a method to accomplish all of the following:
  - Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.
  - Improve pupil learning.
  - Encourage the use of different and innovative teaching methods.
  - Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.
  - Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.
  - Hold charter schools accountable for meeting measurable pupil outcomes, and provide schools with a method to change from rule-based to performance-based accountability systems.
  - Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.

- The Charter School will comply with all requirements pursuant to California Education Code and 47605(c)(5)(A)(ii) including the development of school wide goals for all subgroups as applicable to the eight state priority areas identified in Education Code 52060(d).
- The Charter School will comply with all elements of the Local Control and Accountability Plan, including the adoption of any templates required by the State Board of Education.

## Introduction

Why Kinetic Academy? The dictionary definition of kinetic is as follows:

*ki·net·ic /kəˈnedik/, adjective*

1. *of, relating to, or resulting from motion.*
  - a. *Active, Lively*
  - b. *Dynamic, Energizing*
2. *(of a work of art) depending on movement for its effect.*

When it was time to name this school, the founders of Kinetic Academy wanted something that reflected our origin, our vision, and ultimately our desired outcome. This effort was born out of events well in motion; a series of gatherings, difficult decisions, and a clear mandate to build something great for our kids and community. Kinetic describes our beginning. (See Appendix “A”- Kinetic Academy Biographies of current Board of Directors)

We formed from the momentum of our shared experience as parents and educators. “Kinetic” also appropriately describes so many of the ideas that we shared for our vision: kinetic classrooms where students are predominantly learning by *doing*; kinetic teachers who are actively engaging their students through projects that connect all subjects and are in constant motion throughout their school day; kinetic learning where students can take risks and even fail without the consequences of failing in the real world. Further, we envision a kinetic community of families actively participating in the educational growth of their students. Minds in motion and engaged in the subjects of science, technology, engineering, math, and arts because they are presented not as isolated subjects but instead as activities, projects, games and problems to be solved. These concepts of course exist today in small doses within many public schools, but we aspire to anchor our program around them.

In physics, the kinetic energy of an object is the energy that it possesses due to its motion. Applied here, we submit that Kinetic Academy’s energy is only beginning and that its journey, along with the students, teachers and community it serves will be in motion for years to come.

### *Interests of the Community*

Kinetic Academy is located within the city of Huntington Beach, where approximately 200,000 people reside. It is a beach community, with 8 and a half miles of coastline. There are two elementary/middle school districts that both span over the city of Huntington Beach, and Kinetic Academy is located within the boundaries of the Huntington Beach City School District.

Choice is important to every parent, and while the traditional district schools in Huntington Beach have a great reputation in serving their students well, parents are limited on choosing where they are able to send their children for free elementary or middle school options. Kinetic Academy allows parents the choice to enroll their child in a program that fits their needs. In our first five-year term, we were able to enroll over 500 students, which have all benefited from school choice.

The creation of Kinetic Academy was to give back to the community, and in turn Community Service is a cornerstone principle at Kinetic Academy. Each student is encouraged and offered opportunities to complete 10 hours of community service every school year.

This is a direct benefit to the larger community as it is often the recipient of these service hours. By teaching our students to become responsible members of our community through education and community service, we are creating the future stewards of Huntington Beach.

### School Performance over Charter Term

Kinetic Academy has focused on project based learning and other forms of student-centered approaches without much focus on standardized tests. Despite this, KA has been quite successful in the area of student academic achievement and is proud of the accomplishments of its students and teachers. Below, please find documentation of increases in student academic achievement.<sup>1</sup>

California Assessment of Student Performance and Progress ("CAASPP") Scores, 2017-2019:  
Percentage of Students Scoring 3 or 4 - Meeting or Exceeding Standards

Demographic	Assessment	2017	2018	2019
Schoolwide (3rd - 5th Grade)	ELA	48.05%	63.71%	75.20%
	Math	38.46%	58.87%	71.07%

Kinetic Academy has successfully completed the California Assessment of Academic Performance and Progress (CAASPP) for all students in 3rd - 5th grade over three consecutive years (2017 - 2019). CAASPP was not administered in the spring of 2020 due to the global COVID-19 pandemic.

School-wide, Kinetic Academy was able to increase scores in the areas of English Language Arts and math over a three-year period. As our 2017 scores served as a baseline, our teachers and staff took a deeper look at which students met or exceeded expectations and which students were near meeting or far below. Implementing targeted intervention in the areas of reading and math with the two lower groups increased scores in the 2018 year. By our third year, we were able to increase achievement scores further so that 70% of students were meeting or exceeding the standards in both content areas of ELA and math.

### ENGLISH LANGUAGE ARTS Breakdown

California Assessment of Student Performance and Progress ("CAASPP") Scores, 2017-2019:  
Percentage of Students Scoring 3 or 4 Meeting or Exceeding Standards by Grade Level

English Language Arts	2017	2018	2019
3rd Grade	53%	72%	74%

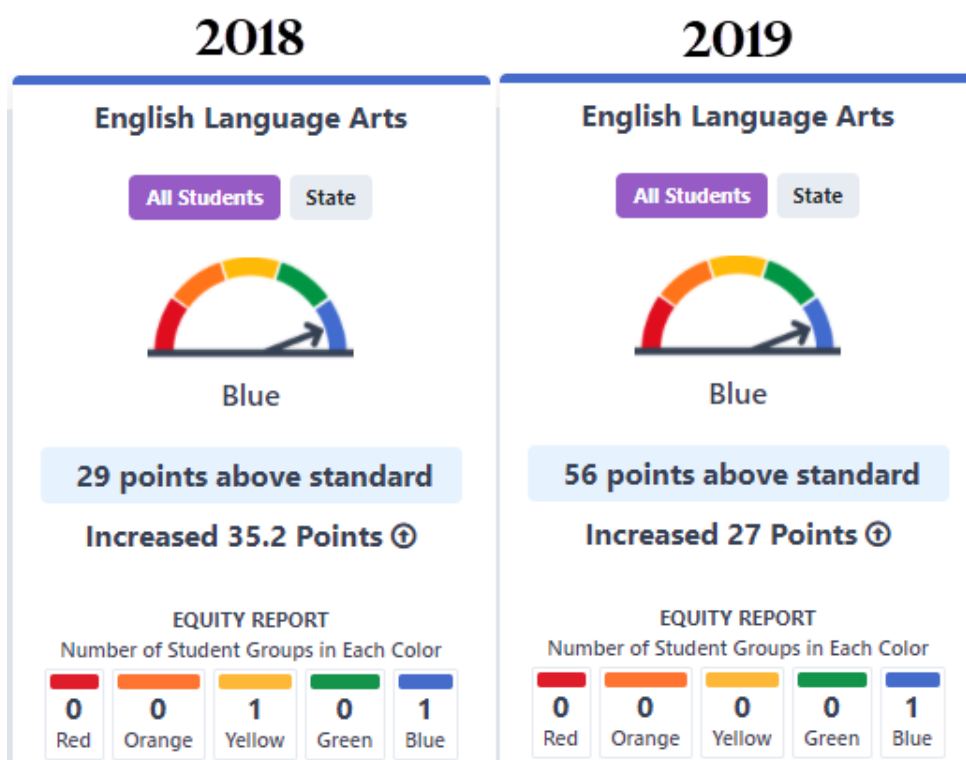
<sup>1</sup> Kinetic Academy has only one numerically significant student subgroup, so schoolwide scores are effectively the same as that subgroup.

4th Grade	29%	71%	78%
5th Grade	76%	42%	73%

Kinetic Academy's ELA program is not a one size fits all approach. While all students receive daily ELA instruction for a minimum of 60 minutes in whole group and small group settings, teachers meet in grade level teams weekly to specifically discuss ELA data and tailor instruction to the diverse needs of their students. In addition, teachers meet in one of two Professional Learning Teams monthly, where a teacher from each grade level is represented. This allows cross grade level articulation to occur regularly, so teachers are reflecting and discussing the approach and practices they use for grade level standards and how they are similar and/or different from the grade level above and below them. In addition, teachers spend time completing peer observations of other classes to gain helpful insight and strategies for incorporating in their own instruction. This has given Kinetic Academy teachers a unique opportunity to utilize "best practices" as it pertains to our students and curriculum.

Students that have been identified as nearly meeting standard have received additional intervention support in small groups to target any learning gaps. Their progress is monitored in 4-6 week cycles. Students in the lowest tier or identified as far below grade level receive additional support from the intervention teacher, their classroom teacher, and classroom aides.

Figure 1 California School Dashboard English Language Arts Academic Performance Indicators, 2018-2019: This state indicator measures student progress on the statewide assessment for English Language Arts. It is based on Smarter Balanced Assessment scale scores and is calculated based on the average "Distance from Level 3" for all students in grades 3 through 8 with valid scores.





### MATH Breakdown

California Assessment of Student Performance and Progress ("CAASPP") Scores, 2017-2019:  
Percentage of Students Scoring 3 or 4 Meeting or Exceeding Standards by Grade Level

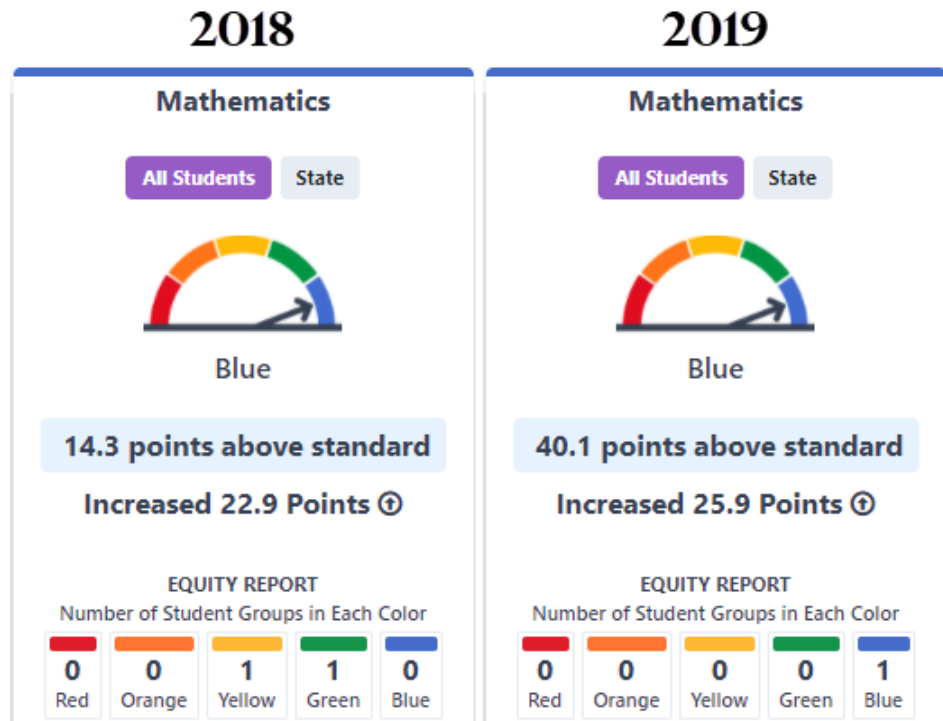
Math	2017	2018	2019
3rd Grade	44%	79%	73%
4th Grade	17%	68%	78%
5th Grade	59%	41%	63%

In math, Kinetic students have benefited from our hands-on approach that starts at the concrete level and gradually moves into the abstract. Math instruction is received daily by all students for a minimum of 60 minutes. Teachers facilitate their math lessons in both the whole group and small group settings, so that they can target students in specific areas of need. When planning, teachers meet regularly to review checkpoints and assessment data.

In the last 2 years, we have increased our professional development in the area of math as students are expected to elaborate on their process of thinking and justify their responses. To have rich math conversations, teachers are continually asking questions and guiding students to ensure that work on to close the achievement gap even further by refining our approach to our College-Preparatory Mathematics curriculum to fill foundational gaps in number sense and operations and implementing Math data meetings to specifically target error analysis and re-teaching strategies. Observation and coaching around both teaching and re-teaching are also carried out on a regular basis to help teachers assimilate and implement their curriculum.

Math teachers have a common planning period and meet in their content team every two weeks. By working together through problem examples, they are able to anticipate skill gaps and misconceptions. This collaboration is important to the effectiveness of each lesson and leave teachers better prepared for each student encounter.

Figure 2 California School Dashboard Mathematics Academic Performance Indicators, 2018-2019: This state indicator measures student progress on the statewide assessment for Math. It is based on Smarter Balanced Assessment scale scores and is calculated based on the average "Distance from Level 3" for all students in grades 3 through 8 with valid scores.



California School

Dashboard 2018-2019 Based on most recently released Dashboard Data

Metric	2018	2019
Chronic Absenteeism	BLUE	Yellow
Suspension Rate	Green	Green
English Learner Progress	No Color	No Color
English Language Arts	BLUE	BLUE
Mathematics	BLUE	BLUE
Basics: Teachers, Instructional Materials, Facilities	Standard Met	Standard Met
Implementation of Academic Standards	Standard Met	Standard Met
Parent and Family Engagement	Standard Met	Standard Met
Local Climate Survey	Standard Met	Standard Met
Access to a Broad Course of Study	Standard Met	Standard Met

Kinetic Academy has been tracking and working to improve chronic absenteeism. Chronic absenteeism, defined as missing 10% or more days of school, matters to school performance and the

overall well being of a student. At Kinetic, we stress the importance of attendance while balancing the need for students to stay home when they are ill.

In 2018, our overall Chronic Absenteeism was at 2.7%, and despite our efforts to decrease this number, we went up slightly in 2019, to 3.4%, which put us in the Yellow category.

Recognizing the fact that chronic absenteeism can impact students in significant ways, Kinetic Academy has created a SART (Student Attendance Review Team) which is composed of administration, teachers, and parents to meet with parents when students are close to meeting the 10% threshold. At a SART meeting, the importance of attendance is discussed and the specific absences are addressed to create an individual plan for that student/family. Follow up meetings will occur if a student's attendance does not improve.

We believe that we are on the right track to improving attendance and chronic absenteeism, however many families will likely be more cautious when sending their children to school due to the global pandemic. In this case, we will take advantage of Virtual Learning, and allow students who are exhibiting any symptoms of illness to stay home, but well enough to join their class remotely. This will allow the student to receive the instruction on content that is being taught.

### *Parent and Family Engagement*

As we are a school of choice, parent engagement naturally trends high but that has not stopped our efforts to encourage involvement of the entire family and regularly survey our families to measure our performance from our parents' perspective. Additionally, we hold many opportunities throughout the year for families to meaningfully engage in the community. Here are a few of the highlights as we reflect on our first charter term.

Beginning in the 2017-18 school year we standardized a parent climate survey that is administered in the Spring each year. The questions asked have been kept the same starting in 2018 so that we can track our growth year over year. In the below table, a great majority of the responses that are not favorable fall into the category of Neutral or "Neither Agree nor Disagree". We focus our efforts after each survey around these and other questions to refocus our efforts to constantly improve.

<i>Favorable is a response of Strongly Agree or Agree</i>	% Favorable		
Survey Question	2018	2019	Trend
My child enjoys going to school.	89%	92%	
My child has a good rapport with his/her classroom teacher.	91%	94%	
I am kept well informed by the school.	90%	95%	

I agree with the amount of homework my child receives.	82%	86%	
The homework that is assigned reinforces classroom concepts.	80%	86%	
My child grasps the concepts taught in class.	84%	88%	
Number of respondents	178	171	

We strive to make any homework that is assigned to be meaningful. What we have found over the years is that family opinions on homework are vastly diverse. We encourage teachers and parents to work together to adjust for individual students' needs.

A further factor in measuring engagement is via volunteerism and participation. We have a very active parent community which focuses on these main areas:

*Fundraising-* For June 2020, our Kinetic Parent Organization had a year ending balance sheet of \$55,000. They used these funds to purchase Chromebooks, Sanitizing Sprayer, and gift cards for teacher appreciation. Over the years they have funded many items to improve our facility, safety, field trips, provide student assemblies, and much more.

*Community Service-* A target is for every student to serve their community a minimum of 10 hours. Our parent volunteers help to create opportunities that are age appropriate and for students who may not have the ability to serve outside of school. Beach clean-ups, campus clean-ups, senior home singing, making placemats, and feeding the homeless have all been regular events each month and widely attended. Although community service was cut short this last year, we still recorded 225 hours from 55 unique students. Sixteen different activities were championed by our students in 2019-20.

- Golden View Farm
- Beach Clean Up
- Oceanview Farm
- Place mats for Seniors
- Ronald McDonald House
- Golden View Elementary
- Regional Center of OC
- Urban Forrest
- Red Cross
- Place Mats For Seniors
- McKenna Claire Foundation
- Wilbur's Town Center
- Modern Woodmen of America
- OC Habitats
- St. Joseph Hospital

*Teacher Appreciation-* Making our teachers feel appreciated is not just reserved for one week in the Spring. Our volunteers have been known to organize monthly lunches in the breakroom, use fundraisers to specifically split the profit amongst the teachers, stock the fridge with their favorite drinks and treats. They make themselves available for as many volunteer opportunities as the teacher provides.

*Enrollment and Waitlists*

A key performance metric for us is the strength of our enrollment and waitlist year over year. Word of mouth continues to be the best advertisement for our school. Waitlist varies tremendously based on our available space and grades where we receive the most applications. We cap our classes at 25 students and never over-commit which is a primary reason for our enrollment not achieving it's absolute cap. We also have facility constraints that require us to remain within those parameters. If a spot opens in 3<sup>rd</sup> grade after the start of school, it is more difficult to fill than a TK or Kinder position as our waitlist tends to be largest in our lower grades.

**Table 1 Enrollment and New Student Applications: Source data tracked and stored in SchoolMint**

School Year	Enrollment	ADA Claimed at P-2	Total New Student Applications	# of Wait Listed Children When
<b>2018-19</b>	291	277.91	323	53
<b>2019-20</b>	286	278.76	306	14
<b>2020-21</b>	274	N/A	302	122
<b>2021-22</b>	--	--	40 (1 week open)	--

## ELEMENT 1- Educational Program

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

*The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, 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.*

*California Education Code Section 47605(c)(5)(A)(i)-(ii)*

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### General Information

Charter School Name	Kinetic Academy
Contact Persons	Lead Petitioners Bre Lionetti, Jeffrey Ball, Michele Asay
Target Community	Huntington Beach
Grade Configuration	K-8
Enrollment Capacity	Approximately 470
Target Opening Date	September 7, 2021
Charter Term	July 1, 2021 – June 30, 2026

### Mission

Kinetic Academy educates and inspires lifetime learners by promoting academic success, community involvement, collaboration, and providing as many varied experiences possible.

### Vision

#### *STEAM Project Based Learning (PBL)*

Kinetic Academy has integrated technical and academic education to prepare students for post-secondary education in both high tech and liberal arts fields via an emphasis on science, technology, engineering, art, and math (“STEAM”). As STEAM focuses on integration of content, pairing STEAM with PBL can hit not only STEAM content, but also content outside of the core STEAM subjects.

### Financial Education

Working with Junior Achievement of Orange County, Kinetic Academy has included economic and personal finance education at all grade levels.

### Service Learning

It is our goal that the students of Kinetic Academy will become model global citizens by using a service-learning strategy that integrates community service with classroom instruction and reflection. We have built a program that encourages individual service to causes meaningful to each student along with coordinated, project-based, multi-generational efforts. Students of Kinetic Academy will be known for their commitment to positively impacting their community.

### Life-long Learners

Through a supportive and stimulating school environment with an emphasis on project-based learning, Kinetic Academy students have become increasingly independent learners; encouraged to become deeply and personally involved in their work, and to feel not only accountable, but engaged and driven.

### Interdisciplinary curriculum

An interdisciplinary curriculum aligned with the Common Core State Standards (“CCSS”), Next Generation Science Standards (“NGSS”), History-Social Science Framework, English Language Development (“ELD”) Standards, and remaining State Content Standards (collectively, the “State Standards”) will enable Kinetic Academy graduates to enter postsecondary education with a breadth of knowledge across disciplines.

### Enrichment

Kinetic Academy seeks to provide as many experiences as possible and expose students to a variety of enrichment opportunities. Over the course of a single academic year, our enrichment offerings can change depending on the special skills and talents of our staff as well as the desires of our community. Offerings could include foreign language, coding, art, music, robotics, maker-space projects, and many other options. We will survey our community regularly to learn their specific interests and endeavor to rotate our offerings accordingly.

### Whom Kinetic Academy Shall Educate

In our next 5 years, Kinetic Academy plans to serve approximately 470 students in grades Transitional Kindergarten through 8th grade. Kinetic Academy’s educational program will be accessible to all students including mid-range students, students achieving at a level significantly below their peers, students achieving at a level significantly above their peers, students with disabilities, English Learners, and students who are members of ethnic groups under-represented in colleges and universities.

*Kinetic Academy Projected Enrollment by Grade for Years 6-10*

Grade	Year 6	Year 7	Year 8	Year 9	Year 10
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## Kinetic Academy

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TK	20	20	20	20	20
K	50	50	50	50	50
1	50	50	50	50	50
2	50	50	50	50	50
3	50	50	50	50	50
4	50	50	50	50	50
5	50	50	50	50	50
6	50	50	50	50	50
7	25	50	50	50	50
8		25	50	50	50
Totals	395	445	470	470	470

The student population enrolled at Kinetic Academy will be representative of the Huntington Beach community and local schools surrounding our location. As such, Kinetic Academy will strive to reflect the area's diversity, from socioeconomic, racial, linguistic, students with disabilities, English learners, and cultural perspectives and will support and build community to that end.

### 2019-2020 Student Demographics

Category	Kinetic Academy
Hispanic or Latino of any race	19.9%
American Indian or Alaska Native, Not Hispanic	0%
Asian, Not Hispanic	7.0%
Pacific Islander, Not Hispanic	0%
Filipino, Not Hispanic	0.3%
African American, Not Hispanic	0.7%
White, Not Hispanic	60.5%
Two or More Races, Not Hispanic	6.3%



<i>Not Reported</i>	5.2%
<i>Socioeconomically Disadvantaged</i>	7.6%
<i>English Learners</i>	0.7%
<i>Students with Disabilities</i>	11%

As a non-selective public school, Kinetic Academy is tuition-free and admits any student regardless of ethnic, socioeconomic or religious background. Kinetic Academy will serve all families that submit an application for their children in corresponding grades up to our enrollment capacity. A public random drawing will be held should the number of applications received exceed the number of available spaces.

Our special education population has grown over our last 5 year term, as we are attracting a more diverse group who have specialized academic needs.

Kinetic Academy targets a student body that is demographically similar to that of surrounding schools and the general population of HBCSD, including English Learners and students with special learning needs. While students are enrolled through a public lottery, Kinetic Academy looks forward to the opportunity to serve a diverse student population so that all students have the benefit of a multicultural experience. Kinetic Academy serves students from all social and economic groups in the area where our school is located. Kinetic Academy will conduct a vigorous outreach program aimed at recruiting a student body that is representative of the general population residing within the territorial jurisdiction of the District. Kinetic Academy will improve learning for the targeted population by providing greater opportunities for foreign language studies not currently available to students in elementary. Kinetic Academy will enable students to prepare for a future where skills requiring multiple languages are vitally needed in many industries – from healthcare to defense, from the performing arts to the development of new technologies, from architecture to agriculture. Kinetic Academy will also improve learning for the targeted population by offering an alternative educational option which is currently not available. That alternative is based around a STEAM educational model which specifically includes language, community service, and financial education. As parents, we understand that students experience a different “fit” with different schools and programs. Therefore, having an alternative is generally desirable for all families in the community.

## How Learning Best Occurs

### *Project/Problem Based Learning*

Students learn best by experiencing and solving real-world problems. This is the fundamental assertion of Project Based Learning. In reality, there are two different frameworks of inquiry-based teaching: *problem-based learning*, where students work to solve a problem without necessarily producing an artifact or project, and *project-based learning*, where the outcome of a complex task is a presentation or student created product. These inquiry-based teaching methods engage students in creating, questioning, and revising knowledge, while developing their skills in critical thinking, collaboration,

communication, reasoning, synthesis, and resilience (Barron & Darling-Hammond, 2008). Although these methods of inquiry-based teaching differ slightly, they are complementary and both necessary to the overall experience of learning by doing. According to researchers (Thomas, J. W. (2000)), project-based learning consists of the following four key elements:

- students learning knowledge to tackle realistic problems as they would be solved in the real world
- increased student control over his or her learning
- teachers serving as coaches and facilitators of inquiry and reflection
- students (usually, but not always) working in pairs or groups

Studies comparing learning outcomes for students taught via project-based learning versus traditional instruction show that when implemented well, PBL increases long-term retention of content, helps students perform as well as or better than traditional learners in high-stakes tests, improves problem-solving and collaboration skills, and improves students' attitudes towards learning (Strobel & van Barneveld, 2009; Walker & Leary, 2009). The key statement here is "implemented well." How does Kinetic Academy ensure a well implemented PBL model? By adopting what researchers have identified as four key components that are critical to teaching successfully with PBL (Barron & Darling-Hammond, 2008; Ertmer & Simons, 2005; Mergendoller & Thomas, 2005; Hung, 2008). These four components are outlined in the Curriculum and Instruction section.

#### *Intellectually and emotionally supportive relationships with adults*

Research by the Economic and Social Research Council ("ESRC") found that effective teachers stimulate a pupil's imagination, challenge their views, encourage them to do great things and motivate them through tailored teaching practices to ensure that every pupil feels a sense of achievement and valued as part of the class community (ESRC, 2009). A recent review of educational research found that children make the biggest strides, the authors found, when they are able to cement secure, consistent relationships with responsive adults. For classroom teachers, being responsive means being able to adapt the curriculum to address their students' needs and interests (Wilson, 2009).

By making connections across disciplines, integrated curriculum helps students see real world relevance and strengthens content area learning. An interdisciplinary, or integrated, curriculum also reinforces brain-based learning, because the brain can better make connections when material is presented in an integrated way, rather than as isolated bits of information (McBrien, 1997). Further, "The Logic of Interdisciplinary Studies," an exhaustive 1997 research report, found broad consensus among dozens of researchers as to what the report called the "positive educational outcomes" for students in an integrated studies program:

- Increased understanding, retention, and application of general concepts.
- Better overall comprehension of global interdependencies, along with the development of multiple perspectives and points of view, as well as values.
- Increased ability to make decisions, think critically and creatively, and synthesize knowledge beyond the disciplines.
- Enhanced ability to identify, assess, and transfer significant information needed for solving novel problems.
- Promotion of cooperative learning and a better attitude toward one's self as a learner and as a meaningful member of a community.

- Increased motivation.

### *What it means to be educated in the 21st century*

As noted by Thomas L. Friedman in his book, lectures and numerous *New York Times* articles, the world is becoming increasingly “flat.” That is to say, as a result of the Internet and increasing internationalization, the world is becoming more and more interconnected. What happens in far distant lands directly affects the health, happiness, economic well-being and safety of Americans, even if they never leave our shores. To enable students to be successful in the modern world, Kinetic Academy views the following academic and non-academic skills and qualities as important for an educated person:

- Proficient skills and content knowledge in English, mathematics, social studies, science and the arts
- Critical thinking skills
- In-depth cross-cultural understanding
- Intermediate fluency in at least one language in addition to the native language
- Proficient technology skills
- The ability to practice sound physical, social and emotional habits needed for physical and emotional well-being.

Kinetic Academy’s educational program will enable pupils to employ the above skills and become self-motivated, competent, lifelong learners.

## Curriculum and Instruction

Kinetic Academy’s educational program has emphasized an integrated curriculum through Project Based Learning, real world learning application, multicultural understanding, and academic achievement for college readiness. The foreign language we have selected in our first 5 year term was Spanish. Kinetic Academy has also deepened students’ commitment to public participation through community service learning and student government. Instruction will take advantage of Kinetic Academy’s small school size to create supportive adult-student relationships and provide more individualized attention to promote academic growth.

### *STEAM PBL*

STEAM and PBL, two complementary and integrated educational approaches, are the foundation of our educational model. STEAM represents a paradigm shift from traditional education philosophy, based on standardized test scores, to a modern ideal which focuses on valuing the learning process as much as the results. Some of the most successful outcomes emerge from numerous trials and failures. Our students know it is not only okay to be wrong, to try multiple ideas, to listen to alternate opinions and create a knowledge base but that it is expected in order to create knowledge that is applicable to real life as opposed to simply an exam.

STEAM is an educational movement that engages students in integrated learning as they explore the world around them, create innovative solutions to problems, and communicate their results while learning Science, Technology, Engineering, Art and Math. STEAM is more than the individual subjects. It is the intentional integration of core content with art inspiring all students to think deeply, develop creative solutions, and aspire to a greater future.

Project Based Learning is the method by which we will achieve this integrated learning through STEAM. Project Based Learning is a comprehensive instructional approach to engage students in sustained cooperative investigation (Bransford & Stein 1993). Within its framework students collaborate, working together to develop skills such as problem solving, critical thinking, communication, cooperation and creativity. Student centered inquiry is guided by essential questions or problems that result in active participation in hands-on learning that encourages flexible thinking and multiple ways of demonstrating what has been learned. We believe there are four key components to effectively implementing a successful PBL program. They are:

### *Carefully Calibrated Project Design*

In general, PBL projects begin by presenting a driving question, one that focuses on intended learning objectives, aligns with students' skills, and appeals to students' interests. PBL can range from being highly structured -- to guide students toward the most efficient, optimal solution -- to having multiple or even no clear solutions (for example, a study of pollution).

Based on an analysis of studies demonstrating successful PBL, Hung (2008) proposed a model for designing problems or projects, which focuses on content, context, calibration, researching, reasoning, and reflection, or 3C3R. According to Hung (2008), teachers can follow a seven-step procedure that sets up the problem for students (adapted from Hung, 2008).

1. *Define the Content.* What do you want students to learn by the end of the assignment? Expectations should correspond with students' current research and reasoning skills.
2. *Identify the Context.* Brainstorm a list of real-life activities in which learners could apply the intended content. Be aware of any time or location constraints in these situations.
3. *List Possible Problems.* Create a list of problems or projects that could occur in each context. Select the problem or project that best presents the content objectives and that will be appealing and relevant to learners.
4. *Describe Potential Solutions.* Fully describe the most viable solution to the problem or project, as well as possible alternative solutions. Identify the known and unknown variables. Note the most realistic path of reasoning and the knowledge (concepts, principles, procedures, and facts) that would result from the most viable solution.
5. *Calibrate the Project.* For instance, creating a chart comparing the intended knowledge and skills with those necessary to solve the problem. To better match intended content with students' level, add or remove problem conditions. To make a problem easier, focus learners' attention on the target knowledge. To make a problem harder, focus learners' attention on peripheral knowledge. To make the problem more realistic, add time, budget, or location constraints that might occur in an authentic professional situation.
6. *Describe the Task.* If researching or reasoning a critical piece of information is beyond students' problem-solving skills, this information should be presented to the learners rather than have them struggle to learn it.
7. *Reflect on the Learning.* Reflect students' learning by including multiple opportunities to check their progress in the initial assignment and adjust instruction accordingly (for example, let them know they need to keep a journal and report to their supervisor on a weekly basis). The final assessment should also be clearly described in the assignment.

### Structured Student Collaboration

Compared to traditional instructional methods, students engaged in small-group learning achieve higher grades, retain information longer, and have reduced dropout rates, improved communication and

collaboration skills, and a better understanding of professional environments (Johnson, Johnson, & Stanne, 2000; Springer, Stanne, & Donovan, 1997; Terenzini, Cabrera, Colbeck, Parente, & Bjorklund, 2001; cited in Oakley, Felder, Brent, & Elhajj, 2004). Collaborative learning promotes time on task as well as friendships across diverse groups, such as race, ethnicity, gender, or school cliques (Johnson & Johnson, 2009). Collaborative learning benefits students across grade levels, academic subjects, gender, ethnicity, and achievement level (Slavin, 1996). Critical to the success of collaboration are goals & rewards, and individual accountability.

### Assessments That Support Students' Success

Criteria for success on PBL tasks need to be clearly defined at the start of the project, and should include multiple opportunities for feedback, reflection, and time for students to revise their work (Barron & Darling-Hammond, 2008). Teachers will provide students with clear and challenging criteria for success, using rubrics and examples that demonstrate intended learning outcomes (Ertmer & Simons, 2005; Barron & Darling-Hammond, 2008). Students who have clear criteria for success spend more time discussing and evaluating content, and these conversations increase student learning (Cohen, Lotan, Abram, Scarloss, & Schultz, 2002; cited in Barron & Darling-Hammond, 2008).

Inquiry-based learning is most productive when teachers provide students with frequent assessments and redirection through project benchmarks and reflection activities (Barron & Darling-Hammond, 2008). Providing students with feedback that they act upon produces significant learning gains (Black & William, 1998a; Hattie, 2008). Frequent feedback enables teachers to adapt their instruction to target students' learning needs, while providing students with information to develop their work. What's more, by emphasizing the process, effort, and strategies involved in accomplishing a task -- as opposed to focusing solely on the final product -- students come to understand that learning is the result of cumulative effort. This, in turn, improves their resilience and academic achievement (Dweck, 2000).

### A Supportive Network for Teachers' Professional Development

It should be noted that "the curriculum approach by itself cannot do it all," (Kolodner, Camp, Crismond, Fasse, Gray, Holbrook, Puntambekar, & Ryan, 2003, p. 542). The success of PBL also depends on motivating and supporting teachers in new roles of facilitating inquiry. Teachers learn PBL by collaborating with colleagues, introducing PBL in the classroom, and reflecting on their experiences (Krajcik, Blumenfeld, Marx & Soloway, 1994).

Kinetic Academy recognizes that providing teachers with professional development courses in inquiry-based teaching methods is critical for achieving positive PBL results. Kinetic Academy teachers will have a professional development plan (see attached Appendix B) that will include both formalized training as well as time for teachers to collaboratively develop their expertise in PBL methods. This training happens both within the walls of Kinetic Academy as well as virtually with other PBL classrooms and resources online. For the last 5 years, Kinetic Academy has partnered with Buck Institute for Education's (BIE) to train teachers and develop their skills in the area of Project Based Learning.

### *Integrated curriculum*

In today's information-based economy, individuals prosper who are fluent in several disciplines and comfortable moving among them. Nearly all work touches on multiple disciplines – that is the nature of the real world. Real world knowledge is not neatly divided into academic disciplines artificially created by people. Rather, most topics can be understood more deeply when viewed through multiple

disciplinary lenses. For example, understanding of a series of events in history may be deepened through the reading of a related work of historical fiction and studying the geology of the region and how it shaped people's lives. At Kinetic Academy, teachers will coordinate curriculum planning to identify areas of overlap, where the CCSS in two or more content areas complement each other when taught simultaneously. In an English class, they may read literature that supports topics in social studies and/or science. Or, science topics may be timed and developed to promote deeper understanding of a place or time being addressed in the social studies classroom. Integrated curriculum often involves project-based learning, as the two approaches are highly compatible. Creativity, adaptability, critical reasoning, and collaboration are highly valued skills. Integrated study is an effective vehicle for building those skills, as well as in helping students to develop nuanced understanding, and a more complex understanding of the interrelatedness of disciplines.

### *Global and multicultural themes*

Global and multicultural themes are often a springboard for organizing interdisciplinary curriculum, to broaden students' worldview and provide a meaningful lens for learning. A multicultural approach prepares students to effectively meet the needs of a diverse population and the challenges of changing demographics, while encouraging the development of multicultural understanding, sensitivity, and responsiveness. At Kinetic Academy, teachers initiate, encourage and facilitate programs and activities that reinforce or expand the diverse viewpoints and intercultural competencies of students as a part of the academic programs. Issues related to culture, ethnicity, class, gender, and language pervade almost all facets of curricular development and Kinetic Academy understands the need to equitably introduce diverse perspectives throughout our grades 6-8 program so as to more effectively educate an increasingly diversified population growing up within the "global community."

In addition to the global and multicultural approach, Kinetic Academy strives to achieve cultural relevance in the educational environment and the instructional program for the students it serves, particularly for the Hispanic and Latino students it serves. Research shows that culturally relevant instruction tends to be important for the success of African American and Latino students. Culturally relevant instruction includes but goes beyond far things like using real world role models, cultural connections to what is being studied, acknowledgement and respect for dialect alongside instruction in Standard English and awareness to avoid stereotypes and bias in curriculum content and materials. It also includes a long list of instructional approaches, such as the following:

- Technology
- Higher order questioning
- Immediate feedback
- Journals to engage students in reflection about their learning
- Pre-teaching of information
- Explicit disclosure of what the lesson is about
- Frequent praise
- Multiple ways to learn
- Inclusion of parents



## Community Service

Kinetic Academy seeks to cultivate students' commitment to public participation through opportunities to work for positive change both within the school and in the surrounding community. WAVES of Kindness, our mantra for Community service has developed and grown over the years. Community Service is often tied into a Project Based Learning Unit to further connect and integrate service learning. Students are encouraged to participate in a variety of public service programs in order to achieve a recommended standard of community service hours. These activities take place on campus as well as in the surrounding community allowing students and their families to participate in activities which meet their capabilities and interest. Opportunities for community service have all been included to establish a sense of community values with the students while also serving to enhance the overall school and community environment. Additionally, formal integration of service-learning within the context of PBL has been achieved by creating experiential opportunities to incorporate service, structured reflection, and the core subjects of our educational program.

We have created partnerships with a local senior center which have yielded a multitude of service projects that are age/grade appropriate. Our students perform regularly for them after school, where Spanish, Art, Physical Education and music are tied into their performances.

We hold regular campus and beach clean ups which all students can participate in. We offer many after school and even weekend opportunities for students to participate in activities that would earn them community service hours such as: Card making for United States Troops, Placemat making for senior citizens, serving meals at the homeless shelter. These activities can all be done in small group, large group or as individuals. Each year, we have hosted an "Hour of Kindness" where all students rotate through age appropriate activities that support community and school involvement.

Reflection after each service project or community service opportunity is key to establishing growth and true emotional connection to community issues. Exposure to as many different types of service will also be a goal as each student is an individual and will connect to different things.

## Backwards Design

Kinetic Academy's instructional design approaches curriculum planning using a standards-based backwards design process; a key part of Grant Wiggins' and Jay McTighe's acclaimed Understanding by Design model. First, teachers identify challenging, relevant, and attainable overarching student and school wide learning outcomes that go beyond simple facts and skills to include larger concepts, principles or processes, and emphasize queries such as: What should students know, understand, and be able to do? What is worthy of understanding? What enduring understandings are desired? Next, teachers determine acceptable evidence of learning for those outcomes; that is, the means of authentic assessment. General assessment focuses on questions such as: How will a teacher know if their students have achieved the desired results and have met the prescribed CCSS, and what is acceptable evidence of student understanding and proficiency? Finally, they plan meaningful learning experiences and instruction, with differentiation based on the varied needs of all students. This includes definition of knowledge (know-that), skills, and procedures (know-how) that students ought to master, definition of materials, and definition of learning/teaching activities (scenarios). Through this planning process, they

will develop a curriculum map based on State Standards and other outcomes specific to Kinetic Academy.

### *Instructional Materials*

Consistent with Kinetic Academy's rigorous, relevant, and attainable student outcomes, Kinetic Academy has selected materials based on alignment with Kinetic Academy's CCSS-based learning outcomes and educational philosophy. Materials will be used to support integrated curriculum, global and multicultural themes, real world learning projects and other applications of learning. Textbook and digital curriculum have evolved over our 5 years, as instructional staff monitors student learning and our understanding deepens of what works best given Kinetic Academy's goals, philosophy and student population. Kinetic Academy currently uses the following instructional materials:

	K	1	2	3	4	5	6	7	8
<b>Core Programs</b>									
National Geographic (ELA)	x	x	x	x					
Step Up to Writing (ELA)	x	x	x	x					
Lucy Calkins Reading & Writing Workshop (ELA)				x	x	x	x	x	x
Lexia (ELA)	x	x	x	x	x	x	x	x	x
Bridges (Math)	x	x	x	x	x	x			
Reflex (Math)			x	x	x	x	x		
Illustrative Math							x	x	x
TCI, History Alive	x	x	x	x	x	x	x	x	x
Foss Science	x	x	x	x	x	x	x	x	x
<b>Supplemental Programs</b>									
Moby Max (All subjects)	x	x	x	x	x	x	x	x	x
Khan Academy (Math)			x	x	x	x	x	x	x
Literacy Footprints (ELA)	x	x	x	x	x	x	x	x	x

### *Curriculum for Current Enrichment Offerings(2020-21)*

#### Visual & Performing Arts

- SRA/McGraw Hill SRA Art Connections (K-6),
- Pearson Scott Foresman Art California Edition (6-8),



- Pearson Scott Foresman Silver Burdett Making Music, California Edition (K-8)

#### World Language

- Hola, Mundo! Hola, Amigos! (K - 3)
- Viva El Espanol! (4 - 6),
- Navagando 1A & 1B (7-8)

Students needing replacement core curricular materials will be served according to their individual needs. Students performing far off grade level, including some special education students, may use textbooks at their skill grade level. Students reading far below grade level may work with high interest, low reading level fiction and non-fiction reading material across the content areas. Students who comprehend very little English will be provided with resources in their language of competency to ensure access to the core curriculum.

#### *English /Language Arts*

The English curriculum is based on California Common Core State Standards for English/Language Arts and emphasizes the development of skills and strategies students need to thrive as readers, writers, speakers and listeners in college settings and in life. The English Language Arts curriculum is designed as a “building block” approach to develop, hone and expand on English language skills, conventions, and usage. Instructional strategies to develop these skills include direct skills instruction, spoken and written engagement with age-appropriate literature, application of student skills in projects and assignments, and an iterative process of students writing with teachers providing feedback on drafts and evaluating their work.

Consistent with a Project Based Learning and STEAM approach, literature may often be selected to support content students are exploring in social studies, science or a foreign language class. Kinetic Academy uses rubrics to assess student writing and guide students toward higher levels of writing proficiency. Drafts taken at benchmark intervals throughout students’ careers are used to monitor student progress.

Students will spend most of their time in skills-based sessions, reading and responding to text, and writing for a variety of purposes. Inquiry-based discussion of literature is structured to strengthen critical thinking and civil discourse; develop appreciation of literature; teach respect for diverse ideas, people, and practices; create a positive learning environment for all students; create a community of inquiry; develop social problem solving skills; help students clarify values; build self-esteem; and put the student at the center of the learning as active and engaged participant. Assignments that promote civic and multicultural awareness, responsibility, tolerance and sensitivity are common and support literary or expository works that stress the same themes. Syllogistic reasoning is especially stressed in persuasive or argumentative discourse. Explicit instruction in writing takes place in the English Language Arts instructional block and any other subject requiring a specific form of writing, such as technical reports in the physical sciences, journaling, opinion editorials, and social science research papers, so that students have explicit guidance and supporting models of what strong writing looks like, in any genre they are studying, and for application to a variety of career paths. Ultimately, the above instruction and assignments are designed for students to gain the ability to synthesize

information and concepts, to analyze and communicate written and spoken material, ideas or information, and to promote critical thinking and communication skills.

The English Language Arts curriculum provides the core of reading and writing instruction. These skills are also supported across the curriculum as students read and write in genres specific to other disciplines and languages. To bolster their greater sense of the value of reading and writing, students will read and write, frequently, across the curriculum, in authentic and purposeful ways. Teachers collaborate with each other to align writing instruction consistently with other disciplines.

### *English/Language Arts Intervention*

Teachers are trained to check for understanding and reteach as part of core instruction. Students needing re-teaching will have additional time with the teacher while their advanced and on-pace students are extending their learning through enrichment activities.

Though most students make progress using the core English instructional materials and strategies for differentiation, some students benefit from replacement core academic materials and/or supplemental programs. Students may also be assigned to an extra period of writing and/or literacy instruction through intervention. Kinetic Academy anticipates staffing middle school English courses with appropriately credentialed teachers, though in some cases, instructional aides may be used to monitor and support students' use of computer-based interventions and to provide students with tutoring to stay on pace with course expectations.

Students will have the opportunity to use digital learning and remediation tools for remediation. The learning format is highly engaging with an age-appropriate interface. The computerized tools will offer learning paths aligned to California's Common Core State Standards and the California English Language Development Standards.

### *Mathematics*

Kinetic Academy's mathematics curriculum will be based on California Common Core State Standards for Mathematics. Our mathematics curriculum emphasizes teaching for critical understanding and application in addition to recall. Students develop quantitative and critical thinking skills through a combination of direct skills instruction, daily skills practice, activities to develop conceptual understanding and applications to real-world scenarios.

Textbooks, online resources and math discussions will be at the core of instruction, though learning activities are varied to provide a balance of skills practice and more complex problem solving. Complex problem solving typically involves application of math concepts in real life-type problem contexts involving more steps to work through. Often, they will require the use of more than one math skill. These activities may also be used to provide performance-based assessments as a supplemental measure of student understanding.

Mathematics instruction often incorporates cooperative group activities which promote the growth, development, and progress of the individual. Students also have instruction on the history of mathematics and its applications, impact, and significance to real world problems and events. With our STEAM approach, teachers provide a connection between abstract concepts and practical applications

through historical and contemporary examples and demonstration, which further allows students to understand how mathematics fits into their lives.

### *Mathematics Intervention*

Teachers will be trained to continually check for understanding and reteach as part of the core mathematics instruction. Students who need re-teaching have additional time with the teacher while their advanced and on-pace students are extending their learning through enrichment activities.

Though most students will make progress using the core mathematics instructional materials and strategies for differentiation, some students may benefit from replacement core academic materials and/or supplemental programs. Placement in math classes will depend on skill level; for example, Kinetic Academy will offer Algebra AB-1, Algebra A-1 and Algebra B-1 at the middle school level. Students may also be assigned to an extra period of mathematics instruction in lieu of an elective or enrichment course. In most, if not all cases, Kinetic Academy anticipates staffing courses in mathematics with credentialed teachers, though in some cases, instructional aides may be used to monitor and support students' use of computer-based interventions and to provide students with tutoring to stay on pace with course expectations.

Students will have the opportunity to use digital learning and remediation tools to help students keep pace and for remediation and intervention, including Khan Academy.

### *History/Social Science*

History/Social Studies instruction is based on the History-Social Science Framework, California state content standards and on the CCSS for English Language Arts and Literacy in History/Social Studies, Science and Technical Subjects. The social studies curriculum is designed both to impart information and develop a variety of skills, from interpretation of tables, charts, graphs and maps, to comprehension written and verbal material and critical analysis of that material through written and oral expression, library, document and Internet research skills. Teachers embed content knowledge within classroom activities that promote critical-thinking skills. Social studies teachers aim at getting students to appreciate the achievement of past cultures as they affect contemporary situations. Students are expected to understand the development and expression of the national characteristics of a people as a product of their cultural environment. An emphasis is placed on cause/effect relationships and the consequences of social, political, and economic developments. Beyond the mere learning of facts, students are guided toward dealing conceptually and philosophically, as appropriate to grade level, with applicable topics, to become astute critical thinkers and problem solvers as well as effective communicators of those thoughts. In this regard, students should be able to take their place as responsible, motivated participants in the American political and social landscape, able to analyze important and timely issues, and able to reach informed conclusions that will affect their futures.

In addition to lecture and discussion, learning activities that align to a Projects Based Learning and STEAM model may include simulations, debates, speeches, research projects and papers, interactive notebooks, field trips, and oral history interviews – techniques used by social science practitioners. Textbooks and on-line resources will be at the core of instruction, though learning activities will be varied to provide a balance of skills practice and more complex problem solving. The social studies

curriculum is the hub of an integrated curriculum, connecting with the other disciplines thematically, pictorially, or through the introduction and discussion of major figures in the development of the sciences and humanities.

### Science

Kinetic Academy's science curriculum is based on Next Generation Science Standards and on California's Common Core State Standards for English Language Arts and Literacy in History/Social Studies, Science and Technical Subjects. The curriculum will emphasize development of critical-thinking skills, mastery of scientific-inquiry methods at the secondary education level, and preparation for success in post-secondary science education. Students learn to develop the skills of observing, identifying, measuring and organizing data. They develop skills for using mathematical concepts and formulas in interpreting data and solving problems, which leads to the higher skills of evaluating and applying data, generating hypotheses leading to predicting, generalizing, and justifying. Scientific thinking may be seen as a developmental sequence involving the following cognitive processes: observing (using the senses to get information), communicating (talking, drawing acting), comparing (pairing, making one-to-one correspondence), inferring (classifying via super-ordinate/subordinate and if/then reasoning), and applying (developing strategic plans, testing and proving scientific principles). The scientific habits of mind will be developed through a laboratory curriculum that encourages independent scientific thought and investigation. Through hands-on activities and experimentation, students will deepen their conceptual understanding and facility with scientific methods and hone the critical thinking skills needed for success as life-long learners. Students are exposed to a wide variety of careers in science, are made aware of the attitudes and preparation necessary for those careers, and are led to appreciate the sciences in their real world applications.

### Fine Arts

The Fine Arts curriculum at Kinetic Academy draws on the California content standards and frameworks for Visual and Performing Arts (VAPA). Through the visual arts in a STEAM program, students will develop drawing skills to communicate an idea.

Art education promotes risk-taking and creative problem solving that can be applied to PBL projects. It additionally builds upon ingenuity and critical thinking skills. Our art program integrates with all grade levels to combine a Fine Arts component into existing grade level projects. Through the visual arts, students can take abstract math concepts and make them concrete so they can be better understood. Artists and scientists have common methods for observing the world around them. Through art and science students can make connections between the disciplines.

Students will begin with basic skills in the various arts associated with design, composition, performance, notes, technology, etc., depending on the medium, and learn to organize, visualize, and express their vision through various artistic avenues. Students move on to more specialized or advanced classes creating artistic works utilizing more sophisticated knowledge in drawing, mixed-media, color theory, music theory, stage craft, writing, etc. Students are expected to analyze and understand dramatic, musical, pictorial, and visual texts much as they would literary or other written text, but with the added emphasis on how the medium and audience impact meaning, significance, and interpretation.

In addition to adhering to the California Content Standards for VAPA, our program includes a working knowledge of the Elements of Art, a monthly in depth study of a Master Artist, and an intentional look at art from around the world, where we study the techniques used and the culture with an emphasis on their art expression. We use mixed media, color theory, and design theory regularly.

To achieve full realization of the fine arts program, courses in Art, Drama, Music Appreciation, Film Studies, and Photography, are anticipated to comprise the major offerings to middle school students.

### *Financial Education*

In order to be successful citizen's in a democratic society, children need to have the opportunity to develop a sound understanding of business and the economy. Kinetic Academy's curriculum for Financial Education will be drawn from the established programs of Junior Achievement ("JA").

Since 1919, JA has been a volunteer-driven, non-profit organization dedicated to educating students, K-12th grade, about entrepreneurship, financial literacy, and work readiness. Through volunteer-taught, interactive, age-appropriate educational programs, JA helps young people prepare for their adult roles by showing them how to think and generate income and effectively manage it, create jobs leading to more robust communities, and how to think like an entrepreneur. Through skills and concepts learned in JA, students are better prepared to enter, survive, and thrive in our global economy.

This classroom-based curriculum is focused around six sequential themes progressing through each elementary grade level each of which have five hands-on activities to help students develop an understanding of business and economics. Currently available curriculum for consideration includes the following:

***JA Ourselves*** uses storybook characters in read-aloud and hands-on activities to introduce the role people play in an economy. Through engaging, volunteer-led activities, young students learn about individual choices, money, the importance of saving and giving, and the value of work. (Kindergarten)

***JA Our Families*** explains how family members' jobs and businesses contribute to the well-being of the family and of the community. The program introduces the concept of needs and wants and explores the ways families plan for and acquire goods and services. Students analyze their own skills to determine ways they can support their families. (Grade 1)

***JA Our Community*** uses posters and games to offer practical information about businesses and the many jobs those businesses offer in a community. Students explore production methods through a simulation game, and they learn about taxes, decision making, and how money flows in an economy. (Grade 2)

***JA Our City*** introduces students to the characteristics of cities and how cities are shaped by zoning. Students also learn about the importance of money to a city; how financial institutions help businesses and city residents; and how the media is an integral part of a city's life. Students learn the role of an entrepreneur by exploring what it takes to open a restaurant. (Grade 3)

***JA Our Region*** introduces students to entrepreneurship and how entrepreneurs use resources to produce goods and services in a region. Students operate a hypothetical hot dog stand to understand the fundamental tasks performed by a business owner and to see how money comes into and goes out of a business. (Grade 4)

***JA Our Nation*** provides practical information about the need for employees who can meet the demands of the 21st century job market, particularly high-growth, high-demand jobs. By the program's end, students will understand the skills, especially in science, technology, engineering, and math, that will make their futures brighter. (Grade 5)

***JA Economics for Success*** gives students the information needed to build strong personal finances, a cornerstone to a happy, secure life. Students learn the importance of exploring career options based on their skills, interests, and values. They also learn about spending money within a budget; saving and investing wisely; and using credit cautiously. (Grades 6-8)

***JA Global Marketplace*** takes students on a spin around the world. Students learn the products they use every day, like their backpacks and sneakers, might use raw material from one country, be assembled in another, and sold from Peking to Chicago. The program helps students understand how goods flow through various economies and the effect globalization has on their lives. (Grades 6-8)

***JA It's My Business!*** Encourages students to use critical thinking to learn entrepreneurial skills. Those skills include knowing customers' wants and needs, launching effective marketing, and creating detailed business plans. By examining the characteristics of successful entrepreneurs, students learn that a belief in one's self can make positive things happen in life. (Grades 6-8)

***JA It's My Future*** provides practical information about preparing for the working world. Students learn about career clusters, high-growth jobs, career planning, and creating a personal brand. And, through a scavenger hunt, they are introduced to the basic aspects of job hunting. (Grades 6-8)

### *Physical Education*

The curriculum for physical education will be aligned with the goals expressed in the California Physical Education Model Content Standards and frameworks. The physical education curriculum is designed to develop movement skills and knowledge, to develop a positive self- image, to encourage physical, personal, and social development, and to develop healthy living, social, and interpersonal skills. The curriculum includes but is not limited to the following skill areas: sensory and perceptual skills, loco-motor and non-loco motor skills, balance, eye/hand/ and other general coordination skills. Students are instructed in the rules of many traditional games and sports with the aim of instilling a sense of strategy, a cooperative attitude, and a sense of fair play. Students learn to work and play effectively within team dynamics, to appreciate and respect all students' abilities, and not to exclude others because of superficial, cosmetic, or behavioral qualities. Students learn to play roles of leadership, or subordination to a common goal when appropriate. Most importantly, students come to recognize and are encouraged to act positively on the strong ligaments between physical, mental, and emotional wellbeing.



The PE curriculum also prepares students for the Physical Fitness Test in grades 5 & 7. In addition, physical education activities will be integrated into select lessons, as appropriate to further apply a Project Based Learning and STEAM model. For example, street hockey activities can help in understanding a multitude of physics principles and provides an excellent “hands on” learning experience.

### Technology

Technology is aimed at the target student population by supporting the skills needed to thrive in college, as global citizens and for other real world purposes. The strategies listed below align with a growing body of research showing the instructional benefits of technology integration, including higher student engagement, greater real world relevance and increased learning. Technology will serve multiple purposes at Kinetic Academy:

- Developing technological proficiencies
- Incorporating real world curricula
- Providing additional supports for students performing below grade level
- Enhancing the quality and utility of feedback, reflection and revision
- Connecting the Kinetic Academy community with global resources
- Expanding opportunities for in-service education and parent involvement

All students at Kinetic Academy will learn about the safe and responsible uses of the Internet as well as effective research skills. Teachers will teach and use a variety of software programs such as Google Classroom and all Google Platforms as well as Microsoft Word, Excel, and PowerPoint in their classrooms to develop students’ technology proficiencies. The added usage of Zoom during Distance Learning has also proved to be incredibly valuable and has further developed students’ technological proficiencies, as well as troubleshooting skills when a technical issue arises.

Software and Internet resources exist to engage and excite students as they learn and master new concepts. Teachers have the opportunity to access the Internet for video, photo, and audio libraries to support both core content and expanded materials. Recent research has shown that computer-based simulations can advance student understanding of science concepts through visualization techniques or of social studies concepts through interactive learning experiences. Language learning is rapidly being enhanced by software that provides comprehensible input, in- context settings, and opportunities for conversational practice. These resources inspire our learners’ interest, provide up-to-date content, and accommodate diverse learning styles.

Technology expands opportunities for teacher feedback, student revision, and parent involvement in the education process. Feedback can happen closer to real time, and software reduces the time teachers spend to provide individual feedback – students can submit assignments and homework electronically or ask the teacher questions privately via email or through Google Classroom. Word processing allows students to concentrate the mechanics of truly learning to write clearly and effectively while they edit their work - a crucial life skill. Further, recent studies have found that students who write and redraft on computers tend to produce more and higher quality writing than their counterparts who do not.

In many applications, technology can help to create communities composed of students, teachers, parents or composite groups, allowing computer-based learning to be a social activity, where

participants are active learners. Research notes that motivation to learn is increased when students perceive real world relevance of core content and when they collaborate with peers and practitioners (National Research Council 2000).

Since opening in 2016, we have maintained and budgeted for all students K-8 to have 1 to 1 devices. This has been an important implementation in day to day class instruction for teachers and students. This was significantly helpful when the stay at home orders were placed in March of 2020 as well. We were ready to deploy all devices home to students to use for Distance Learning.

### *Enrichment Offerings*

We will rotate our enrichment offerings to provide as many educational and exploratory options to our students as possible. Depending on the unique talents of our staff and the desires of our community, we will offer a variety of courses to all students outside of their core subjects. These could include a foreign language as we have offered in our first 5 years or other subjects like coding, music, or maker space (shop) classes. Offerings will be evaluated annually with input from the entire Kinetic community.

### *Supplemental Enrichment Activities*

Recognizing that school is a place where students can learn more than academics, Kinetic Academy has offered enrichment activities to extend students' learning experience by including areas such as career choices and development, advanced math topics, dance, skateboarding, engineering, and music/instrumental. Enrichment activities are held after school and are selected based on student preferences, interests, and sign-ups. Enrichment activities are led and supervised by teachers, community-content specialists, parents with expertise in the particular field, and other individuals with advanced talents and skills. These activities allow students to explore and cultivate new interests and to shine in areas not always brought out in the regular classroom setting.

### *Environment*

Kinetic Academy provides an educational environment conducive to high student achievement and a customized and accountable learning program. It is safe, orderly, and supportive. Additionally, Kinetic Academy will ensure that:

- All teachers are well-qualified and effective in developing and delivering curriculum and instruction in ways that encourage each student to meet and/or exceed proficiency in state standards.
- All administrators are highly qualified and effective, as defined by the California Professional Standards for Educational Leaders.
- Curricular materials are available, adequate, aligned to the State Standards, and culturally, linguistically, and developmentally appropriate.
- A variety of interventions are available to meet students' learning and achievement needs and to help students reach and/or exceed proficiency in the State Standards.
- Technology is adequate, available, and supportive of the learning process.
- All students have access to safe and up-to-date classrooms.
- Facilities and grounds are safe, clean, and well maintained to ensure access to Kinetic Academy resources.
- Materials and other resources are monitored to ensure they are allocated to students for whom they were intended.



- Accurate records are maintained to ensure an accountable and transparent system of resource allocation.
- Stakeholders annually review and reflect upon resources allocated and make adjustments according to student and community needs.
- All students have equal access to resources.

### *Bell Schedule*

The following bell schedule has been what we have followed over the last 5 years, and what we continue to anticipate as we add subsequent grade levels over the next two years.

<b>Arrival</b>	Transitional Kindergarten Kindergarten 1 <sup>st</sup> Grade	8:20am
	2 <sup>nd</sup> Grade 3 <sup>rd</sup> Grade 4 <sup>th</sup> Grade 5 <sup>th</sup> Grade 6 <sup>th</sup> Grade 7 <sup>th</sup> Grade 8 <sup>th</sup> Grade	8:10am
<b>Recess</b>	TK/Kindergarten	9:30-9:50
	1 <sup>st</sup> /2 <sup>nd</sup>	10:00-10:15
	3 <sup>rd</sup> /4 <sup>th</sup>	10:15-10:30
	5 <sup>th</sup> /6 <sup>th</sup>	10:30-10:45
	7 <sup>th</sup> /8 <sup>th</sup>	10:45 - 11:00
<b>Lunch</b>	Kindergarten	11:20-12:00
	1 <sup>st</sup> /2 <sup>nd</sup>	12:00-12:40
	3 <sup>rd</sup> /4 <sup>th</sup>	12:20-1:00
	5 <sup>th</sup> /6 <sup>th</sup>	12:40-1:20
	7 <sup>th</sup> /8 <sup>th</sup>	1:20 - 2:00
<b>Dismissal</b>	Kindergarten 1 <sup>st</sup> Grade	2:35
	2 <sup>nd</sup> Grade 3 <sup>rd</sup> Grade 4 <sup>th</sup> Grade 5 <sup>th</sup> Grade 6 <sup>th</sup> Grade 7 <sup>th</sup> Grade 8 <sup>th</sup> Grade	2:50

### Calendar

We are committed to ensuring that the legally required minimum number of annual instructional minutes (to pupils in kindergarten: 36,000 minutes; to pupils in grades 1 to 3, inclusive: 50,400 minutes; and to pupils in grades 4 to 8, inclusive: 54,000 minutes) and annual school days are offered per Education Code Section 47612.5 and Title 5 California Code of Regulations Section 11960.

We have also pivoted towards ensuring that the legally required minimum of daily instructional minutes are incorporated to all students in their respective grade levels for the current year and will continue to do so, depending on state mandated requirements. Instructional time for distance and

hybrid learning is calculated based on the time value of synchronous and/or asynchronous instruction and assignments made by and certified by a certificated employee of Kinetic Academy.

180 instructional minutes in TK/kindergarten.

230 instructional minutes in grades 1 to 3, inclusive.

240 instructional minutes in grades 4 to 12, inclusive.

For the 2021-22, year we are proposing the draft calendar attached as follows, which maintains 180 days, 5 more than what is required of Charter schools. This calendar is consistent each year with a start date during the week following Labor Day and broken down into 3 trimesters. The full proposed calendar can be found in Appendix "C."

August '21						
Su	M	Tu	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September '21						
Su	M	Tu	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October '21						
Su	M	Tu	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Student Days: 18

Student Days: 20

November '21						
Su	M	Tu	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December '21						
Su	M	Tu	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

January '22						
Su	M	Tu	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Student Days: 15

Student Days: 13

Student Days: 20

February '22						
Su	M	Tu	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

March '22						
Su	M	Tu	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April '22						
Su	M	Tu	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Student Days: 18

Student Days: 22

Student Days: 16

May '22						
Su	M	Tu	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June '22						
Su	M	Tu	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July '22						
Su	M	Tu	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Student Days: 20

Student Days: 18

## Kinetic Academy Goals and Actions to achieve the Eight state priorities

Kinetic Academy has provided a comprehensive description of our goals, actions, and outcomes in the State Priorities section of our most recent Local Control and Accountability Plan (LCAP).

Please refer to Appendix “K” for the 2019-20 LCAP and Appendix “L” for the COVID-19 Operations Written Report which exists in lieu of a 2020-21 LCAP.

## Plan for Distance Learning

In preparation for a possible mandated school closure and the need to move to a remote or virtual schooling, Kinetic Academy has established the following priorities and procedures:

- 1) Ensure the health and safety of students, staff, and the Kinetic community
- 2) Continue the progression of learning for all students
- 3) Maintain the financial stability of Kinetic Academy

Transition from traditional classroom instruction/learning to home-based distance learning procedures will include the following:

- Devices ready for deployment to students, teachers and support staff
- Providing ample instructional materials and resources (consumables) to be sent home with students
- Full implementation of the existing online platforms already in place, and ramping up of the range of capabilities these platforms provided
- Maintain focus on mathematics, English/Language Arts, Science and Social Studies
- Continue to provide elective course selections to all students
- Board meetings, staff meetings, parent meetings, all professional development meetings, collaboration and planning meetings to be conducted virtually.
- Utilizing Google Classroom for assignments and tasks
- Live daily class lessons conducted through online meeting platform with one day a week of virtual instruction to allow for teacher planning, preparation and review of student work.
- Grade level departmentalization
- Whole group/Small group/One-on-one lessons between teacher and students
- Teachers to provide office hours for students and parents
- Consistent instructional schedule
- Ensure staff availability during the regular instructional day
- Support regular teacher collaboration
- Provide technology support to staff and students
- Flexible for Teaching and Learning

Structures for communication with staff, families and students to keep them informed and engaged in the instructional delivery while any mandated stay at home order is in effect. Expectations for accessing online instruction and support will be shared with families. School staff will regularly reach out to families to promote attendance through the distance learning platform, and we will administer check-in surveys to assess and support families who have experienced hardship due to school closure.

## Plan for Students who are Academically Low Achieving

Kinetic Academy believes that all students can meet the State Standards and will work accordingly with students to achieve these standards. Kinetic Academy will identify students who are performing below grade level through the results of the California Assessment of Student Performance and Progress tests (scores at “Standard Nearly Met” or “Standard Not Met”), school-wide benchmark assessments, classroom assessments, and/or classroom observations. Instructional staff will notify parents at the time of student identification (via email, phone, or meeting) and monitor the progress of academically low-achieving students throughout the year to ensure that students are on track for meeting growth goals. There will be regular updates provided to the parents about student progress. Services for academically low-achieving students begin with an assessment of student ability and need. Kinetic Academy uses PowerSchool, a data management system that helps teachers derive quantifiable meaning from assessment data and to identify those students who may need intervention. Parents can monitor their own progress and their status in most courses by logging on to PowerSchool. In addition, teachers keep accurate records and address problems through progress reports and parent-teacher conferences. PowerSchool also facilitates progress monitoring for academically low-achieving students.

### *Response to Intervention*

Teachers will be trained to use Response to Intervention (“RTI”) and monitor the success of tiered strategies in seeking to meet each student’s needs. When Tier I strategies do not produce success, teachers will use Tier 2 strategies, and then onto Tier 3 strategies:

*Tier 1 – High-quality, comprehensive classroom reading instruction (whole class).* The core program is personalized to students’ needs, matching students to texts at appropriate levels of difficulty (as opposed to using a one-size-fits-all core curriculum to all students).

*Tier 2 – Small-group supplemental instructional support* (five students or fewer for approximately 20-30 minutes a day through math and English intervention support). This level gives additional help to students who are not making adequate progress in Tier 1. Tier 2 teachers coordinate with Tier 1 teachers, meeting and communicating regularly to mesh their efforts and personalize extra help to students’ instructional needs. For example, if students are having problems with comprehension strategies, Tier 2 gives extra help in that area; if students can’t self-monitor, that will be the focus of intervention lessons.

*Tier 3 – Intensive, very small-group tutorial instruction* (two or three students or one-on-one) for students who are not making adequate progress in Tier 1 and 2.

Response to Intervention is a multi-tier approach to the early identification and support of students with learning and behavior needs. The RTI process begins with high-quality instruction and universal screening of all children in the general education classroom. Struggling learners are provided with interventions at increasing levels of intensity to accelerate their rate of learning. These services may be provided by a variety of personnel, including general education teachers, special education specialists, and aides working under the supervision of the credentialed staff member. Progress is closely monitored to assess both the learning rate and level of performance of individual students. Educational decisions about the intensity and duration of interventions are based on individual student response to

intervention. RTI is designed for use when making decisions in both general education and special education, creating a well-integrated system of instruction and intervention guided by child outcome data. For RTI implementation to work well, the following essential components must be implemented with fidelity and in a rigorous manner:

- High quality, researched based classroom instruction
- Ongoing student assessment
- Tiered instruction
- Parent involvement.

Kinetic Academy works to help academically low achieving students succeed through use of engaging curriculum with real world relevance, a supportive school structure, teachers who know well each student's needs and interests, accessibility to teachers and support staff for extra help, skills classes, and targeted academic intervention. Extra time and support helps students to keep pace with class work, and targeted academic interventions will address individual learner needs through backfilling academic skills needed to bring students up to grade level performance (see Student Success Team section below). Within heterogeneous classes, students performing below grade level will be clustered by ability level to facilitate re-teaching and intervention to small groups of students with similar needs.

Services to support academically low-achieving students are provided during Kinetic Academy's instructional hours. In some instances, if the student's parent(s) or guardian(s) desires, some targeted services may be provided outside the core school day if Kinetic Academy is able to accommodate that desire.

Kinetic Academy uses a Student Success Team (SST) process when students are not making expected progress to develop the specific adjustments to the student's learning programs. In SST meetings, the parent or guardian for students still not achieving at grade-level standards will meet with school personnel to review the above strategies and plan for new ones. Students' learning programs will be updated as needed to address their specific needs, including instructional differentiation needed to help the student make the most progress. Depending on identified needs, students will receive one or more of the following interventions:

- Instructional activities and/or materials modified to accommodate the student's specific academic needs
- Supplemental math, writing, literacy intervention to close skills gaps or study hall period to help students stay on pace
- Additional help during the school day from teachers, support staff, peers, and/or volunteer tutors
- Supplemental instruction, including extra help and/or targeted academic interventions to raise skills to grade level

### *Student Success Team*

Students who continue to demonstrate a consistent pattern of low academic achievement may be reviewed by a Student Success Team (SST) comprised of parent(s), administrator, and teachers, and referred for intervention or assessment as appropriate.

The SST uses a systematic problem solving approach to assist students with concerns that are interfering with success. The SST identifies and clarifies problems and issues; develops strategies, and

organizes resources; provides a system for support accountability; and serves to assist and counsel the student and their family. SSTs are a general education program of the school as all types of students can benefit from engaging in this process including, but not limited to, those students performing below or above grade level, students who have experienced emotional or social trauma, students who have behavioral issues, and those that have language barriers. Anyone who has concern for a student can refer that student for SST consideration (teacher, counselor, administrator, parent, student themselves). The steps for our SST meetings are as follows:

1. Team members introduce themselves and their roles
2. The coordinator states the purpose and process of the SST meeting
3. A timekeeper is appointed
4. Student strengths are identified, recorded, and discussed
5. Student concerns are identified, recorded, and discussed
6. Any other pertinent information is shared (previous meetings, modifications, etc.)
7. Concerns are synthesized and foci are chosen
8. Strategies to support the foci are brainstormed
9. The team chooses actions
10. Individuals make commit to accountability for pertinent actions
11. Responsibilities are delineated and timelines are established
12. Follow-up meeting date is set

After implementation of a SST plan and follow up, the efficacy of the support system is evaluated. Adjustments and/or additional supports may be added to the plan. If necessary and appropriate, a referral for special education or Section 504 assessment may be deemed necessary.

## Plan for Students Who Are Academically High Achieving

Kinetic Academy is also an ideal environment for high achieving students. The emphasis of real world problem solving and critical thinking will press students to work to the edge of their ability. Projects and other open-ended assignments will allow and encourage students to stretch their conceptual understanding according to their individual potential. Students will be encouraged and supported to reach beyond grade-appropriate State Standards to pursue their own interests and learn at their own pace. Teachers will modify instruction as needed to engage and challenge each student at his or her level. Staff will also guide learners to extracurricular enrichment activities that happen throughout the year.

The process for identifying students who are academically high achieving is similar to the process for identifying academically low-achieving students, using the results of the state CAASPP assessments, school-wide benchmark assessments, classroom assessments and/or classroom observations.

Modifications for academically high-achieving students will begin with an assessment of student abilities and needs. Individualized learning plans will be updated as needed to foster and challenge their growth needs. Depending on identified needs, students will receive one or more of the following interventions:

- Instructional activities and/or materials that engage and challenge each student according to his or her academic needs and interests



- Learning activities above grade level, including with older students on a variety of activities, such as multi-age groupings in mathematics or advanced classes
- Pairing with low-performing students as peer tutors for a small portion of their day to develop leadership and social skills, deepen their own understanding, and narrow the achievement gap. (Research shows that people deepen understanding through the process of teaching others.)
- Participation in college preparatory electives
- Participation in enrichment activities during or after school

## Plan for Serving English Learners

Kinetic Academy will continue to meet all applicable legal requirements for English Learners (“EL”), including long-term English Learners or English Learners at risk of becoming long-term English Learners, as they pertain to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. Kinetic Academy will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents. The school complies with federal and state mandates regarding EL education and re-designation of EL students. The school will meet all requirements of federal and state law relative to equal access to the curriculum for English Learners. The Board may consider the formation of an English Language Advisory Committee as deemed necessary recognizing the current composition of English Learners in HBCSD.

## Home Language Survey

Kinetic Academy will administer the home language survey upon a student’s initial enrollment into Kinetic Academy (on enrollment forms).

## ELPAC Testing

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

The ELPAC consists of two separate assessments:

- Initial Assessment (“IA”)

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

- Summative Assessment (“SA”)

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



fluent English proficient, to help inform proper educational placement, and to report progress for accountability.

Both the ELPAC SA and IA are assessments administered in seven grade spans—K, 1, 2, 3–5, 6–8, 9–10, and 11–12. In kindergarten and grade 1, all domains are administered individually. In grades 2–12, the test is administered in groups, exclusive of speaking, which is administered individually. The ELPAC IA and SA will be administered via a computer-based platform, while the ELPAC Writing Domain for Kindergarten through 2nd grade will continue to be administered as a paper-pencil test.

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

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

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

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

### *Reclassification Procedures*

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

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

### *Strategies for English Learner Instruction and Intervention*

English learners (ELs) are expected to become proficient in academic English and learn the same rigorous academic content required of all students in California. EL students will have full access to Kinetic Academy's curriculum. To succeed, ELs require specialized instructional support for academic language development in core content courses (integrated ELD) and specialized support (designated ELD) for English language development. To help students understand content being taught, teachers will use support strategies such as providing instructional material at or near students' reading levels in their native language and/or in English, explicitly teaching key vocabulary, and using appropriate instructional strategies such as anticipatory pre-reading of text and other Specially Designed Academic Instruction in English ("SDAIE") and Guided Language Acquisition Design ("GLAD") methods.

Kinetic Academy ensures that each student's academic program addresses the California ELD Standards he or she is working on, with high quality instruction designed to meet the language needs of English Learners. To help English Learners achieve their potential, teachers scaffold instruction and teach students comprehension strategies for a more self-directed means of comprehending grade-level curriculum. Other strategies include word study to examine phonemes, cognates, etymologies, prefixes and suffixes, and spelling patterns, using clear, slow speech, using simpler vocabulary to explain grade level content, and using visual and kinesthetic instructional modes.

Teachers teach students how to examine common text structures and use graphic organizers to organize information for better recall and comprehension. Visual representations are also used to help students comprehend new vocabulary. Most importantly, students will be given daily opportunities to use their language in practical situations. As English Learners delve into projects on a particular subject, they develop the academic vocabulary associated with that topic and the social language needed to work successfully in a collaborative learning setting.

Kinetic Academy believes language is best learned when it is used frequently. Students will be expected to regularly share their opinions, ideas, and knowledge with their classmates, teachers, the school community, and the community-at-large. Through presentations, speeches, book readings, websites, and other activities, students will strive to communicate effectively and thus improve their English language skills. English Learners may be grouped into flexible groups based on current language objectives for each student. Student progress is monitored with formative assessments and assessments at the end of project cycles.

Based on Jane Hill and Kathleen Flynn's *Classroom Instruction That Works for English Language Learners*, and Bloom's taxonomy, Kinetic Academy has patterned a five-stage language support program to ensure English Learners are developing English as effectively and efficiently as possible.

1. Pre-production – The student has minimal comprehension, does not verbalize, nods "yes" and "no," draws and points.
2. Early production – The student has limited comprehension, produces one- or two-word responses, participates using key words and familiar phrases, and uses present-tense verbs.
3. Speech emergence – The student has good comprehension, can produce simple sentences, makes grammar and pronunciation errors, frequently misunderstands irony or jokes.

4. Intermediate fluency – The student has excellent comprehension and makes a few grammatical and pronunciation errors.
5. Advanced fluency – The student has near-native level of speech.

Kinetic Academy aims for students to make a minimum gain of one level of proficiency annually. Where students are not making adequate progress, Kinetic Academy will implement a personalized intervention plan.

We understand that ELD instruction is a fundamental component of differentiated instruction in English Language Arts for English Learners, with differentiation according to each student's particular needs. Within heterogeneous content area classes, students will be clustered by ELD level so that teachers can provide materials and content that address students' needs. English Learners with a higher level of English acquisition may be served primarily by integrating ELD standards into English/Language Arts courses. Teachers in all content areas will use textbooks' resources to support ELs to keep pace with the core curriculum and advance in their progress toward meeting ELD standards.

In addition, English Learners' listening and speaking skills are developed across all content areas both informally, through cooperative learning groups and other interactive learning modes, and more formally, through the Accountable Talk model. Lauren Resnik (1995) introduced the concept of Accountable Talk as a means of raising the academic discourse of students and integrating higher-order thinking skills. Ensuring that classroom talk emphasizes and continuously practices higher-order thinking is important, because extended, reasoned discourse is more abstract and decontextualized than conversational English; thus, making it more difficult for ELs to access. Furthermore, since it is the expected discourse of higher education, it is important for ELs to master.

Accountable Talk promotes listening skills by asking students to build on and make connections to other students' responses, and to affirm or refute claims presented in discussion; thus, holding students "accountable" for classroom talk. Students cite evidence, ask for elaborations and clarifications, and extend understandings by using the statements they have heard from their classmates to form new ideas. English Learners may have difficulty finding the language they need to express the depth and complexity of their thinking expected of them during classroom discussions that use the Accountable Talk model; thus, scaffolding through the use of sentence frames will be used to support students in both lower and higher levels of English acquisition. For example, simple sentence frames such as, "I would like to add...; I disagree with...; In my opinion...", can be used with students who are in the early stages of English language acquisition. More complex sentence frames such as, "I conclude that because I found evidence..." or "Your claim that is correct/incorrect because...", can be used with students with higher levels of English acquisitions and/or higher grade levels. Sentence frames also support listening skills because students use familiar and consistent language and thus, English learners are better able to follow and participate in class discussions. Kinetic Academy teachers will implement Accountable Talk by explicitly modeling the type of language students are expected to use, providing appropriate scaffolds for ELs (sentence starters, word banks and leveled questions) and by purposefully structuring learning activities that promote rigorous classroom discussions.

Instructional aides and/or teachers may provide support in students' native language and/or in English as is feasible. Credentialed classroom teachers are responsible for providing ELD instruction to students; aides may provide supplemental support. To ensure that Kinetic Academy effectively assists EL students in developing English proficiency, Kinetic Academy will provide the following:

- Provide teachers with professional development on best practices in second language acquisition so they become skilled in classroom strategies to meet the needs of EL students.
- Ensure that instructional materials and standards are aligned for each EL student.
- For students with the lowest ELD levels, provide instructional support in the home language (as appropriate) or in accessible English as is feasible and advisable
- Use of Accountable Talk and high-power literacy strategies
- Monitor ongoing progress of EL students.

### *Monitoring and Evaluation of Program Effectiveness*

Kinetic Academy evaluates the effectiveness of its education program for ELs by:

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

## Serving Students with Disabilities

### *Overview*

Kinetic Academy shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act ("Section 504"), the Americans with Disabilities Act ("ADA") and the Individuals with Disabilities in Education Improvement Act ("IDEA").

Kinetic Academy is its own local educational agency ("LEA") for purposes of special education, and is a member in the El Dorado County Charter Special Education Local Plan Area ("SELPA") in conformity with Education Code Section 47641(a).

Kinetic Academy 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.

Kinetic Academy may request related services (e.g., Speech, Occupational Therapy, Adapted P.E., Nursing, and Transportation) from the SELPA, subject to SELPA approval and availability. Kinetic Academy may also provide related services by hiring credentialed or licensed providers through private agencies or independent contractors.

Kinetic Academy shall be solely responsible for its compliance with Section 504 and the ADA. The facilities to be utilized by Kinetic Academy shall be accessible for all students with disabilities.

## Section 504 of the Rehabilitation Act

Kinetic Academy recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of Kinetic Academy. A student who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment, is eligible for protections under Section 504.

A 504 team will be assembled by the Executive Director 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 reviews the student's existing records; including academic, social and behavioral records, and is responsible for deciding 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, which 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 including those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligence 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.

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 a free and appropriate public education ("FAPE"). 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 Kinetic Academy'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's 504 Plan. The site administrator 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.

### *Services for Students under the "IDEA"*

Kinetic Academy shall provide special education instruction and related services in accordance with the IDEA, Education Code requirements, and applicable policies and practices of the SELPA.

Kinetic Academy provides services for special education students enrolled in Kinetic Academy. Kinetic Academy follows SELPA policies and procedures and shall utilize SELPA forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and parent complaints and maintaining the confidentiality of pupil records.

Kinetic Academy promptly responds to all SELPA inquiries, to comply with reasonable SELPA directives, and to allow SELPA access to Kinetic Academy students, staff, facilities, equipment and records as required or imposed bylaw.

### *Staffing*

All special education services at Kinetic Academy will be delivered by individuals or agencies qualified to provide special education services as required by the California Education Code and the IDEA. Kinetic Academy staff participates in SELPA in-service training relating to special education.

Kinetic Academy is responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, and resource specialists. Kinetic Academy ensures that all special education staff hired or contracted by Kinetic Academy are qualified pursuant to SELPA policies, as well as meet all legal requirements. Kinetic Academy is responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Kinetic Academy students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.

### *Notification and Coordination*

Kinetic Academy follows SELPA policies as they apply to all SELPA schools for responding to implementation of special education services. Kinetic Academy implements procedures relating to all special education issues and referrals.

### *Identification and Referral*

Kinetic Academy has the responsibility to identify, refer, and work cooperatively in locating Kinetic Academy students who have or may have exceptional needs that qualify them to receive special education services. Kinetic Academy implements SELPA policies and procedures to ensure timely identification and referral of students who have, or may have, such exceptional needs. A pupil shall be



referred for special education only after the resources of the general education program have been considered, and where appropriate utilized.

Kinetic Academy follows SELPA child-find procedures to identify all students who may require assessment to consider special education eligibility and special education and related services in the case that general education interventions do not provide a free appropriate public education to the student in question.

### *Assessments*

The term “assessments” shall have the same meaning as the term “evaluation” in the IDEA, as provided in Section 1414, Title 20 of the United States Code. Kinetic Academy determines what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with applicable law. Kinetic Academy obtains parent/guardian consent to assess Kinetic Academy students.

### *IEP Meetings*

Kinetic Academy arranges and schedules all Individualized Education Program (“IEP”) meetings timely and within the legal timeframes required. IEP team membership is in compliance with state and federal law. Kinetic Academy is responsible for having the following individuals in attendance at the IEP meetings: the Principal and/or the Kinetic Academy designated representative with appropriate administrative authority as required by the IDEA; the student’s special education teacher; the student’s general education teacher if the student is or may be in a general education classroom; the parent; the student, if appropriate; and other Kinetic Academy representatives who are knowledgeable about the general education program at Kinetic Academy and/or about the student. Kinetic Academy arranges for the attendance or participation of all other necessary staff that may include, but are not limited to, an appropriate administrator to comply with the requirements of the IDEA, a speech therapist, psychologist, resource specialist, and behavior specialist; and documents the IEP meeting and provide notice of parental rights.

### *IEP Development*

Kinetic Academy understands that the decisions regarding eligibility, goals/objectives, program services, placement, and exit from special education shall be the decision of the IEP team, pursuant to the IEP process. Programs, services and placements shall be provided to all eligible Kinetic Academy students in accordance with the policies, procedures and requirements of the SELPA and State and Federal law.

### *IEP Implementation*

Kinetic Academy is responsible for all school site implementation of the IEP. As part of this responsibility, Kinetic Academy provides parents with timely reports on the student’s progress as provided in the student’s IEP at each trimester reporting period. Kinetic Academy provides all home-school coordination and information exchanges and is responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology.



### *Interim and Initial Placements of New Kinetic Academy Students*

Kinetic Academy shall comply with Education Code Section 56325 regarding students transferring into Kinetic Academy within the academic school year. In accordance with Education Code Section 56325(a)(1), for students who enroll in Kinetic Academy from another school district within the State, but outside of the SELPA with a current IEP within the same academic year, Kinetic Academy shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP, in consultation with the parent, for a period not to exceed thirty (30) days, by which time Kinetic Academy will adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law.

In accordance with Education Code Section 56325(a)(2), in the case of an individual with exceptional needs who has an IEP and transfers into Kinetic Academy from a district operated program under the same special education local plan area of Kinetic Academy within the same academic year, Kinetic Academy shall continue, without delay, to provide services comparable to those described in the existing approved IEP, unless the parent and Kinetic Academy agree to develop, adopt, and implement a new IEP that is consistent with federal and state law.

For students who transfer to Kinetic Academy with an IEP from outside of California during the same academic year, Kinetic Academy shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP in consultation with the parents, until Kinetic Academy conducts an assessment pursuant to paragraph(1)of subsection(a)of Section1414 of Title 20 of the United States Code, if determined to be necessary by Kinetic Academy, and develops a new IEP, if appropriate that is consistent with federal and state law.

### *Non-Public Placements/Non-Public Agencies*

Kinetic Academy is solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students.

### *Non-discrimination*

It is understood and agreed that all children have access to Kinetic Academy and no student shall be denied admission nor counseled out of Kinetic Academy due to the nature, extent, or severity of his/her disability or due to the student's request for, or actual need for, special education services.

### *Parent/Guardian Concerns and Complaints*

Kinetic Academy has a process for responding to parental concerns or complaints related to special education services. Kinetic Academy shall receive any concerns raised by parents/guardians regarding related services and rights. Kinetic Academy's designated representative shall investigate as necessary, respond to, and address the parent/guardian concern or complaint.

### *Due Process Hearings*

Kinetic Academy may initiate a due process hearing or request for mediation with respect to a student enrolled in Kinetic Academy if it determines such action is legally necessary or advisable. In the event that the parents/guardians file for a due process hearing, or request mediation, Kinetic Academy shall defend the case.

*Funding*

Kinetic Academy is subject to the allocation plan of the SELPA.

## ELEMENT 2 Measurable Pupil Outcomes

*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 school wide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.*

*California Education Code Section 47605(c)(5)(B)*

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### Overview

Pursuant to Education Code Sections 47605(c)(5)(A)(ii) and 47605(c)(5)(B), a reasonably comprehensive description of the Charter School's annual goals, actions and measurable outcomes, both schoolwide and for each subgroup of pupils, in and aligned with the Eight State Priorities as described in Education Code Section 52060(d), can be found in the Charter School's Local Control and Accountability Plan ("LCAP"). Each of these goals addresses the unique needs of all students attending the Charter School, including our numerically significant student subgroups. The metrics associated with these goals help the Charter School to ensure that these specific subgroups are making satisfactory progress, and are provided with necessary additional supports made possible by additional funds from the Local Control Funding Formula.

The current LCAP is on file with the District, and is also available on our website at: Kinetic Academy.org and Appendix "K". The Charter School shall annually update and develop the LCAP in accordance with Education Code Section 47606.5 and shall use the LCAP template adopted by the State Board of Education. The Charter School reserves the right to establish additional and/or amend school-specific goals and corresponding assessments throughout the duration of the charter term through the annual LCAP update. The Charter School shall submit the LCAP to the District and County Superintendent of Schools annually on or before July 1, as required by Education Code Section 47604.33.

The LCAP and any revisions necessary to implement the LCAP shall not be considered a material revision to the charter, and shall be maintained by the Charter School at the school site.

Kinetic Academy will continue to examine and refine details of student outcomes to reflect any changes to state or local standards and better serve our school mission, students and community.

## Charter Element 2: Measurable Pupil Outcomes

### *Outcomes and Assessments that Align with the State Priorities*

Pursuant to Education Code Section 47605(c)(5)(B), following is a table describing the Charter School's outcomes and assessments that align with the state priorities and the Charter School's goals and actions to achieve the state priorities, as identified in Element 1 of the charter.

The LCAP and any revisions necessary to implement the LCAP, including outcomes and methods of measurement listed below, shall not be considered a material revision to the charter and shall be maintained by the Charter School at the school site.

### STATE PRIORITY #1— BASIC SERVICES

The degree to which teachers are appropriately assigned (E.C. §44258.9) and fully credentialed, and every pupil has sufficient access to standards-aligned instructional materials (E.C. §60119), and school facilities are maintained in good repair (E.C. §17002(d))

#### SUBPRIORITY A –TEACHERS

<i>Goal to Achieve Subpriority</i>	100% of core teachers will hold a valid CA Teaching Credential with appropriate English learner authorization as defined by the CA Commission on Teaching Credentialing, and 100% of credentialed teachers will be appropriately assigned and supported
<i>Actions to Achieve Goal</i>	All core teacher candidates screened for employment will hold valid CA Teaching Credential with appropriate English learner instruction authorizations; administration will annually review credential status; provide Beginning Teacher Support and Assessment (BTSA) Induction for qualified teachers; provide academic coach to support to teachers
<i>Measurable Outcome</i>	Core teachers will hold a valid CA Teaching Credential with appropriate English learner authorizations as defined by the CA Commission on Teaching Credentialing
<i>Person(s) Responsible</i>	Executive Director
<i>Methods of Measurement</i>	Initial and annual verification of core teacher credential as reported by the CA Commission on Teacher Credentialing; CALPADS; Annual publication of School Accountability Report Card

<i>SUBPRIORITY B –Instructional Materials</i>	
<i>Goal to Achieve Subpriority</i>	Students will have access to high quality instructional materials that support mastery of CA Common Core State Standards and 21st century skills as outlined in our charter petition
<i>Actions to Achieve Goal</i>	All instructional materials purchased will be aligned to CA Common Core State Standards and 21st century skills as outlined in our charter petition; purchase technology to compliment educational requirements.
<i>Measurable Outcome</i>	100% of pupils will have access to standards-aligned materials and additional instructional materials as outlined in charter petition
<i>Person(s) Responsible</i>	Executive Director and Teachers
<i>Methods of Measurement</i>	Administrative review of all instructional materials before purchase
<i>SUBPRIORITY C –Facilities</i>	
<i>Goal to Achieve Sub priority</i>	Maintain a clean and safe school facility
<i>Actions to Achieve Goal</i>	Daily general cleaning by custodial staff will maintain campus cleanliness; Annual and monthly facility inspections will screen for safety hazards
<i>Measurable Outcome</i>	Annually, 90% of all items on Monthly site inspection checklists and 90% of Facility Inspection checklists will comply/good standing and 100% of identified Required Corrections will be corrected within three months. Daily cleanliness spot checks will also be performed.
<i>Person(s) Responsible</i>	Custodial Staff
<i>Methods of Measurement</i>	Monthly site inspection documents; Annual Facility Inspection Reports

## STATE PRIORITY #2— IMPLEMENTATION OF COMMON CORE STATE STANDARDS

Implementation of Common Core State Standards, including how EL students will be enabled to gain academic content knowledge and English language proficiency

### SUBPRIORITY A – CCSS Implementation

<i>Goal to Achieve Subpriority</i>	All teachers will participate in annual professional development on the implementation of Common Core State Standards
<i>Actions to Achieve Goal</i>	Identify/create and participate in professional development training on the CCSS including the creation of instructional guides that are backwards mapped in alignment with the CCSS. REF: See attached professional development plan.
<i>Measurable Outcome</i>	Annually, 100% of core teachers will participate in at least 10 hours of Professional Development and trainings in curriculum, methods of teaching and CCSS
<i>Person(s) Responsible</i>	Executive Director
<i>Methods of Measurement</i>	Professional Development calendar and rosters will evidence participation by teachers in professional development activities; implementation of instructional guides

### SUBPRIORITY B – EL Students & Academic Content Knowledge

<i>Goal to Achieve Subpriority</i>	EL students will gain academic content knowledge through the implementation of the CCSS
<i>Actions to Achieve Goal</i>	EL students participate in English Language Arts/Literacy instruction with appropriate instructional support; and CA ELD Standards professional development for teachers as needed.
<i>Measurable Outcome</i>	Annually, 100% of EL students will gain academic content knowledge through the implementation of the CCSS and appropriate support programs

<i>Person(s) Responsible</i>	Teachers, ELPAC Coordinator and Executive Director
<i>Methods of Measurement</i>	EL student performance on the CCSS Smarter Balanced Assessment (SBA); ELPAC Assessments; teacher assessments; annual report cards
<i>SUBPRIORITY C – EL Students &amp; English Language Proficiency</i>	
<i>Goal to Achieve Subpriority</i>	EL students will gain English language proficiency through the implementation of the ELD curriculum and related instructional strategies
<i>Actions to Achieve Goal</i>	EL students participate in English Language Arts/Literacy instruction with appropriate instructional support. EL students have access to ELD curriculum. Teachers of EL students participate in professional development activities; provide teacher planning time, provide adaptive technology-based, Common Core aligned reading intervention program for English Learners (ELs) in upper grades
<i>Measurable Outcome</i>	90% of EL students will reach English language proficiency within four years of initial classification as English learner through the implementation of the CCSS, and the ELD curriculum, and related instructional strategies
<i>Person(s) Responsible</i>	Teachers, ELPAC Coordinator, Intervention Teacher and Executive Director
<i>Methods of Measurement</i>	Student performance on ELPAC Assessment, ELD curriculum assessments, and reclassification documentation



## STATE PRIORITY #3— Parental Involvement

Parental involvement, including efforts to seek parent input for making decisions for schools, and how the school will promote parent participation

## SUBPRIORITY A – Achieving/Maintaining Parental Involvement

<i>Goal to Achieve Subpriority</i>	Parents will meaningfully participate in the charter school's experiences that assist with student and charter success.
<i>Actions to Achieve Goal</i>	Maintain parent members on the Local Site Council (LSC). Develop and promote parent involvement by creating charter activities and volunteer opportunities for parents; provide translations of materials (including board agendas, informational literature, report cards, Student/Parent Handbook, etc.)
<i>Measurable Outcome</i>	Annually, Kinetic Academy will have 80% of parents meaningfully participate in charter activities and volunteer opportunities. Annually, the Local Site Council will have at a minimum 2 parents.
<i>Person(s) Responsible</i>	Executive Director, Executive Assistant, Teachers
<i>Methods of Measurement</i>	Sign in sheets

## SUBPRIORITY B – Promoting Parent Participation

<i>Goal to Achieve Subpriority</i>	Establish a Kinetic Parent Organization (KPO)
<i>Actions to Achieve Goal</i>	Provide guidelines for the KPO and recruit family and community volunteers to support Kinetic Academy. Publish and publicize meetings, volunteer opportunities, and actively solicit ideas to better Kinetic Academy. KPO partners with Executive Director, Administration and Local Site Council to achieve goals.

## Kinetic Academy

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<i>Measurable Outcome</i>	Annually, Kinetic Academy will maintain parent representation in leadership and committee roles. School Administration will work closely with the KPO to help recruit parents.
<i>Person(s) Responsible</i>	Executive Director, Administration, Parents
<i>Methods of Measurement</i>	Sign-in sheets, fundraising goals
<i>SUBPRIORITY C – Surveys</i>	
<i>Goal to Achieve Subpriority</i>	Solicit parent feedback via annual satisfaction surveys.
<i>Actions to Achieve Goal</i>	Annually, Kinetic Academy will conduct school satisfaction assessments to generate strategies for improvement. Results of parent satisfaction surveys will be presented to the Local Site Council for discussion and consideration.
<i>Measurable Outcome</i>	75% of population surveyed will complete survey and results for the survey will indicate overall satisfaction
<i>Person(s) Responsible</i>	Executive Director
<i>Methods of Measurement</i>	Results and reports of community satisfaction surveys will be shared with parents, Local Site Council members, and staff upon completion of analysis

## STATE PRIORITY #4— Student Achievement

Pupil achievement, as measured by all of the following, as applicable:

- A. California Assessment of Student Performance and Progress (CAASPP) state wide assessment
- B. Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education
- C. Percentage of ELs who make progress toward English language proficiency as measured by the California English Language Development Test (ELPAC) and/or English Language Proficiency Assessment for California (ELPAC)
- D. EL reclassification rate
- E. Percentage of pupils who have passed an AP exam with a score of 3 or higher
- 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

### *SUBPRIORITY A – CAASPP: ELA/Literacy and Mathematics*

<i>Goal to Achieve Subpriority</i>	70% of students at every applicable grade level, including all student subgroups, score proficient or higher on the CAASPP statewide assessment in the area of English Language Arts/Literacy and Mathematics.
<i>Actions to Achieve Goal</i>	Classroom instruction conducive to student learning; adequate learning environments; appropriate CCSS aligned instructional materials; implementation of intervention programs to assist at-risk students; use of instructional technology; establish, monitor and analyze interim benchmark proficiency and growth goals; schedule teachers time for frequent data analysis and disaggregation of data (interim, formative, and summative)
<i>Measurable Outcome</i>	Annually, the Charter School average will be at or above the similar school average for performance on the CAASPP.
<i>Person(s) Responsible</i>	Executive Director, Student Services Coordinator, Teachers
<i>Methods of Measurement</i>	CAASPP Reports, (CA Dashboard -Academic Indicator)

### *SUBPRIORITY B – Annual Growth Target*

## Kinetic Academy

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<i>Goal to Achieve Subpriority</i>	Kinetic Academy, including all student subgroups, will meet the annual Growth Target, or equivalent, as mandated by the CA State Board of Education
<i>Actions to Achieve Goal</i>	Classroom instruction will incorporate testing strategies in preparation for the CAASPP
<i>Measurable Outcome</i>	Kinetic Academy, including all student subgroups, will meet the annual Growth Target or equivalent as mandated by the CA State Board of Education.
<i>Person(s) Responsible</i>	Executive Director, Teachers
<i>Methods of Measurement</i>	Reports or equivalent as determined by the CA Department of Education
<i>SUBPRIORITY C – UC/CSU Course Requirements (OR CTE)</i>	
Grade levels not applicable to charter school.	
<i>SUBPRIORITY D – EL Proficiency Rates</i>	
<i>Goal to Achieve Subpriority</i>	EL students will advance at least one performance level per the ELPAC each academic year
<i>Actions to Achieve Goal</i>	Frequently monitor and provide appropriate interventions to struggling students and ELs
<i>Measurable Outcome</i>	30% of EL students will advance at least one performance level per the ELPAC each academic year. (CA Dashboard - EPLI Indicator)
<i>Person(s) Responsible</i>	Executive Director, Teachers, Educational Specialist, ELPAC Coordinator
<i>Methods of Measurement</i>	ELPAC Score Reports; EL Reclassification documentation maintained by Administration

<i>SUBPRIORITY E – EL Reclassification Rates</i>	
<i>Goal to Achieve Subpriority</i>	EL students will be reclassified as Fluent English Proficient annually and perform at grade level on the CAASPP
<i>Actions to Achieve Goal</i>	Frequently monitor and provide appropriate interventions to struggling students and ELs
<i>Measurable Outcome</i>	At least 25% of EL students will be reclassified as Fluent English Proficient annually and perform at grade level on the CAASPP. (CA Dashboard ELA SBAC - EL Student Group)
<i>Person(s) Responsible</i>	Executive Director, Teachers, Educational Specialist, ELPAC Coordinator
<i>Methods of Measurement</i>	Analysis and review of ELPAC results, and CAASPP scores
<i>SUBPRIORITY F – AP Exam Passage Rate</i>	
Grade levels not applicable to charter school.	
<i>SUBPRIORITY G – College Preparedness/EAP</i>	
Grade levels not applicable to charter school.	

## STATE PRIORITY #5— Student Engagement

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))
- D. High school dropout rates
- E. High school graduation rates

### *SUBPRIORITY A – School Attendance Rates*

## Kinetic Academy

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<i>Goal to Achieve Subpriority</i>	Students at Kinetic Academy attend school regularly, consistently, and on time
<i>Actions to Achieve Goal</i>	Kinetic Academy will provide a safe and engaging learning environment for all its students and families, including those of the various subgroups enrolled
<i>Measurable Outcome</i>	Annual Average Daily Attendance will be at least 95%
<i>Person(s) Responsible</i>	Executive Director, Office Manager
<i>Methods of Measurement</i>	Monthly, Quarterly, and Annual ADA reports; Periodic attendance updates to families reminding them of the importance of in-school attendance as the primary way of learning and success.  (CA Dashboard- Chronic Absenteeism Indicator)
<i>SUBPRIORITY B – Student Absenteeism Rates</i>	
<i>Goal to Achieve Subpriority</i>	Students will not have more than five absences in any school year
<i>Actions to Achieve Goal</i>	Refer students to the SART process for monitoring and support; provide support for qualified students for whom personal issues are providing a distraction to learning
<i>Measurable Outcome</i>	80% of enrolled students will have fewer than five absences during any one school year
<i>Person(s) Responsible</i>	Executive Director, Executive Assistant, Teachers
<i>Methods of Measurement</i>	Weekly Attendance Reports; Attendance updates to families reminding them of the importance of in-school attendance as the primary way of learning and success; evidence of success, is determined by monthly, quarterly, and annual attendance reports

<i>SUBPRIORITY C– Middle School Dropout Rates</i>	
<i>Goal to Achieve Subpriority</i>	Students will remain in middle school until they graduate
<i>Actions to Achieve Goal</i>	Counselors and other interventions for at-risk students
<i>Measurable Outcome</i>	The annual cohort will have less than a 3% dropout rate
<i>Person(s) Responsible</i>	Executive Director, Student Services Coordinator, Middle School Principal
<i>Methods of Measurement</i>	SARC report
<i>SUBPRIORITY D – High School Dropout Rates</i>	
Grade levels not applicable to charter school.	
<i>SUBPRIORITY E – High School Graduation Rates</i>	
Grade levels not applicable to charter school.	

## STATE PRIORITY #6— School Climate

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



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<i>Goal to Achieve Subpriority</i>	Kinetic Academy will maintain a low annual suspension rate
<i>Actions to Achieve Goal</i>	Establish and foster school-wide discipline plan; proactively implement alternatives to suspension and expulsion (SST, behavior plans, etc.)
<i>Measurable Outcome</i>	Annually, 3% or fewer of all enrolled students will be suspended (CA Dashboard - Suspension Rate Indicator)
<i>Person(s) Responsible</i>	Executive Director, Student Services Coordinator
<i>Methods of Measurement</i>	Annual School Accountability Report Card & Annual Report and CALPADS Report 7.1 Discipline Incidents
<i>SUBPRIORITY B – Pupil Expulsion Rates</i>	
<i>Goal to Achieve Subpriority</i>	Kinetic Academy will maintain a low annual expulsion rate
<i>Actions to Achieve Goal</i>	Establish and foster school-wide discipline plan; proactively implement alternatives to suspension and expulsion (SST, behavior plans, etc.)
<i>Measurable Outcome</i>	Annually, 3% or fewer of all enrolled students will be expelled
<i>Person(s) Responsible</i>	Executive Director, Student Services Coordinator
<i>Methods of Measurement</i>	Annual School Accountability Report Card & Annual Report and CALPADS Report 7.1 Discipline Incidents
<i>SUBPRIORITY C– Other School Safety and School Connectedness Measures</i>	

<i>Goal to Achieve Subpriority</i>	Staff and students will adhere to the safety plan
<i>Actions to Achieve Goal</i>	Annually, school staff will be trained in first aid, CPR and triage techniques. Additionally, students will participate in monthly Fire, Earthquake , Lockdown and Safety drills.
<i>Measurable Outcome</i>	100% of Charter School staff will be trained in first aid, CPR and triage techniques. Additionally, students will participate in at least 8 Fire, Earthquake, Safety, Lockdown drills per school year.
<i>Person(s) Responsible</i>	Executive Director, Executive Assistant, Teachers
<i>Methods of Measurement</i>	Professional Development agendas and monthly/weekly school calendars.
<i>SUBPRIORITY D– Surveys</i>	
<i>Goal to Achieve Subpriority</i>	Students, parents and teachers will feel a sense of community and safety on campus
<i>Actions to Achieve Goal</i>	Administration will devise and administer satisfaction surveys to parents, students, and teachers annually. A variety of engagement opportunities will further enhance stakeholders' sense of belonging and community.
<i>Measurable Outcome</i>	Annually, at least 75% of students and families will participate in the school climate surveys
<i>Person(s) Responsible</i>	Executive Director
<i>Methods of Measurement</i>	Survey results; attendance and participation by stakeholders in campus events; annual reenrollment documentation and class lists.

## 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, FR, 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))

<i>Goal to Achieve Subpriority</i>	Kinetic Academy students, including all student subgroups, unduplicated students, and students with exceptional needs, will have access to and enroll in our academic and educational program as outlined in the school's Charter
<i>Actions to Achieve Goal</i>	All academic content areas will be available to all students, including student subgroups, at all grade levels
<i>Measurable Outcome</i>	Annually, 100% of students, including all student subgroups, unduplicated students, and students with exceptional needs, will have access to and enroll in all core and non-core subjects content areas available
<i>Person(s) Responsible</i>	Executive Director and Teachers
<i>Methods of Measurement</i>	Student, teacher, course, and grade level schedules

## STATE PRIORITY #8— Other Student Outcomes

Pupil outcomes, if available, in the subject areas described above in #7, as applicable.

## SUBPRIORITY A – English

<i>Goal to Achieve Subpriority</i>	All students, including all student subgroups, unduplicated students, and students with exceptional needs, will demonstrate grade level proficiency in English Language Arts/Literacy.
<i>Actions to Achieve Goal</i>	Common Core aligned instructional guides and benchmarks, comprehensive professional development plan, instructional strategies implemented throughout grade level courses include: STEAM integrated project based learning; small group work, one-to-one conferring; school wide writing program; backward design educational model; reading intervention program; integration and application of technology and detailed learning plans for all students.
<i>Measurable Outcome</i>	Annually, Kinetic Academy's average will be at or above the surrounding school's average for performance in the area of English Language Arts/Literacy.
<i>Person(s) Responsible</i>	Executive Director, Teachers
<i>Methods of Measurement</i>	CAASPP results, SARC, report cards, teacher's evaluation

## SUBPRIORITY B – Mathematics

<i>Goal to Achieve Subpriority</i>	All students, including all student subgroups, unduplicated students, and students with exceptional needs, will demonstrate grade level proficiency in Mathematics.
<i>Actions to Achieve Goal</i>	Common Core aligned instructional guides and benchmarks, comprehensive professional development plan, instructional strategies implemented throughout grade level courses include: STEAM integrated project based learning; small group work, one-to-one conferring; school wide writing program; backward design educational model;; reading intervention program; integration and application of technology and detailed learning plans for all students.

<i>Measurable Outcome</i>	Annually, Kinetic Academy's average will be at or above surrounding school's average for performance in the area of Mathematics.
<i>Person(s) Responsible</i>	Executive Director, Teachers
<i>Methods of Measurement</i>	CAASPP results, SARC, report cards, teacher's evaluation
SUBPRIORITY C – Social Sciences	
<i>Goal to Achieve Subpriority</i>	All students, including all student subgroups, unduplicated students, and students with exceptional needs, will demonstrate grade level proficiency in Social Science.
<i>Actions to Achieve Goal</i>	Students will study World History, American History, Government, Geography and economics. Instructional strategies implemented throughout grade level courses include: STEAM integrated project based learning; small group work, one-to-one conferring; backward design educational model; flipped classroom instruction; reading intervention program; integration and application of technology and detailed learning plans for all students.
<i>Measurable Outcome</i>	Annually, 70% of all students, including all student subgroups, unduplicated students, and students with exceptional needs, will demonstrate satisfactory performance through formal assessments (until such time that State assessments are made available).
<i>Person(s) Responsible</i>	Executive Director, Teachers
<i>Methods of Measurement</i>	Formal summative assessments include: benchmarks, essay exams, presentations, projects, rubrics, peer/teacher feedback; Student report cards
SUBPRIORITY D – Science	
<i>Goal to Achieve Subpriority</i>	All students, including all student subgroups, unduplicated students, and students with exceptional needs, will demonstrate grade level proficiency in Science.

<i>Actions to Achieve Goal</i>	Next Generation Science Standards and Common Core (literacy) aligned instructional guides and benchmarks, Instructional strategies implemented throughout grade level courses include: STEAM integrated project based learning; small group work, one-to-one conferring; school wide writing program; backward design educational model; flipped classroom instruction; reading intervention program; integration and application of technology and detailed learning plans for all students.
<i>Measurable Outcome</i>	Annually, 70% of all students, including all student subgroups, unduplicated students, and students with exceptional needs, will demonstrate satisfactory performance through formal assessments (until such time that State assessments are made available).
<i>Person(s) Responsible</i>	Executive Director, Teachers
<i>Methods of Measurement</i>	Formal summative assessments include: benchmarks, essay exams, presentations, projects, rubrics, peer/teacher feedback; Student report cards
SUBPRIORITY E – Visual and Performing Arts	
<i>Goal to Achieve Subpriority</i>	All students, including all student subgroups, will demonstrate grade level skills and content knowledge in the arts.
<i>Actions to Achieve Goal</i>	Administration will coordinate professional development and instruction in the arts, secure access to programs and resources that support access to high quality art experiences, and provide support to teachers.
<i>Measurable Outcome</i>	100% of students will participate in a high-quality arts-integrated instruction
<i>Person(s) Responsible</i>	Executive Director and Teachers
<i>Methods of Measurement</i>	Instructional guides and student work product
SUBPRIORITY F – Physical Education and Health	

<i>Goal to Achieve Subpriority</i>	All students, including all student subgroups, will demonstrate physical fitness and understand the importance of a healthy lifestyle.
<i>Actions to Achieve Goal</i>	Develop scaffold curricular units that work to prepare students for passing all six "Healthy Fitness Zone" proficiencies. Students will study Physical Education by participating in athletic activities, studying human physiology, and keeping track of healthy habits.
<i>Measurable Outcome</i>	Annually, 80% of all students, including all student subgroups, will pass the State Physical Fitness Test
<i>Person(s) Responsible</i>	Executive Director, Teachers
<i>Methods of Measurement</i>	Physical Fitness Test results
<i>SUBPRIORITY H – Foreign Languages</i>	
<i>Goal to Achieve Subpriority</i>	Students will achieve both written and verbal elementary levels of fluency in a language other than English.
<i>Actions to Achieve Goal</i>	Teacher professional development in foreign language instruction and acquisition; development and integration of Spanish instructional program and assessments aligned with the Foreign Language Framework for California Public Schools
<i>Measurable Outcome</i>	Annually, 70% of all students, including all student subgroups, will demonstrate proficient growth on internal benchmark assessments for foreign language reading and writing.
<i>Person(s) Responsible</i>	Executive Director, Teachers
<i>Methods of Measurement</i>	Internal Benchmark Assessments



SUBPRIORITY K – Other Subject(s) – Social, Civic, and Personal Responsibility	
<i>Goal to Achieve Subpriority</i>	Students will demonstrate social, civic, and personal responsibility
<i>Actions to Achieve Goal</i>	Orchestration of student community services program and opportunities; Implementation of Junior Achievement curriculum.
<i>Measurable Outcome</i>	100% of students will participate in the community service program and achieve at least 1 hour of community service annually. 60% of students will complete the recommended 10 hours of community service annually. 100% of students in attendance on designated JA days will participate in the Junior Achievement curriculum.
<i>Person(s) Responsible</i>	Executive Director, Teachers
<i>Methods of Measurement</i>	Student observations; community service timesheets; attendance records

## ELEMENT 3 Measurement of Pupil Outcomes

*Governing Law: The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.*

*California Education Code Section 47605 (c)(5)(C)*

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Kinetic Academy affirms that the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

### Multiple Measures

Kinetic Academy uses information gathered from all mandated state tests as well as local curriculum-based and standards-based assessment data to measure students' progress in achieving State Standards, and other locally established goals. In addition to the standardized measurements, students will demonstrate their knowledge and ability through school designed interim assessments and a variety of teacher designed means which may include performance assessments, public exhibition projects, teacher created tests, essays, etc.

Additionally, we use surveys such as the California Healthy Kids Survey to measure all important student social-emotional growth including resiliency, protective factors, and risk behaviors. Assessments are formative and summative, holistic and standardized, criterion- and norm- referenced, paper and pencil, and online and include any assessments applicable to students in non-charter public schools. Students must demonstrate mastery of grade level standards and skills when measured against multiple measures. Assessment will both improve learning and provide accountability.

Kinetic Academy shall adhere to all state testing requirements that are applicable to charter schools. As established in the previous section, Kinetic Academy will be utilizing diverse assessments that are aligned with the curriculum and instructional program, compliant with state expectations. They will be administered according to the assessment cycle below:

### Corresponding Assessments for School Outcomes

<b>Multiple Measures and Frequency</b>
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Assessment	Description	Frequency
State required Assessments	<p>CAASPP Assessment System (3- 8) and CAST in Science (Grades 5 and 8)</p> <p>The CAA and IEP evaluations will be used to measure progress of students with disabilities as appropriate</p> <p>Physical Fitness Testing: Grades 5 and 7</p> <p>ELPAC: Initials and Summative (All grades/EL students)</p>	1 x per year
Diagnostic Assessments	<p>Concepts of Print (TK/K/1st)</p> <p>Phonemic Awareness Letter/sound ID (TK/K/1st)</p> <p>Fountas &amp; Pinnell Reading Comprehension (1st - 8th)</p> <p>Number Corner Baseline (K - 5th)</p> <p>Illustrative math Baseline (6th - 8th)</p>	1 x Beginning of the year
Formative Assessments: Teacher/Grade level designed assessments	<p>Tests Quizzes Projects</p> <p>Performance-Based assessments; PBL</p> <p>Writing prompts, Presentations, Surveys, Checklists, Rubrics</p> <p>Math Unit Assessments and Checkpoints</p>	Multiple Times Throughout the year or Unit
Interim Benchmark Assessments	<p>Fiction and Non-fiction Reading Assessment: running record, comprehension, fluency</p> <p>Writing Prompt</p> <p>Fluency Assessment</p> <p>Fountas &amp; Pinnell Reading Comprehension</p> <p>SBAC Interim assessments (when available)</p>	Tri-Annually/Prior to Report Cards
Summative Assessments	<p>NWEA MAP</p> <p>IEP evaluations will be used to measure progress of students with disabilities as appropriate</p>	Tri-Annually/Prior to Report Cards

Program Evaluation/ Reports	Annual Climate Stakeholder Survey  California Healthy Kids Survey	Annually- Spring
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### *Diagnostic and Placement Assessments*

Diagnostic assessments measure critical skills and offer an in-depth analysis of a student's strengths to guide instructional decisions. Effective diagnostics are valid, reliable and based on scientific research. Teachers give diagnostics because we don't know what skills students are missing. It gives us a starting point. The more meaningful information you know about students, the better you can meet their needs. Diagnostics allow us to measure student progress on foundational skills. This helps us identify the needs of our students, which enables us to tailor our curriculum or provide interventions in order to meet those needs. Furthermore, it keeps us from making assumptions about what our students do or don't know. This moves us away from subjective assessments, which can be influenced by teachers' biases. Good diagnostics are specific enough to identify skill gaps, guide instruction, and measure progress. Mastery is demonstrated as outlined in the goals for each grade level.

### *Formative Grade Level Designed Assessments*

Formative assessment begins even before teaching begins with pre-assessments. Teachers gather formative data throughout the unit of study, often in informal ways, to inform teaching decisions and improve student learning. Grade level teams weekly also design Common Formative Assessments that they analyze during data meetings. Such assessments may include, but is not limited to exit cards, quizzes, anecdotal observations, quick writes, etc. Grade level teams establish proficiency levels for each assessment in daily meetings based on place in time in the sequence of introduction of standard.

### *Exhibition Projects, Performance-Based Assessments, and Rubrics*

Teachers develop science and social science themed units and projects based on standard. Students learn content in depth and have an opportunity to demonstrate understanding through performances of understanding. Additionally, students apply other content knowledge and skills (math and language arts) to make their projects truly integrated. These performances of understanding are shared with parents and the wider community through exhibition projects and/or presentations and assessed through teacher created rubrics that will measure understanding, presentation and skill proficiency. Students will strive to attain a level 3 or above on the rubric.

### *Summative and Interim Assessment*

Kinetic Academy will utilize fall, winter and spring cumulative interim assessments based on standards.

### *NWEA Measure of Academic Progress (MAP)*

NWEA MAP is a CCSS aligned computerized adaptive assessment that gives teachers and administration information they need to improve teaching and learning. We use the growth and achievement data from MAP assessments to develop targeted instructional strategies and plan school improvement. MAP assessments are given in reading, language, and math. They measure growth and

show how students are progressing over time because data can be looked at historically. Rather than determine mastery, MAP data provides students instructional levels.

### Annual Surveys

The California Healthy Kids Survey has been widely lauded as an important tool for school improvement efforts across the state. Kinetic Academy will annually implement this survey. In addition, the Survey Research Initiative at Teachers College, Columbia University has created separate surveys for students, parents and staff that we will use to gather information on overall performance. Surveys are created online and administered. Surveys will consist of a combination of multiple choice items and open-ended questions. Survey questions seek information about overall satisfaction with the school culture, the academic program, the working and learning environment, and satisfaction with the school's staff and administration.

### Data Collection

Ongoing data gathering and analysis guides and informs decisions for determining successful progress or the need for program adjustments.

Type of Data Gathered	Role & Use of Data	Frequency
Formal and informal classroom observations and walkthroughs	To measure effectiveness of instruction. Data is used to inform professional development needs and provide teachers with actionable feedback. Data from observations is individually shared with teachers.	Monthly
Grade Level Curriculum and Instructional Practices	To measure consistency that programs are meeting the needs of students. Data is used to identify areas of Professional Development and shared best practices.	Monthly
Student Data and Work Analysis	To identify where students are at with their understanding and knowledge of concepts, skills and standards. Teachers can create groups, target areas of need for students and plan strategically	Ongoing through the year
Project Performance and Reflections	To measure the students understanding of content within the project	3 times per year
State Assessments	To measure whether students have met proficiency levels at their grade level. Data is used to adjust	Varies, depending on assessment

	instruction, intervention and the school's overall program	
Parent/ Student/Staff Surveys	To measure the degree that parents and students are satisfied with the education from the school and meeting their needs. To measure the degree that teachers are satisfied and have what they need to be effective with their students	Annual

### *Grading and Reporting Periods*

Kinetic Academy reports student progress approximately every 10 - 12 on a trimester system. The student report cards are based on multiple measures including teacher assessments, project exhibits, and specific assessments to quantify student performance. Student report cards reflect their progress towards advanced, proficient, basic, or below proficient performance. Formative and summative assignments and assessments are used to determine student performance.

Elementary students are given grades of a : 1, 2, 3, 4 to students in all academic areas and grades of O, S, N (Outstanding, Satisfactory, Needs Improvement) in enrichment courses, citizenship and social areas.

Middle School students will be given grades of: A, B, C, D in all academic areas and grades of O, S, N in citizenship and social areas.

### *Data Analysis*

Data gathered is used to measure progress towards stated goals and to determine the effectiveness of our instructional program. Multiple opportunities for data analysis are used at Kinetic, including the following:

- Regular assessments and common planning time provides consistent opportunities for teachers to work together to analyze student work and share classroom practices as they relate to student achievement.
- Professional Development Days after administration of Fall and Winter NWEA MAP Assessments to give teachers time to work together and analyze student scores and plan for moving forward with each students' learning. This information is shared with parents during Fall and Winter conferences. Spring MAP Data is sent home to parents.
- Professional development provides opportunities for teachers and staff to work with each other to analyze data on a school, classroom and individual student basis.
- Data gathered on curriculum and instruction is reviewed by staff leadership to make determinations about future professional development, curriculum selections and program changes.

At each level, data informs our decisions regarding the need to continue, modify, improve, add to or discontinue instructional strategies to best meet the needs of our students and provide the necessary

supports to help accelerate their progress. Data is regularly shared with stakeholders throughout the year to inform them of school performance.

### *Use and Reporting of Data*

Kinetic Academy's staff will maintain a Student Information System (SIS) and disaggregate assessment and performance data by gender, language, ethnicity, grade level, EL and RFEP status, socio-economic status, and length of time with Kinetic Academy, etc. Matched scores are used whenever appropriate. As a result of the analysis of student achievement data, Kinetic Academy targets areas in our program, professional development and instruction to address student needs and improve student outcomes. Each year a needs assessment will be formulated with resources directed to meet targets. Assessment results are conveyed to the community through the SARC as required by the CDE, school updates, parent information sessions, the Local Site Council and the Governance Board.

Decisions to modify or redirect classroom strategies, program strategies and/or material resources during the school year are made by the classroom teacher, whole instructional staff, and instructional leader as appropriate. Decisions will be made daily to guide instruction and on an annual basis to evaluate program effectiveness.

Parent/teacher conferences will be held at least two times per year. Individual student results and achievement targets will be shared with parents at this time. In addition, pupil progress will be communicated to parents regularly using a standards-based report card and progress reports if needed. In addition, students with an IEP and receiving intervention services or with an active SST receive more frequent progress reports. All information conveyed to parents of Spanish-speaking students will be translated by staff. Reasonable efforts will be taken to provide information in primary language to families speaking languages other than Spanish.

### *Student Information System*

Kinetic Academy utilizes the PowerSchool student information system. Our back-office provider (CSMC) supports the implementation, hosting, training, monitoring, and service of PowerSchool. The most recent version of PowerSchool does more than just keeping attendance records; additional features it will provide staff and parents are:

- Parent online portal for real time access to their children's attendance records, current grades, daily assignments, teacher comments and more.
- Power Teacher, which is a web-based classroom management system.
- Report Works, which is a custom report development tool, designed specifically to meet the needs of educational data reporting.
- PowerSchool Student Record and Transcript Exchange
- Power Scheduler, which is a web-based, automated master schedule builder.
- Health & Immunization Screening Management

### *School Accountability Report Card*

Student assessments are designed to align to the mission, exit outcomes, and the curriculum described in the charter. Information from these assessments will be included in the School Accountability Report Card (SARC) that will be distributed or made available to all stakeholders.



### *Reporting Program Effectiveness to all Stakeholders*

The school will report program effectiveness yearly to all stakeholders, through various instruments and measurements including but not limited to:

- School Accountability Report Card
- Local Control and Accountability Plan
- Kinetic Academy Board Reports

Kinetic Academy shares these reports in various manners including parent meetings, newsletter, school website, Board meetings, and in print which can be found in the office.

In addition, Kinetic Academy will utilize assessment data to drive professional development programs for teachers. When teachers are failing to deliver the high caliber of instruction and mentoring necessary for student success, this assessment data will drive decisions about employee retention. It will also drive decisions relative to merit pay for high performing teachers that will be based upon the amount of growth in student performance from year to year.

Students scoring at the “Standard Nearly Met” or “Standard Not Met” levels in the content areas tested at their grade will be assessed and monitored frequently, based on their needs. They also may be referred to intervention. Data will be disaggregated regularly to clearly identify the academic performance of students by sub-groups (e.g., by ethnicity, gender, English Learners, socioeconomically disadvantaged students and students with disabilities).

Parents are informed on how to understand the assessment data for their child and to help their child succeed in meeting the California State Standards. We view parents as vital partners in their child’s education, and we want them to understand where their child is excelling and where their child needs extra help.

Teachers regularly share students’ academic, social, emotional, and physical progress with parents. Upper grade students will participate in conferences, along with their parents, to reinforce student responsibility in their own learning process.

Teachers regularly use data to analyze their instructional programs at their grade level. Grade level teams will meet weekly for this purpose. Each team will develop an action plan to address specific grade level needs, as well as individual student needs made evident by the results of the assessment data.

Teams are organized by grade level at the elementary level and subject matter in the middle school level to increase communication. Working in this manner will allow us to address the areas of identified need more effectively. Our goal is to close the achievement gap found with economically disadvantaged children, English Learners, special education students and other significant subgroups.

## ELEMENT 4 Governance Structure

*Governing Law: The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.*

*California Education Code Section 47605(c)(5)(D)*

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Kinetic Academy is a California non-profit public benefit corporation formed pursuant to California law.

Kinetic Academy has operated autonomously from the Huntington Beach City School District (HBCSD) the last 5 years, with the exception of the supervisory oversight as required by statute. Pursuant to California Education Code Section 47604(d). HBCSD shall not be liable for the debts and obligations of a charter school that is operated by a California non-profit benefit corporation or for claims arising from the performance of acts, errors, or omissions by the charter school as long as HBCSD has complied with all oversight responsibilities required by law.

Attached, for reference, are Kinetic Academy's most recent Statement of Information for our Articles of Incorporation (Appendix "E"), Bylaws (Appendix "D"), and Conflict of Interest Code (Appendix "F").

### *Non-Profit Board of Directors*

Kinetic Academy is governed by the Board of Directors of Kinetic Academy (referred to as the "Board"), pursuant to the Corporation's Bylaws, which shall be consistent with the terms of this charter.

### *Board Composition and Terms*

The Board of Directors shall consist of no less than five (5) and no more than nine (9) Directors. The Board of Directors will reflect the diversity of cultural, academic, and professional expertise that is essential for fulfilling Kinetic Academy's unique mission. In accordance with Education Code Section 47604(c), the Bylaws allow for the charter authorizer to appoint one representative to serve on the Board.

Directors shall serve two year terms. Directors shall be appointed at each annual meeting of the Directors. Each Director shall serve until his/her term expires and until a successor has been appointed.

Kinetic Academy has assembled a team of Board members, consultants and educators who have the necessary background in the following areas:

- Curriculum, instruction and assessment
- Finance, facilities and business management
- Organization, governance and administration

Biographies for the Founding Board of Directors are attached as Appendix "A".

### *Board Duties*

The Board of Directors is responsible for the operation and fiscal affairs of Kinetic Academy including, but not limited to:

- Approval of the annual school budgets, calendars, salary schedules, major fundraising events, and grant writing;
- Approval of a MOU or other contracts with the HBCSD;
- Approval of all contracts over a certain threshold, contract renewals, and personnel actions (e.g., hiring, discipline, dismissal);
- Approval of bylaws, resolutions, and policies and procedures of school operation;
- Approval of all changes to the charter to be submitted to the HBCSD as necessary in accordance with applicable law;
- Long-term strategic planning for Kinetic Academy;
- Participation as necessary in dispute resolution;
- Monitoring overall student performance;
- Filling the Executive Director position;
- Evaluation of the Executive Director;
- Monitoring the performance of Kinetic Academy and taking necessary action to ensure that the school remains true to its mission and charter;
- Monitoring the fiscal solvency of Kinetic Academy;
- Participation in Kinetic Academy's independent fiscal audit;
- Participation in Kinetic Academy's any necessary reporting to the HBCSD;
- Approving contracts with business service providers and other vendors that provide services typically provided by a school district central office;
- Participation as necessary in student expulsion matters;
- Increasing public awareness of Kinetic Academy; and
- Fundraising efforts

The Board addresses program concerns regarding the operation and improvement of Kinetic Academy. The Board is the final policy-making authority for Kinetic Academy. The Board approves the hiring of the Executive Director and budgets. They recommend programs, policies, and schedules designed to meet the evolving educational needs of Kinetic Academy's students, parents, and teachers. Board members will comply with the Political Reform Act, Government Code 1090, as set forth in Education Code Section 47604.1, and the Corporations Code regarding self-dealing transactions.

The Kinetic Academy Board of Directors may initiate and carry out any program or activity that is not in conflict with or inconsistent with, or preempted by, any law and which is not in conflict with the purposes for which charter schools are established.

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 of Kinetic Academy any of those duties. The Board, however, retains ultimate responsibility over the performance of those powers or duties so delegated.

Kinetic Academy shall have no authority to enter into contracts for or on behalf of the HBCSD. All contracts entered into by Kinetic Academy shall be Kinetic Academy's sole responsibility. HBCSD shall have no authority to enter into contracts on behalf of Kinetic Academy without Kinetic Academy's approval.

Day-to-day, site-level administration of Kinetic Academy is managed by the Executive Director as outlined in the employment contract, and to the extent practical. Should the Board approve a contract for management or business services, the Executive Director must coordinate with the service

provider(s) and the service provider(s) may be responsible for non-site level day-to-day administration of Kinetic Academy.

### *Board Meetings*

The Board of Directors meet at least monthly (except for summer months) to review and act on its responsibilities. All meetings shall be held in accordance with the Ralph M. Brown Act and Education Code Section 47604.1(c) and will be held in a location that is easily accessible for parent and community participation.

All Board meetings are open to the public and each agenda will include time for parent, student, and community input, except for closed sessions permitted by the Ralph M. Brown Act. Decisions made in closed session will be reported in open session at the conclusion of the closed session. Board meetings are held in compliance with the Bylaws.

Kinetic Academy has adopted a conflicts code which shall comply with the Political Reform Act, Government Code Section 87100, Government Code 1090, as set forth in Education Code Section 47604.1 and applicable conflict restrictions required by the Corporations Code and any conflicts restrictions that may be adopted in the future as applicable to Kinetic Academy. Kinetic Academy shall also comply with the Public Records Act.

The Board of Directors meetings is headed by a Board Chairperson, who will be elected annually amongst the Board at the concluding meeting of the school year.

As long as a quorum exists as defined by the corporate bylaws, measures voted on by the Board of Directors may be passed with a simple majority of present members.

### *Board Training*

The Board of Directors shall participate in training regarding board governance, the Brown Act, and conflicts of interest laws (including but not limited to how to fill out Form 700) upon entrance into office and annually thereafter. The Board of Directors shall also be encouraged to attend the California Charter Schools Association Conference as well as workshops and conferences held by the Charter Schools Development Center.

### *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 Kinetic Academy any of those duties with the exception of employment of the Executive Directors, approval of Board policies, approval of the budgets or budget revisions or purchases over a given amount. 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 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.

## Kinetic Academy Executive Director

The Executive Director will ensure that the curriculum is implemented in order to maximize student-learning experiences. The Executive Director must report directly to the Kinetic Academy Board of Directors, and s/he is responsible for the orderly operation of the school and the supervision of all employees in Kinetic Academy.

The Executive Director is responsible for administering the day to day operations at the site level, working with the Kinetic Academy Board of Directors, the HBCSD, students, parents, community members, and business and management services vendors. The Executive Director's duties shall include, but are not limited to, the following:

- Provide instructional leadership to Kinetic Academy
- Attend meetings at the HBCSD as requested by the HBCSD and stay in direct contact with the HBCSD to assist the HBCSD in its oversight duties;
- Supervise all employees of Kinetic Academy;
- Provide performance evaluations to all Kinetic Academy employees at least once annually;
- Prepare proposals of policies for adoption by the Board of Directors in concert with the business and management services vendors, if any;
- Provide comments and recommendations regarding policies presented by others to the Board;
- Advise the Board and make written recommendations to the Board on programs, policies, budget and other school matters in concert with the business and management services vendors, if any;
- Communicate with Kinetic Academy's legal counsel;
- Stay abreast of school laws and regulations;
- Participate in the dispute resolution procedure and the complaint procedure when necessary;
- Write applications for grants, in concert with the business and management services vendors, if any;
- Attend meetings with the Chief Financial Officer of the HBCSD on fiscal oversight issues periodically upon request;
- Provide all legally required financial reports to the HBCSD, in concert with the business and management services vendors, if any;
- Develop and administer the budget as approved by the Board in accordance with generally accepted accounting principles, in concert with the business and management services vendors, if any;
- Present quarterly financial reports to the Board of Directors, in concert with the business and management services vendors, if any;
- Provide assistance and coordination in the implementation of curriculum;
- Oversee parent/student/teacher relations;
- Attend IEP meetings as required by law;
- Oversee student disciplinary matters;
- Coordinate the administration of Standardized Testing;
- Plan and coordinate student orientation;
- Attend all Kinetic Academy Board meetings and attend as necessary HBCSD Board meetings;
- Site safety;
- Foster an amicable relationship between HBCSD and Kinetic Academy and facilitate a sharing of resources between both entities;
- Establish a Communication Model to facilitate communication among all the groups within Kinetic Academy, between Kinetic Academy and the HBCSD, and between Kinetic Academy and the community at large;
- Graduations;
- Develop Kinetic Academy SARC;

- Present performance report to Kinetic Academy Board and, upon review by Kinetic Academy's Board, present report to the HBCSD Board and the HBCSD Superintendent; and
- Facilitate Open House and other school events.

The above duties may be delegated or contracted as approved by the Board to another employee of Kinetic Academy or to an appropriate third party provider as allowed by applicable law.

## Indemnification

Kinetic Academy shall indemnify, defend and hold harmless HBCSD, its Board of Trustees, officers, employees, and agents from and against any and all actions, allegations, claims, costs, damages, fees, and judgments by third parties resulting from the actions or omissions of Kinetic Academy, its Board, officers, employees or agents, with the exception of any actions, allegations, claims, costs, damages, fees, and judgments that arise from the action or inaction of the HBCSD, its Board, officers, employees or agents.

HBCSD shall indemnify, defend, and hold harmless Kinetic Academy, its Board, officers, employees, and agents from and against any and all actions, allegations, claims, costs, damages, fees, and judgments by third parties resulting from the actions or omissions of HBCSD, its Board, officers, employees, or agents, with the exception of any actions, allegations, claims, costs, damages, fees, and judgments that arise from the action or inaction of Kinetic Academy, its Board, officers, employees or agents.

## Personnel Policies

Kinetic Academy will develop personnel policies which are periodically reviewed by the Board and Kinetic Academy's legal counsel for compliance with applicable laws and outlined in our Employee Handbook.

## Evaluation Procedure

The Executive Director shall have the right to observe and evaluate staff using a merit-based framework and system. The purpose of the performance evaluation system is to promote greater accountability by leading to changes in professional practice that result in the continuous improvement of student achievement. The assessment will include, but need not be limited to:

- An analysis of student achievement based on student performance on standardized and other specific assessments;
- Observations by the Executive Director or designee in professional settings;
- Accomplishment and growth consistent with core professional expectations as documented by the teacher in a professional performance improvement program;
- A self-assessment based on adherence to the vision and mission of the school;
- Community presence and involvement including frequency of parent contact; and
- An analysis of parent and student surveys to be collected in the spring of the year.

The Executive Director will be evaluated by the Board using a merit-based evaluation framework and system. The Board seeks to maintain the highest standards of integrity in all school operations in addition to excellent student test scores. As a result, the Board will establish an evaluation system that includes, but is not limited to:



- An analysis of student achievement based on student performance on standardized and other specific assessments;
- A self-assessment based on adherence to the vision and mission of the school;
- 360-degree Feedback to include parents, staff, students, and partners as applicable and practical;
- Observations by the Board or designee in professional settings;
- Community presence and involvement including frequency of parent contact;
- Clean financial audits; and
- Enrollment growth

## Local Site Council

Kinetic Academy shall utilize a Local Site Council to ensure that parents and teachers are regularly consulted about the educational program and operations of the school and have the ability to participate actively in the governance of the school. The Local Site Council's actions shall be advisory to the Executive Director and Board of Directors.

The Local Site Council shall be comprised of:

- Five (5) parents elected by the parents each year at an annual meeting;
- Up to Three (3) teachers elected by the teaching staff;
- Up to two (2) community members who are neither staff nor teachers at Kinetic Academy;
- Executive Director of Kinetic Academy or designee.

The Local Site Council shall provide advice to the Executive Director and Board of Directors regarding any item of Kinetic Academy's operations or educational program. It shall be provided a copy of all state assessment results so that it can play an active role in identifying any weaknesses in the educational program that need to be addressed.

## Process for Parent Involvement

Kinetic Academy believes that parent engagement is key to a student's success. However, no parent involvement plan shall require mandatory service from parents, and under no circumstances shall any student suffer any adverse consequences, including without limitation, denial of admission or re-enrollment based upon a parent's level of service to or other contribution to Kinetic Academy.

We recognize that every parent is able to be involved at different levels due to individual-specific family, work, cultural reasons and even health issues. The definition of parent involvement that Kinetic Academy values above all else is parental concern and home support of Kinetic Academy's efforts to educate the student through love, nurturing and good parenting. Therefore, two levels of parent involvement, both formal and informal, will be made available.

### Required

- Commitment to support the mission and vision of the Kinetic Academy program.
- Commitment and willingness to adhere to and support all policies as outlined in Kinetic Academy Parent/Student Handbook.
- Two way communication between Kinetic Academy and home regarding the education and well-being of the student.

### Encouraged

- Tutoring



- Homework Center
- Classroom volunteer
- Project Based Learning Presentations
- Parent workshops
- Parent-teacher conferences
- Coffee Chat Attendance
- Parent Organization Meetings
- Awards Assemblies Attendance
- Evening Events- Meet the Teacher Night, Back to School Night, Open House
- Field Trip Volunteer
- Community-building activities and celebrations
- 5th Grade Promotion
- Eighth grade Exit Interview Teams
- Family orientation sessions
- Prospective parent tours
- Various other committees as deemed necessary

Every attempt will be made to accommodate parents to allow them to participate in some capacity at Kinetic Academy according to their schedules and interests. Parents are surveyed as to what topics are of interest to them and to the best of our ability we will design and plan workshops to meet their needs. In addition, Kinetic Academy adds opportunities as needs are assessed. Notices for involvement are posted in Parent Square, on our website and sent home with students.

Methods of parent communications will include:

- Report cards
- Phone calls home (informational from teachers, and satisfaction check-ins from liaison)
- Surveys (annual, parent-teacher conference, events, activities, workshops, etc.)
- Parent Square Platform
- Student Folders (information)
- Website
- Executive Director Communications
- Board of Director Communications
- Coffee Chats
- Auto call system
- Social media

Kinetic Academy strongly believes in the voice of all stakeholders being heard. This belief is reflected in its governance structure, parent involvement and leadership opportunities. Kinetic Academy community will be kept informed regarding school-wide and sub-group specific issues through written materials, website, and public forums.

## ELEMENT 5 Employment Qualifications

*Governing Law: The qualifications to be met by individuals to be employed by the charter school.*

*California Education Code Section 47605(c)(5)(E)*

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Kinetic Academy will hire teachers, school support staff and administrative staff as the Charter School grows and needs arise. Due to the growing nature of Kinetic Academy, responsibilities are subject to change at any time. A single individual may assume the responsibilities of more than one position, or Kinetic Academy may contract with outside vendors for business services, management services, legal consultation, and facilities expertise as needed.

The Charter School:

- Will not accept discrimination or harassment based on any characteristics protected by state or federal law.
- Is a school of choice and no employee will be required to work at Kinetic Academy.
- Will comply with all applicable state and federal laws regarding background checks and clearance of all personnel.
- Will comply with all State and federal laws concerning the maintenance and disclosure of employee records as applicable.
- Will comply with all State and federal mandates and legal guidelines relative to ESSA employee qualifications as applicable.
- Will comply with teacher credentials equal to those required by the district as applicable for charter school teachers as required by law for core and college preparatory courses.
- Teachers will meet the requirements for employment of California Education Code section 47605(l) and 47605.4.

### Teacher Quality

#### Recruitment, Hiring, and Retention of Well-Qualified Teachers

High student academic achievement is a direct function of teacher quality. Kinetic Academy uses multiple strategies to attract and keep well-qualified teachers with subject area knowledge that is likely to enable student achievement and collaborative learning for all students. Teacher job descriptions identify the desired skills that reflect Kinetic Academy's educational approaches and an ability to serve all students effectively. Notices are placed on education list-serves, websites, and teacher education programs, and education publications.

In hiring, Kinetic Academy evaluates how well candidates' educational philosophy and skills align with Kinetic Academy's instructional approach. Applicants complete and submit documents including required credential documentation to allow Kinetic Academy's leadership team to conduct an in-depth screening of the match between Kinetic Academy's needs and the candidates' professional capabilities as well as basic qualifications (see below). Ideal candidates will demonstrate strong content area knowledge, familiarity with effective content area instructional methods, experience connecting content to the real world application and/or to other content areas, experience with reading and writing

strategies applicable to the genres of their discipline and a high level of global awareness and multicultural competence. Ideal candidates have experience differentiating instruction to meet the needs of all students and using formative and summative assessment tools to inform instruction, and will understand Kinetic Academy's progress in meeting its growth goals. To the extent possible, candidates will participate in an interview and demonstrate their teaching skills through in class-observation or submission of a video or written response. Teachers and school leadership will participate in the hiring process, which will be finalized by Kinetic Academy's Executive Director.

Kinetic Academy will attract and retain teachers by offering an appropriate compensation package, and by creating and maintaining an attractive work environment. This includes involving teachers in decision-making and providing regular opportunities to collaborate with colleagues and to participate in professional development that meets their needs. Kinetic Academy will attract teachers who are excited about Kinetic Academy's mission and vision. Kinetic Academy leadership strives to maintain a positive work environment where respect and professionalism are prioritized.

## Teacher Professional Development and Ongoing Instructional Improvement

Professional development helps staff as well as students to attain high levels of achievement. Kinetic Academy believes that professional development is an integral part of the Charter School and should take place in many forms and settings. In-service meetings, off-site professional conferences, workshops, hands-on demonstrations, and guest speakers in all disciplines will be used to educate, stimulate, and inspire personnel. Collaboration among faculty will be facilitated through the adoption of the Professional Learning Communities model (PLC). There will be a systematic analysis of student achievement data in order to drive programs and practices. There will also be a comprehensive professional development plan on an annual basis in order to create a structured and strategic growth model.

Professional development at Kinetic Academy also strives to meet teachers' individual needs and the mission of the school. Professional development emphasizes effective practices that support the success of students with special needs, such as special education students, English Learners and academically high and low achieving students. Teacher collaboration and professional development will begin each summer prior to the start of school and continue throughout Kinetic Academy year. Professional development topics may also include State Standards-based lesson planning, performance-based authentic assessment, school wide approaches to reading and writing for college readiness and more. These activities are linked to analysis of student learning results and ongoing efforts to continually improve the quality of instruction.

Kinetic Academy professional development will include, but not be limited to, the following:

- Core professional development to give teachers the skills and knowledge needed to design, assess, and manage rigorous, relevant, and standards-based projects for the implementation of PBL and the STEAM focused model
- Guidance in arts integration, Common Core State Standards, 21st century learning skills, and technology
- Instructional strategies in world-readiness standards for learning languages and content- and

- culture-rich environments, integrating technology in support of language learning
- Development of instructional practices valued by Kinetic Academy, including thematic integrated instruction and real world connections, including application oriented activities such as projects
- Focus on core curricular instructional programs and materials, core curricular approaches in the content areas (balanced literacy, hands-on mathematics, curriculum and lesson planning, inquiry-based social studies and science, etc.), transition to CCSS, standards-based lesson planning, instructional differentiation, and using assessments to inform instruction
- Strategies for serving English Learners
- Strategies for serving SPED students effectively in a full inclusion model and work collaboratively with special education personnel
- Differentiation to meet the needs of high- and low-achieving students, Response to Intervention, and assessment and monitoring
- Guided practice in protocols for examining student work and adjusting instruction
- Implementation of programs provided by Junior Achievement for educating students about entrepreneurship, work readiness and financial literacy through experiential, hands-on activities
- Distance and/or Hybrid Training to support a Virtual Learning Platform

Additional professional development experiences will be determined annually as staffing may change from year to year, in response to the strengths and needs of the faculty. The majority of professional development will be provided by the Executive Director, Special Education & Student Services Coordinator, Teacher Leads, and through additional providers who will be contracted as needed to address areas of need.

In addition to ongoing instructional support and professional development throughout the school year, Kinetic Academy's financial plan includes two weeks of planning and professional development before the start of each school year.

### *Commitment*

A high level of effort and commitment is needed by staff of Kinetic Academy. Service at Kinetic Academy is regarded as a privilege. Every employee must consider it an honor to be in the presence of children. All employees must fully support the mission, vision and values of Kinetic Academy and must be willing to actively and enthusiastically participate in a professional learning community. Additionally, all teachers must demonstrate a strong desire to teach an academically rigorous curriculum and all staff must have the utmost belief that all students can achieve at high levels. Therefore, it is expected that applicants for positions at Kinetic Academy measure up to the highest standards.

### *Qualifications of the Executive Director*

Besides being responsible for planning, coordinating, supervising the day-to-day business operations of a school and instructional program, the Executive Director is responsible for the instructional leadership at Kinetic Academy including evaluation of all certificated and non-certificated personnel; planning and implementing staff development; managing, monitoring, analyzing, taking action, and evaluating those actions based on a variety of data sources (statistical, anecdotal, observational, etc.).

The Executive Director of Kinetic Academy must have educational experience and a direct knowledge of the curricula, techniques, and expectations of both this charter school and the profession. The Executive Director must be committed to the best education possible for all students and must be able and willing to work cooperatively with staff, the students, and the community. The Executive Director must also have leadership qualities and a vision consistent with the school's mission and educational program.

Candidates for Executive Director shall be screened, interviewed by the Board (or its designee) and hired by the Governing Board. The Executive Director shall report and be accountable to the Kinetic Academy Board.

#### *Qualifications of the Special Education and Student Services Coordinator*

The Special Education and Student Services Coordinator is responsible for the Special Education Program at Kinetic Academy while also supporting all general education students. This person is responsible for planning, developing, delivering and evaluating appropriate individualized educational services and instruction for special needs students in the general education classroom. This person also is responsible for students in classrooms who need support in managing behavior through monitoring, supervising, evaluating and development or implementing behavioral plans if necessary.

The Special Education and Student Services Coordinator's other main tasks include identifying the needs of assigned students through formal and informal assessments, reviewing referral data, history and assessment data to develop appropriate goals and objectives for each student, confer with general education teachers regarding the educational, social, emotional and physical needs and objectives of each student while planning, developing and implementing individualized learning plans for each student, design appropriate teaching strategies, prepare instructional materials and lesson plans according to their Individual Educational Plans (IEPs)

In addition, this staff manages all contracts and master agreements with outside Non-Public Agencies while working closely in collaboration with all General Education teachers and overseeing any special education instructional assistants.

The Special Education and Student Services Coordinator must have have experience working within the special education classroom, with diagnosing and assessing learning disorders, have an understanding about effective classroom management and student behavior skills, have knowledge of current special education practices and methodologies, and have knowledge and understanding of current State, local and federal regulations and policies affecting special education.

Candidates for the Special Education and Student Services Coordinator shall be screened, interviewed by the Executive Director (or its designee) and hiring approval by the Governing Board. The Special Education and Student Services Coordinator shall report and be accountable to the Executive Director.

### *Qualifications of Teachers, Instructional Support Staff, and Non-Certificated Admin*

Teachers at Kinetic Academy will hold the Commission on Teacher Credentialing certificate, permit or other document required for the teacher's certificated assignment. Kinetic Academy Teachers may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in the same manner as a governing board of a school district. Teachers employed by the Charter School during the 2019-20 school year shall have until July 1, 2025, to obtain the certificate required for the teacher's certificated assignment.

The Charter School will maintain a current copy of teacher certificates on file. The Executive Director will monitor compliance and assignments at least once per year and report to the Kinetic Academy Board in a timely fashion.

The most important qualities for our teachers are:

- Familiarity with or willingness to be trained in the Academy's curriculum sequence and learning styles;
- A demonstrable effectiveness in teaching; and
- A willingness to work hard and to take responsibility and exercise leadership for the school as a whole.
- Dedication to putting in time, energy, and effort in developing the school's program;
- Commitment to working with parents as educational partners;
- Willingness to become a learner as well as teacher/coach in the school;
- Knowledge or willingness to become knowledgeable about the developmental needs of our students;
- Sensitivity to social as well as academic needs of the students;
- Willingness and ability to plan cooperatively with other teachers and staff;
- Willingness to be trained in the use of different curriculums and learning styles in the classroom;
- Willingness to take a leadership role in some aspect of the school's development; and
- A strong knowledge of their personal strengths and weaknesses, and a willingness to continue education through additional courses and training, workshops, seminars, and staff development.

### *Qualifications of Instructional Support Staff*

Kinetic Academy may also hire non-credentialed instructional support staff to support teachers in any subject. In such instances, the instructional support staff will meet one of the following qualifications: two years of higher education study, an associate degree or higher, or a passing score on a formal state or local academic assessment that demonstrates the ability to assist in teaching reading, writing, and mathematics.

### *Non-Certificated Administrative Staff*

Kinetic Academy employs non-certificated administrative staff to be responsible for administrative duties, including record keeping, preparing Board reports, facilities and operations, community outreach and engagement, office management, assisting parents, supporting administration and teachers to ensure academic success, and other non-instructional duties as assigned. The administrative staff, at this point, will consist of the Executive Assistant, receptionist, health assistant, and the



custodian (or other facilities and operational staff). The administrative staff shall possess experience and expertise appropriate for their position within the school.

## Hiring of Teachers

The Executive Director will actively recruit strong, qualified candidates through word-of-mouth and individual contacts, as well as advertising, marketing, and effective use of the press and teacher networks such as EdJoin and university credential programs.

In hiring, Kinetic Academy will evaluate how well candidates' educational philosophy and skills align with Kinetic Academy's instructional approach. Applicants complete and submit documents including required credential documentation to allow the Kinetic Academy's leadership team to conduct an in-depth screening of the match between the school's needs and the candidates' professional capabilities as well as basic qualifications. Ideal candidates demonstrate strong content area knowledge, familiarity with effective content area instructional methods, experience connecting content to the real world application and/or to other content areas, experience with reading and writing strategies applicable to the genres of their discipline and a high level of global awareness and multicultural competence. They also have experience differentiating instruction to meet the needs of all students and using formative and summative assessment tools to inform instruction, and understand Kinetic Academy's progress in meeting its growth goals. To the extent possible, candidates will participate in an interview and demonstrate their teaching skills through in class-observation or submission of a video or written response. Teachers and school leadership will participate in the hiring process, which will be finalized by the Executive Director.

Kinetic Academy will attract and retain teachers by offering an appropriate compensation package, and by creating and maintaining an attractive work environment. This includes involving teachers in decision-making and providing regular opportunities to collaborate with colleagues and to participate in professional development that meets their needs. Kinetic Academy will attract teachers who are excited about the Charter School's mission and vision. Charter School leadership will strive to maintain respect and professionalism in the workplace.

## Compliance

The selection procedures shall not discriminate based on any protected classifications. It is our intention that Kinetic Academy staff reflects the diversity of the community. Kinetic Academy employees shall be accountable to the Executive Director.

All faculty and staff undergo a criminal background check and fingerprinting to be conducted by the Department of Justice and the FBI. The applicants are required to provide a full disclosure statement regarding prior criminal records. All staff are required to produce documents for U.S. employment authorization and a Mantoux tuberculosis (TB) risk assessment or examination (if necessary).

## Professional Development

Teachers will be supported in their professional growth with ample time for planning and collaboration and resources for improving instruction. Professional development will be led mutually by teachers, and the Executive Director, who serves as the instructional leader. Professional development time is driven by the Executive Director's classroom observations, student data and teacher needs. Regular



scheduled professional development time is used to read articles, books and research and discuss findings and application. This type of research leads to the development of a common language shared by both administrators and staff, which in turn helps us realize our school mission and vision. Other time is devoted to data analysis, looking at student work, community building, and collaborative planning of lessons, units, and curriculum.

In addition to regular school year professional development, teachers will also engage in several non-student professional development days throughout the school year. This time is dedicated to understanding and fostering school culture, explicitly stating high expectations for all, curriculum mapping, scope and sequence development, unit development, and to other yearlong school wide planning.

### *Staff Observations*

The Executive Director or designee is responsible for observing and supervising all staff. The Executive Director or designee conducts both formal and informal observations. Informal observations may consist of daily classroom walk-throughs, review of lesson plans, observation of interactions with fellow staff and contributions to professional conversations.

## ELEMENT 6 Health and Safety Procedures

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

- (i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.*
- (ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32283.*
- (iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.*

*California Education Code Section 47605(c)(5)(F)(i)-(iii)*

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Kinetic Academy will follow clear procedures to ensure the health and safety of pupils and staff. In order to provide safety for all students and staff, Kinetic Academy has implemented full health and safety procedures and risk management policies at our school site in consultation with its insurance carriers and risk management experts. Health and safety policies will be annually updated and reviewed.

Kinetic Academy is committed to providing and maintaining a healthy and safe work environment for all employees. Employees are always required to know and comply with the general safety rules and to follow safe and healthy work practices. Employees are required to immediately report to their supervisor any potential health or safety hazards and all injuries or accidents. In compliance with Proposition 65, Kinetic Academy will inform all employees of any known exposure to a chemical known to cause cancer or reproductive toxicity.

All staff members are well versed in established safety and emergency precautions, including lockdown, fire and earthquake drills. Staff members, including yard duties and clerical workers, are required to attain CPR and First Aid certification and maintain these credentials. In addition, staff is required to complete online workshops and trainings related to emergency situations, including first aid, child abuse reporting, and playground safety. Trainings are differentiated according to the position the staff member holds at Kinetic Academy. Additionally, all recommended safety drill procedures and evacuation maps will be posted in all classrooms.

### *Tuberculosis Risk Assessment and Examination*

Faculty, staff, 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 (4) years thereafter, as required by Education Code Section 49406.

### *Fingerprinting*

The Executive Director shall review Department of Justice fingerprint background reports on prospective employees to determine whether an employee may be employed in accordance with Education Code Section 44237, 44830.1 or 45125.1, except with respect to her or himself, in which case

the Chair of the Board will review. Kinetic Academy will 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.

It is the policy of Kinetic Academy to require fingerprinting and background checks for its employees as required by law prior to employment. All prospective employees must abide by all applicable laws and agree to abide by the policies, including the submission of fingerprints and an approval for Kinetic Academy or its designee to perform background checks.

Additionally, Kinetic Academy may, on a case-by-case basis, require that the employees of an entity providing contract services comply with the requirements for fingerprinting, unless the Kinetic Academy determines that the employees of the entity will have limited contact with pupils. In determining whether a contract employee will have limited contact with pupils, we consider the totality of the circumstances, including factors such as the length of time the contractors will be on school grounds, whether pupils are in proximity with the site where the contractors will be working, and whether the contractors are working by themselves or under the supervision of Kinetic Academy's personnel.

#### *Procedures for Background Checks*

As a condition of employment, Kinetic Academy requires all applicants for employment (including credentialed and non-credentialed staff) to submit two sets of fingerprints to the Department of Justice for the purpose of obtaining criminal record summary information from the Department of Justice and Federal Bureau of Investigation. The Executive Director shall be responsible for monitoring compliance. The Board President shall monitor the fingerprinting and background clearance of the Executive Director. Volunteers outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering. Kinetic Academy will not employ a person who has been convicted of a violent or serious felony or a person who would be prohibited from employment by a public school district because of his or her conviction for any crime, unless an applicable exception applies. Kinetic Academy will not employ any applicant until the Department of Justice completes its check of the state criminal history file as provided by law. Kinetic Academy shall also request subsequent arrest notification from the Department of Justice and take all necessary action based upon such further notification.

#### *First Aid and CPR Training*

All individuals working with children or in a classroom setting (i.e. teachers, advisors, Executive Director, school assistants, yard duty) must receive, renew, and maintain basic first-aid and CPR certification by the first day of school for students.

#### *Child Abuse Reporting*

Any employee or other mandated reporter who knows or reasonably suspects a child has been the victim of child abuse shall report the instance to child protective services ("CPS"). Kinetic Academy shall provide mandated reporter training to all employees annually in accordance with Education Code Section 44691.

Mandated reporters of child abuse include but are not limited to teachers, instructional aides, teacher's aides or assistants, classified employees, certificated pupil personnel employees, administrators, security officers, administrators, and/or presenters or counselors of a child abuse prevention program. Child abuse or neglect includes the following:

1. A physical injury inflicted in a manner other than accidental means on a child by another person.
2. Sexual abuse of a child as defined in Penal Code 11165.1.
3. Neglect as defined in Penal Code 11165.2.
4. Willful cruelty or unjustifiable punishment of a child as defined in Penal Code 11165.3.
5. Unlawful corporal punishment or injury resulting in a traumatic condition as defined in Penal Code 11165.4.
6. Abuse or neglect of a child in out-of-home care, including at school, as defined in Penal Code 11165.5.

Mandated reporters are required to report instances of child abuse when the mandated reporter has a "reasonable suspicion" that child abuse or neglect has occurred. Reasonable suspicion arises when the facts surrounding the incident or suspicion could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect.

Child abuse should be reported immediately or as soon as practically possible by phone to CPS. The phone call must be followed by a written report prepared by the employee within thirty-six (36) hours, which may be sent by fax or electronically. There is no duty for the reporter to contact the child's parents.

When the telephone report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received. The reporting duties are individual and cannot be delegated to another person. Reporting the information to an employer, supervisor, Executive Director, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, and when there is agreement among them, the report may be made by a member of the team selected by mutual agreement, and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (Penal Code 11166)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (Penal Code 11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom he/she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

Within 36 hours of receiving the information concerning the incident, the mandated reporter shall prepare and send to the appropriate agency a written report which includes a completed Department of Justice form. (Penal Code 11166, 11168)

Information relevant to the incident of child abuse or neglect may also be given to an investigator from an agency that is investigating the case. (Penal Code 11167)

Employees reporting child abuse or neglect to the appropriate agency are encouraged, but not required, to notify the Executive Director or designee as soon as possible after the initial telephone report to the appropriate agency.

The Executive Director or designee so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and Administrative regulation. At the mandated reporter's request, the Executive Director may assist in completing and filing these forms.

The mandated reporter shall not be required to disclose his/her identity to the Executive Director. He/she may provide or mail a copy of the written report to the Executive Director or designee without his/her signature or name. Staff is informed of Mandated Reporter duties each year, during summer professional development, in the employee handbook and through Safe Schools training.

#### *Health and Safety Staff Requirements*

	Safe Schools Annual Training	TB Assessment	CPR/First Aid	Fingerprint DOJ/FBI background check	Mandated Reporter
Teachers	√	√	√	√	√
Instructional Assistants	√	√	√	√	√
School Assistants	√	√	√	√	√
Office/Admin Staff	√	√	√	√	√
Contractors	Case by case basis	Case by case basis	Case by case basis	Case by case basis	Case by case basis
Volunteers/Visitors not within direct eyesight of paid school employee	Executive Director discretion	Executive Director discretion	Case by case basis	Case by case basis	Case by case basis

#### *On-Line Safety Training*

The safety of all employees and students is of utmost importance. We are pleased, that we will be offering the Safe Schools professional development and training courses to our staff. Safe Schools Training contains a comprehensive library of 100% school-focused online courses matched with a state of the art compliance management system which makes it easy to efficiently deliver and document

training and policy acceptance for every employee within the school. It allows for a school to automate their staff training and policy acceptance online.

All employees are required to receive certain mandatory trainings each year. These courses are informative and helpful in maintaining safe working conditions for employees and students. The trainings are offered online, and most are also offered in Spanish.

### *Communicable, Contagious, or Infectious Disease Prevention Policy*

The Charter School recognizes its shared responsibility with the home and the community to promote appropriate disease prevention procedures in the handling and the cleaning up of blood and body fluids.

The Board desires to protect the entire Charter School community without segregation, discrimination or stigma. Accordingly, infectious disease prevention shall be taught regardless of whether a student or adult is known to have an identified infectious disease.

All students and employees shall be provided appropriate periodic instruction in basic procedures recommended by the State Department of Education and other public health agencies and associations.

Incidence and transmission of communicable diseases will be further limited through a rigorous program of immunization and health screening required of all students, faculty, and staff. Students found to have communicable diseases will be included in all activities deemed by a physician to present no hazard of infection to other students.

### *Drug Free/Alcohol Free/Smoke Free Environment*

Kinetic Academy is a drug, alcohol, and tobacco free workplace.

### *Diabetes*

Kinetic Academy 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 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.

### *Health Examination Certificates or Waivers*

On or before the 90th day after a student's entrance into first grade, all students must provide a certificate approved by the California Department of Health Services documenting that within the prior 18 months, the child had received the appropriate health screening and evaluation services as provided by Health & Safety Code section 124040. Alternatively, the student must provide a waiver signed by the student's parents/guardians indicating that they do not want or are unable to obtain the health

screening and evaluation services for their child. If the waiver indicates that the parents/guardians are unable to obtain services for the child, the reasons why should be included in the waiver.

### *Health Examinations*

The Board recognizes that periodic health examinations of students may lead to the detection and treatment of conditions that impact learning. Health examinations also may help in determining whether special adaptations of the Kinetic's program are necessary.

A parent/guardian may file annually with Kinetic Academy's Health Office a statement in writing, signed by the parent/guardian stating that he/she will not consent to a physical examination of his/her child. The student will thereafter be exempt from physical examinations, but if there is good reason to believe that the student is suffering from a recognized contagious or infectious disease, the student will be sent home and not be permitted to return to school until the Health Office is satisfied that any contagious or infectious disease does not exist.

### *Vision and Hearing Tests*

Upon the first year of enrollment in Kinetic Academy and at least every third year thereafter until the child has completed the eighth grade, the Charter School shall test the student's vision. The vision test shall include tests for visual acuity and color vision, the results of which shall be entered in the health records and need not begin until the student is in first grade. Each pupil shall be given a hearing screening test in kindergarten or first grade and in second, fifth, and eighth grade and first entry into the California public school system. Classroom teachers are responsible for continuous observation of the appearance, behavior and complaints of students that might indicate vision or hearing problems.

The vision evaluation may be waived by the parents/guardians if they present a certificate from a physician and surgeon or an optometrist setting out the results of a determination of the child's vision, including visual acuity and color. Parents/guardians may also avoid the testing and observation if they file with Kinetic Academy's Health Office a statement in writing that they adhere to the faith or teachings of any well-recognized religious sect, denomination, or organization and in accordance with its creed, tenets or principles depend for healing upon prayer in the practice of their religion. Kinetic Academy contracts for these services with a qualified provider that meets or exceeds regulations established by the Department of Public Health and California Administration Codes.

### *Scoliosis Screening*

Every female student in grade 7 and every male student in grade 8 shall be screened for the condition known as scoliosis. The screening shall be in accordance with standards established by the State Department of Education. The screening shall take place during the regular school day and any staff time devoted to these activities shall be redirected from other ongoing activities not related to the student's health care. If a student is suspected of having scoliosis, Kinetic Academy will notify the parents. The notice will include an explanation of scoliosis, the significance of treating it at an early age, and the public services available, after diagnosis, for treatment.



The Executive Director, or designee, shall ensure that staff employed to examine students are fully qualified to do so and exercise proper care of each student and that examination results are kept confidential. Records related to these examinations shall be available only in accordance with law.

### *Immunizations*

Kinetic Academy adheres to all laws related to legally required immunizations for entering students pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075. All rising 7<sup>th</sup> grade students must be immunized with a pertussis (whooping cough) vaccine booster.

California law requires that an immunization record be presented to Kinetic Academy staff before a child can be enrolled in school. Kinetic Academy requires written verification from a doctor or immunization clinic of the following immunizations:

<b>Immunization</b>	<b>Dosage</b>
Diphtheria, Pertussis, and Tetanus(DPT)	Five (5)doses
Polio	Four (4) doses
Measles, Mumps, and Rubella(MMR)	Two (2)doses
Hepatitis B	Three (3)doses
Varicella(chickenpox)	One (1)dose

Students entering kindergarten must show proof of the following immunizations:

<b>Immunization</b>	<b>Dosage</b>
Tetanus, reduced Diphtheria, and acellular Pertussis (Tdap)	One (1) doses
Measles, Mumps, and Rubella (MMR)	Two (2) doses

Kinetic Academy's verification of immunizations will be completed with written medical records from the child's doctor or immunization clinic.

Any child leaving the United States for a short vacation to or long stay in any country considered by the Center of Disease Control and Prevention ("CDC") to have increased risk of TB exposure (such as Mexico, the Philippines, India or Southeast Asia) MUST contact the County Tuberculosis Clinic for a TB Screening upon return.

Students may be conditionally admitted in accordance as set forth in Title 17, California Code of Regulations Section 6035. If a student conditionally admitted fails to fulfill the conditions of admission,



Kinetic Academy prohibits the student from further attendance until that student has been fully immunized as required by law.

Immunization records are part of the mandatory permanent pupil record.

If Kinetic Academy discovers that an admitted student has not received all required immunizations, the Health Office will notify his/her parent/guardian. If, within 10 school days of the notice, the child does not provide documentation of having received all required immunizations, Kinetic Academy shall exclude the student from attendance.

A student will be exempted from the immunization requirements if the parent/guardian files with Kinetic Academy a written statement by a licensed physician to the effect that the physical condition of the child is such, or medical circumstances relating to the child are such, that immunization is not considered safe, indicating the specific nature and probable duration of the medical condition or circumstances, including, but not limited to, family medical history, for which the physician does not recommend immunization, that child shall be exempt from the requirements of Chapter 1 (commencing with Health and Safety Code Section 120325, but excluding Section 120380) and Sections 120400, 120405, 120410, and 120415 to the extent indicated by the physician's statement.

Kinetic Academy will file a written report on the immunization status of all new students with the Department of Health Services as required by law.

### *McKinney-Vento Act Compliance*

Kinetic Academy will abide by the McKinney-Vento Act and eliminate enrollment barriers faced by homeless children and youth including assisting with obtaining educational records, immunizations and naming a liaison that will help ensure that homeless children and youth enroll in, and have a full opportunity to succeed at Kinetic Academy.

### *Administration of Medication*

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

### *Maintenance and School Site Safety Plan*

Kinetic Academy shall adopt a School Site Safety and Crisis Response Plan, to be reviewed and updated by March 1 of every year, which shall include identification of appropriate strategies and programs that will provide or maintain a high level of school safety and address Kinetic Academy'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)-(J):

- child abuse reporting procedures
- routine and emergency disaster procedures
- policies for students who committed an act under Education Code Section 48915 and other Charter School-designated serious acts leading to suspension, expulsion, or mandatory expulsion recommendations
- a discrimination and harassment policy consistent with Education Code Section 200

- provisions of any school wide dress code that prohibits students from wearing “gang-related apparel,” if applicable
- procedures for safe ingress and egress of pupils, parents, and employees to and from the campus
- a safe and orderly environment conducive to learning
- the rules and procedures on school discipline adopted pursuant to Education Code Sections 35291, 35291.5, 47605, and 47605.6
- procedures for conducting tactical responses to criminal incidents

The plan will include a seismic safety plan (including structural integrity and earthquake preparedness), the plan for natural disasters and emergencies, staff and student training plan, and maintenance plan, including how hazardous conditions will be identified and addressed.

### *Facility Safety*

Kinetic Academy complies with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the California Building Standards Code. Kinetic Academy 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. Kinetic Academy will produce a Certificate of Occupancy before the start of school and submit to fire inspections as required. Kinetic Academy shall conduct fire drills as required under Education Code Section 32001.

### *Comprehensive Discrimination and Harassment Policies and Procedures*

Kinetic Academy is committed to providing a school that is free from discrimination and sexual harassment, as well as any harassment 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.

Kinetic Academy has developed a method to prevent and immediately remediate any concerns about discrimination or harassment at the school (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 Kinetic Academy’s discrimination and harassment policies. A copy of the policy shall be provided as part of any orientation program conducted for new and continuing pupils at the beginning of each quarter, semester, or summer session, as applicable, and to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or at the time that there is a new employee hired. Kinetic Academy shall create a poster that notifies students of the applicable policy on sexual harassment in accordance with Education Code Section 231.6m and shall prominently and conspicuously display the poster in each bathroom and locker room at the school site and in public areas at the school site that are accessible to, and commonly frequented by, pupils.

#### *Nutritionally Adequate Free or Reduce- Price Meal*

Kinetic Academy 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.

#### *Bullying Prevention*

Kinetic Academy shall adopt procedures for preventing acts of bullying, including cyberbullying. Kinetic Academy 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.

#### *California Healthy Youth Act*

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

#### *Suicide Prevention Policy*

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

#### *Prevention of Human Trafficking*

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

## *ELEMENT 7 Racial and Ethnic Balance*

*Governing Law: The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics*

*in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the district to which the charter petition is submitted. Upon renewal, for a charter school not deemed to be a local education agency for purposes of special education pursuant to Section 47641, the chartering authority may consider the effect of school placements made by the chartering authority in providing a free and appropriate public education as required by the federal Individuals with Disabilities Education Act (Public Law 101-476), on the balance of pupils with disabilities at the charter school.*

*California Education Code Section 47605(c)(5)(G)*

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Kinetic Academy believes that a wide cross section of students with a variety of life experiences adds to the learning experience of all. Students will learn to value and respect diverse experiences and people. Kinetic Academy will ensure that all District residents are given an equal opportunity to apply for enrollment. We will assure that those students with lower academic achievement levels are informed of the option for enrollment through targeted recruitment efforts in locations and through means likely to reach this target population. We are committed to serving any child who wishes to attend Kinetic Academy and our recruitment efforts will include Hispanic, English Learner, and socio-economically disadvantaged populations.

Kinetic Academy will engage a variety of means and strategies to strive to achieve a racial/ethnic balance reflective of the general population of the District. These strategies will include:

- Develop promotional materials, such as brochures, flyers, and advertisements in English as well as Spanish.
- Outreach efforts via neighborhood groups, community organizations, churches and other leadership organizations.
- Visit local preschools, social service agencies, clinics, community centers, religious organizations, and other community organizations to publicize the school.
- Attendance and participation at local events and activities to promote Kinetic Academy and to meet prospective students and their families.
- Distribute promotional material to local businesses, libraries, and resource centers.
- Cultivation of a media presence by inviting local television, radio and print media to visit the school and learn about the instructional program.
- On-going updates to Kinetic Academy's social media pages and website.
- Regular presentations and tour visits for prospective parents.

Kinetic Academy will conduct the following recruitment monitoring efforts:

- Maintain enrolled student demographic information on a student information system ("SIS").
- Keep on file documentation of the efforts made to achieve racial and ethnic, special education, and English learner, including redesignated fluent English proficient pupil balance.
- Convene the Local Site Council to yearly analyze the recruitment strategies effectiveness by reviewing applicant pool and enrollment data. The Local Site Council will prepare a report for the board including any recommended changes to achieve racial and ethnic, special education, and English learner, including re-designated fluent English proficient pupil balance.

## *ELEMENT 8 Admission Policies and Procedures*

*Governing Law: Admission policies and procedures, consistent with [Education Code Section 47605] subdivision (e).*

*California Education Code Section 47605(c)(5)(H)*

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Kinetic Academy shall be non-sectarian in its programs, admissions policies, employment practices and all other operations and will not charge tuition. Students will be considered for admission without regard to the characteristics listed in Education Code Section 220.

Kinetic Academy admits all pupils who wish to attend the Charter School. No test or assessment is administered to students prior to acceptance and enrollment. Kinetic Academy 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(e)(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(e)(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(e)(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(e)(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(e)(2)(B)(iii), as listed above.

Kinetic Academy will actively recruit a diverse student population from the District who understand and value the school's mission and are committed to the school's instructional and operational philosophy. Prospective students and their parents or guardians are briefed regarding the Kinetic Academy's instructional and operational philosophy and informed of the student-related policies during parent information sessions. Students wishing to attend Kinetic Academy must follow the admission procedures with respect to completing applications and enrollment forms and documents by the announced deadlines, and must attend an enrollment informational meeting after admission.<sup>2</sup> Such meetings will occur multiple times, and will be held during the day and evenings to accommodate parent schedules. Late return of enrollment documentation, following notification of admission, will result in rescission of admission and placement at the end of the waiting list.

Kinetic Academy establishes an annual recruiting and admission cycle, which includes reasonable time for all of the following: (1) outreach and marketing, (2) information sessions for parents, (3) an admission application period, (4) an admission lottery if necessary, and (5) enrollment. Kinetic Academy fills vacancies or openings that become available after this process using a waiting list. As

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<sup>2</sup> The Charter School shall not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the Charter School prior to enrollment.

described in Element 7 , the staff will complete a comprehensive outreach plan (Appendix G) to inform parents and the community of public school choice. The plan will include a multimedia campaign as well as visiting churches, community centers, libraries, pre-schools, local businesses, to ensure that our student population is diverse and that underserved demographics are supported and informed.

### Application, Drawing, Admission Process

October -February*	Open enrollment: We use a third party tool called SchoolMint for online application tracking, lottery, offers, enrollment and waitlist. Prospective parent information sessions scheduled and publicized.
End of February*	Open enrollment closed: All application forms due to Charter School
Mid-March	Public random lottery drawing (if necessary).
Within a week after lottery	Admission notifications made.
Within two weeks of notifications	Additional Parent Information meetings held
One month after enrollment packet handed out	Completed enrollment packets due back to Kinetic Academy including, but not limited to: Proof of age, immunization records, Home language Survey, emergency medical information and parent agreement. This is done via SchoolMint application or sent directly to office.

### Public Random Drawing

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 we have received more applications than availability. In the event that this happens, the Kinetic Academy will hold a public random drawing to determine admission, with the exception of existing students, who are guaranteed admission in the following school year. The public random drawing will be held in a public space and conducted by a member of the Kinetic Academy staff using a 3<sup>rd</sup> party system, SchoolMint, designed for this purpose to ensure a fair process. Parents will not need to be present to participate. Parents will be given at least 48 hours to accept an admission spot before it is rescinded and offered to the next student on the waiting list. Admission preferences in the case of a public random drawing shall be given to the following students as below:

- Siblings of students already enrolled or admitted into the Charter School
- Children of board members, teachers, or staff, not to exceed 10% of the total Charter School enrollment
- Students who reside in the District
- All other applicants

The preferences in the public random drawing as listed above are consistent with Education Code Section 47605(e)(2)(B)(i)-(iv).



The Board of Directors will take all necessary efforts to ensure lottery procedures are fairly executed. Lottery spaces are pulled in order of grade level by the designated lottery official (appointed by the Executive Director). Separate lotteries are conducted for each grade in which there are fewer vacancies than pupils interested in attending. All lotteries shall take place on the same day in a single location. Lotteries will be conducted in ascending order beginning with the lowest applicable grade level. There is no weighted priority assigned to the preference categories; rather, within each grade level, students will be drawn from pools beginning with all applicants who qualify for the first preference category, and shall continue with that preference category until all vacancies within that grade level have been filled. If there are more students in a preference category than there are spaces available, a random drawing will be held from within that preference category until all available spaces are filled. If all students from the preference category have been selected and there are remaining spaces available in that grade level, students from the second preference category will be drawn in the lottery, and the drawing shall continue until all spaces are filled and preference categories are exhausted in the order provided above.

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be placed on the waitlist in the order selected according to their draw in the lottery.

Applications submitted after the lottery will be placed on the wait list in the order received. This wait list will allow the option of enrollment in the case of an opening during the current school year. In no circumstances will a wait-list carry over to the following school year.

## ELEMENT 9 Annual Audits

*Governing Law: The manner in which annual, independent, financial audits shall be conducted, which shall employ general accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.*

*California Education Code Section 47605(c)(5)(I)*

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An annual independent financial audit of the books and records of the Charter School will be conducted as required by Education Code Sections 47605(c)(5)(I) and 47605(m). The books and records of Kinetic Academy will be kept in accordance with generally accepted accounting principles, and as required by applicable law and 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.

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

The annual audit will be completed and forwarded to the chief financial officer of the District, the State Controller, the county superintendent of schools, and the California Department of Education by December 15<sup>th</sup> annually. The audit committee reviews any audit exceptions or deficiencies and reports to the Kinetic Academy within approximately 30 days with recommendations on how to resolve them. The Board then reports to the District regarding how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District. Any disputes regarding the resolution of audit exceptions and deficiencies are referred to the dispute resolution process contained in this petition. 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 Kinetic Academy is public record to be provided to the public upon request.

Kinetic Academy annually budgets the necessary funds for the audit to be conducted and assures that there is adequate money to cover the cost.

## ELEMENT 10 Suspension and Expulsion Procedures

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

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

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

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

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

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

*California Education Code Section 47605(c)(5)(J)*

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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 Kinetic Academy. In creating this policy, Kinetic Academy has reviewed Education Code Section 48900 *et seq.* which describes the non-charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* 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. 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.

Kinetic Academy administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedures are available on request at the Executive Director'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 we have a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 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. Kinetic Academy will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom we know 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 (5) school days before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the basis for which the pupil is being involuntarily removed and her or her right to request a hearing to challenge the involuntary removal. If a parent, guardian, or educational rights holder requests a hearing, Kinetic Academy 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.

#### 1. Grounds for Suspension and Expulsion of Students

1.1. A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at any time including but not limited to:

- A. while on school grounds;
- B. while going to or coming from school;

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

## 2. Enumerated Offenses

2.1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:

- A. Caused, attempted to cause, or threatened to cause physical injury to another person.
- B. Willfully used force or violence upon the person of another, except self-defense.
- C. Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 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. Possession, smoke or use of tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, betel, pipe, hookah, electronic cigarettes or pens to use vaporized liquids.  
  
*Smoking* means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking.
- 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 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 pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- P.* Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases or the personal property of the person threatened or his or her immediate family.
- Q.* Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- R.* Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- S.* Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- T.* Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - I.* “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:

- a. 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.
  - b. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
  - c. Causing a reasonable student to experience substantial interference with his or her academic performance.
  - d. 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.
- II. "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:
- a. A message, text, sound, video, or image.
  - b. 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.
  - c. 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 (a) to (d), inclusive of paragraph (I). 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.

- d. Notwithstanding subparagraphs (I) and (II) 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).

*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 Executive Director or designee’s concurrence.

## 2.2. 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 Executive Director 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).

## 2.3. 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.* Possession, smoke or use of tobacco product containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, betel, pipe, hookah, electronic cigarettes, or pens to use vaporized liquids.

Smoking means inhaling, exhaling, burning or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates an aerosol or vapor or any oral smoking device for the purpose of circumventing the prohibition of smoking.

- 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 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 pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school- sanctioned events.
- P.* Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is

to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

- Q.* Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- R.* Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- S.* Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- T.* Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
- I.* "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:
  - a.* 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.
  - b.* Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
  - c.* Causing a reasonable student to experience substantial interference with his or her academic performance.
  - d.* 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.
- II.* "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:

- a. A message, text, sound, video, or image.
  - b. 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.
  - c. 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 (a) to (d), inclusive of paragraph (I). 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.
  - d. Notwithstanding subparagraphs (I) and (II) 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 (I).

- I. 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 Executive Director or designee's concurrence.

2.4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:

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

If it is determined by the Administrative Panel and/or Board of Directors that a student has brought a 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.

### 3. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

#### 3.1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Executive Director or the Executive Director's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Executive Director or designee.

The conference may be omitted if the Executive Director or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or

health of students or 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(c)(5)(J)(i). This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

Students and the parents/guardians have the right to waive participation if they so desire.

### 3.2. 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.

### 3.3. 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 Executive Director or Executive Director's designee, the pupil and the pupil's parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

This determination will be made by the Executive Director 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.

### 3.4. Homework Assignments During Suspension

In accordance with Education Code Section 47606.2(a), upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the pupil, or the affected pupil, a teacher shall provide to a pupil in any of grades 1 to 12, inclusive, who has been suspended from school for two or more schooldays, the homework that the pupil would otherwise have been assigned.



In accordance with Education Code Section 47606.2(b), if a homework assignment that is requested pursuant to Section 47606.2(a) and turned into the teacher by the pupil either upon the pupil's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the pupil's overall grade in the class.

#### 4. Authority to Expel

As required by Education Code Section 47605(c)(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 of Directors following a hearing before it or by the Charter School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board of Directors as needed. The Administrative Panel shall consist of at least three members who are certificated and neither a teacher of the pupil nor a member of the Charter School Board of Directors. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Charter School Board of Directors shall make the final determination.

#### 5. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Executive Director or designee determines that the pupil has committed an expellable offense. In the event an Administrative Panel hears the case, it will make a recommendation to the 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:

- The date and place of the expulsion hearing;
- A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
- A copy of the Charter School's disciplinary rules which relate to the alleged violation;
- 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;
- 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;
- The right to inspect and obtain copies of all documents to be used at the hearing;
- The opportunity to confront and question all witnesses who testify at the hearing;
- The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.



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

Kinetic Academy 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 Kinetic Academy 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.

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.

- 6.1. 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.
- 6.2. 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.
- 6.3. 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.
- 6.4. 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.
- 6.5. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The 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.
- 6.6. 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 person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
- 6.7. 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.
- 6.8. 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.

- 6.9. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

## 7. 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.

## 8. Presentation of Evidence

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

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

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

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

## 9. Written Notice to Expel

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

The Executive Director 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.

#### 10. Disciplinary Records

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

#### 11. No Right to Appeal

The pupil shall have no right of appeal from expulsion from Kinetic Academy as the Board of Directors' decision to expel shall be final.

#### 12. 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. Kinetic Academy 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.

#### 13. Rehabilitation Plans

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

#### 14. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board of Directors following a meeting with the Executive Director or designee and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Executive Director or designee shall make a recommendation to the Board of Directors following the meeting regarding his or her determination. The Board of Directors 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.

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

### 15.1. Notification of SELPA

Kinetic Academy 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 Kinetic Academy or SELPA would be deemed to have knowledge that the student had a disability.

### 15.2. Services During Suspension

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

### 15.3. 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, Kinetic Academy, 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 Kinetic Academy, 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 Kinetic Academy, 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 Kinetic Academy, 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.

#### 15.4 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.

#### Special Circumstances

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

The Executive Director or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) 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 USC 930, to or at school, on school premises, or to or at a school function;
- B. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- C. Has inflicted serious bodily injury, as defined by 20 USC 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

#### 16. Interim Alternative Educational Setting

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

#### 17. 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 Kinetic Academy's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if Kinetic Academy had knowledge that the student was disabled before the behavior occurred.

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

If Kinetic Academy had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. Kinetic Academy 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.

Kinetic Academy 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 Retirement Systems

*Governing Law: The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.*

*California Education Code Section 47605(c)(5)(K)*

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Kinetic Academy will participate in the State Teachers Retirement System ("STRS") for all of its eligible employees. It will not participate in the Public Employees' Retirement System ("PERS"). The Charter School shall participate in federal Social Security. The school reserves the right to offer a 403(b) plan to employees should finances allow.

Charter School Management Corporation, the Executive Director, and Office Manager are responsible for ensuring that appropriate arrangements for coverage, all mandatory deductions, and reports are made.



## ELEMENT 12 Public School Attendance Alternatives

*Governing Law: The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.*

*California Education Code Section 47605(c)(5)(L)*

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No student may be required to attend Kinetic Academy. Students who reside within the District who choose not to attend the Kinetic Academy may attend schools 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 Kinetic Academy will be informed on admission forms that the students have no right to admission in a particular school of a local education agency as a consequence of enrollment in Kinetic Academy, except to the extent that such a right is extended by the local education agency.

## ELEMENT 13 Employee Return Rights

*Governing Law: A description of the rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.*

*California Education Code Section 47605(c)(5)(M)*

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No public school district employee shall be required to work at the Kinetic Academy. Employees of the District who choose to leave the employment of the District to work at Kinetic Academy will have no automatic rights of return to the District after employment by Kinetic Academy unless specifically granted by the District through a leave of absence or other agreement.

Sick or vacation leave or years of service credit at the District or any other school district will not be transferred to Kinetic Academy. Employment by Kinetic Academy provides no rights of employment at any other entity, including any rights in the case of closure of Kinetic Academy.

## ELEMENT 14 Dispute Resolution Procedures

*Governing Law: The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter.*

*California Education Code Section 47605(c)(5)(N)*

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### Disputes between the District and Charter School

Kinetic Academy and the District will be encouraged to attempt to resolve any disputes with the District amicably and reasonably without resorting to formal procedures.

In the event of a dispute between the Charter School and the District, Charter School staff, employees and Board members of the Charter School and the District agree to first frame the issue in written format (“dispute statement”) and to refer the issue to the District Superintendent and Executive Director of the Charter School or their respective designees. In the event that the District Board of Education believes that the dispute relates to an issue that could lead to revocation of the charter in accordance with Education Code Section 47607, the Charter School requests that this shall be noted in the written dispute statement, although it recognizes it cannot legally bind the District to do so. However, participation in the dispute resolution procedures outlined in this section shall not be interpreted to impede or act as a prerequisite to the District’s ability to proceed with revocation in accordance with Education Code Section 47607 and its implementing regulations.

The Superintendent and Executive Director, or their respective designees, shall informally meet and confer in a timely fashion to attempt to resolve the dispute, not later than five (5) business days from receipt of the dispute statement. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two Board members from their respective boards who shall jointly meet with the Superintendent and Executive Director, or their respective designees, and attempt to resolve the dispute within fifteen (15) business days from receipt of the dispute statement.

If this joint meeting fails to resolve the dispute, the Superintendent and Executive Director, or their respective designees, shall meet to jointly identify a neutral third-party mediator to engage the parties in a mediation session designed to facilitate resolution of the dispute. The format of the mediation session shall be developed jointly by the Superintendent and Executive Director or their respective designees. Mediation shall be held within sixty (60) business days of receipt of the dispute statement. The costs of the mediator shall be split equally between the District and the Charter School. If mediation does not resolve the dispute either party may pursue any other remedy available under the law. All timelines and procedures in this section may be revised upon mutual written agreement of the District and the Charter School.

### Internal Disputes

The Board of Trustees and administration of the District agrees to promptly refer all complaints regarding Kinetic Academy to the Executive Director or Kinetic Academy Board of Directors for

resolution in accordance with Kinetic Academy adopted policies. The District shall not intervene in any such internal disputes without the consent of the Board of the Charter School. Parents, students, Board members, volunteers, advisors, partner organizations, and staff at Kinetic Academy will be provided with a copy of Kinetic Academy's policies and dispute resolution process and will agree to work within it. Parents receive student discipline policies and Uniform Complaint Procedures, as required by state law, on an annual basis in the Family Handbook which outlines both a formal and informal process for complaint resolution. The Board has also adopted a separate Prohibition of Sexual Harassment Complaint Policy and procedures.

## *ELEMENT 15 Closure of the Charter School*

*Governing Law: The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the 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.*

*California Education Code Section 47605(c)(5)(O)*

Closure of the Charter School will be documented by official action of the Board of Directors. The action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities.

The Charter School will promptly notify parents and students of the Charter School, the District the Orange County Department of Education, the Charter School's SELPA, the retirement systems in which the Charter School's employees participate, and the California Department of Education of the closure as well as the effective date of the closure. This notice will also include the name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure; the pupils' school districts of residence; and the manner in which parents/guardians may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

The Charter School will ensure notification to the staff, parents and students, and community stakeholders of the Charter School of the closure and to provide information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly (within 48 hours) following the Board's decision to close the Charter School.

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

As applicable, the Charter School will provide parents, students and the District with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. The Charter School will ask the District to store original records of Charter School students. All student records of the Charter School shall be transferred to the District upon Charter School closure. If the District will not or cannot store the records, the Charter School shall work with the County Office of Education to determine a suitable alternative location for storage.

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

As soon as reasonably practical, the Charter School will prepare final financial records. The Charter School will also have an independent audit completed as soon as reasonably practical, which period is generally no more than six months after closure. The Charter School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the School and will be provided to the District promptly upon its completion. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the dispositions of any restricted funds received by or due to the Charter School.

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

On closure of the Charter School, all assets of the Charter School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the Charter School, remain the sole property of the nonprofit public benefit corporation that operated the Charter School. Any assets acquired from the District or District property will be promptly returned upon Charter School closure to the District. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports, as well as the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

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

As the Charter School is operated as a nonprofit public benefit corporation, should the corporation dissolve with the closure of the Charter School, the Board will follow the procedures set forth in the California Corporations Code for the dissolution of a nonprofit public benefit corporation and file all necessary filings with the appropriate state and federal agencies.

As specified by the Budget in Appendix “H1”, the Charter school will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

## MISCELLANEOUS PROVISIONS

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### Financial Statements and Budget Narrative

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

*California Education Code Section 47605(h)*

Kinetic Academy relies on State and Federal funding sources to support its program, instruction, and curriculum. Grant, foundation, and corporate monies as well as in-house fundraising may be used to support and enhance learning opportunities and provide extra activities and events.

Attached, as Appendix “H” and “H1” please find the following documents:

- Financial projections for the next three years of operation
- Budget narrative including Budget Assumptions

These documents are based upon the best data available to the Petitioners at this time.

The Kinetic Academy shall provide reports to the District and County as follows, and may provide additional fiscal reports as requested by the District:

- By July 1, a preliminary budget for the current fiscal year.
- By July 1, an annual update required pursuant to Education Code Section 47606.5.
- By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, the State Controller, California Department of Education and County Superintendent of Schools.
- By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
- By September 15, a final unaudited report for the full prior year. The report submitted to the District shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.

### *Administrative Services*

*Governing Law: The manner in which administrative services of the charter school are to be provided.*

*California Education Code Section 47605(h)*

The Charter School will provide its own administrative services or procure services through an appropriately qualified third-party contractor. Kinetic Academy contracts with Charter School Management Corporation ("CSMC") for our initial back office and financial service operational needs. CSMC has provided support for the petition process via creating our petition's financial plan, making themselves available to attend district and county meetings and hearings (as needed), and reviewing the business aspects of our petition narrative.

CSMC, founded in 2001, is the largest and most experienced provider of back office support to charter schools in both California and the nation. CSMC currently supports over 100 charter schools in California, supports charter schools that are currently authorized by local districts, County Offices of Education, and the State Board of Education.

Services that CSMC provides include, but are not limited to, the following:

- Annual budget development, cash flow projections, and financial planning
- General ledger and booking
- Accounts payable & receivable
- Payroll, retirement reporting, and benefits administration
- Local/State/Federal reporting for compliance
- ADA tracking & reporting
- CALPADS reporting
- Charter school board financial reports
- Communicating with and reporting to authorizer on financial matters, as needed.



CSMC also provides clients with its web portal, Charter Vision, a 24/7 on-demand resource that provides access to all financial records and reports of the charter school. Charter Vision provides in-depth information, access and transparency to charter leaders and their board.

## 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.*

*California Education Code Section 47605(h)*

Kinetic Academy is located at:

**721 Utica Ave, Huntington Beach, CA 92648**

A copy of the lease is included as Appendix "I".

Pursuant to the rights provided for in Proposition 39, Kinetic Academy reserves the right to submit a Prop 39 facilities request to HBCSD in order to utilize District facilities for the Charter School if the need arises.

The KA budget includes all appropriate and reasonable costs associated with this plan.

## Transportation

The Charter School will not provide transportation to and from school, except as required by law.

## Potential Civil Liability Effects

*Governing Law: Potential civil liability effects, if any, upon the charter school and upon the school district.*

*California Education Code Section 47605(h)*

The Charter School shall be operated by Kinetic Academy, 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 a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or omissions by the charter school if the authority has complied with all oversight responsibilities required by law. The Charter School shall work diligently to assist the District in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other District-requested protocol to ensure the District shall not be liable for the operation of the Charter School.

Further, the Charter School and the District may enter into a memorandum of understanding, wherein the Charter School shall indemnify the District for the actions of the Charter School under this charter.

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

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

The Board of Directors of KA will institute appropriate risk management practices, including screening of employees, establishing codes of conduct for students, staff, and participating families, and procedures governing financial transactions and dispute resolution.

## CONCLUSION

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We ask that the District School Board grant this petition for Kinetic Academy. By approving and renewing this charter, the District will be fulfilling the intent of the Charter Schools Act of 1992 to improve pupil learning; create new professional opportunities for teachers; and provide parents and pupils with expanded choices in education and following the directive of law to encourage the creation of charter schools.

## List of Appendices

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*Appendix A- Kinetic Academy Founder Biographies*

*Appendix B- Professional Development Plan 2021-22*

*Appendix C- 2021-22 Calendar*

*Appendix D- Bylaws*

*Appendix E- Statement of Information 2020*

*Appendix F- Conflict of Interest Policy*

*Appendix G- Outreach Plan*

*Appendix H- Budget Narrative and H1 3 year Projection*

*Appendix I- Lease for 721 Utica*

*Appendix J- Current Kinetic Employee Handbook (2020-2021)*

*Appendix K- Most Recent Local Control and Accountability Plan (2019-20)*

*Appendix L- COVID19 Operations Written Report (2020)*