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Submitted to California Department of Education

Charter Term:

July 1, 2018 – June 30, 2023

Preface

This charter petition is organized in accordance with the California State Board of Education Model Charter Application, suitable in form for appeal if necessary to the County of San Bernardino or California State Board of Education. Recognizing that the District may be familiar with and look for the sixteen parts of Cal Ed. Code §47605(b)(5)(A)-(P) to be separately captioned rather than the five elements that contain the sixteen within them, the petitioners have added additional language in each section title to reference a particular one of the sixteen elements when such an element is contained within one of the eight elements of the Model Charter Application. These references begin with Element 5.

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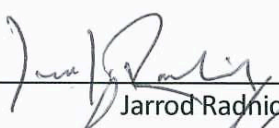


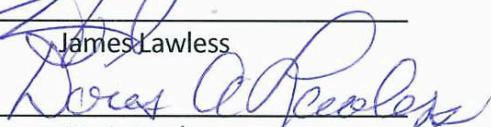
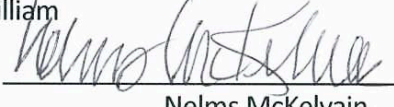
AFFIRMATIONS/ASSURANCES:

As the petitioners, each of us hereby certifies that the information submitted in this application for the charter of a California public charter school, Joshua Tree Arts & Technology Academy ("JTATA" or "Charter School"), located in the boundaries of the Morongo Unified School District ("MUSD" or "District") is true to the best of each of our knowledge and belief. Each of us also certifies this application does not constitute the conversion of a private school to the status of a public charter school; and further understand that, if awarded a charter, the Joshua Tree Arts and Technology Academy:

-  Shall meet all statewide standards and conduct all student assessments required, pursuant to Education Code §§60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. (Ref. Education Code §47065(c)(1))
-  Shall be deemed the exclusive public charter school employer of the employees of Joshua Tree Arts & Technology Academy for purposes of the Educational Employment Relations Act. (Ref. Education Code §47605 (b)(5)(O)).
-  Shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. (Ref. Education Code §47605(d)(1))
-  Shall not charge tuition. (Ref. Education Code §47605(d)(1))
-  Shall not discriminate on the basis of characteristics listed in Education Code §220 (actual or perceived disability, gender, gender expression, gender identity, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Penal Code §422.55 or association with an individual who has any of the aforementioned characteristics). (Ref. Education Code §47605(d)(1)).
-  Shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1974, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.
-  Shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. (Ref. Title 5 California Code of Regulations §11976.5.1(f)(5)(C))
-  Shall ensure that teachers in JTATA hold a Commission Teacher Credentialing certificate, permit, or other documents equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. (Ref. California Education Code §47605.6(2)(I))
-  Shall at all times maintain all necessary and appropriate insurance coverage.
-  Shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code §47612.5(a)(1)(A)-(D).
-  Shall, if a pupil is expelled or leaves JTATA without graduating or completing the school year for any reason, JTATA, notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district

with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. California Education Code §47605(d)(3)]

- Shall admit all students who wish to attend JTATA, and who submit a timely application; unless JTATA receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Except as required by Education Code §§47605(d)(2) and 51747.3, admission to JTATA 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 §47605(d)(2)(B). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of JTATA in accordance with Education Code §47605(d)(2)(C). [Ref. Education Code §47605(d)(2)(A)-(C)]
- Shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Education Code §47612.5(a)(2)]
- Shall on a regular basis consult with its parents and teachers regarding JTATA's education programs. [Ref. Education Code Section 47605(c)]
- Shall comply with any jurisdictional limitations to locations of its facilities. [Ref. Education Code §§47605 and 47605.1]
- Shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code §§47612(b) and 47610]
- Shall meet or exceed the legally required minimum number of school days and instructional minutes, as applicable. [Ref. Title 5, Cal. Code Reg. §11960].
- Shall comply with the Public Records Act, Government Code §§ 6250 - 6276.48.
- Shall comply with the Ralph M. Brown Act, Government Code §§54950-54963.
- Shall comply with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g; 34 CFR Part 99.
- Shall comply with all applicable sections of the Every Student Succeeds Act (ESSA).
- Shall follow any and all other federal, state, and local laws and regulations that apply to Joshua Tree Arts & Technology Academy.

 Jarrod Radnich	 James Lawless
 Steve Gilliam	 Doris Lawless
 Nelms McKelvain	






INTRODUCTION:

The State of California enacted the Charter School Act of 1992 (SB 1448) and subsequent amendments, including AB 544 codified as Education Code §47600 et seq., in order to enable citizens to operate public schools in manners consistent with their needs. In so enacting this legislation they specified the specific intent codified in the Education Code as follows:





Education Code Section 47601 It is the intent of the Legislature, in enacting this part, to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish the following:

- a. Improve pupil learning.
- b. Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.
- c. Encourage the use of different and innovative teaching methods.
- d. Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.
- e. Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.
- f. Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from a rule-based to performance-based accountability systems.
- g. Provide vigorous competition with the public school system to stimulate continual improvements in all public schools.

GENERAL INFORMATION

-  The lead petitioners for Joshua Tree Arts & Technology Academy are Jarrod Radnich, Steve Gilliam, Doris Lawless, James Lawless, and Nelms McKelvain.
-  The lead contact for Joshua Tree Arts & Technology Academy is Jarrod Radnich. If the charter is granted, this may be revised.
-  The current contact address for Joshua Tree Arts & Technology Academy is P.O. Box 128, Joshua Tree, CA 92252. If the charter is granted, this will be revised.
-  The current contact phone number for Joshua Tree Arts & Technology Academy is 760-366-3777 x 3. If the charter is granted, this will be revised.
-  The proposed address or target community of Joshua Tree Arts & Technology Academy is:

Option 1: 61231 29 Palms Highway, Joshua Tree CA 92252

-  The term of this charter shall be from July 1, 2018 to June 30, 2023.
-  The grade configuration of Joshua Tree Arts & Technology Academy is fourth through twelfth grade (4-12).
-  The scheduled first day of instruction for Joshua Tree Arts & Technology Academy is September 5, 2018.
-  The type of instructional calendar for the Joshua Tree Arts & Technology Academy is traditional.

FOUNDING GROUP

[Ref. Criteria for Review and Approval of Charter School Petitions; California Code of Regulations, Title 5, §11967.5.1(c)(4)]

Building on the unprecedented success of its Hi-Desert Arts Academy program, leadership from the Hi-Desert Cultural Center and the educational and financial communities in the Morongo Basin are petitioning the California Department of Education (following a denial of the petition by the Morongo Unified School District and the San Bernardino County Board of Education) to start a new public charter school that offers a rigorous arts, technology, and vocational curriculum in addition to an adapted independent study of core academics. Students will excel in their core academics through enhanced, teacher-guided independent study, enabling them to allocate more time toward learning their chosen focus or other areas of academic and personal growth.

The lead petitioning group for this Charter is a consortium of highly-dedicated, experienced educators and business people who intend to give students a focused and personalized curriculum that, in addition to the rigorous core curriculum, includes instruction in the arts and related vocational subjects — thus providing students with substantial opportunities for personal and academic growth as well as uncommon achievement in a variety of post-educational fields and educational choices. These petitioners are distinguished, successful, and experienced in their areas of expertise, including but not limited to the following: school administration and teaching, school curriculum and instruction, art and related vocational education and instruction, school personnel, business management, fiscal responsibility and management, non-profit management and oversight, financial principles, school business and budget, WASC accreditation, college preparatory and admission requirements, and school facilities. The group's varying, far-reaching, and extensive expertise will allow it to not only set sound policies and best practices for the school, but also to expertly supervise employees, consultants, and/or contracted entities who will provide professional services to the proposed school. The petitioners will seek professional back office and specialized legal support services as needed for the school to be operated in a financially transparent, efficient, and fully-compliant manner.

The lead petitioning group includes long-time credentialed teachers and student advocates

Steve Gilliam and Doris Lawless; past school administrator/dean, department chair, and educator from the acclaimed Idyllwild Arts Academy, and top-rated music teacher and performer, Nelms McKelvain; financial consultant with an MBA, past credit union president, current board member and past chair of the audit and oversight committees, and treasurer for multiple non-profit entities, James Lawless; and acclaimed composer, musician, educator, film/theater vocational employer, non-profit president, and distance learning/education-technology creator, Jarrod Radnich.

Through their vision, ideas, vast experience, and discussions with the Morongo Unified School District (“District” or “MUSD”) Superintendent, parents, and other members of the communities served by the District, this group is collaborating to be able to bring an individualized, unique, uncommon, and high-quality educational experience to the Charter’s students by offering an alternative approach to the traditional educational system while integrating and including educational opportunities across a broad wealth of subject areas. This group’s essential mission is to create a supportive, forward-thinking, financially sustainable learning environment coupled with an outstanding California Performing and Visual Arts Content Standards aligned curriculum that best serves the students enrolled in JTATA. JTATA’s leadership will uphold these mission elements as the focus of future decisions and policies.

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ELEMENT 1 - MISSION/EDUCATIONAL PHILOSOPHY

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

(ii) A description, for the charter school, of annual goals, for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

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

MISSION

[Ref. Criteria for Review; CCR-5, §11967.5.1(f)(1)(B)]

The mission of the Joshua Tree Arts & Technology Academy is to offer an outstanding academic curriculum with fine arts and technology instruction of the highest caliber to a diverse student population. In a supportive, forward-thinking, financially sustainable learning environment, JTATA produces educated, self-motivated, competent, life-long learners who are compassionate, creative, community-minded, and productive members of society.

EDUCATIONAL PHILOSOPHY

[Ref. California Education Code §47605 (b)(5)(A)(i)]

SUMMARY & WHOM JTATA EXPECTS TO EDUCATE

Joshua Tree Arts & Technology Academy is attempting to serve students who seek an independent study core academics education expanded and complimented with unsurpassed in-person, hands-on arts and/or vocational training and education. Recognizing that children's learning modes and paces differ, not just across children but also for the same child across subjects, this school creates and implements a curriculum that is designed to individually address these differences and maximizing learning for each student. JTATA believes and understands that all students, regardless of their backgrounds and resources, have the ability and capacity to learn and receive an outstanding education — and in the environment best suited for them, they feel motivation, accomplishment, and joy in doing so. JTATA also believes that many students may not have exposure to or awareness of the full breadth of their post-high school options, and exposing them to more career choices — some that they never realized were options for them or that they could excel in, is key. Giving students early exposure to various post-secondary choices and environments, including for some a college-level academic environment, is important and can mean the difference between bored, apathetic, or low-achieving students and students excited to and enabled to learn, participate, and excel.

JTATA will be ideal and designed for those students who have chosen to be, find it necessary to, or who excel and do best in a home schooled or independent study environment. For those students desiring to focus their education in an art or related vocational field, JTATA allows them to excel in their core academics through enhanced, teacher-guided independent study, which enables them to allocate more time toward learning their chosen focus or other areas of academic and personal growth. For other students who seek an academic post-secondary education, the infusion of arts and technology into their core college-prep academics will create more well-rounded and better educated students.

By integrating arts into schools, educators provide their students with indispensable and invaluable opportunities to learn, with identifiable program goals that include enabling students to become self-motivated, competent, and life-long learners. JTATA recognizes the importance of receiving a robust arts and technology education and the far-reaching positive impact of such an education on the overall well-being and academic achievement of our nation's children. JTATA is also aware that the populations of youth in the geographic areas of the District it will serve are largely underprivileged, and therefore likely would not otherwise receive such an arts and technology education from traditional sources. Its program provides a first-rate art-infused or art-focused education for all its students, regardless of their socioeconomic background or any other diversity factor or as recognized in California Education Code §47605(b)(5)(G).

JTATA also desires to utilize the economies of scale created by its new charter and work with the Superintendent and Governing Board of MUSD in the creation of an "Arts & Technology Curriculum Integration" program. Such a program would be one of the first of its kind and could

serve as a roadmap for other school districts who desire to increase arts and technology education in an economical and yet robust manner to students enrolled in traditional "seat time" schools. While it would not encompass the depth of the JTATA school experience, it would introduce students to various art and technology/vocational arena, provide them with a deeper understanding of certain focus areas, and, if desired and feasible, allow some students to participate in more in-depth semester-long art/technology classes in subjects otherwise unavailable to them in their school's current curriculum.

Incorporating Arts into Education

JTATA believes that exposing children to the arts helps them become more successful students, better connected to their communities, more confident in their personal development, and better prepared for their careers—whatever those may ultimately be. The effectiveness of integrating arts into the curriculum is borne out by research, and a preponderance of evidence suggests that “students who study and participate in the arts do substantially better than those who do not on almost every academic measure.”¹ For example, sustained learning in music and theater is highly correlated with higher reading and mathematics achievement.² A 2005 *The College Board* study found that SAT math scores improved by almost 40 points (from 502 to 540) and reading by almost 50 points (from 485 to 534) when students received four or more years of arts instruction. In addition to math and reading, involvement in the arts is associated with gains in “cognitive ability, critical thinking, and verbal skill. Arts learning can also improve motivation, concentration, confidence, and teamwork.”³

By connecting the arts with core subjects such as math, reading, and science, students are able to gain a greater knowledge, comprehension, and appreciation for academic disciplines as well. The arts require creativity, self-discipline, imagination, critical thinking, and confidence. They help students build valuable problem solving and other cognitive development habits that stay with them throughout their educational and professional careers. An arts and technology based curriculum coupled with staff specialists in a community context is the ideal way to help students identify their strengths and capitalize on their intelligences.

The research arm of Harvard's School of Education, Project Zero, is a group of practitioners responsible for the creation of the Studio Thinking framework. Out of this framework comes the Studio Habits of Mind (SHoM), a set of eight dispositions that an artist uses—each offering a language for critical thinking that spans across every discipline. SHoM empowers students to

¹ National Association of State Boards of Education (2003). *The Complete Curriculum: Ensuring a Place for the Arts and Foreign Languages in America's Schools*. http://www.nysafl.org/advocacy/pdf/SG_Complete_Curriculum_Arts_and_FL_2003.pdf

² Edward B. Fiske, Ed., (1999). *Champions of Change: The Impact of the Arts on Learning*. Washington, DC: The Arts Education Partnership and The President's Committee on the Arts and the Humanities

³ Smith, Fran, (2009). “Why Arts Education Is Crucial, and Who's Doing it Best,” *Edutopia*. <http://www.edutopia.org/arts-music->

articulate their learning in any subject matter, and provides an entry point for learning based on individual choice and need. The dispositions are not hierarchical, and they can be used in guided instruction or constructivist teaching modalities, as shown below:

Eight Studio Habits of Mind⁴

1. **Develop Craft:** Learning to use tools, materials, artistic conventions; and learning to care for tools, materials, and space.
2. **Engage & Persist:** Learning to embrace problems of relevance within the art world and/or of personal importance, to develop focus conducive to working and persevering at tasks.
3. **Envision:** Learning to picture mentally what cannot be directly observed, and imagine possible next steps in making a piece.
4. **Express:** Learning to create works that convey an idea, a feeling, or a personal meaning.
5. **Observe:** Learning to attend to visual contexts more closely than ordinary “looking” requires, and thereby to see things that otherwise might not be seen.
6. **Reflect:** Learning to think and talk with others about an aspect of one’s work or working process, and learning to judge one’s own work and working process and the work of others.
7. **Stretch & Explore:** Learning to reach beyond one’s capacities, to explore playfully without a preconceived plan, and to embrace the opportunity to learn from mistakes.
8. **Understand (Arts) Community:** Learning to interact as an artist with other artists (i.e., in classrooms, in local arts organizations, and across the art field) and within the broader society. Arts is in parenthesis here as it can easily be switched with other disciplines, like science or history.

Many studies also suggest that arts education promotes positive social development and joyful learning. Music, theater, visual arts, and dance are joyful, and joy is an important key to student success and keeping students engaged in school and learning. As an example, imagine if students were actually excited about accomplishing their Physical Education requirements—the art of dance and its various forms not only accomplishes that goal, but helps build social equity and positive interaction among a student’s peer group and helps raise a more health-conscious generation, which has a profound impact on a national level. In the words of Jane Alexander, former head of the National Endowment for the Arts, “Children learn better with arts as a part of the curriculum. They learn all their subjects better. They’re more engaged. Teacher attendance goes up. The child is happier; the teacher is happier.” By integrating arts into schools, educators provide their students with indispensable and invaluable opportunities to learn, with identifiable





⁴ Studio Habits of Mind from Studio Thinking: The Real Benefits of Visual Arts Education, Hetland, Winner, et al, Teachers College Press, 2007.

program goals that include enabling students to become self-motivated, competent and life-long learners.




Students who receive instruction on the arts are more successful at reducing the achievement gap than students in schools that do not, and that learning in and through the arts reduces the drop-out rate for at-risk students⁵ — which is of particular importance in economically disadvantaged areas. This agrees with our observations of our current Hi-Desert Arts Academy After School Program participant students: the arts-integration and arts instruction keeps our children engaged in learning, and particularly allows educators to reach students who are at-risk as well as those with special learning needs who do not respond to standard teaching methods. Supporting the benefits of our emphasis on the arts also comes from Howard Gardner's⁶ research on multiple intelligences. Gardner proposes seven primary forms of intelligence: linguistic, musical, logical-mathematical, spatial, body-kinesthetic, and intra-personal (e.g., social skills). All people possess many types of intelligences, but traditional academic study does not always address these multiple ways of knowing and learning. An arts and technology infused as well as California Visual and Performing Arts Content Standards aligned curriculum coupled with staff specialists in a community context is an ideal way to help students identify their strengths and capitalize on their intelligences.

Featuring graduates and educators from the University of Southern California, Manhattan School of Music, American Academy of Dramatic Arts, Oberlin College Conservatory of Music, Idyllwild Arts Academy, and other prestigious institutions, Joshua Tree Arts & Technology Academy's California Visual and Performing Arts Content Standards aligned curriculum will bring previously unavailable educational opportunities to a wide range of subjects focusing specifically on the fine arts and technology:

MUSIC PERFORMANCE & COMPOSITION:

-  **Instrument Performance:** orchestral, jazz, and popular instruments (strings, woodwinds, brass, percussion, piano, guitar, etc.)
-  **Vocal Performance:** Classical, Broadway, and Jazz
-  **Music Composition:** theory & notation, orchestral and electronic music
-  **Music Business & Intellectual Property Management**





DRAMA & MUSICAL THEATER:

-  **Acting Techniques:** pantomime, vocal projection, character development, scene study, monologues, improvisation, stage management, etc.
-  **Musical Theater:** sight singing as students learn aspects of notation, clefs, melody, meter, rhythm, notes and rests, form, harmony, dynamics, intonation and elementary keyboard skills
-  **Behind-the-Scenes:** stage management, set, costume, and prop construction




⁵ Fiske EB, editor. Champions of change: The impact of the arts on learning. Washington, DC: President's Committee on the Arts and Humanities; Retrieved from <http://artsedge.kennedy-center.org/champions/pdfs/ChampsReport.pdf>

⁶ Gardner, H. (1993). Multiple Intelligences: The Theory in Practice. NY: Basic Books.





DANCE & HEALTH:

-  **Ballet:** pointe, & barre
-  **Show & Ballroom:** tap, Jazz, clogging, & swing
-  **Modern & World:** modern, hiphop, & Latin
-  **Personal Health:** Tai Chi & martial arts, physical training & well-being




VISUAL ARTS:

-  **2-Dimensional:** drawing, painting (watercolor, acrylic, oil), and mixed media
-  **3-Dimensional:** ceramics, sculpture, and installation (metalwork, woodwork, architectural design and set construction)
-  **Digital Photography:** portrait/landscape, lighting, on-location shooting, and photo editing

LIVE/POST PRODUCTION & TECHNOLOGY:

-  **Live Production:** understanding the acoustics and the art of sound design, video mixing, audio mixing, light mixing, vocal and instrument miking techniques, digital lighting systems and scene creation
-  **Post Production:** sound editing using DAWs, video editing and delivery, 3D modeling, and studio management
-  **3D Printing and Graphic Design:** 3D modeling & printing, Photoshop, understanding graphics and marketing, and website creation
-  **TV, Radio, & Internet Broadcasting**

FASHION/COSMETOLOGY & FABRIC ARTS:

-  **Design:** aesthetics of fashion, garments, concept-to-creation
-  **Sewing:** beginning/advanced sewing techniques, embroidery, period & costume creation, understanding sizing & patterns
-  **Cosmetology:** makeup/hair for film & stage — contemporary and period

California Visual and Performing Arts Content Standards

The California Visual and Performing Arts Content Standards that were developed in response to Senate Bill 1390 are not traditionally required of students as are the standards in other curriculum areas. The bill states, “The content standards are intended to provide a framework for programs that a school may offer in the instruction of visual or performing arts.” Joshua Tree Arts & Technology Academy’s curriculum will be aligned with the California Visual and Performing Arts Content Standards.






Throughout the standards technology is recognized as an essential tool that enhances learning and expression in all the arts disciplines and provides for expanded forms of expression in digital and electronic media. New technologies for the arts, arts-related computer applications, and emerging arts-related careers are especially vital in California, where the demand for individuals with artistic skills and career orientations has been steadily growing in the vast arts and entertainment industry.

For each arts discipline the content standards are grouped under five visual and performing arts strands:

- 1. Artistic perception;**
- 2. Creative expression;**
- 3. Historical and cultural context;**
- 4. Aesthetic valuing;**
- 5. Connections, relations, and applications.**

Guiding Principles of the Arts Content Standards

JTATA believes that the arts are core subjects, each containing a distinct body of knowledge and skills. Academic rigor is a basic characteristic of a comprehensive education in the arts, including the following:

-  **Learning through active practice, rehearsal, and creation or performance of works in the arts**
-  **Reading about the arts and artists**
-  **Researching, writing, and communicating about the arts**
-  **Reflecting on the arts in thoughtful essay or journal writing on one's observations, feelings, and ideas about the arts**
-  **Participating in arts criticism on the basis of observation, knowledge, and criteria**

Another important goal of the standards is to help students make connections between concepts in all of the arts and across subject areas. The fifth strand in these standards requires the student to connect and apply what is learned in the arts to other art forms and subject areas and to careers.

JTATA believes in the use of a variety of teaching strategies, both teacher-directed and student-centered. Various grouping strategies (individuals, pairs, small groups, and large groups) provide opportunities for all students to succeed. All students should participate in dance, music, theater, and the visual arts as performers and creators.

A comprehensive arts education program is composed of three modes of instruction:

- 1. Subject-centered arts instruction in dance, music, theater, and the visual arts**
- 2. Instruction connecting the arts disciplines**

3. Instruction connecting the arts and other core subjects

Subject-centered arts instruction focuses on developing foundation skills in each arts discipline. Instruction connecting the arts disciplines does so in a well-planned, meaningful, focused way. Knowledge of two or more arts disciplines and skill in performing and creating in those disciplines are mutually reinforcing and demonstrate the underlying unity of the arts. Instruction connecting the arts with other core subjects does so in substantive ways that strengthen the instructional goals for those subjects.

Surpassing the Standards







For general student body implementation of the California arts content standards, for students in grades nine through twelve, the proficient level of achievement can be attained at the end of one year of high school study within an arts discipline after the student has attained the level of achievement required of all students in grade eight — and advanced studies at the end of only two years of high school study. While it is uncommon for traditional schools to offer even a basic implementation of the arts content standards, the Joshua Tree Arts & Technology Academy's implementation and curriculum will enable students to accomplish and far surpass the intended advanced level of achievement as outlined by the CA Visual and Performing Arts Content Standards.

District Art, Technology, & Vocational Curriculum Integration Program

In conversation with the MUSD Superintendent and the Assistant Superintendent of Instructional Services, Dr. Deborah Turner, it was discussed that the large geographic span of the Morongo Basin makes it difficult for each individual public school in the MUSD to be able to support its own fully comprehensive arts and technology program to the depth and scale as will be offered by the proposed Joshua Tree Arts & Technology Academy charter school. With JTATA's central location in the Morongo Basin, and harnessing the economies of scale that JTATA's arts and vocational/technology classes will create, should it be the desire of the MUSD, it would be the mutual desire of JTATA to work with the MUSD in the creation of short-duration yet high-quality arts and technology programs that other MUSD schools and students could participate in and take advantage of.

Whether onsite at individual MUSD school campuses or at the Joshua Tree JTATA location (Hi-Desert Cultural Center) for programs that cannot feasibly travel, these shorter introductory programs may range from a few weeks to several months in duration and would enable MUSD schools to have access to a new level of arts, technology, and vocational education. It is anticipated the economies of scale created by the JTATA's charter school program would create a cost-effective method to bring to MUSD students arts offerings that are not otherwise available to them in their school's curriculum or setting.

The MUSD LCAP, which is reflective of the student population of the Morongo Basin and participating stakeholders, identified needs and areas for desired expansion involving arts/vocational/and career pathways, which some form of a curriculum integration program between JTATA and MUSD may address for some areas. Despite the fact that JTATA would be a school under the CDE, its pupils would still largely be from the Morongo Basin and thus the needs identified by MUSD and its stakeholders (parents, students, employers, businesses, and schools) remain relevant in partnership with JTATA. The following were identified in the LCAP as areas of *significant* focus:

-  **State Priority 1:** Arts programs in the elementary schools;
-  **State Priority 2:** More career pathways that leads to productive employment;
-  **State Priority 4:** Elementary music and arts programs;
-  **State Priority 5:** Enrichment classes/electives/vocational training; Credentialed art & music teachers;
-  **State Priority 7:** Summer programs;
-  **State Priority 8:** After school programs-career pathways/student enrichment at all levels; connecting classroom learning to real world examples.

In addition, JTATA intends to further utilize the economies of scale it creates to keep a vibrant and financially accessible after-school arts program available for *all* school-aged students (grades 1-12) in the Morongo Basin and surrounding areas served by MUSD. Such a program has been offered at the Hi-Desert Cultural Center in various forms for the past 5 years, building up to the extensive after-school and summertime Hi-Desert Arts Academy Program launched in January 2015. Some photos from that program are included in the Appendices.




Individual Learning/Life Plans

Joshua Tree Arts & Technology Academy will not only work with students and their parents to design an Individual Learning/Life Plan (ILP) for each student in order to guide them in meeting their educational and life goals, but will infuse each student with the desire and motivation to learn the curriculum in a way that is best for them and enables and motivates them to reach their full potential.

Mandated by at least eleven states, and recommended for use by schools in at least thirty-eight states, ILPs are a document consisting of: (a) course taking and post-secondary plans aligned to career goals; and, (b) documentation of the range of college and career readiness skills that the student has developed. The ILPA process enhances the relevance of school and out-of-school learning opportunities and provides the students access to career development opportunities that incorporate self-exploration, career exploration, and career planning and management of skill building activities. The ILP is a student-specific program or strategy of education or learning

that takes into consideration the student's strengths and weaknesses. While more traditional modes of education are often based on the premise that all should get equal attention (a democratic principle), be exposed to same curriculum and evaluated on the same pattern ("One size fits all"), the ILP approach presumes that the needs of individual students are different, and thus, must be differently addressed. Emphasis on the student's role in the learning experience has been shown in research to be crucial to a productive learning experience.⁷ The ILP can also be extended to manage learning over the course of the student's life.

A student's ILP is generated after interaction between the student and the teacher, and is based upon assessments made therein. It is to do the following:

-  Incorporates long-term goals of the student;
-  Synthesizes with the larger educational framework;
-  Gives credence to the student's aspirations - cultural, artistic, social, or personal.

JTATA will create an ILP to advance the student's opportunities for all students in any capacity. By having the opportunity to apply the curriculum in an authentic arts and vocational program, every student will be inspired to be a lifelong learner as they are guided by the school's teachers and other students in order to achieve their full potential.

For struggling students, personalized life plans will be developed incorporating scaffolding strategies to meet their immediate needs while also maintaining rigorous content to close the achievement gap. For students who are achieving at a high level, personalized life plans will provide them with challenging content to stimulate their minds and help them achieve further. These plans will coordinate instruction in key concepts throughout all classes including electives and pathway meetings. Roundtable discussions, in which all teachers participate, will help to identify, address, support, and challenge individual students across all academic and art/vocational areas.

Independent Study with Online Learning

Using CCSS curriculum complimented by project and performance-based supplemental structure and an extensive electives program, students will have an unprecedented opportunity to achieve their educational goals. JTATA will offer students a wide array of on-line learning class choices meeting the California State Frameworks and CCSS, as well as numerous challenging and interesting electives. The Edmentum system has been identified as providing students at all levels with excellent, rigorous, accountable, monitored, academic curriculum — whether they have fallen behind, are catching up, are at grade-level, or are gifted in one or more subjects. JTATA's budget and curriculum has incorporated providing every student with the full breadth of the Edmentum system. Not only will

⁷ J. Scott Armstrong (2012). "Natural Learning in Higher Education." *Encyclopedia of the Sciences of Learning*.

students be provided secure laptops and Internet access, but JTATA will also make available a computer lab for student use during school hours. Using these frameworks and standards, students will be allowed to move efficiently and seamlessly through the content provided. These programs will drive the curriculum and all students will have access to them. Supplementary materials will also be aligned with CCSS where appropriate and will be used to support and give students additional opportunities to master the material being taught. More about the curriculum and the Edmentum online program follows in the petition and its appendices.

AN EDUCATED PERSON IN THE 21ST CENTURY

At JTATA, we believe an educated person in the 21st century is a creative problem solver, a respectful collaborator, and a motivated life-long learner. We are committed to instilling in our students a love for learning and an appreciation for intelligence in its multiple forms, working to equip students with both a strong academic foundation and valuable life skills. This means that learning is so much more than mastering knowledge and acquiring skills; it is also about understanding how to learn; having the self-motivation to ask questions, test solutions, and consistently learn from mistakes; understanding how to work collaboratively and communicate effectively with others; and developing creativity, inquisitiveness, persistence, and a passion for learning that extends far past the walls of the school. The foundation of our school is a strong belief in the role of the arts in learning, and we expect our students to leave JTATA as joyful learners who can utilize creativity and innovation in all subjects, including artistic disciplines.

Finally, we believe that an educated person has not only academic skills; but also skills in social and emotional domains, as well as community awareness and a commitment to social justice.








JTATA values these skills as we aim to prepare students for the 21st century. Traditional knowledge-based education is insufficient to meet the needs of the future. Perhaps Ray Peacock, former research director of Phillips Laboratories in the UK, described it best:

Lots of people think knowledge is what we want, and I don't believe that, because knowledge is astonishingly transitory. We don't employ people as knowledge bases, we employ people to actually do things or solve things... Knowledge bases come out of books. So I want flexibility and continuous learning... and I need team working. And part of team working is communications... So the things therefore are the flexibility, the team working, communications, and sheer persistence.⁸

At JTATA, our goal is to create students who are ready for the 21st century. But our goals extend beyond that, as we also want students who are joyful and creative learners who have an appreciation for the power of the arts.

⁸ Boaler, J. (2008). What's Math Got to Do with It? New York: Viking.

Our goal is to have graduates who:

-  Appreciate learning as a life-long pursuit of finding answers to their own questions. They are able to interpret, filter, and synthesize information and apply core academic skills to real world applications.
-  Understand that the arts are rigorous disciplines, essential to the human experience.
-  Take joy in self-expression and use creativity as a tool for enriching their academic learning and deepening their cultural awareness.
-  Are responsible, self-directed persons, with developed communication, collaboration, and conflict resolution skills based on a respect for the perspectives of others
-  Possess a strong sense of self-reliance and have the confidence to learn from their mistakes and acknowledge areas for personal improvement
-  View diversity, tolerance, and compassion as templates that direct life. They are eager to invest in their community, take responsibility for its well-being, and participate in change for the greater good.
-  Have a deep awareness of prejudice, fairness, and otherness. They have developed the tools to turn empathy into action, serve as allies to their peers, and advocate for their rights and the rights of others.

The Pathway Program will serve as a motivation to students as they get to decide how their education will be shaped and contribute to how that education is delivered. Working with a variety of stakeholders, not just teachers and parents, students will get first-hand knowledge on how the curriculum they are engaged in will serve them in future life. It will also serve as their first stepping stone into life after high school and give them a leg up in the industry or interest area they have chosen.

HOW LEARNING BEST OCCURS

As emphasized in our Mission Statement, we employ an arts-integrated, project-based curriculum founded on a constructivist philosophy of learning that also includes Independent Study core curriculum paced to each student's ability, and enhanced with teacher guidance, tutoring, group learning workshops for a specific subject (such as algebra), and related projects and on-site courses. Our philosophies stem from a strong belief in that every child can learn, every child brings strengths to their class/group exercises, and every child has a unique and personal approach to learning. These philosophies stem from a large body of research on how students learn. Furthermore, at JTATA we will consistently use research-based pedagogical strategies to help our students develop the skills and qualities necessary for the 21st century.

At the heart of our school lies a fundamental belief in the importance of the arts in education. Students explore and learn core subjects of language arts, math, science and social studies through direct experience, using a hands-on, experiential curriculum with an arts-integrated focus. They also study the arts as distinct disciplines that become more formalized as students progress through the grades in the middle and high school years.

In accordance with our mission, we believe that exposing children to the arts helps them become more successful students, better connected to their communities, more confident in their personal development, and better prepared for their careers. Former U.S. Commission of Education, Ernest Boyer, summarized his recommendations at the National Endowment for the Arts Conference in 1994:

Here, then, is my conclusion. First, we need the arts to express feelings words cannot convey. Second, we need the arts to expand the child's way of knowing and to bring creativity to the nation's classrooms. Third, we need the arts to help students integrate their learning and discover the connectedness of things. Fourth, we need the arts in education to help children who are emotionally and physically restricted.⁹

HIGH SCHOOL PROGRAMS

[Ref. California Education Code §47605(b)(5)(A)(ii)]

Joshua Tree Arts & Technology Academy's high school curriculum will be fully accredited from its first day of operation as it will be using Edmentum's EdOptions Academy's robust online course offerings and educators – which is already WASC accredited and meets the A-G requirements as JTATA pursues its own accreditation. JTATA will strive to be independently accredited by the Western Association of Schools and Colleges (WASC) as soon as possible. A written document will be presented to all parents informing them of the transferability of the Edmentum courses prior to JTATA becoming WASC accredited itself. After accreditation, JTATA will meet many A-G requirements through the Edmentum courseware and will strive to provide the necessary laboratory time for the science requirement for those students whose academic needs so dictate.

In the Appendix are laboratory exercises for several of the A-G courses included in the Edmentum courseware available to JTATA students. While many of the laboratory exercises are simple enough to be completed on an individual basis in a home environment and require no ventilation hoods, Bunsen burners, or chemicals not already found in most homes, these same exercises also would make excellent learning exercises in a group environment with space and oversight provided at JTATA's facilities. Edmentum's Plato courseware, also including that offered as part of the accredited EdOptions Academy, covers A-G year-long courses across all

⁹ Dweck, C. (2007) *Mindset: The New Psychology of Success*. New York: Ballantine.





science components, 100% of which are NGSS-aligned. JTATA is committed to providing the resources and facilities needed for completion of these science A-G course requirements.

STUDENTS TO BE SERVED

[Ref. Criteria for Review; CCR-5, §11967.5.1(f)(1)(A)]

Overview

Joshua Tree Arts & Technology Academy will operate an academically rich, performance-based, independent study educational program for students in 4th through 12th grade. Joshua Tree Arts & Technology Academy is tailored to students seeking a rigorous independent study academic program that is either 1) complimented by a first-rate general arts and vocational program or 2) allows a student to focus on a particular performing or visual art or related vocational field while still earning a rigorous education in core academics. The core academics are driven by state standards and, along with the electives and arts/vocational additional curriculum, promote individualized educational opportunities through a collaborative process involving teachers, parents, community and the students themselves. Joshua Tree Arts & Technology Academy's instructional program is well suited for:

-  Students and families who are seeking personalized independent study learning plans tailored to student needs and abilities;
-  Gifted students whose abilities will not be limited by an educational program that minimizes learning to address the needs of only lower-level academic learners, but are fostered through academically-rich, art-infused, lesson plans and activities;
-  Students who know that their career and educational focus will be in the arts or a vocational field;
-  And lower performing students, English learners, and SPED students who will benefit from the additional arts-based and online support and accommodations to achieve high levels of academic success, while moving through the designed curriculum at an appropriate pace supported by educators who are motivated to differentiate each student's lessons to meet his/her needs.

Enrollment by Grade and Year

Joshua Tree Arts & Technology Academy will operate as an independent study program for fourth through twelfth grade that is dedicated to ensuring the academic success of every student and providing a safe, nurturing, rigorous, and relevant educational experience. The flexible classroom learning opportunities will contribute to growing enrollment. The following enumerates the enrollment projection by year, which is also incorporated into the budgetary attachments (with the exception of not incrementing the LCFF Funding or COLA adjustments to reflect the change in start year from that in the original petition so that the petition denials can be properly analyzed):

Grades	2018-19	2019-20	2020-21	2021-22	2022-23
4-6	25	35	40	40	40
7-8	40	50	65	75	100
9-12	85	115	145	185	210

Attendance Target





Joshua Tree Arts & Technology Academy will maintain and organize accurate attendance information. The attendance accounting system will meet the requirements of the California Department of Education and the United States Department of Education, in addition to any requirements as a result of JTATA being a part of the El Dorado County Charter SELPA. JTATA will be monitored and reported to meet requirements of all federal, state, and local agencies as well as all stakeholders, including students, parents, the governing board, and the community. This data will be used to monitor and develop a plan for improving attendance if needed. In order to boost attendance, Joshua Tree Arts & Technology Academy will institute school-wide incentives for attending school and completing assignments on time, will provide multiple venues for communicating with parents, will report applicable trancies to local community agencies. Attendance targets for the first five years of operation are described in the following table. For budgeting purposes, the % ADA was kept at 5.

	Year 1	Year 2	Year 3	Year 4	Year 5
% Average Daily Attendance	95%	95.5%	96%	96.5%	97%

School Program

Joshua Tree Arts & Technology Academy will serve students in grades 4 through 12. Students will participate in the independent study academic program as described previously in the petition appeal, with hands-on, in-person, instructor led arts and vocational elements. Students will also have the opportunity to participate in instruction led by arts and vocational experts in a small group environment that provides significant direct instruction and tutoring time.

Students may choose to follow one of several individually-created pathways. Students will choose a pathway that will teach a skill set that students can utilize after they graduate high school. The initial offerings for these arts, vocational, and college training programs will be as follows:

-  Fine Arts/Performing Arts — Music, Theater, Dance, and Visual Arts
-  Vocational Curriculum — Architecture, Shop/Fabrication, Multi-Media Skills, 3D Modeling & Graphic Design, 3D Printing, Textiles/Sewing/Fashion Design, and Live Broadcast
-  Health & Related Vocational Post-Secondary Education
-  College Readiness and Preparation

Each pathway will be designed to engage students in their respective choices by a current or prior professional in the industry. Students will attend a group program at least once per week which deals specifically with their chosen pathway. Arts and Vocational Pathways will likely require students to attend at least twice per week and often for multiple hours each day. In addition to the weekly meetings, students shall work in conjunction with community businesses, leaders, colleges, and other community participants through various projects, activities, and classes. Many pathways will be geared to having the student earn a certificate, vocational skill certification, or college-applicable credits before they graduate high school. JTATA also intends to pursue concurrent registration to afford its students college credit not created by a high-stakes AP Exam. These pathways will be an addition to the CCSS standards for education met through the various state approved programs and taught in conjunction with a certificated teacher.

Students will also be taught on an individual level with curriculum and instruction driven by CCSS and guided by the teacher who will create a program for each individual student, allowing them to grow and develop at their own pace within a CCSS framework. Teachers will create authentic learning opportunities by integrating arts across multiple disciplines, thus crossing various disciplines, perspectives, work methods, thought processes, and socio-economic and community perspectives.

In addition to the arts classes, the weekly meeting teachers will frequently assign hands-on activities and lessons that require students to demonstrate and enhance their understanding of the material through the creative process. Through the arts, additional collaboration among

students will encourage understanding, diversity, and communication. Students will be able to create videos and start their own school-monitored blogs to post on the class website, which will be monitored by the teacher and school administration. Activities that promote collaboration provide another level of insight and help students struggling with the content to learn using a different modality. The school will provide an individualized program that will meet the CCSS for required subject matter as well as expanded arts/technology/vocational curriculum to prepare students to accomplish their post-secondary goals while students participate in their core education through an independent study format with a blended learning component (such as the science labs and other vocational/arts-related integrated coursework).

Each student will take a pre-assessment using Edmentum's Test Packs RX, Accucess, and other similar tools as a means for setting a baseline for growth. Edmentum Assessments offer a full range of assessment solutions, including diagnostic and formative assessments designed to help educators understand each student's unique needs to more effectively guide instruction. Our assessment solutions accurately evaluate learners and prepare them through a personalized learning path. This allows students to bypass objectives they have already mastered, gain confidence, and focus on topics that challenge them for a more relevant and satisfying learning experience.

The pre-assessment data will be analyzed and an Individualized Life Plan or ILP will be created through a meeting with a certificated teacher that will guide the independent study process on a weekly basis. An Individualized Life Plan is a blueprint which includes the strengths, areas of concern, goals, supports, and educational plan for each individual student. ILPs are tailored to individual students and addresses the learning style and needs of that student. This life plan will serve as a framework that will drive the educational process within the parameters of the state standards and student achievement.

The curriculum will be developed from state approved sources and molded to fit the individual students' needs. For Students in grades 9-12 or who are accelerated into courses typically in that grade-level, until JTATA becomes WASC accredited, JTATA will provide core course through Edmentum's EdOptions Academy. Following accreditation, JTATA may elect to continue to use the EdOptions Academy for its much expanded curriculum. Course listings are included in the Appendices. JTATA will strive to be accredited by the Western Association of Schools and Colleges (WASC) as soon as possible, but, as stated above, will be using Edmentum's courses through the EdOptions Academy (that is already accredited) and include courses that meet the A-G requirements and prepare for AP testing from JTATA's first day of operation. After accreditation, Joshua Tree Arts & Technology Academy will meet A-G requirements through the Edmentum courseware and will strive to itself provide the necessary laboratory space for the science requirement for those students whose academic needs so dictate. A written document will be presented to all parents informing them of the transferability of the Edmentum courses prior to JTATA becoming WASC accredited itself. [*Ref. California Education Code §47605(b)(5)(A)(ii)*].

JTATA will provide the online and in-person teacher services, instructional materials, and other necessary items and resources as specified for each subject. Students will work independently on curriculum created by their teacher and learning will be checked with regular assessments and work sampling on a schedule that meets the needs of the particular subject/student, and

state criteria/requirements/standards. Teachers will always be available to assist with questions or concerns for students or parents. Pathway teachers will be available to assist and tutor in the specific pathway curriculum that each student has chosen. Each student will be required to pass timely assessments and certificate and certification tests and will strive to better themselves on State tests as well. The individualized nature of this program will benefit students from an academic standpoint, but also look to assist students in developing post-secondary career goals and work toward achieving them in school. Students and parents will be kept informed of student progress and credit completion at all times. Report cards will be issued on a semester basis, with progress reports at least each quarter.

In addition to differentiated instructional plans, students' elective class choices will be varied including visual arts, music, drama, dance, and the related vocational fields of these areas, as well as languages, computer science, and other academically-included electives. The school intends to also keep a vibrant after-school arts programs to further enhance opportunities for students to work and engage with others. Furthermore, opportunities for community service, attendance at field trips, chess club, academic decathlon, math teams, writing workshops, robot design competitions, and other activities may be provided by the school. Tutoring will be made free and available for all students who need the extra practice or who will be directed by teachers to obtain additional help, and for some students the tutoring will be required.

JTATA Joshua Tree Arts & Technology Academy will be a school of choice where all stakeholders participate in the educational process that is built around and for students. Students and parents will sign a compact called a Master Agreement that will define the individualized academic experience and the requirements that must be met by students, parents, and teachers. The agreement enables each student to successfully reach the objectives and complete the assignments identified in the course assignment and work-record forms that will be a part of this agreement. Assignments and work-record forms may include additional descriptions of the major objectives and activities of the subject of study covered by the agreement in addition to the methods for evaluating student work. The compact serves as an agreement that ensures that the student will report to the teacher, in accordance with the frequency, date, time and location specified in the assignment and work-record forms.

JTATA will have no academic admission requirements and will enroll any students wishing to reach their goals and make achievements at a level they set with guidance from their teachers and through their own ambition.







Joshua Tree Arts & Technology Academy will be responsive to any changes of state law or regulations applicable to charter schools enacted subsequent to the granting of this Charter. While JTATA will comply with any California Department of Education legal statutes regarding the formation of resource centers in other geographical locations outside district boundaries, it is not the intension of JTATA to locate resource centers outside of MUSD.

CURRICULUM AND INSTRUCTIONAL DESIGN

[Ref. Criteria for Review; CCR-5, §11967.5.1(f)(1)(C-E)]

BLENDING INDEPENDENT STUDY CORE CURRICULUM

The Joshua Tree Arts & Technology Academy's (JTATA) curriculum will utilize Edmentum's award-winning courseware for students' core independent study classwork. Edmentum is a high-quality, standards-based, online learning solution that has the flexibility to support all alternate learning situations and is grounded in a tradition of solid research, sound pedagogy, and applied innovation. This provides rigorous, relevant curriculum that challenges students with a 21st century approach – engaging them with interactive, media-rich content. Winner of the coveted *2016 Teacher's Choice Award*, Edmentum's fully-accredited courseware was specifically chosen not only because it allows for a host of core subjects, but it also offers honors and Advanced Placement® curriculum. JTATA charter proponents know that it is imperative that its students be prepared — and competitive — in their post-secondary goals, whether those be vocational or college-level higher education.

-  Rigorous courses, proven to improve student achievement
-  Interactive, media-rich content actively engages students
-  Robust flexibility allows customization of courseware to meet each student's unique needs
-  Aligned to Common Core and state standards
-  Award-winning courseware proven by third-party research and studies
-  High-quality content for original credit, supplemental learning, credit recovery, unit recovery and extended learning







Joshua Tree Arts & Technology Academy students will also have access to “Study Island” — where data-driven standards mastery and formative assessment solutions are designed to help primary and secondary students master the content specified in state and Common Core standards and improve performance in core skill areas. Study Island's high-impact, high-value learning programs provide quality academic support, practice, and real-time assessment data. The immediate feedback and built-in remediation, coupled with the actionable data, enable JTATA educators to easily monitor student progress and differentiate instruction.

Study Island is ideal companion software for JTATA as it is more geared toward self-paced, individualized learning. JTATA teachers can easily guide students through the program, communicate expectations, and create class assignments. Students can work through questions

using a standard test format, an interactive game format, printable worksheets, or a classroom response system.

Whether falling behind, at grade level, or advanced, the unique curriculum accommodates each student's unique needs in an environment designed to help them thrive. The online courses will be used by students in their home or in the JTATA computer lab setting in a blended model in which online courses are supplemented by related elective offerings such as Shakespearean Literature, Comparative Studies, and Geometric Construction. Additionally, students will have a dedicated on-site teacher who will help oversee their studies through weekly follow-ups, tutoring, and parent meetings. Courses consist of integrated assessments; including exemptive pretests that allow learners to forgo content they have already mastered and focus on the concepts that need additional work. Course-level assessments also include tests for each course module to ensure concept mastery.

Secondary Course Offerings:

-  **Core Courses:** gives students a strong foundation with over 100 semesters of courses in the core subject areas - English language arts, math, science, and social studies.
-  **Electives:** Keeps students motivated and engaged in the learning process with over 30 semesters of diverse and interactive electives.
-  **Career Technical Education:** Equips students with the skills they need to compete in today's workforce with over 80 semesters of CTE courses.
-  **World Languages:** Prepares students for success in the 21st century world with 28 semesters of highly interactive, graphically rich, and visually stimulating language curriculum to choose from: Spanish, French, German, Chinese, and Latin.
-  **Advanced Placement® (AP):** Ensures students are prepared on test day with 14 semesters of courses that address 100% of the standards defined by the college board.
-  **Beyond High School:** Suite of 44 semester courses designed specifically to prepare students for the leading college entrance and placement tests as well as career certification and work skills exams.

It is the goal of the Joshua Tree Arts & Technology Academy to become Western Association of Schools and Colleges (WASC) accredited by the completion of its first year, but it has conservatively budgeted to extend this timeframe.

Joshua Tree Arts & Technology Academy will strive to best prepare students for the rigors of college and the competitive technical world with an academic program that is advanced,

rigorous and personalized. A partnership with Edmentum has been established and will serve as the accredited core curriculum for all students at JTATA. This curriculum has A-G approved courses and a variety of core content area courses available to reach students at any level. These courses also include a variety of Career Tech courses which will be used in conjunction with the Pathways Program.

All students will be enrolled in a broad course of study that includes English, math, social science, science, visual and performing arts, physical education, health, career and technical education and others. Students will demonstrate in a practical, multi-modal manner, knowledge and skills through a variety of assessments. Students will obtain a profound understanding of the CCSS and will demonstrate mastery of those assessments by formative and summative assessments, practical applications, weekly work completion, and State examination. A testing window for all State examinations will be provided to the sponsoring district no later than October 1 of each school year.

Prior to the school year, instructors collaborate to map out a rigorous curriculum that is aligned to the CCSS. Each student at Joshua Tree Arts & Technology Academy is assessed and an ILP is created. The life plan provides students with a framework to help them access the curriculum and meet state standards. The lessons and activities within the curriculum are personalized to maximize student learning and encourage motivation.

Students will receive enrichment through a personalized curriculum that meets state CCSS and incorporates activities that keep them motivated in school. Joshua Tree Arts & Technology Academy will approach each student's education on a case by case basis and will structure curriculum, work, pathway choice, testing and the entire educational process on an individual basis while integrating the CCSS into every student's curriculum including those who are at risk, socioeconomically disadvantaged, or have other specific needs.

Project based learning will be a major part of the curriculum with hands on practice and formative assessment to ensure students achieve the high levels of mastery in each subject. Projects will engage students to investigate questions, propose hypotheses and explanations, discuss their ideas, challenge the ideas of others, and try out new ideas (Blumenfeld and Krajcik, 2006). Much of this engagement in projects will stem from participation in the Pathways Program where projects will not only be hands on but also applicable in a very real situation. Students will become more engaged in the curriculum and show a higher level of understanding and performance due to the fact that the application found in the Pathways Program will show students how their understanding and ability to engage in curriculum will benefit them in life after school is over. All students will have sufficient access to instructional materials and supplies.

An essential component of the curriculum at Joshua Tree Arts & Technology Academy is the emphasis on critical thinking. In order to build a greater level of understanding of the curriculum, students are encouraged to delve into the CCSS and think about not only what is being taught, but also the process of learning. A focus on this cognitive framework provides learners the ability to connect new learning with prior knowledge, emphasizing the students' participation in the creation of meaning and comprehension. Students solve problems and struggle through the curriculum. Teacher support and tutoring is available to all students and in

some cases required. As a result, students develop a deeper understanding of the curriculum and reflect upon the process of learning.

LOCAL CONTROL ACCOUNTABILITY PLAN

JTATA will comply with all requirements pursuant to California Education Code § 47605(b)(5)(A) (ii) including developing annual goals, for all pupils (i.e. school-wide) and for each subgroup of pupils as identified in California Education Code § 52052, for each of the applicable eight (8) state priorities identified in California Education Code § 52060(d). Please refer to the table in Element 2: Measurable Pupil Outcomes for the school-wide goals for relevant sub-groups and corresponding assessments. Beginning in its first year of operation, JTATA will comply with all elements of the Local Control Accountability Plan pursuant to regulations and templates adopted by the State Board of Education and reserves the right to establish additional, school-specific goals and corresponding assessments throughout the duration of the charter.

INSTRUCTION

Joshua Tree Arts & Technology Academy instructors use diverse and multi-modal instructional strategies to maximize the learning of a diverse group of students in both the blended learning setting as it applied to an Independent Study program for CCSS classes, as explained and detailed in other parts of this petition (i.e. Element 1: Incorporating Arts In Education). In this way, not only do teachers differentiate by providing various entry points into the curriculum, but students are equally excited and engaged by what they are learning. Methods of curriculum instruction at JTATA have many associations with the constructionist learning model, but also will follow the use of GLAD/SDAIE teaching strategies, and other more traditional methods as appropriate for individual students. The online coursework incorporates these various strategies, and the added hands-on arts and vocational classes and enrichment programs further add to the multi-modal method of learning.

Constructionist Learning Model & Technology Integration

Constructionism advocates student-centered, discovery-based learning where students use information they already know to acquire more knowledge. Students learn through participation in project-based learning where they make connections between different ideas and areas of knowledge facilitated by the teacher through coaching rather than using lectures or step-by-step guidance.¹⁰ Constructionism holds that learning can happen most effectively when people are active in making tangible objects in the real world, and such objects include not only those you can see and touch, but those you can hear (music) or even smell. In this

¹⁰ Alesandrini, K. & Larson, L. (2002). Teachers bridge to constructivism. *The Clearing House*, 119-121

sense, constructionism is connected with experiential learning. In this learning method, students first draw their own conclusions by creative experimentation. The teacher serves more as a “mediator” or “guide” than taking on a more pure instructional role. The arts and technology serve as a superb method to work within their learning model.

Seymour Papert, considered by most to be the “father” of the use of educational technology (and hence the link to constructionist learning) and the co-founder of MIT’s Artificial Intelligence Lab, has been a huge proponent of bringing technology to classrooms, and JTATA’s instruction will include many of his thoughts, inventions, and ideas. Papert’s vision was that children should be programming the computer rather than being programmed by it. JTATA’s curriculum choices that culminate with building robots, 3D printing, and producing music are but a few examples of integrating this strong educational method.

“Many children are held back in their learning because they have a model of learning in which you have either ‘got it’ or ‘got it wrong.’ But when you program a computer you almost never get it right the first time. Learning to be a master programmer is learning to become highly skilled at isolating and correcting bugs ... The question to ask about the program is not whether it is right or wrong, but if it is fixable. If this way of looking at intellectual products were generalized to how the larger culture thinks about knowledge and its acquisition we might all be less intimidated by our fears of ‘being wrong.’”¹¹

The Pathways Program will provide another integrated avenue for students to become engaged in learning. Using students’ interests and career path/college goals, the program will seek to engage students using a variety of strategies and hands-on learning activities which will keep students continually engaged in their entire curriculum. At JTATA students will be “rewarded” with the classes/projects that they strive to do, but can achieve and be a part of only after completing other core classes that are their legitimate pre-requisites. The Pathways Program will provide the very skills which the CCSS are founded: critical thinking and problem solving.

GLAD/SDAEI Teaching Strategies

In order to provide high quality instruction to all learners, especially English learners, instructors will incorporate various GLAD/SDAIE teaching strategies. Strategies such as choral reading, graphic organizers, visual aide, KWL charts, etc. will be utilized to provide students additional supports to access the curriculum. Although designed for English learners, these instructional strategies will not be limited to only these students.

¹¹ Papert, Seymour, *Mindstorms*, page 23.

Minimum Course Scope & Sequence

Although Independent Study students may progress at a more rapid pace than in a more traditional classroom-based setting, and JTATA will also be offering many additional electives and classes, the following coursework scope and sequence must be, at a minimum, achieved.

Coursework Scope and Sequence

Core Subject	4 th Grade	5 th Grade	6 th Grade
English Language Arts	4 th Grade Reading	5 th Grade Reading	6 th Grade English
	4 th Grade Writing	5 th Grade Writing	
Mathematics	4 th Grade Math	5 th Grade Math	6 th Grade Math
History- Social Sciences	California: A Changing State	U.S. History & Geography: Making a New Nation	World History and Geography: Ancient Civilizations
Science	4 th Grade Science	5 th Grade Science	Earth Science
Enrichment	Health/ Physical Education	Health/ Physical Education	Health/ Physical Education

Core Subject	7 th Grade	8 th Grade	9 th Grade
English Language Arts	7 th Grade English	8 th Grade English	9 th Grade English
Mathematics	Pre-Algebra	Algebra I	Algebra I
History- Social Sciences	World History and Geography: Medieval and Early Modern Times	U.S. History and Geography: Growth and Conflict	World Geography
Science	Life Science	Physical Science	Biology
Enrichment	Health/Physical Education	Health/Physical Education	Health/Physical Education

Core Subject	10 th Grade	11 th Grade	12 th Grade
English Language Arts	10 th Grade English	11 th Grade English	12 th Grade English
Mathematics	Geometry	Algebra II	Pre-Calculus
History- Social Sciences	World History	U.S. History	American Government/ Economics
Science	Chemistry	Physics	Psychology
Enrichment	Health/Physical Education	Visual & Performing Art	Visual & Performing Art

Professional Development

Joshua Tree Arts & Technology Academy will implement a comprehensive staff development program designed to achieve long-term results and to address the school goals, curriculum, instructional practices and evaluation. Professional development activities will be selected and organized to meet needs identified through data collection and analysis. Data collected from the CalMAPP Assessment, publishers' assessments, benchmark exams, classroom observations, performance evaluations, parent surveys, WASC accreditation results, etc. will provide administrative staff with information to organize staff development activities. Needs identified through data collection will be prioritized to maximize return on investment. For example, if data collection reveals greater student need in the area of reading comprehension, more resources (time and money) will be allocated to professional development that focuses on strategies for increasing proficiency in the area of reading comprehension. Completion of any staff development activity will initiate a new round of data collection to assess efficacy and to plan for future professional development.

Joshua Tree Arts & Technology Academy will utilize various sources to provide professional development to its staff. Professional development will be given by the administrative staff, experienced teachers, and/or outside consultants, as well as through conference and workshop attendance. All training will follow a research-based design to clarify roles and responsibilities, and to offer maximum support for teacher learning, including expert training followed by classroom demonstrations, in-class coaching, co-teaching with collegial support and feedback. Experienced teachers with expertise and the ability to demonstrate knowledge of methodology, instructional practices and assessment will assist and support new, inexperienced teachers in supportive peer collaboration.

Joshua Tree Arts & Technology Academy will assure that teachers have multiple opportunities to learn and practice successful implementation of 1) CCSS implementation; 2) direct instruction; 3) scaffolding instructional strategies; 4) the use of graphic organizers; 5) reciprocal reading; 6) the use of structured student discussion; 7) strategies for addressing developmental language

acquisition at the various language development levels; 8) integration of technology in the classroom; 9) project-based learning in which students apply skills and concepts; 10) differentiated instruction; and 11) Understanding by Design.

Implications of this focused and research-based professional development plan will be evident in student achievement of the CCSS, ability to use technology for a variety of purposes, and the ability to make practical real-world application of knowledge and skills learned.

ACADEMIC PLANS FOR ALL STUDENTS

As emphasized in our Mission Statement, we employ an arts-integrated, project based curriculum based on a constructivist philosophy of learning. Our philosophies stem from a strong belief in that every child can learn, every child brings strengths to their class, and every child has a unique and personal approach to learning. These philosophies stem from a large body of research on how students learn. Furthermore, JTATA will consistently use research-based pedagogical strategies to help our students develop the skills and qualities necessary for the 21st century.

At the heart of our school lies a fundamental belief in the importance of the arts in education. Students explore and learn core subjects of language arts, math, science and social studies through direct experience, using a hands-on, experiential curriculum with an arts-integrated focus. They also study the arts as distinct disciplines that become more formalized as students progress through the grades in the middle and high school years.

ENSURING EQUAL ACCESS TO ALL STUDENTS

Joshua Tree Arts & Technology Academy is committed to providing equitable, comprehensive, outstanding instruction to all students, regardless of background or current situation. As such, we are prepared to meet the needs of various special student groups, including but not limited to English language learners, gifted and talented students, students at risk of falling behind or who have fallen behind grade-level expectations, and students with special education needs. Joshua Tree Arts & Technology Academy will utilize appropriate procedures and methods to properly and legally identify the special needs of students, and will assure that appropriate measures are taken to address those needs. Identification of English learners, gifted students, and students in need of special education will follow all legal guidelines and procedures outlined in various district publications. Assessment of progress will take place as determined by pacing plans for reading and mathematics and results will be used to provide appropriate support students and additional assistance beyond the classroom as necessary.

In order to address the needs of African American students, Native American students, English learners, and other student subgroups who have been historically alienated by the

public education system, Joshua Tree Arts & Technology Academy will employ Culturally Responsive Pedagogy. Culturally Responsive Pedagogy is a term used to describe “a pedagogy that empowers students intellectually, socially, emotionally, and politically by using cultural referents to impart knowledge, skills, and attitudes” (Ladson-Billings, 1994). In other words, educators will not only align the curriculum to CCSS, but also incorporate students’ backgrounds and cultures. Teachers will employ strategies to bridge the gap between students’ home lives and their school lives. This essential component is incorporated into the curriculum while still meeting the expectations set by the CCSS. Educators will utilize the knowledge and experiences students bring with them to school every day as key components of each lesson as a means of empowering students, particularly African American students and English learners to better access the curriculum and gain academic success through an area of strength. Teachers at Joshua Tree Arts & Technology Academy use culturally responsive teaching to show students that the tools, experiences, and knowledge they bring with them to school every day is important and valued.

STUDENTS WHO ARE ACADEMICALLY LOW ACHIEVING

[*Ref. Criteria for Review; CCR-5, §11967.5.1(f)(1)(F)*]

Joshua Tree Arts & Technology Academy believes that early prevention and intervention for academically at-risk students will allow most to meet expectations. Research has shown that most students at risk for reading failure are those who enter school with limited understanding of literacy concepts related to phonemic awareness, oral language or print. Students entering middle school with poor reading skills are severely limited in their ability to read to learn, which affects success in all other academic areas as well. Students with strong literacy skills are sometimes unable to find success in mathematics, while others demonstrate challenges in both reading and math.

Joshua Tree Arts & Technology Academy assures that student progress will be monitored regularly and continuously so that student needs can be identified as soon as a child begins to falter. Students who perform far below and below basic on benchmark assessments will be given an intake meeting with their teacher and parent/guardian. An ILP will be developed from this intake meeting and assessment data on hand. Using this ILP, the teacher will construct differentiated curriculum best suited for the student while adhering to all CCSS. Appropriate reading and mathematics assessments will be given at predetermined intervals to ensure the student is on track and advancing to mastery in areas they are struggling with. These assessments will be used to diagnose specific reading or math problems the student is having and these problems will be used in future curriculum development. A student's work in their seminar class will also help guide this instruction as the teacher taps into student’s prior knowledge and interests in order to better engage the student in their educational process.

Students who perform far below and below basic will be given an intake meeting with their teacher and parent/guardian. An ILP will be developed from this intake meeting and assessment data on hand. Using this ILP, the teacher will construct curriculum best suited for the student

while adhering to all CCSS and allowing the student to choose a pathway in which they find interest. Appropriate reading and mathematics assessments will be given at predetermined intervals to make sure the student is on track and advancing to mastery in areas they are weak in. These assessments will be used to diagnose specific reading or math problems the student is having and these problems will be used in future curriculum development. A student's work in their Pathway class will also help guide this instruction as the teacher taps into the personal knowledge and interests in order to better engage the student in their educational process.

Joshua Tree Arts & Technology Academy will make every effort to first provide specially-designed support within the ILP that will allow the student to keep up by altering instructional activities or approaches, or providing additional assistance to individuals and small groups. Research-based targeted interventions will be put into place to support students lacking prior instructional experiences or second language acquisition in all content areas especially in mathematics and English. Joshua Tree Arts & Technology Academy will follow a three tier prevention/intervention RTI program that uses research-based methods of supporting student achievement.

Tier 1: Joshua Tree Arts & Technology Academy's strong instructional program will provide structured, systematic learning in all academic subjects. The core instruction introduces and reinforces concepts and skills. The academic language of text will be compared to cultural language patterns and differences will be clarified. Effective ELD strategies will include direct instruction, modeling in various contexts, repetition and substitution using language patterns, building one to one relationships between sounds/symbols and words, and story retelling. Effective math strategies will include building conceptual relationships using an integrated approach. This approach will encourage students to create their own knowledge by solving real world problems. The approach also includes the use of manipulatives, learning how to use and read the language of mathematics in words and symbols, using graphic organizers to organize information, and structured discussion of word problems such as reciprocal reading. Educators will utilize heterogeneous grouping as a method of intervention in order to allow peer teaching among students who are proficient in the content and those who may need additional support. Homogenous grouping will also be used as a means of support. This type of grouping will permit students to work with common-ability peers while small group instruction/support is being provided to the students who are struggling with the lesson. Analysis of instructional implementation will serve to improve and assure the integrity of instructional effectiveness.

When instruction fails to provide success for all students, early screening and consistent monitoring for student weakness will identify students in need. The first focus of Joshua Tree Arts & Technology Academy intervention will be early identification of students whose overall academic performance is below expected levels of achievement. Students who are unable to complete daily assignments and do not meet benchmarks on the periodic reading assessments, periodic math assessments, or ELD performance assessments will be identified and first provided with additional focused classroom instruction that is individualized for the student's learning style and specific to the assessed area of weakness in reading, math or language development. Intervention and supplementary materials designed to address assessed areas of weakness will be used during structured independent work time in reading, and at other work periods during the day. Teachers and administrators will work closely with parents to identify patterns of failure and success, and to raise family levels of understanding of what it takes to be successful in school.

Tier 2: Ongoing intensive intervention will be provided throughout the year for students. These additional supports may include extra tutoring, assistance from teacher aides or intervention teachers which may be in the form extra monitoring by teachers, additional/remedial instruction, and assistance from community volunteers. Intervention supports will be research-based and will include pre- and post-screenings of academic progress. The primary focus will be on remediation of weakness in reading and writing with systematic instruction in phonemic awareness, phonics and sight vocabulary. Remediation in ELD will focus on the interactive use of academic language appropriate for the proficiency level of the student and will include writing. Remediation in mathematics will focus on the assessed needs of students. Intervention activities will be aligned to CCSS.

Tier 3: When students are not able to respond successfully to the intervention strategies used in Tier 1 and 2 and continue to score poorly on periodic reading assessments, an analysis of the level of student participation and the validity of the intervention program implementation will be undertaken to identify factors that may be hindering student achievement. Discussion will begin regarding the students display of characteristics of a disability and will be referred for a comprehensive evaluation to determine if the student has a disability that requires special education services. The comprehensive evaluation will use all progress monitoring data and diagnostic testing previously collected as well as supplementary assessment materials as a basis for establishing the disability, eligibility and need for special education services. Parents will be informed of all measures taken to provide support for their child.

STUDENTS WHO ARE ACADEMICALLY HIGH ACHIEVING

[Ref. Criteria for Review; CCR-5, §11967.5.1(f)(1)(G)]

Students who are high achieving will greatly benefit from individualized programming. Their ILP will be created like all students at Joshua Tree Arts & Technology Academy and their curriculum will follow the CCSS while working with their advanced and accelerated abilities and creating increased mentoring opportunities. By integrating advanced projects from the Constructionist Learning Model and allowing high achieving students to access curriculum past that typical for their grade-level, teachers will build a program that accents the students' abilities and drives them to achieve a higher level of understanding while maintaining CCSS. High achieving students will also have the opportunity to participate in the more electives and extra-curricular activities provided by Joshua Tree Arts & Technology Academy. Pathways will be a cornerstone for high achieving students so they can find focus for their ambition and be ahead of other students when they enter the their post-secondary education or move forward with their careers.

ENGLISH LEARNERS

[Ref. Criteria for Review; CCR-5, §11967.5.1(f)(1)(G)]

All students, including English Learners (EL), will be assessed (California English Language Development Test (CELDT), etc.) and will have an Individual Life Plan designed for them. The individualized structure in Joshua Tree Arts & Technology Academy will see that the student has access to the CCSS curriculum and has additional access to curriculum that incorporates the English language development standards designed for EL students. Using assessments and Cross-cultural, Language, and Academic Development (CLAD) developed curriculum; teachers will tailor the program to align the standards and assist students in developing their English skills. These plans will be designed to accelerate their learning of both conversational and academic English. The progress of EL students in obtaining English language proficiency and their reclassification rate will be tracked and monitored. EL students will also have the opportunity to participate in all extra-curricular activities and the Pathways Program provided by Joshua Tree Arts & Technology Academy. Edmentum's products include those especially geared for English Learners, and JTATA intends to utilize those additional educational programs to further enhance the education of English Learners.

Identification of English Learners

Joshua Tree Arts & Technology Academy will establish a system for enrollment that assures trained staff will assist parents of potential English learners. Parent responses on the Home Language Survey will determine whether or not to proceed with English language assessment. Within 30 days of enrollment, students will partake in the administration of the CELDT assessment. Any student with an overall score of 1 through 3 in the listening/speaking area will be classified as an English learner. Parents will be notified of test results and offered ample opportunity to consult with the school regarding required and appropriate services.

Communication in Home Language

Joshua Tree Arts & Technology Academy will use newsletters in the home language of the parents, fliers, teacher phone calls, occasional surveys, and meetings to communicate with parents and ensure their active participation in the school. Joshua Tree Arts & Technology Academy will hold at minimum bi-annual parent-teacher conferences with teachers of core academic subjects and provide frequent reports to parents of their children's progress through teacher phone calls, conferences, and written communication. Student progress will be tracked by teacher-created and standardized assessments, and parents will be invited to meet with teachers to discuss their child's progress. Teachers will also meet to analyze common problems that may occur and design lessons to meet the specific academic and language challenges of the students.

Instructional Program

Joshua Tree Arts & Technology Academy is required to identify potential English Learner (EL) students and provide them with an effective English language acquisition program that affords meaningful access to the school's academic core curriculum and electives. The individualized structure in Joshua Tree Arts & Technology Academy will see that the student has access to the State CCSS curriculum and has additional access to curriculum that incorporates the English language development standards designed for EL students. Using assessments and Cross-cultural, Language, and Academic Development (CLAD) developed curriculum; teachers will tailor the program to align the standards and assist students in developing their English skills. These plans will be designed to accelerate their learning of both conversational and academic English. Instructional plans for EL students must be based on sound educational theory, be adequately supported by trained teachers and appropriate materials and resources, and must periodically be evaluated to make sure the program is successful and modified when the program is not successful. EL students will need to demonstrate mastery of listening, speaking, reading and writing standards at their assessed ELD level. The progress of EL students in obtaining English language proficiency and their reclassification rate will be tracked and monitored.

Professional Development

Teachers will participate in continuous professional development to stay informed about strategies to support English Learners and all students. A focus will be placed on incorporating Specially Designed Academic Instruction in English (SDAIE) and other ELD models such as language through content approaches will be used to ensure appropriate instruction across the curriculum. Strategies will include but will not be limited to the use of visual aids such as realia (real-life, authentic items) as well as graphic organizers (Thinking Maps) to organize learning. SDAIE strategies will be implemented to assist English learners access the curriculum and develop skills to be reclassified.

Reclassification

The goal of Joshua Tree Arts & Technology Academy is to ensure high quality instruction that enables English Learner (EL) students to attain English proficiency and perform well in all content areas. Joshua Tree Arts & Technology Academy will identify students who meet criteria for reclassification on the CELDT assessment with an overall score of 4 or 5, and a score of 3 or more in each of the skill areas. The school team will review all referrals for reclassification and examine evidence submitted to substantiate claims that the student has no academic deficit in any academic area. When the team determines that all current reclassification criteria have been met, parents will be notified and the student will be reclassified. However, student will be monitored to ensure continued growth and success.

Joshua Tree Arts & Technology Academy will follow all legal requirements for EL students as it relates to parent notification, student identification and appropriate placement, ELD and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirement. Joshua Tree Arts & Technology Academy will take a strategic approach to strengthening the ELD program and help accelerate the academic achievement of English learners so they can successfully acquire proficiency in the English language. Frequently monitoring the effectiveness of the program will help identify areas of strengthen and areas of need that can be supported through administrative support and professional development.

SPECIAL EDUCATION STUDENTS

[Ref. Criteria for Review; CCR-5, §11967.5.1(f)(1)(G-H)]

JTATA recognizes its responsibility to enroll and support students with disabilities who can benefit from its programs and who otherwise qualify for enrollment, and pledges to ensure that a free and appropriate education is provided to all students with exceptional needs (recognizing that some students are not eligible to enroll in an independent study program due to limitations in their IEP). JTATA intends to operate as an LEA under the El Dorado County Charter SELPA (“Charter SELPA”) pursuant to Education Code Section 47641(a). JTATA shall follow the Charter SELPA policies as they apply to all Charter SELPA schools for responding to implementation of special education services.

In the event JTATA seeks membership with a different state-approved SELPA, JTATA will provide notice to the SBE and/or CDE and the SELPA before June 30th of the prior year for which services are to commence. A change in LEA status or SELPA membership shall not require a material revision of this charter.

JTATA will comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and any other civil rights enforced by the U.S. Department of Education Office of Civil Rights (OCR). Furthermore, JTATA will comply with AB 602, CDE guidelines, and all California laws pertaining to special education students. As an LEA, JTATA will be solely responsible and liable, the same as a school district, for providing special education and related services.

As an LEA, JTATA shall receive its AB 602 and Federal revenue allocation through the Charter SELPA and shall utilize those special education funds to provide instruction and related services to eligible pupils in accordance with IDEA, State law, and JTATA’s mission. Funding to the school will be based on all students in attendance, including those students with disabilities. JTATA shall be solely responsible for all special education costs which exceed State and Federal special education revenue. JTATA will be accountable for compliance monitoring and reporting through the Charter SELPA, and will comply with any internal requirements of its authorizer related to IDEA. JTATA will participate in the state's quality assurance process for special education (i.e., verification reviews, coordinated compliance self-reviews, complaints monitoring, procedural safeguards, and the local plan). JTATA will participate in internal validation review.

Per Federal Law, all students with disabilities will be fully integrated into the programs of JTATA, with the necessary materials, services, and equipment to support their learning. The school will ensure that any student with a disability attending JTATA is properly identified, assessed and provided with necessary services and supports.

JTATA will meet all the requirements mandated within a student's Individual Education Plan (IEP). The school will seek to include all special needs students with non-disabled peers to the maximum extent appropriate according to their IEP. However, if the student's needs as documented on the IEP require a program other than inclusion, JTATA shall follow the Charter SELPA policies as they apply to all Charter SELPA schools for responding to implementation of special education services.

JTATA will actively participate in all aspects of the IEP to enable the student to be successful, including the appropriate individual tutoring schedule and classroom modifications, strategies, and techniques. The school will make available the student's work products for analysis and evaluation of progress and will participate in the IEP reviews where applicable.

If a parent or faculty member feels the student's educational needs are not being met, they may request a reassessment or a review of the IEP by the IEP team at any time during the year via written notice to JTATA, which will then forward such written notice to the SELPA within two school days. The school will encourage open communication between the parents and the JTATA SELPA for any items related to the special education services. Students at JTATA who have IEPs will continue to attend the school, unless the IEP recommends otherwise or excludes attendance.

In order to comply with Child Find requirements as specified by law, JTATA will establish a referral and assessment process that brings together the parent/guardian, student, and school personnel to address any problems that interfere with a student's success at the school. This process will entail search and serve, a Student Study Team, referral, assessment and IEP review.

SEARCH AND SERVE

Upon the commencement of JTATA's school year, all students will be evaluated as a means of class placement. No assessment or evaluation will be used for admission purposes. Through collaboration between the faculty and Principal, JTATA will work to identify any students, who do not currently have an IEP but may be in need of a pre-referral intervention plan. Principal/Superintendent and faculty will then convene the Student Study Team for that student.

Students possibly in need of special education can be screened from already available data (i.e. school tests, teacher observations, grades, etc.) regarding the student's progress or lack of progress within the general program.

For students who are identified as needing interventions, a Student Study Team composed of the student, the student's parent or guardian, the Principal, and a JTATA faculty member will be responsible for identifying the student's needs and developing a plan to enable that student to be successful, including, but not limited to, the appropriate individual tutoring schedule, classroom modifications, strategies and techniques to enhance that student's ability to be successful. If the Student Study Team finds that the pre-intervention plan is not sufficient to

meet the student's needs, they will recommend that student for a formal special education assessment. JTATA may also choose to refer a student for services through the provisions of a Section 504 Plan, if appropriate.

Parents will be informed that special education and related services are provided at no cost to them.

INTERIM AND INITIAL PLACEMENTS OF NEW CHARTER SCHOOL STUDENTS

For students who enroll in JTATA from another school district outside of the Charter SELPA with a current IEP, the Charter SELPA and JTATA shall conduct an IEP meeting within thirty days. Prior to such meeting and pending agreement on a new IEP, JTATA shall implement the existing IEP at JTATA, to the extent practicable or as otherwise agreed between JTATA and parent/guardian.

REFERRAL FOR ASSESSMENT

The referral process is a formal, ongoing review of information related to students who are suspected of having special needs and show potential signs of needing special education and related services. JTATA's internal method for referral for assessment will be the Student Study Team. The parent of any student suspected of needing or qualifying for special education services may also make a referral for an evaluation. Any such referrals will be responded to in writing by JTATA within 15 days. JTATA will the Charter SELPA (where applicable according to SELPA policies) of the assessment request within 5 days of receipt. Parents will be informed via the Special Education Manager that special education and related services are provided at no cost to them.

If JTATA concludes that an assessment is appropriate, the parent will receive a written Assessment Plan within 15 days. The parent will be given at least 15 days to provide written consent to the Assessment Plan. Assessments will be done only upon receipt of written parent permission. The assessment will be completed and an Individualized Education Program (IEP) meeting held within 60 days of receipt of the parent's written consent for assessment.






ASSESSMENT

The term "assessments" shall have the same meaning as the term "evaluation" in the IDEIA, as provided in Section 1414, Title 20 of the United States Code. JTATA will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with the Charter SELPA's general practice and procedure and applicable law. JTATA shall work to obtain parent/guardian consent to assess JTATA's students. JTATA will use Charter SELPA forms to develop, maintain, and review assessments and IEPs in the format required by the Charter SELPA, including assessment and IEP data into the Charter SELPA data system in accordance with Charter SELPA policies and procedures. Unless conflicting with Charter SELPA policies and procedures, JTATA will follow the following assessment guidelines. If a







conflict with Charter SELPA policies and procedures exists, then Charter SELPA policies and procedures will govern.




Parents or guardians of any student referred for assessment must give their written consent for the school to administer the assessment; The assessment will be completed and an IEP meeting held within 60 days of receipt of the parent's written consent for assessment;

Principal will be responsible for gathering all pertinent information and sharing such information Charter SELPA (where applicable according to Charter SELPA policies). Information gathered will be used as tools to determine the student's disability, eligibility for services, and determining the nature and extent of required services. Assessment procedures will be conducted in the student's primary language, and an interpreter will be provided if needed. The types of assessments that may be used for determining eligibility for specialized instruction and services will include, but not limited to:

-  Individual testing;
-  Teacher observations;
-  Interviews;
-  Review of school records, reports, and work samples; and
-  Parent input.

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

-  Parents or guardians of any student referred for assessment must give their written consent for the school to administer the assessment;
-  The assessment will be completed and an Individualized Education Program (IEP) meeting held within 60 days of receipt of the parent's written consent for assessment;
-  The student must be evaluated in all areas related to his/her suspected disability;
-  Assessments must be conducted by a person with knowledge of the student's suspected disability, and administered by trained and knowledgeable personnel and in accordance with any instructions provided by the producer of the assessments. Individually administered tests of intellectual or emotional functioning must be administered by a credentialed school psychologist;
-  Assessments must be selected and administered so as not to be racially, culturally, or sexually discriminatory;
-  Assessments will be delivered in the student's primary language, and a qualified interpreter will be provided if needed;

-  Assessment tools must be used for purposes for which the assessments or measures are valid and reliable; and
-  Assessments will be adapted as necessary for students with impaired sensory, physical or speaking skills; and
-  A multidisciplinary team will be assembled to assess the student, including a teacher knowledgeable in the disability.








Upon completion of the assessment, an IEP team will be assembled to review the results of the assessment and determine the student's need for special education. JTATA will be responsible for scheduling, coordinating and facilitating the IEP meeting. Educators qualified to interpret test results will present the assessment data at the IEP meeting. Parents will be provided with written notice of the IEP meeting, and the meeting will be held at a mutually agreeable time and place.

DEVELOPMENT AND IMPLEMENTATION OF IEP

Every student who is assessed by the school will have an IEP that documents assessment results and eligibility determination for special education services.

JTATA will ensure that all aspects of the IEP and school site implementation are maintained. JTATA will provide modifications and accommodations (outlined within each individual's IEP) in the general education environment taught by the general education teacher. Students at the school who have IEP's will be served in the Least Restrictive Environment (LRE).









Each student who has an IEP will have an IEP team that oversees the IEP Development, implementation and progress of the student. All decisions concerning the special education programs and services to be provided to a student with a disability are to be made by the IEP team. The IEP team must include all of the following members:

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






Others familiar with the student may be invited as needed. JTATA views the parent as a key stakeholder in these meetings and will make every effort to accommodate parents' schedules and needs so that they will be able to participate effectively on the IEP team. The school will provide an interpreter if necessary to ensure that all parents and/or guardians understand and can participate in the IEP process. If a parent cannot attend the IEP meeting, the school will ensure his/her participation using other methods, such as conferencing by telephone or meeting at the parent's home.


A copy of the IEP will be given to the parent in accordance with state laws and SELPA policies. Upon the parent or guardian's written consent, the IEP will be implemented by JTATA. The IEP will include all required components and be written on MUSD OR SELPA forms.

The student's IEP will include the following:

-  A statement of the student's present levels of academic achievement and functional performance;
-  The rationale for placement decisions;
-  The services the student will receive and the means for delivering those services;
-  A description of when services will begin, how often the student will receive them, who will provide them, and where they will be delivered;
-  Measurable annual goals and short-term objectives focusing on the student's current level of performance;
-  A description of how the student's progress toward meeting the annual goals will be measured and monitored and when reports will be provided; and
-  Accommodations necessary to measure the academic achievement and functional performance of the pupil on state and district assessments;
-  For students 16 years of age and older, measurable postsecondary goals related to training, education, employment and independent living skills, along with transition services needed to assist the student in reaching those goals.

IEP meetings will be held according to the following schedule:

-  Yearly to review the student's progress and make any necessary changes;
-  Every three years to review the results of a mandatory comprehensive reevaluation of the student's progress;
-  After the student has received a formal assessment or reassessment;
-  When a parent or teacher feels that the student has demonstrated significant educational growth or a lack of anticipated progress (consistent with state and federal law, IEP meetings will be held within 30 days of a parent's request);
-  When an Individual Transition Plan is (ITP) required at the appropriate age;

-  When JTATA seeks to suspend or remove the student for a period of 10 days or more for the same behavior, in order to determine if the student's misconduct was a manifestation of his/her disability.

IEP REVIEW

The IEP team will formally review the student's IEP at least once a year to determine how the IEP is meeting his/her needs. In accordance with IDEA regulations, the IEP team will also conduct a formal review of the IEP once every three years, in which the student is reassessed and the IEP is reviewed as part of an overall comprehensive reevaluation of the student's progress.




If a parent or faculty member feels the student's educational needs are not being met, they may request a reassessment or a review of the IEP by the IEP team at any time during the year via written notice to the school. Once the request is received, JTATA will have thirty days, not including school vacations greater than five days, to hold the IEP meeting.





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

STAFFING

JTATA is committed to assuring all IEPs are properly implemented and all students requiring services are adequately provided. It is the goal of JTATA to employ at least one full-time teacher who in addition to having the proper credentials to teach a general education subject, will also possess a Special Education Credential. This teacher, along with the principal of JTATA, will be the primary JTATA representatives tasked with assuring that all aspects of the IEP and any possible 504 plans are properly implemented. All teaching staff at JTATA will also be involved in assuring that all IEPs and 504 plans are properly implemented.






In year 3, pending budgetary availability, JTATA plans to employ a Special Education Manager that will have duties that will include:

-  Ensure that all aspects of the IEP are followed;
-  Arrange for the teacher of the student to attend the team meetings;
-  Communicate with parents about progress made toward attaining the goals stated on the student's IEP, and inform them of due process procedures and rights;

-  Consult quarterly with the Principal to ensure that the objectives and goals of students with IEP's are being met;
-  Complete the requisite paperwork, updating and filing of necessary information for initial referrals, triennial evaluations, ongoing monitoring of student progress, and appropriate provision of any/all test modifications as stipulated in the IEP;
-  Maintain a central file with all special education evaluation material and IEP's in accordance with FERPA and IDEA guidelines; and
-  Provide a report of student progress on the same schedule as students in general education

REPORTING

JTATA will collect and maintain the following information on disabled students as required by IDEA:

-  A calculation of all school-age students with disabilities being provided special education services by age, grade, category of disability and the number of students with disabilities who are English Language Learners;
-  The number of students provided with test modifications and the types and the number of students exempted from District assessments;
-  The settings in which students with disabilities receive their services, specifically including the portion of the school day they receive services with non-disabled peers and time away from the regular classroom;
-  The number of students with disabilities suspended "in-school" and out of school, organized by disability and length of suspensions; and
-  The basis of exit from JTATA of students with disabilities (i.e., attainment of diploma and type, declassified, moved, etc.).

All necessary procedures and practices to ensure confidentiality and accurate/timely reporting will be the responsibility of the JTATA Principal. The Principal will ensure that a central file with all special education evaluation material and IEP's is maintained and that this file is locked and confidential, in accordance with IDEA guidelines. The Principal will oversee access to these records, and will be responsible for ensuring that all providers responsible for the implementation of a student's IEP will have access to a copy of the IEP and will be informed of their specific responsibilities in implementing the IEP.

PROCEDURAL SAFEGUARDS

Parents or guardians of students with IEP's at JTATA must give written consent for the evaluation and placement of their child, be included in the decision-making process when change in placement, is under consideration, and be invited, along with teachers, to conferences and meetings to develop their child's IEP.

Any concerns or disagreements raised by parents will be acknowledged by the school within five days, after which a meeting between the parent and school will be scheduled to seek resolution of the disagreement. If a disagreement or concern persists, parents or guardians have the right to initiate a due process hearing to challenge a decision regarding the identification, evaluation, or educational placement of their child.

The school will provide the parent with a written Notice of Procedural Safeguards, which will include information on the procedure to initiate both formal and informal dispute resolutions, at least once per year. JTATA will utilize the Notice of Procedural Safeguards used by the Charter SELPA.

DISPUTE RESOLUTION

JTATA shall respond to parental concerns or complaints related to special education services. JTATA shall instruct parents/guardians to raise concerns regarding special education services, related services and rights directly to JTATA. JTATA's designated representative shall investigate as necessary, respond to, and address the parent/guardian concern or complaint. JTATA, as the LEA, shall be ultimately responsible for determining how to respond to parent concerns or complaints. JTATA shall respond to any complaint to or investigation by the CDE, the United States Department of Education, or any other agency.

JTATA may initiate a due process hearing or request for mediation with respect to a student enrolled in JTATA if JTATA determines such action is legally necessary or advisable. In the event that the parents/guardians file for a due process hearing or request mediation JTATA shall defend the case. JTATA shall have sole discretion to settle any matter in mediation or due process. JTATA shall also have sole discretion to file an appeal from a due process hearing or take other legal action involving any JTATA student necessary to protect its rights. Parents or guardians also have the right to file a complaint with the CDE if they believe that the school has violated federal or state laws or regulations governing special education.

SPECIAL EDUCATION STRATEGIES FOR INSTRUCTION AND SERVICES

JTATA will comply with the federal mandate of the "least restrictive environment", meaning that the school will make every attempt to educate special education students along with their non-disabled peers. JTATA will mainstream all of its students as much as is appropriate according to each individual IEP, offering a comprehensive inclusion program that includes specialized

individual tutoring through JTATA's extended day and year. Each student's IEP requires different kinds of modifications for instruction and services, therefore the educational strategies of the IEP will be built around the student's needs and how these fit within the general educational program of the school. The instruction outlined in each student's IEP will be delivered by personnel qualified to do so.

PROFESSIONAL DEVELOPMENT FOR JTATA STAFF

The Superintendent, Principal, regular and special education teaching staff, as well as other appropriate faculty and staff members will attend professional development and/or training meetings necessary to comply with state and federal special education laws, including those trainings required or sponsored by the Charter SELPA.

JTATA also intends to seek professional development opportunities for its staff through potential trainings facilitated by the County Office of Education, colleges and universities, and private companies or agencies.

SECTION 504 OF THE REHABILITATION ACT



JTATA shall be solely responsible for its compliance with Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. All facilities of the School shall be accessible for all students with disabilities in accordance with the ADA.

JTATA 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 JTATA. Any student, who has an objectively identified disability which substantially limits a major life activity including but not limited to learning, is eligible for accommodation by the school.

A 504 team will be assembled by the Principal and shall include the parent/guardian, the student, a qualified staff member, and other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options, and accommodations. The 504 team will review the student's existing records; including academic, social and behavioral records, and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEIA but found ineligible for special education instruction or related services under the IDEIA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team who will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:



- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.

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

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

If the student is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations or services are needed to ensure that the student receives the free and appropriate public education ("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 JTATA'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 Principal will ensure that teachers include 504 Plans with lesson plans for short-term substitutes and that he/she review the 504 Plan with a long-term substitute. A copy of the 504 Plan shall be maintained in the student's file. Each student's 504 Plan will be reviewed at least once per year to determine the appropriateness of the Plan, needed modifications to the plan, and continued eligibility.

ELEMENTS 2 & 3 - MEASURABLE PUPIL OUTCOMES & ASSESSMENT METHODS

MEASURABLE STUDENT OUTCOMES

[Ref. California Education Code § 47605 (b)(5)(B)]

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

JTATA Has clearly defined schoolwide outcome goals in compliance with California Education code sections 47605(b)(5)(B) and 52060(d).

JTATA will pursue the following school-wide and subgroup outcome goals, as measured by multiple and varied benchmark assessments that are aligned to state and federal standards (including the new Common Core) and reflect proficiency measures required by the [CELDT/ELPAC, CAASPP and other selected and local assessments], as well as applicable state priorities detailed in California Education Code § 52060(d) that apply for the grade levels served, or the nature of the program operated, by the charter school. For purposes of measuring achievement of these goals, a numerically significant pupil subgroup will be defined as one that meets both of the following criteria:

- “(i) The subgroup consists of at least 50 pupils each of whom has a valid test score.
- (ii) The subgroup constitutes at least 15 percent of the total population of pupils at a school who have valid test scores.” *Cal. Education Code § 47607(a)(3)(B)*.

The following chart delineates JTATA’s schoolwide and subgroup outcome goals and performance targets aligned to the state’s priorities that apply for the grade levels served, or the nature of the program operated, by the charter school, methods for measuring progress and the individual(s) with primary responsibility for each, all aligned with the state’s priorities defined in Cal. Ed. Code Section 52060(d). As the State and District finalize new standardized assessment tools and new school performance measures (e.g., API), and finalize the format for the new Local Control Accountability Plans as applicable to charter schools, JTATA will work with the District to ensure that it creates and updates its plans and goals accordingly. The LCAP shall not be deemed part of the charter as JTATA will continue to annually update the plan in accordance with California laws. The goals and actions described below are subject to modification as our LCAP is updated annually, without being considered a “material revision of the charter” as defined on section 47607. Actions intended to ensure that the school meets these goals and targets are delineated throughout this charter petition (e.g., Element 1: Curriculum and Instructional Design; Element

4: Governance, subsection Parental Involvement; etc.) See the following chart for specific actions, their corresponding assessments and the school personnel responsible for their implementation.

Achievement Goal #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))

School Action	Method of Assessment
Provide students with high quality teachers in all subject areas.	The number of teachers who are appropriately assigned and fully credentialed in their subject area.
Provide high-quality services for foster, low income and English Learner students	How welcoming, inviting our facilities are and how much they foster learning for at risk students based on parent perception surveys
Provide robust arts education to all students.	Percentage of students who regularly attend art classes and complete their work.

Achievement Goal #2 — Implementation of Common Core State Standards

The charter school will meet or exceed the same accountability standards as District schools regarding the implementation of Common Core State Standards, including how EL students will be enabled to gain academic content knowledge and English language proficiency.

School Action	Method of Assessment
Have teachers and support staff receive professional development in the new CCSS.	The percentage of teacher class hours taught by teachers and staff who are trained in State standards.
Enable English Learners to have with access to CCSS.	The number of programs and services that enable English Learnings to have access to CCSS and English Language Development Standards.

Achievement Goal #3 — Parental Involvement

The charter school will meet or exceed the same accountability standards as district schools for parental involvement, including efforts to seek parent input for making decisions for schools, and how the school will promote parent participation.

School Action	Method of Assessment
Make it easy for parents to follow their child's outcomes.	The number of parents who know how well their children are doing in each of their classes.
Keep parents involved in the school's decision-making processes.	Number of parents who attend school board meetings and/or School Advisory Board meetings.
Engage parents to participate in their child's performance in art & technology classes.	Number of parents who attend art shows, recitals, competitions, and other similar events.

Achievement Goal #4 — Student Achievement

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

A. CA Measurement of Academic Progress and Performance on statewide assessment (as available)

B. The Academic Performance Index (API) (as available)

C. Percentage of pupils who are college and career ready

D. Percentage of ELs who make progress toward English language proficiency as measured by the California English Language Development Test (CELDT) and/or English Language Proficiency Assessment for California (ELPAC)

E. EL reclassification rate

F. Percentage of pupils who have passed an AP exam with a score of 3 or higher

G. 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

School Action	Method of Assessment
Provide students with a rigorous academic education.	Student test scores on the Smarter Balanced test, AP test scores, and Academic Performance Index (API)
Provide a meaningful college-prep curriculum.	Number of students taking and passing AP exams, number of students enrolling and passing in A-G Courses, English Learners who become English Proficient.
Make sure students know the classes they need to meet their career and/or post-secondary educational goals.	Number of students who have 100% complete ILPs that identify the classes needed for the ILP. Survey parents of students.

Achievement Goal #5 — Student Engagement

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

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

School Action	Method of Assessment
Ensure all students are interested in and motivated to come to school.	School average daily attendance rate (ADA). Percentage of students who use the computer lab, engage in extra projects, mentor other students.
Maintain a high school graduation rate among all student groups in excess of the Districtwide rate.	Measure graduation rates.
Maintain a middle school graduation rate among all student groups in excess of the Districtwide rate.	Measure graduation rates.

Achievement Goal #6 — School Climate

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

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

School Action	Method of Assessment
Engage and support all parents and families of students.	Number of teachers and staff who are trained to identify potential student needs and then reach out to families to communicate.
Keep events financially accessible for all parents and families.	Percentage of special events where there is no or a very-low cost to attend without a violation of the gift of public funds statutes.

Achievement Goal #7 — Course Access

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

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

Grades 4-6: 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))

School Action	Method of Assessment
Prepare students for 21st century careers.	Number of students enrolled in all required course for admittance to a four-year college or attaining a certification in their chosen vocational field.
Prepare art-focused students for further academic progress post- high school.	Number of students who graduate and are accepted into college art programs.

Achievement Goal #8 — Student Performance

All students will demonstrate appropriate developmental or age/grade level mastery of State and National standards (see <http://www.cde.ca.gov/be/st/ss/> and www.corestandards.org) and aligned with the state’s priorities detailed in California Education Code Section 51220 (grades 7-8). Individual performance goals will be established for each student at the beginning of each year based on his/her

baseline benchmark assessments, past academic performance, special needs/IEP, and other available data as measured by all of the following, as applicable:

A. Internal Assessment B. Growth










C. Social Responsibility

School Action	Method of Assessment
Engage students to motivate them to learn core subjects.	Scores on Smarter Balanced Test and other assessment tests.
Prepare students intending to go to college for entrance exams.	Scores on ACT, SAT and other college entrance exams.
Bring students who are behind up to grade level.	Scores on all assessment tests at beginning and end of year.




CORE ACADEMIC SKILLS

Each student at the Charter will advance through the CCSS academic content standards sequentially according to his/her progress on the ILP. Overall progress will be broken into achievement- levels. Unlike grade-levels, an achievement-level is not age-based, but performance based. Students will advance to the next level based on their progress in mastering the standards and in completing the demonstration and project requirements for that level regardless of age. Students are never retained, but receive instruction based on their needs. This eliminates unnecessary repetition of instruction, but a continual building upon a student's current academic proficiency.

It will be expected that students will obtain mastery in a minimum of the following areas:




-  History/Social Science: Students shall understand and apply civic, historical, and geographical knowledge in order to serve as citizens in today's world of diverse cultures.
-  Mathematics: Students shall demonstrate abilities to reason logically and to understand and apply mathematical processes and concepts, including those within arithmetic, algebra, geometry, and other mathematical subjects with the staff and school governing board deem appropriate.
-  Language Arts: Students shall demonstrate strong reading, writing, speaking, and presentation skills, in multiple forms of expression (e.g., written, oral, multimedia), with communication skills appropriate to the setting and audience. They shall comprehend and critically interpret multiple forms of expression, including literature from various time periods and cultures.
-  Science: Students shall successfully utilize scientific research and inquiry methods to understand and apply the major concepts underlying various branches of science, which may include physics, chemistry, biology, ecology, astronomy, and earth sciences.
-  World Language: Students who choose to study a World Language other than English shall demonstrate proficiency in speaking, reading, writing, and listening comprehension in at least one language in addition to their native tongue. Students shall understand key aspects of the culture, both past and present, of the second language.
-  Creative expression through various forms of the arts, e.g., music, visual/studio arts, drama, and dance.
-  Humanities: Students shall learn have at least basic proficiency in music theory, art history, spatial/graphic art, computer usage and simple web design, and other subjects as required by the Visual and Performing Arts standards where applicable.
-  Knowledge of pertinent issues of health, welfare, and development of physical fitness.
-  College, vocational, and Career Readiness.

Underlying and utilized throughout each of the CCSS academic content standards shall be other core skills such as:

-  Critical thinking skills: e.g., problem-solving, analyzing, and applying knowledge
-  The ability to effectively utilize a variety of modes and types of technology
-  Personal finance and ethics



LIFE-LONG LEARNING SKILLS

Students shall develop skills, which shall enable them to pursue their own path of learning throughout their adult lives, including:

-  Study skills and habits, e.g., note-taking, library research skills, studying strategies, presentation skills
-  Ability to plan, initiate, and complete a project — both alone and working within a micro-community
-  Ability to reflect on and evaluate one's own and others' learning




SOCIAL/INTERPERSONAL SKILLS


Students shall develop:

-  Strong citizenship and leadership skills by planning and implementing projects that are both academic and useful.
-  Ability to collaborate and work effectively with others in cooperative groups.

LIFE SKILLS

Students shall develop skills necessary for a healthy adult life, including:

-  Job readiness and career development skills (e.g., internships, etc.)
-  Higher Education/College Prep skills (e.g., developing college applications, filling out financial aid forms, interviewing at a college, applying for scholarships, etc.)
-  Good citizenship skills, including knowing the obligations of citizenship and how a democracy, a republic, and the free enterprise system functions.

 Students will be assessed in the above life skills by a measurable outcome in their ILP.

METHODS OF ASSESSMENT

[Ref. California Education Code §47605(b)(5)(C), Criteria for Review; CCR-5, §11967.5.1(f)(2)(A), §11967.5.1(f)(3) (A-B), and California Education Code §47605(c)(1)].






“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.” *Cal. Ed. Code § 47605(b)(5)(C)*.

JTATA shall adhere to all state testing requirements, including provisions of AB 484/2012 and any revisions of Education Code that are applicable to charter schools. As established in the previous section JTATA 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.

Assessment	Description	Schedule
State required tests	STAR, Smarter Balanced, CAASPP, PFT, etc	Annually, as available
Placement Exams	CELDT, Math & English Diagnostics, Edmentum’s Assess	Annually, as available
School-Designed Assessments	Quizzes, tests, projects, recitals, performances	Ad-hoc, weekly, monthly, each semester, annual
Summative Assessments	Common core aligned final examinations, adjudicated performances/projects in line with CA standards	Bi-annually

In order to meet the high expectations set by Joshua Tree Arts & Technology Academy, it is imperative that students, teachers, parents, and administrators have a clear and accurate understanding of the school’s goals for the instructional program as well as the necessary benchmarks required to measure progress. When assessing students from a diverse population,

it is particularly important to ensure that measurement is done in a culturally response, valid and reliable way. Joshua Tree Arts & Technology Academy believes that assessment should follow the following core principles:

-  Continuity-assessment should be ongoing so that it provides a useful body of evidence in judging performance;
-  Integration-assessment should be an integral part of the curriculum planning and instructional design;
-  Involvement-all stakeholders should have an investment in the results and are part of the process at each step;
-  Appropriateness-assessments should respect the cultural and linguistic varieties present in the student population, and be free of any bias; and
-  Collaboration-teachers, parents, students, and administration are all part of a team seeking the best and most appropriate forms of assessment and instruction.

Joshua Tree Arts & Technology Academy will conduct a variety of ongoing assessments throughout the school year. The assessments will be divided into informal and formal assessments. Informal assessments will be conducted in a variety of methods to gauge individual performance and measure progress. Formal assessments will be conducted in the form of standardized tests, to evaluate how well students have mastered learning outcomes. Together, the results of informal and formal assessments will be used to report student progress to various stakeholders, implement best practices, evaluate efficacy of the instructional program, and be the driving force in redesigning instruction.

INFORMAL ASSESSMENTS

Informal assessments are qualitative in nature and will often be monitored in the form of observation, reports, student generated response, and feedback. Joshua Tree Arts & Technology Academy will promote informal assessments using a holistic approach, by evaluating student performance on a variety of projects, individual portfolios, logs and journals, writing samples, and interviews. Criterion-referenced tests will also be utilized in the forms of quizzes, tests, papers, and other traditional methods indicative of sound pedagogical practice on each of the core subject areas.

In order for the informal assessments to be effective, the assessment must be carefully planned to ensure validity and reliability. Validity and reliability of informal measures will be achieved through clear curricular expectations of goals and objectives, consistent application of scoring criteria, and holistic scoring procedure for evaluating performance. Through these methods of informal assessments, the school will not only be able to measure and track student progress, but also embrace individual differences in demonstrating performance.

FORMAL ASSESSMENTS

Student outcomes will also be measured by periodic formal assessment to determine that the student is making adequate yearly progress in mastering the CCSS academic content standards. A baseline for each student will be established by the administration of an initial assessment performed upon the admission of each student. Periodic reassessment will be performed to monitor such growth within established benchmarks. Formative assessments will include state sanctioned tests and materials. Every student will be expected to move progressively through the grade-level standards.

CA MEASUREMENT OF ACADEMIC PERFORMANCE AND PROGRESS (MAPP) TESTING

The Charter shall meet statewide standards and conduct pupil assessments required pursuant to Education Code 47605(c)(1) and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. In order to best serve our students and community, the Charter shall continue to examine and refine its list of student outcomes over time to reflect the Charter's mission and any changes to state or local standards that support such mission.

BENCHMARKS AND OTHER STATE-MANDATED ASSESSMENTS

Joshua Tree Arts & Technology Academy will implement school-wide benchmark assessments to diagnose student learning, set growth goals, and adapt to our student learning needs. With the goal to equip students with the academic skills to thrive in college, the fundamental role of the assessment is to provide meaningful feedback and improve student learning.

i-Ready Diagnostic and Instruction Tool, a computer-adaptive assessment software, will be utilized as a benchmark assessment to track student growth and performance. It will function as both an initial diagnostic of student ability and a national normed assessment tool. At the beginning of each year, i-Ready will assess the baseline level of students' knowledge and skill. i-Ready will also be utilized mid-year and end of year as a summative benchmark testing to allow school leadership and various stakeholders the ability to analyze data, reflect on instructional practices, and support student needs. This summative administration of the nationally normed assessment will also serve as an accountability tool during California's transition from the CST to SBAC.

In addition to the State adopted assessment and school identified external benchmark assessments referenced above, the school will adhere to all other State assessments, promotions and exit-examination requirements. Following the educational model of Joshua Tree Arts & Technology Academy, students in the elementary grades will demonstrate

proficiency in all core subject standards prior to promotion to middle and high school. At all grade levels, students will be carefully monitored on their progress towards mastering the CCSS academic content standards. To progress to the next level in each course of study and within a subject strand, demonstration of proficiency will be required. Secondary students will also demonstrate core subject mastery through the CAASPP or other State adopted high school exit exam.

On state exams, such as CAASPP (or equivalent high school exit exam), for non-special needs and non-limited English proficient (LEP) students, proficiency will be defined per the California Board of Education definitions. "Mastery" for special needs and LEP students will be defined according to their IEP's and English proficiency levels.

USE AND REPORTING OF DATA, ACADEMIC ACCOUNTABILITY AND TRANSPARENCY

[Ref. Criteria for Review; CCR-5, §11967.5.1(f)(3)(C) and California Education Code §47605(c)(2)]

An essential part of using data effectively is in the communication of data with parents and other stakeholders. Teachers and administrators will engage in extensive analysis of data to truly understand the needs of individual students. These reports will be shared with all parents and guardians. Administration will share school level reports with the Board of Directors at Joshua Tree Arts & Technology Academy. Together, these various stakeholders will collaborate to identify areas of need, evaluate effectiveness of educational program and instruction, and align resources to support students and improve the program.

Academic performance transparency is a manifestation of Joshua Tree Arts & Technology Academy's mission to best equip all students with academic knowledge and interpersonal skills to thrive in college and beyond. We, at Joshua Tree Arts & Technology Academy, truly believe all students can be successful when the environment stimulates motivation among students to achieve at the highest level and systems are created to hold the school accountable to the same high expectations.

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ELEMENT 4 - GOVERNANCE STRUCTURE

GENERAL PROVISIONS AND ASSURANCES

[Ref. California Education Code §47605(b)(5)(D)] and Ref. Criteria for Review; CCR-5, §11967.5.1(f)(4)]

Joshua Tree Arts & Technology Academy is a California non-profit public benefit corporation that is obtaining tax-exempt status under Section 501(c)(3) of the Internal Revenue Service code. Such status also makes it exempt from most State of California corporate income taxes in addition to most federal corporate income taxes. Bylaws have been adopted and may be amended as needed to ensure proper operation and governance of Joshua Tree Arts & Technology Academy.

As an independent charter school, JTATA will operate as or by its non-profit public benefit corporation, is a separate legal entity, and shall be solely responsible for the debts and obligations JTATA. CDE and the SBE's Board of Directors shall not be liable for claims arising from the performance of acts, errors, or omissions by JTATA, so long as the they have complied with all oversight responsibilities required by law, including but not limited to, those required by section 47604.32 and subdivision (m) of section 47605.

JTATA shall be subject to Government Code Section 1090 *et seq.*, the Political Reform Act of 1974 (Gov. Code Section 87100 *et seq.*, the "PRA") and any attendant regulations as they may be amended from time to time, and all conflict of interest laws and prohibitions applicable to California non-profit public benefit corporations and/or California charter schools.

Joshua Tree Arts & Technology Academy shall comply with the Ralph M. Brown Act, the Public Records Act, and all the other regulations and statutes enumerated in the "Assurances" included in this Charter Petition.

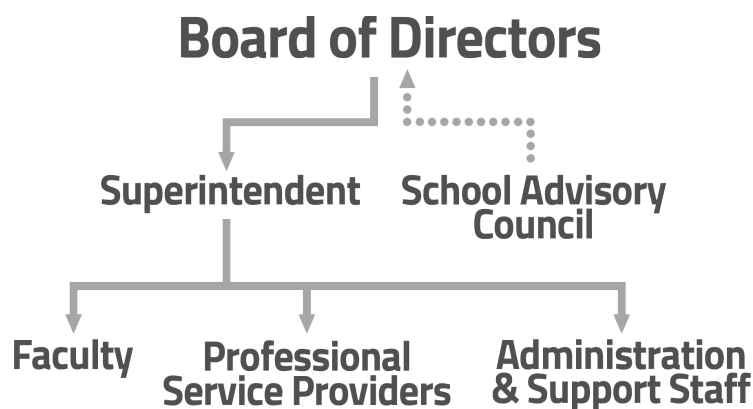
All employees and legal representatives of JTATA, including members of JTATA governing board, members of school or governing board committees or councils, school administrators, and managers, shall comply with federal and state laws, nonprofit integrity standards, and the CDE and SBE's charter school policies regarding ethics and conflicts of interest.

Any amendments to JTATA's bylaws that materially affect or impact the charter or school operations must be approved through the SBE's petition amendment process. Material revisions and amendments will be made pursuant to the standards and timelines specified in California Education Code 47605 and District policy as it relates to charter schools.

Purpose of the Governing Board

The Governing Board of Joshua Tree Arts & Technology Academy has the fiduciary responsibility to ensure that JTATA complies with all applicable laws and requirements of the Charter, which include reviewing, discussing, monitoring, and modifying, if necessary, the school's policies, systems, and procedures. In addition, the Governing Board has the power and responsibility to oversee the vision, mission, education program, financial status, curriculum attainment, school performance, and overall school operations to ensure the fulfillment of the Charter. The Governing Board's responsibilities include, but are not limited to the following:

- ✔ Approve all educational and operational policies, regulations, and procedures;
- ✔ Approve all major contracts including school facilities, back office support, legal counsel, IT, and related items;
- ✔ Approve the charter school calendar;
- ✔ Approve annual budget and any subsequent revisions;
- ✔ Oversee the charter school's fiscal and legal affairs; and
- ✔ Hire, evaluate, and terminate the Superintendent, and other initial administrative positions such as personnel/payroll director, and delegate the hiring, evaluation, and termination of all other employees supervised by the Principal.



Composition, Selection, and Procedures of the Governing Board

A Governing Board will consist of five (5) to seven (7) members who have the desire and backgrounds, skills, and experience to effectively govern Joshua Tree Arts & Technology Academy. The Governing Board will consist of individuals with areas of expertise and knowledge base necessary to properly govern JTATA with the professional guidance of

professionals in the legal and other fields required for Charter School management. These areas include education, fiscal management, business management, school operations, and administration. The composition of the Governing Board is intended to ensure that no single individual or group of individuals within a particular stakeholder group can unduly influence a decision. It is intended for the Governing Board to have diverse backgrounds, knowledge and skills to not only govern the school effectively, but also be a valuable resource for those and the community it serves.

The selection process for the Governing Board will be in accordance with policies established by the governing board policies and the bylaws. The bylaws are established to select qualified individuals from diverse backgrounds who have the cognitive, applied, and experiential knowledge to properly and responsibly govern JTATA. The bylaws of the corporation specify the selection process and stipulate that a board member who is no longer qualified or able to serve on the Governing Board will be deemed to have vacated his or her seat.

Regular meetings of the Governing Board shall be held monthly, but more meetings may be held as necessary to properly govern JTATA. Agendas for regular, special, and emergency meetings will be posted as specified by and in full compliance with the Ralph M. Brown Act. To ensure public access to agendas, JTATA will post agendas in areas accessible to the public such as the main entrance of the school and the school's website. JTATA's board meeting minutes will be posted publicly next to the agendas two days after the meetings whenever possible, and otherwise as soon as practical thereafter. Said postings will follow all requirements of the Ralph M. Brown Act.

Every act or decision made by a majority of the directors present at a meeting duly held at which a quorum is present is the act of the Board of Directors, unless the articles of incorporation or bylaws of this corporation, or provisions of the California Nonprofit Public Benefit Corporation Law, particularly those provisions relating to appointment of committees (Section 5212), approval of contracts or transactions in which a director has a material financial interest (Section 5233), and indemnification of directors (Section 5238(e)), require a greater percentage or different voting rules for approval of a matter by the board.





Meetings of the Governing Board shall be presided over by the chairperson of the board, or, if no such person has been so designated or, in his or her absence, the president of the corporation or, in his or her absence, by the vice president of the corporation or, in the absence of each of these persons, by a chairperson chosen by a majority of the directors present at the meeting. The secretary of the corporation shall act as secretary for all meetings of the board, provided that in his or her absence, the presiding officer shall appoint another person to act as secretary of the meeting.

The initial or founding board of directors may include persons who will eventually be hired by the nonprofit school after a charter has been authorized. In order to comply with state laws and SBE policies related to conflict of interest, which prevent charter school employees from serving on the school's governing board, JTATA's bylaws allow such persons to serve on the initial board of directors of JTATA while it pursues both charter and tax exempt status. To accommodate the possibility of future school employees being actively involved in the early formation of a charter school, JTATA's bylaws include provisions referencing a "founding board"

whose members will resign if they are hired by the school after the charter has been issued. The Founding Board Members at this time are Jarrod Radnich; Nelms McKelvain; James Lawless; David Carrillo; and Karen Graley.

Board Committees

The Governing Board may appoint standing and/or ad hoc committees to help JTATA fulfill its mission, receive input from the parents/community, apply for grants, work with MUSD for integration of arts curriculum, or other needs as so designated by the Governing Board. Committees serve at the behest of the Governing Board and will be accountable to the Governing Board for their activities. The committees, on a regular basis, will present to the Board of Directors a review of the work completed and related recommendations. The formation of committees may include, but are not limited to:

-  Governance Committee: ensure board compliance with all rules and regulations
-  Finance Committee: provide fiscal oversight and oversee projects that have major budgetary impact
-  Facilities Committee: identify and acquire facilities of the charter school
-  Academic Committee: ensure school is meeting stated academic accountability goals of the charter

School Advisory Council

The School Advisory Council “(SAC)” is an integral and important part of the JTATA governing structure. While the SAC is not empowered to take official actions, and is not subject to the Brown Act or other non-profit requirements, it is established to involve parents, business leaders, educators, or others with diverse backgrounds and knowledge who have the best interests of JTATA in mind and desire to advise the Board of Directors on the direction of, issues regarding, and opportunities for JTATA and the students it educates.

Development of the School Advisory Council shall be an ongoing effort and the size and scope of the council may change as JTATA grows and/or its student body’s needs change or expand.

Conflict of Interest

Joshua Tree Arts & Technology Academy's Governing Board will abide by its adopted Conflict of Interest policy and any other state or federal conflict of interest regulations pertinent to JTATA. The policy is included in the appendices to this charter petition.

Parental Involvement

At Joshua Tree Arts & Technology Academy, we recognize and value the importance of parental involvement and seek to ensure that parents are part of the process that makes decisions as well as other avenues of involvement. Parents bring new ideas, innovation, critical evaluation, and other issues to the planning and educational processes, and JTATA desires to keep and grow parental involvement as an important part of its culture.

There will be many ways for parents to be involved. Most directly, other than working with teachers to develop the ILP for their child(ren) and observing their child(ren) during times of independent study, the School Advisory Council offers parents a constructive group setting to discuss a variety of issues amongst themselves, with teachers, and with other members of the public. The governance structure of JTATA is designed to capture and reflect the concerns and desires of the community that it serves, which creates additional decision-making steps that are not only created by CA state-mandated standards, but also by the community. JTATA strongly believes in and essentially depends upon the power of parental involvement, collaboration, cooperation, and continuity in order to fulfill its educational commitment to the students (and their families) that it educates. By its very nature, an Independent Study program is especially dependent on parental involvement and oversight, and JTATA also expects to have increased parental participation due to the nature of its programs.

While JTATA hopes for parental involvement through the School Advisory Counsel, that counsel is but one avenue for parental involvement in school-wide issues. To work toward a fuller parental participation, JTATA will institute ongoing communication through its website, social media (where appropriate), newsletters, personal emails and/or phone calls, and other communication methods to keep parents and community members up-to-date on the school's activities. At least bilingual (Spanish/English) information will be made available for parents. JTATA also will have informational assemblies for parents, student recitals, performances, art shows, club awards, and other similar opportunities for parents to come together in a positive environment.

Partnerships with community groups may also be formed to assist in the outreach activities. Local libraries, churches, and other community institutions will be enlisted to disseminate news about JTATA and its mission. Local news media also will be informed of the same information and so that it can be provided to the public.

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ELEMENT 5 - HUMAN RESOURCES

EQUAL EMPLOYMENT OPPORTUNITY

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

PROCESS FOR STAFF SELECTION AND HIRING

All personnel must commit to the mission and vision of Joshua Tree Arts & Technology Academy. Employee job descriptions and work schedules will be reviewed annually and modified as necessary to meet the needs of the school and students. The job descriptions will be based on the job duties and work basis as outlined in the charter.

Joshua Tree Arts & Technology Academy is committed to recruiting and hiring a community of professionals who are dedicated to learning and sharing educational best practices ensuring high quality education of all students. Regardless of their role in the school, every person hired by Joshua Tree Arts & Technology Academy will actively help to promote the curricular philosophy, instructional programming and the school community's guiding principles and core values.

Joshua Tree Arts & Technology Academy will require each employee to submit to a criminal background check as required by Education Code 44237. Joshua Tree Arts & Technology Academy will adhere to California laws, including fingerprinting, and prohibitions regarding the employment of any person who has been convicted of a violent or serious felony Joshua Tree Arts & Technology Academy agrees to comply with the provisions of NCLB as they apply to certified and paraprofessional employees of charter schools. Prior to employment each employee must furnish an up-to-date Mantoux Tuberculosis (TB) test result, and any documents establishing legal employment status. The Principal and/or Administrative Designee will monitor and be responsible for maintaining records of tuberculosis and criminal investigation clearances, according to California and federal law.

QUALIFICATION OF SCHOOL EMPLOYEES (“E” OR “V” IN SOME PETITIONS)

[Ref. California Education Code §47605(b)(5)(E)]

ADMINISTRATION

Administrators who will be supervising certificated faculty members must hold or be in the process of obtaining the same certification required of non-charter public schools or have the management and administrative experience in the private or other sector to show they can manage and supervise faculty members in a fair and effective way. All administrators must be of the highest integrity and possess leadership, communication, and team development skills.

FACULTY

Faculty members (including non-teaching personnel such as Counselors, School Psychologists, and Librarians) will hold the certification required of Charter public schools. Teachers will be required by JTATA to hold a Commission on Teacher Credentialing document that allows teaching of a single subject area, independent study, or multiple subjects to students at each particular grade-level. The Charter will seek to have all teachers meet the qualifications to be declared Highly Qualified (HQT) in the subject matter or assignment they are serving in. Any employee serving special needs students in compliance with any Federal or State Special Education law shall hold the appropriate credential as prescribed by law. A teacher may supervise another teacher or non-teaching staff when mutually agreed to by the teacher and the Charter.

CLASSIFIED STAFF

The Charter will employ instructors of enrichment or non-core elective classes such as some of the arts and technology classes, who are highly skilled in their unique area of expertise, but they shall be supervised or work jointly with an appropriately credentialed faculty member in order to meet the highest academic standards. The Charter may also employ additional instructional assistants who assist credentialed faculty members. Such assistants will possess an appropriate mix of subject matter expertise, professional experience, and the demonstrated capacity to work successfully in an instructional support capacity.

All non-instructional support positions will be filled by the most qualified candidates. Each prospective employee must possess the expertise in the area of employment, work well with others, and possess a strong work ethic. A job description will be developed for each classified position.

STAFF EVALUATION

Evaluations will be performed at least annually. Performance measures will be used to evaluate all school personnel. If an evaluation reveals poor job performance or an area that needs improvement, a conference will be scheduled between the staff member and the principal to develop a written action plan detailing recommendations for improvement. The action plan need not be lengthy, but will outline an implementation plan for support services, specific responsibilities, expectations, timelines, and consequences for failure to meet the expectations. It is the desire of JTATA that the employee be a part of designing any action plan, as JTATA believes that poor job performance is often the result of poor communication or lack of training/understanding. If an employee disagrees with an evaluation, a written objection may be appended to the evaluation.

COMPENSATION & EMPLOYEE BENEFITS (“K” OR “XI” IN SOME PETITIONS)

[Ref. California Education Code §47605(b)(5)(K) and Criteria for Review; CCR-5, §11967.5.1(f)(11)]

JTATA strives to compensate its certificated and classified staff/faculty at rates competitive within the teaching profession and, as applicable to vocational and arts instruction, in related instructional settings. It also strives to compensate the staff and faculty commensurate with their experience and education. Full-time certificated staff at the Charter shall participate in the State Teachers Retirement System (STRS). Full-time classified staff at Joshua Tree Arts & Technology Academy shall participate in the Public Employees Retirement System (PERS). Part-time employees and full-time non-certificated employees will participate in the federal social security system. The Charter plans to offer employees additional participation in health benefits that may also include dental and vision.

The JTATA HR team, in conjunction with its superintendent and payroll/benefits processors, ensures that appropriate arrangements for coverage have been made.

The Charter will acquire and finance general liability, workers compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance or in an amount and types as required by the SBE – whichever is greater, and provide evidence to the SBE that the cost and availability of such insurance has been researched by the petitioners.

PUBLIC SCHOOL EMPLOYER (“O” OR “XV” IN SOME PETITIONS)

[Ref. Education Code §47605(b)(5)(O)]

JTATA shall be deemed the exclusive public school employer of the employees of JTATA for the purposes of the Education Employment Relations Act (“EERA”). JTATA shall comply with the EERA.

EMPLOYEE RETURN RIGHTS (“M” OR “XIII” IN SOME PETITIONS)

[Ref. California Education Code §47605(b)(5)(M)]

No public school district employee shall be required to work at JTATA. Employees of the District who choose to leave the employment of the District to work at JTATA will have no automatic rights of return to the District after employment by JTATA unless specifically granted by the District through a leave of absence or other agreement. JTATA employees shall have any right upon leaving the District to work in JTATA that the District may specify, any rights of return to employment in a school district after employment in JTATA that the District may specify, and any other rights upon leaving employment to work in JTATA that the District determines to be reasonable and not in conflict with any law.

All employees of JTATA will be considered the exclusive employees of JTATA and not of the District, unless otherwise mutually agreed in writing. Sick or vacation leave or years of service credit at the District or any other school district will not be transferred to JTATA. Employment by JTATA provides no rights of employment at any other entity, including any rights in the case of closure of JTATA.

HEALTH AND SAFETY (“F” OR “VI” IN SOME PETITIONS)














[Ref. California Education Code §47605(b)(5)(F) and Criteria for Review; CCR-5, §11967.5.1(f)(6)]

SCHOOL SAFETY PLAN

Joshua Tree Arts & Technology Academy will have a Health, Safety and Emergency Plan in place prior to beginning the operation of JTATA. Joshua Tree Arts & Technology Academy will ensure that staff has been trained in health, safety, and emergency procedures. In addition, all school personnel will have to complete trainings pertaining to blood-borne pathogens, CPR/First aid, sexual harassment, mandating reporting, EpiPen usage, and other safety trainings as required by law and as required by the SBE.

Safety policies and procedures

The health and safety of students, staff, and visitor is of great importance at Joshua Tree Arts & Technology Academy. For this reason, the Governing Board shall adopt and maintain a comprehensive set of health, safety, and risk management policies. Staff of JTATA shall be trained as required. These policies shall address the following topics:

-  A policy requiring that all students provide records documenting immunizations to the extent required for enrollment in non-charter public schools;
-  A policy to ensure the proper maintenance of all documentation containing information regarding immunizations as well as health records;
-  A policy to ensure that mandated health services be provided to students;
-  A policy relating to the prevention of contact with blood-borne pathogens;
-  A policy requiring that instructional and administrative staff receive training in emergency response, including appropriate "first-responder" training or its equivalent;
-  A policy requiring the development of both a safety and disaster plan;
-  A policy regarding training and adherence to mandating reporting requirements;
-  A policy related to the administering of prescription drugs and other medications, including EpiPens;
-  A policy that ensures facility compliance with the Americans with Disability Act;
-  A policy establishing that JTATA functions as drug, alcohol, and tobacco free;
-  A policy that requires that each employee of the School shall submit to a criminal background check and furnish a criminal record summary as required by Education Code §44237;
-  A policy that requires each employee to submit a TB clearance certificate as a condition of employment; and
-  A policy that institutes local measures including surveys of students, parents, and staff on the sense of safety and school connectedness.

Fire Drill

Fire drills will be held at least twice a semester and, due to the Independent Study nature of JTATA, twice means that a “single” drill may need to occur multiple times over the course of a week. Office personnel will maintain a record of fire drills held and total required time for complete evacuation. When the fire drill signal sounds, teachers will lead the students in their room along the route indicated on the evacuation map posted for that purpose. Before leaving the room, teachers will see that all windows and doors are closed and that they have their class attendance roster with them. Students who are not in a classroom at the time the fire drill signal is given will attach themselves to the nearest teacher exiting the building for purposes of getting to the designated evacuation site.

Once at the designated evacuation site, teachers and other staff will ensure that all students find their respective teachers. Teachers will then take roll to ensure that all students are accounted for. The names of any missing students will be given to the office personnel and the administrative staff will attempt to locate missing students. Students will remain with their teachers at the designated evacuation site until the administrative staff gives the “all clear” signal.

Disaster Drill (i.e. Earthquake)

Disaster drills will be conducted at least twice a year. Students will be made familiar with the “Duck and Cover” routine. A disaster drill commencing with the “Duck and Cover” routine will be initiated by an announcement over the intercom. Staff and students will hear, “This is an emergency drill. Duck and cover.” During the “Duck and Cover” routine in the classroom, teachers will turn off the lights and have students get under a desk or table or against the wall away from the windows. Students must remain quiet and orderly so they will be able to hear additional instructions when given. All drills will be concluded with an “all clear” announcement on the intercom, or a visible signal from the administrative staff.

In the event of a real earthquake, everyone must engage in the “Duck and Cover” routine immediately and remain in position until the teacher determines that it is safe to leave the building. If remaining in the room becomes dangerous, or when the shaking stops, teachers will proceed with their students to the evacuation site or another safety zone. If students are on the playground or other outdoor area when a disaster drill is called or during an actual earthquake, students are to drop immediately to the ground, away from trees and power lines, and cover their heads with their hands. They are to remain in that position until given additional instructions.

In the event of disasters other than earthquakes, the administrative staff will contact each room, advise staff of potential dangers, and give further directions or orders. Teachers and students will remain in their classrooms until instructions are received for an all clear or an evacuation. For safety purposes, no one is to leave the rooms. If there has been a chemical spill, the teacher must make sure that all doors, windows, and vents remain closed. The school

site maintenance staff will turn off the gas. All unassigned staff will report to the office for assignments such as searching offices, bathrooms, and all other common areas, including outdoor facilities.

Teachers will stay with their classes for the duration of the emergency. In the event of an earthquake or other national disaster, all school employees are immediately designated “Civil Defense Workers” and are not allowed to leave school until they are given official clearance to do so by the administrative staff.

Bomb Threats

The person receiving the call or letter will note the time of day, wording of the message, background noises, and quality of the voice to try to determine if it is a young child or an adult. This person will delay the caller as long as possible, while they alert another adult to the crisis. That adult will immediately notify the telephone company to trace the call and immediately thereafter, notify the police using 911.

Based on the information at hand, the administrative staff will make a decision whether an immediate evacuation is warranted. If so, the evacuation code word will be given school-wide and evacuation procedures will be followed. The office personnel will coordinate information requests to and/or from law enforcement, the telephone company, and parents.

If an immediate evacuation is not warranted, the administrative staff will notify teachers to inspect their room for any suspicious materials or unknown packages, without alarming students. All unassigned staff will report to the office for assignments such as searching offices, bathrooms, and all other common areas, including outdoor facilities.

Evacuation Plan

A disaster of a significant nature may require the evacuation of the school. Immediately upon notification by outside authorities that the school must be evacuated, the administrative staff will verify the name and position of the person placing the alert. Once the source is confirmed, the administrative staff will give the evacuation code word school-wide. Teachers will proceed with their students to the nearest school exit indicated on the evacuation map posted for this purpose. Before leaving the room, teachers will make sure they have their class attendance roster with them.

Students who are not in a classroom at the time the evacuation signal is given will attach themselves to the nearest teacher exiting the building for purposes of getting to the designated evacuation site. Prior to evacuation, offices, bathrooms, and all other common areas, (including outdoor facilities) will be searched by unassigned staff members designated by the Principal.

Once at the designated evacuation site, teachers and other staff will ensure that all students find their respective teachers. Teachers will then take roll to ensure that all students are accounted for. The names of any missing students will be given to the office personnel and an individual will be assigned the task of finding any missing students. Teachers will work together to take care of students with injuries, respiratory problems, or other medical conditions.

Teachers will stay with their classes for the duration of the emergency. In the event of an evacuation, all school employees are immediately designated “Civil Defense Workers” and are not allowed to leave school until they are given official clearance to do so by the administrative staff.

Students will remain with their teachers at the designated evacuation site until the administrative staff gives the “all clear” signal. In the event students cannot return to the school site, the administrative staff will notify parents and/or the media as to where students can be picked up. The office personnel will sign out students as they are being picked up by a parent or other adult listed on the emergency information card. Parents will be asked to remain in a designated area, and students will be escorted to the designated area for release.

DISPUTE RESOLUTION (“N” OR “XIV” IN SOME PETITIONS)

[*Ref. California Code §47605(b)(5)(N) and Criteria for Review; CCR-5, §11967.5.1(f)(14)*]

INTENT

The intent of this dispute resolution process is to (1) resolve disputes within the school pursuant to the school's policies, (2) minimize the oversight burden on the SBE, (3) ensure a fair and timely resolution to disputes, and (4) frame a timeline for charter oversight and renewal processes so as to avoid disputes regarding oversight and renewal matters.

PUBLIC COMMENTS

The staff and governing board members of JTATA and the SBE agree to attempt to resolve all disputes regarding this charter pursuant to the terms of this section. Both shall refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

DISPUTES ARISING FROM WITHIN THE SCHOOL

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

The SBE shall not intervene in any such internal disputes without the consent of the governing board of the school and shall refer any complaints or reports regarding such disputes to the governing board/or Superintendent of the school for resolution pursuant to the Charter's policies. The SBE agrees not to intervene or become involved in the dispute unless the dispute has given the SBE reasonable cause to believe that a violation of this charter or related laws or agreements has occurred, or unless the governing board of JTATA has requested the SBE to intervene in the dispute.

DISPUTES BETWEEN THE SCHOOL AND THE CHARTER-GRANTING AGENCY

In the event any dispute arises between JTATA and the SBE, both parties agree to use the procedure stated herein, except as to a revocation of the school's charter governed by the procedures in the law and regulations, and except if the SBE chooses to resolve a dispute directly after a public hearing.

JTATA recognizes that it cannot bind the SBE to a dispute resolution procedure to which the SBE does not agree. The policy below is intended as a starting point for a discussion of dispute resolution procedures. JTATA is willing to consider changes to the process outlined below as suggested by the SBE.

JTATA and the SBE will be encouraged to attempt to resolve any disputes amicably and reasonably without resorting to formal procedures. In the event of a dispute between JTATA and the SBE, the party who claims there is a dispute shall first identify the issue in writing with specificity and with supporting facts. The other party shall provide a written response to the identification of the issue within 20 business days.

In the event that the SBE believes that the dispute relates to an issue that could lead to revocation of the charter in accordance with Education Code Section 47607, JTATA requests that this shall be noted in the written identification of the issue, although it recognizes it cannot legally bind the SBE to do so. However, participation in the dispute resolution procedures outlined in this section shall not be interpreted to impede or act as a pre-requisite to the SBE's ability to proceed with revocation in accordance with Education Code Section 47607. Both parties will attempt to settle a dispute by meeting and conferring in a good faith attempt to resolve the dispute within 15 days of the date of the written response. The JTATA Superintendent and a designated CDE staff member shall informally meet and confer (either in person or by any real-time communication device/service), in a timely fashion to attempt to resolve the dispute, not later than 5 business days from receipt of the written response. In the event that this informal meeting fails to resolve the dispute, JTATA shall identify two Board members from its board and the CDE shall identify a senior staff member who shall jointly meet (either in person or by any real-time communication device/service) with the designated CDE staff member and the Superintendent of JTATA and attempt to resolve the dispute within 15 business days from receipt of the written response.

If this joint meeting fails to resolve the dispute, a designated CDE staff member and the Superintendent may 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 may be developed jointly by the designated CDE staff member and the Superintendent. The costs of the mediator may be split in accordance with an agreement that may be reached.

If mediation does not resolve the dispute, or if either party refuses to engage in mediation, 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 SBE and JTATA. At any time the SBE believes the dispute warrants revocation of the school's charter, both parties will no longer be subject to this process. The SBE may proceed immediately with the revocation procedures as set forth in law if it believes JTATA: (a) committed a material violation of any of the conditions, standards, or procedures set forth in the charter; (b) failed to meet or pursue any of the pupil outcomes identified in the charter; (c) failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement; or (d) violated any provision of law.

HOLD HARMLESS/INDEMNIFICATION PROVISION

To the fullest extent permitted by law, Joshua Tree Arts & Technology Academy does hereby agree, at its own expense, to indemnify, defend, and hold harmless the CDE and the State Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorneys' fees, brought by any person or entity whatsoever, arising out of, or relating to this Charter agreement. Joshua Tree Arts & Technology Academy further agrees to the fullest extent permitted by law, at its own expense, to indemnify, defend, and hold harmless the CDE and the State Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorneys' fees, brought by any person or entity whatsoever for claims, damages, losses and expenses arising from or relating to acts or omission of acts committed by JTATA, and their officers, directors, employees or volunteers. Moreover, Joshua Tree Arts & Technology Academy agrees to indemnify and hold harmless the CDE and the State Board of Education for any contractual liability resulting from third party contracts with its vendors, contractors, partners or sponsors.

ELEMENT 6 - STUDENT ADMISSIONS, ATTENDANCE, & SUSPENSION/EXPULSION POLICIES

STUDENT ADMISSION POLICIES & PROCEDURES ("H" OR "VIII" IN SOME PETITIONS")

[Ref. California Education Code §47605(b)(5)(H), §47605(d) and Criteria for Review; CCR-5, §11967.5.1(f)(8)]

Joshua Tree Arts & Technology Academy will admit all students who wish to attend, as outlined in Education Code 47605(d)(2)(A). The school shall actively recruit a diverse student population from the District and surrounding areas who understand the value of the Charter's mission and are committed to the Charter's instructional and operational philosophy. Admission to the Charter shall be open to any resident of the State of California. Prospective students and their parents or guardians shall be briefed regarding the Charter's instructional and operational philosophy and shall be given a copy or summary of the Charter's student-related policies. Joshua Tree Arts & Technology Academy will establish clear guidelines for the dismissal/dis-enrollment of students in a non-classroom based instructional program for poor academic progress and/or attendance.

The Charter shall be nonsectarian in its program, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, national origin, gender, or disability. Joshua Tree Arts & Technology Academy at all times will comply with the terms and requirements of the Free Schools Guarantee of the California Constitution, Article IX, section 5, in all aspects of the Joshua Tree Arts & Technology Academy program. The Charter will comply with all Federal and State laws as to the admission of all students and will develop and implement a waiting list policy for student enrollment should applications exceed enrollment capacities.

Lottery Requirements

Admission will be on a first come, first serve basis. In the event that applications for enrollment exceed capacity at any grade level, the school will conduct a random public drawing. Public notice will be given on the procedures for the lottery in advance to all interested students. This notice at a minimum will be posted on the school's website, on the school premises, and be included as part of the orientation meeting for parents. Students whose parents have included personal contact information on the application form will receive notice via regular surface mail, phone call, or e-mail.

Only applications received during the open enrollment period will be included in the public random drawing. Open enrollment begins March 1 of the school year prior to which matriculation occurs and ends the first Friday in April that school is in session. Parents are informed by phone call, regular surface letter or e-mail at the time of open enrollment that a lottery will occur if the number of applicants exceeds capacity. The application form serves as automatic entry into the lottery. If the number of applicants exceeds capacity before the close of open enrollment, the lottery is held on the first Monday that school is in session following the close of open enrollment. Parents do not need to be present at the lottery. Following the

lottery, parents are informed of the results by phone call or by letter.

The lottery will occur on school premises. The lottery will be held at 6:00 p.m. on the first Monday that school is in session following the close of open enrollment. Once the enrollment period ends, all applicants will receive via US mail and telephone of the date and time for the random public drawing. During the lottery, names of applicants will be drawn for the available spaces. Once maximum enrollment has been reached, the remaining names will continue to be drawn and placed on a waiting list. In the event of vacancies during the school year, students will be admitted from the waiting list in the order they were drawn. Parents/Guardians of students selected through the lottery or later promoted off the waiting list will be contacted via phone and mail. Parents/guardians must respond within a specific period of time (not to exceed 1 week) to secure admission. Parents are to respond in person by coming to the school to sign a confirmation notice provided by the school. Parents may also send a letter of confirmation via registered mail.

Joshua Tree Arts & Technology Academy will keep copies of all notices and announcements regarding the lottery in a separate binder. Joshua Tree Arts & Technology Academy will keep copies of all enrollment forms received during the open enrollment period in this application binder. The date received will be noted on all forms, and the names of parents and children will be logged on an applicant roster. When the open enrollment period ends, and if the number of applicants exceeds capacity, notice will be given to all parents/students via methods described above. Copies of letters sent to parents and a log of calls made to parents will be kept in the binder as well. Evidence of public notice of the lottery will also be placed in the binder. As parents inform the school of their intent to enroll subsequent to the lottery, corresponding confirmation or rejection letters will be placed in the binder.

Notwithstanding the foregoing, Joshua Tree Arts & Technology Academy may refine lottery policies and procedures in accordance with a written policy adopted by the governing authority of the school or as required by applicable state law or SBE policy. A copy of the revised policy, designed to improve the school's lottery efforts, shall be provided to the CDE and the State Board of Education within 45 calendar days of approval by the charter school's governing authority and prior to the enrollment period of the year in which the revised lottery policy will be implemented.

Confidentiality of Records









Joshua Tree Arts & Technology Academy will adhere to all procedures related to confidentiality and privacy of records. In the event that a student enters the school upon transfer from an existing district school, the student's records (i.e. IEP, cumulative, bilingual) will be requested from the respective district. Upon exiting the school due to graduation, expulsion or transfer, the student's records will be forwarded to the school where the student transfers to.

MEANS TO ACHIEVE A RACIAL AND ETHNIC BALANCE (“G” OR “VII” IN SOME PETITIONS)

[Ref. California Education Code §47605(b)(5)(G) and Criteria for Review; CCR-5, §11967.5.1(f)(7)]

Joshua Tree Arts & Technology Academy is committed to creating a school community with racial and ethnic balance that is reflective of the general population residing in the surrounding community and within the District. The school will strive to create a diverse community that is consistent with the goals of providing all students with an enriching educational experience.

Joshua Tree Arts & Technology Academy shall implement an aggressive student recruitment strategy that includes, but is not limited to, the following elements or strategies to ensure a racial and ethnic balance among students that is reflective of the District:

-  An enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based recruiting and application process;
-  The development of digital and printed promotional and informational material that appeals to all of the various racial and ethnic groups represented by the District in multiple languages;
-  The distribution and dissemination of JTATA’s promotional and informational materials to a broad variety of community groups and agencies that serve various racial, ethnic, and interest groups represented in the District;
-  Creation of a web-site that is informative and promotional and includes, but is not limited to, information about JTATA’s mission and vision, programs, enrollment process, student admission policies, etc.;
-  Creation of social media profiles/pages that promote JTATA and provide informational materials about its programs, enrollment process across a wide variety of ethnic, racial, and socio-demographic groups;
-  Publicize and recruit by providing local schools, churches, and other community organizations with information about the nature and vision of the school, its enrollment process, and its offerings;
-  Host community Open House events that include translators for the most prevalent languages spoken in the District;
-  Speak with interested parents and community leaders;

Distribution of promotional and informational materials will include digital and printed newsletters and fliers, teacher phone calls, and meetings to communicate with parents and ensure their active participation in Charter School. Joshua Tree Arts & Technology Academy will hold at minimum bi-annual parent-teacher conferences and provide frequent reports to parents of their children’s progress through teacher phone calls, conferences, and written

communication. Student progress will be tracked by teacher-created and standardized assessments, and parents will be invited to meet with teachers to discuss their child's progress. Teachers will also meet to analyze common problems and design lessons to meet the specific academic and language challenges of the students.

In addition, the school shall maintain an accurate accounting of the ethnic and racial balance of students enrolled in the school, so as to continually encourage a racial and ethnic balance within the school population. JTATA will keep on file documentation on the efforts it makes to achieve student racial and ethnic balance and the results it has achieved, in accordance with the commitment made in this petition and the standards of charter legislation.

PUBLIC SCHOOL ATTENDANCE ALTERNATIVES ("L" OR "XII" IN SOME PETITIONS)

[Ref. California Education Code §47605(b)(5)(L) and Criteria for Review; CCR-5, §11967.5.1(f)(12)]

Joshua Tree Arts & Technology Academy is a school of choice. No student will be compelled to attend the school. All students will have the option of attending any other public school they would otherwise be eligible to attend in the absence of the charter school. Parents will be informed annually that the students have no right to admission in a particular school of any local education agency as a consequence of enrollment in JTATA, except to the extent that such a right is extended by the local education agency.

SUSPENSION/EXPULSION PROCEDURES ("J" OR "X" IN SOME PETITIONS)

[Ref. California Education Code §47605(b)(5)(J)]

The Charter shall develop and maintain a comprehensive set of student discipline policies.

These policies shall be printed and distributed as part of the Charter's student handbook and shall clearly describe the Charter's expectations regarding attendance, mutual respect, substance abuse, violence, safety, and work habits. Each student and his/her parent(s) or guardian(s) shall be required to sign a form verifying that they have reviewed and understand the policies prior to enrollment. A student-parent compact will be signed by each parent (Master Agreement). The compact will fully describe the requirements and obligations of each party. Failure to abide by the compact may result in dismissal from the school. The Charter's Principal will be the arbiter of compliance with the compact.

Student behavior issues are addressed through direct intervention in appropriate circumstances by faculty or staff prior to the enforcement of extreme measures of discipline. All administration and staff will work together to identify students who are displaying minor destructive behavior and those who are chronically having behavior issues in the classroom. A SST, or Student Success

Team, will be created with key members of the school working together with the student and the family. This designated support group will join together in open dialogue to determine the cause or root of the behavior as the goal. The student will participate in verbalizing the reason for their behavior. An action plan will be created which takes steps to address the behavior while also allowing faculty and staff to use age-appropriate explanations and consequences to correct student behavior. In this way, the student understands the impact of their actions rather than receiving a consequence without reflecting on the inappropriateness of the behavior. In addition to the consequence and explanation, the Student Success Team will work together to create strategies for addressing the concerning behavior, other issues which may arise, and ultimately eliminating the disruptive behavior. For example, if a student is distracting their peers because the individual is becoming restless in their vocational class, the intervention strategies may include providing the student with a stress ball to squeeze during certain parts of the lesson or giving the student the responsibility of getting out of their seat occasionally to distribute papers to the class. Most importantly, discussion must occur about why the student is distracting others as well as an explanation to the student about how this behavior is inappropriate.

The Student Success Team will focus on behavior strategies that do not dehumanize the student who may already feel embarrassed or ashamed because of their inappropriate behavior. One member of the Student Success Team will be designated to check-in on the student regularly in order to provide one-on-one discussion, intervention and support. Frequent parent/guardian conferences will also be scheduled to address behavior issues. A behavior contract may be employed to clearly define expectations and consequences set by the Student Success Team. Joshua Tree Arts & Technology Academy will make a full effort to correct negative student behaviors and prevent smaller issues from growing into larger incidences through positive intervention strategies prior to suspension and expulsion.

The Charter will regard suspension and expulsion as a last resort and will utilize all alternative means of correction prior to considering suspension and expulsion. The Charter will follow all procedures as prescribed in Education Code section 547605(b) (5) (w) in development of any pupil suspension and expulsion policy. Site discipline policies will also follow the requirements of Education Code section 48900 (a) to (v) and all subdivisions of this section.

GROUPS FOR SUSPENSION OR EXPULSION

To protect the rights of students and ensure that students not inappropriately disciplined, Joshua Tree Arts & Technology Academy will adhere to California Education Code 48900 through 48900.7, which states that a pupil shall not be suspended from school or recommended for expulsion, unless the principal of the school in which the pupil is enrolled determines that the pupil has:

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.

- (2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the pupil has obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
 - (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind (applicable to first offense only).
 - (d) Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant
 - (e) Committed or attempted to commit robbery or extortion.
 - (f) Caused or attempted to cause damage to school property or private property.
 - (g) Stolen or attempted to steal school property or private property.
 - (h) Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.
 - (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
 - (j) Had unlawful possession of, or unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
 - (k) Knowingly received stolen school property or private property.
 - (l) Possessed an imitation firearm.
 - (m) Committed or attempted to commit a sexual assault or committed a sexual battery.
 - (n) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
 - (o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (applicable to first offense only).

- (p) Engaged in, or attempted to engage in, hazing as defined in Section 32050.
- (q) Engaged in an act of bullying as defined by Ed Code 48900 (r), and as amended by the legislature.
- (r) Aided or abetted the infliction or attempted infliction of physical injury to another person (suspension only).
- (s) Committed sexual harassment (grades 4-12).
- (t) Caused, attempted to cause, threatened to cause, or participated in an act of hate violence (grades 4-12).
- (u) Engaged in harassment, threats, or intimidation directed against school district personnel or pupils (grades 4-12).
- (v) Made terroristic threats against school officials, school property, or both.

Also to be included are inappropriate acts related to electronic communications as outlined in AB 1732.

A pupil may not be suspended for any of the aforementioned acts, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the principal or occurring within any other school district. A pupil may be suspended or for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:

- (1) While on school grounds.
- (2) While going to or coming from school.
- (3) During the lunch period whether on or off the campus.
- (4) During, or while going to or coming from, a school sponsored activity.

As used in this section, 'school property' includes, but is not limited to, electronic files and databases.

A principal may use his or her discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and an anger management program, for a pupil subject to discipline under this section.

It is important to note that the list above includes acts that can be categorized according to severity. Each category and required response is described below.

Category A: Mandatory Expellable Offenses with No Principal Discretion

According to California law, the principal must recommend expulsion, not suspension, when a student commits one of the following on campus or at a school-sponsored event off campus:

1. Possessing, selling or furnishing a firearm
2. Brandishing a knife at another person
3. Unlawfully selling a controlled substance as defined by Health and Safety Code 11053, et seq.
4. Committing or attempting to commit a sexual assault or committing a sexual battery
5. Possession of an explosive device

Category B: Offenses Subject to Limited Principal Discretion

The principal shall recommend student expulsion if he or she determines that the student committed one or more of the following acts at school or at a school activity off school grounds unless the principal also determines that expulsion or suspension is inappropriate due to the particular circumstances.

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of a knife or other dangerous object of no reasonable use to the pupil
3. Unlawful possession of any controlled substance (as defined by Health and Safety Code 11053, et seq.), except for the first offense for possession of not more than one ounce of marijuana.
4. Robbery or extortion.
5. Assault or battery upon any school employee that causes physical injury, or reasonable fear of actual physical injury.

Category C: Offenses Subject to Broad Principal Discretion

The principal has maximum discretion to recommend or not recommend expulsion when he or she determines that a student has committed any of the following offenses at any time, including, but not limited to, while on school grounds; while going to or coming from school; during the lunch period, whether on or off campus; and during, or while going to or coming

from, a school-sponsored activity. If expulsion is not recommended, the principal may recommend suspension.

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force or violence upon the person of another, except in self-defense
3. Possessed not more than one ounce of marijuana (applicable to the first offense only) or possessed alcohol.
4. Offered, arranged, or negotiated to sell any controlled substance, alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material represented as a controlled substance, alcoholic beverage, or intoxicant.
5. Caused or attempted to cause damage to school or private property.
6. Stole or attempted to steal school property or private property.
7. Possessed or used tobacco or any tobacco products.
8. Committed an obscene act or engaged in habitual profanity or vulgarity.
9. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia.
10. Disrupted school activities or willfully defied the valid authority of school personnel engaged in the performance of their duties.
11. Knowingly received stolen school or private property.
12. Possessed an imitation firearm. "Imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude it is a firearm.
13. Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding.
14. Committed sexual harassment (applicable to grades 4 through 12 only).
15. Intentionally engaged in harassment, threats, or intimidation against school district personnel or pupils (applicable to grades 4 through 12 only).
16. Intentionally engaged in harassment, threats, or intimidation against school district personnel or pupils (applicable to grades 4 through 12 only).

17. Made terroristic threats against school officials or school property, or both.
18. Offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
19. Engaged in, or attempted to engage in, hazing.
20. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

Furthermore, EC 48915 provides in part:

(b) Upon recommendation by the principal, or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil committed an act listed in subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel shall be based on a finding of one or both of the following:

- (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- (2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(e) Upon recommendation by the principal, or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil, at school or at a school activity off of school grounds violated subdivision (f), (g), (h), (i), (j), (k), (l), or (m) of Section 48900, or Section 48900.3, or 48900.4, and either of the following:

- (1) That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- (2) That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

DUE PROCESS

JTATA shall provide due process for all students, including adequate notice to parents/guardians and students regarding the grounds for suspension and expulsion and their due process rights regarding suspension and expulsion, including rights to appeal.

JTATA shall ensure that its policies and procedures regarding suspension and expulsion will be periodically reviewed, and modified as necessary, including, for example, any modification of the lists of offenses for which students are subject to suspension or expulsion.

JTATA shall ensure the appropriate interim placement of students during and pending the completion of JTATA's student expulsion process.

JTATA shall utilize alternatives to suspension and expulsion with students who are truant, tardy, or otherwise absent from compulsory school activities.

EXPULSION HEARING

Students recommended for expulsion have an expulsion hearing if requested. The hearing will be held within 30 days after the principal determines that the student committed an act subject to expulsion has occurred. The hearing will be presided over by an administrative hearing panel appointed by the Board. The panel thus appointed will consist of three public school employees not employed by JTATA.

Written notice of the hearing will be forwarded by the principal to the student and the student's parent/guardian at least 30 calendar days before the date of the hearing. The notice will include:

- a. The date and place of the hearing;
- b. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based;
- c. A copy of the Joshua Tree Arts & Technology Academy's disciplinary rules which relate to the alleged violation; and
- d. The opportunity for the student or the student's parent/guardian to appear in person at the hearing.
- e. The opportunity for student or student's parent/guardian to hire and be represented by an attorney at the hearing, to cross-examine witnesses and to inspect and question evidentiary documents, and to present evidence on behalf of the student.
- f. A description of how the recommendation for the expulsion hearing was reached.

At the hearing, all panel members and others present will be introduced by the panel chair. The panel chair will invite the principal to recite evidence and rationale leading to the recommendation for expulsion. The principal will also be able to present witnesses to corroborate written statements and other evidentiary pieces after which parents and/or designated representatives will have the opportunity to cross-examine. After the presentation by the principal, the parent and/or parent representative will have the opportunity to present witnesses and evidence. The principal will also have the opportunity to cross-examine these witnesses. During the process of presenting evidence by the principal and parent/representative, any member of the panel may ask questions. At the conclusion of case presentations, if there are no more questions from the panel, the panel will hold a closed session

to discuss the evidence and come to a recommendation.

If the panel recommends expulsion, a letter stating such with an explanation of the rationale shall be sent to the Joshua Tree Arts & Technology Academy's Board. This letter will be sent via registered mail within 5 days of the panel meeting and will include a summary of evidence, conclusions based on the evidence, and recommendation for or denial of the expulsion request.

The Board will hold a special board meeting within 20 days of receipt of the letter at which time the board will issue or deny an expulsion order. In issuing or denying the expulsion order, the board will consider the evidence, rationale, and recommendations of the panel as expressed in the letter.

The rules for announcing and conducting this special meeting will follow protocol established by the Brown Act. Because of the confidential nature of such a special meeting, it will be held in closed session. A record of the hearing will be made in accordance with the Brown Act concerning treatment of confidential information.

If the board rules in favor of expulsion, expulsion is immediate, and the parents will be notified in person, via phone, and written notice. Written notice will be sent by the principal via registered mail within 10 school days to the parent/guardian of any student who is to be expelled. This notice will include the following:

- a. The specific offense(s) committed by the student
- b. The effective date of the expulsion order
- c. Notice of the student or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with Joshua Tree Arts & Technology Academy
- d. The basis upon which the hearing panel made the determination regarding expulsion.
- e. Reinstatement eligibility review date.
- f. A copy of the rehabilitation plan.
- g. The type of educational placement during the period of expulsion.
- h. Notice of appeal rights/procedures

APPEALS OF DISCIPLINARY ACTION

The implementation of suspensions or expulsions shall be consistent with the process set forth herein. Procedures to appeal formal suspensions and expulsions are described below.

SUSPENSION

A suspension appeal will be heard by the principal initially if said suspension was initiated by a teacher, and if the principal denies the appeal, or if the suspension was initiated by the principal, the parent can appeal to the Board directly in writing within 3 days of the informal conference with the student and his/her parents. A student may also appeal to the Board directly in writing within 3 days of the informal conference with the student and his/her parents. Upon receipt of the written appeal, the Board will decide within 10 days if they will hear the appeal or if it will be heard by a panel designated by the board that shall exclude the principal. This decision is based on information contained in the appeals letter. The appeals panel will be composed of two teachers and one parent representative from the school site council. An appeal will not reinstate the student in school for the day(s) to be suspended, but the Board or panel may elect to remove the suspension from the student's records.

Procedures for conducting the appeals hearing in front of the Board or Board designated panel will follow procedures outlined above for expulsion hearings. Notice of Board or Board designated panel decision will be provided to the parent within 10 days via registered mail of the appeals meeting.

EXPULSION

Students who are recommended for expulsion by the principal may address the administrative panel. Students, who are recommended for expulsion by the administrative hearing panel, may address the Board before the decision to expel is made. The Board's decision to expel is final.

EDUCATIONAL PLACEMENTS

In the event of a decision to expel a student from the Academy, Joshua Tree Arts & Technology Academy has the responsibility in regards to the student to locate an appropriate educational placement, work cooperatively with the district of residence, county, and/or private schools, and to ensure the appropriate educational placement of the student who has been expelled. Joshua Tree Arts & Technology Academy will develop Memorandum of Understanding (MOUs) with other districts, charter schools, and the County to ensure placement. Any incident of violent and/or serious behavior shall be communicated to the school to which the student matriculates.

STUDENTS WITH DISABILITIES

Charter School shall implement operational and procedural guidelines ensuring compliance with federal and state laws and regulations regarding the discipline of students with disabilities. If a student is recommended for expulsion and the student receives or is eligible for special

education, Charter School shall identify and provide special education programs and services at an appropriate interim educational placement, pending the completion of the expulsion process and in accordance with Charter SELPA policies.

In the case of a student who has an Individualized Education Program (“IEP”), or a student who has a 504 Plan, Joshua Tree Arts & Technology Academy will ensure that it follows the correct disciplinary procedures to comply with the mandates of state and federal laws, including IDEA and Section 504 of the Rehabilitation Plan of 1973. An IEP team as previously detailed in this Charter Petition will meet to conduct a manifestation determination and to discuss alternative placement utilizing the District’s Policies and Procedures Manual. Prior to recommending expulsion for a student with a 504 Plan, JTATA’s administrator will convene a Link Determination meeting to ask the following two questions:

- (1) Was the misconduct caused by, or directly and substantially related to the student’s disability?
- (2) Was the misconduct a direct result of JTATA’s failure to implement 504?

PROCEDURES FOR ENSURING RIGHTS OF STUDENTS

The suspension and expulsion policies outlined in this document are intended to make clear the policies and procedures for disciplinary action. The disciplinary policies set out in this document ensure the following:

- a. Students and their parents/guardians are given clear and consistent school disciplinary policies upon enrollment;
- b. Students and their parents/guardians are informed of pending disciplinary actions in a timely manner and the nature of the offense is clearly stated;
- c. Students and their parents/guardians have opportunities to be present at any meetings and/or proceedings regarding disciplinary action;
- d. Students and their parent/guardians may appeal disciplinary decisions;
- e. Students are assisted in finding appropriate education placement in the event of expulsion;
- f. The safety of students, staff, and visitors to the school is assured; and
- g. The policies serve the best interests of the school’s pupils and their parents/guardians.

MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

Joshua Tree Arts & Technology Academy will adhere to the provisions of the McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths.

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ELEMENT 7 - FINANCIAL PLANNING, REPORTING, AND ACCOUNTABILITY

BUDGETS & FINANCIAL REPORTING (“MISCELLANEOUS” IN SOME PETITIONS)

[Ref. California Education Code §47605(g) and Criteria for Review; CCR-5, §11967.5.1(c)(3)(B)]

Preliminary Budget

Joshua Tree Arts & Technology Academy shall submit an annual budget for review by the SBE on reasonable projections of enrollment, average daily attendance, revenues, expenses, and ending fund balances. Budgeted expenditures are to be presented in a format as required or requested by the SBE. The budget shall be submitted no later than June first of the preceding budget year.

Pursuant to the provisions of Education Code Section 47600, et seq., a five year estimated operating budget is attached.

JTATA believes it is prudent and desirous to establish a reserve of funds and JTATA’s fiscal planning will strive to accomplish the creation and maintenance of such a financial reserve.

Interim and Unaudited Actual Reports

JTATA shall provide reports as required by Education Code Section 47604.33 as follows, and shall provide additional fiscal reports as requested by the CDE:

1. By July 1, a preliminary budget for the current fiscal year.
2. By July 1, an annual update required pursuant to Education Code Section 47606.5.
3. 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 (see below for specifics) for the preceding fiscal year shall be delivered to the State Controller and the CDE.
4. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
5. By September 15, a final unaudited report for the full prior year. The report submitted to the CDE shall include an annual statement of all the Charter School’s receipts and expenditures for the preceding fiscal year.
6. All attendance reports: 20 day, P-1, P-2 and annual.

7. All additional reporting as agreed to, in writing, as part of an MOU between CDE and JTATA.

INSURANCE (“MISCELLANEOUS” IN SOME PETITIONS)

[Ref. Criteria for Review; CCR-5, §11967.5.1(c)(3)(C)]

JTATA shall acquire and finance general liability, workers compensation, Officers and Directors, Volunteer, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance. Coverage amounts will be based on recommendations provided by the District and the JTATA’s insurer. The District Board of Education shall be named as an additional insured on all policies of JTATA.

ADMINISTRATIVE SERVICES (“MISCELLANEOUS” IN SOME PETITIONS)

[Ref. Criteria for the Review; CCR-5, §11967.5.1(c)(3)(A)]

JTATA will provide or procure its own administrative services including, but not limited to, financial management, accounts payable/receivable, payroll, legal consultation, human resources, and instructional program development either through its own staff or through an appropriately qualified third-party contractor. It is expected that at least the financial management, accounts payable/receivable, payroll, and legal services will be contracted through a third-party provider. JTATA has identified EdTech as a provider with whom it intends to procure these services. A description of EdTech’s services and background is included in the Appendices.

FACILITIES (“MISCELLANEOUS” IN SOME PETITIONS)

[Ref. California Education Code §47605(g) and Criteria for Review; CCR-5, §11967.5.1(c)(3)(D)]

JTATA intends to locate its facilities solely within the confines of the MUSD. The facilities existing at 61231 Twentynine Palms Highway in Joshua Tree as well those under construction at that location are detailed in the Appendices, including an agreement from the Hi-Desert Cultural Center to lease the facilities to JTATA, including highly specialized arts training and education spaces (such as high-tech theaters, large rehearsal space, dance floor, visual art rooms) on a shared usage basis. If the student population grows, additional facilities will be added as needed.

ANNUAL INDEPENDENT FINANCIAL AUDIT (“I” OR IX IN SOME PETITIONS)

Ref. California Education Code §47605(b)(5)(I) and (m) and Criteria for Review; CCR-5, §11967.5.1(f)(9)

The JTATA Governing Board will appoint an Audit Committee, which will select an independent financial auditor and oversee audit requirements.

An annual audit of the books and records of the Charter School will be conducted as required by Education Code Sections 47605(b)(5)(I) and 47605(m). The books and records of JTATA will be kept in accordance with generally accepted accounting principles, and as required by applicable law. The audit will employ generally accepted accounting procedures. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller’s K-12 Audit Guide. The Audit Committee will select an independent auditor who 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 Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The audit committee will review any audit exceptions or deficiencies and report to the Governing Board of JTATA with recommendations on how to resolve them. The JTATA Governing Board will then approve the audit. By March 15th, The Board will submit a report to the CDE describing how the exceptions and deficiencies have been or will be resolved along with an anticipated timeline for the same.

The JTATA Governing Board and Superintendent of JTATA will work with the CDE to ensure all audit exceptions and deficiencies are resolved to the satisfaction of the CDE. 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 the Charter School is public record to be provided to the public upon request, and because JTATA is a 501(c)(3) charitable corporation, its audited financials will be included in its Federal tax reporting (which is public) to the extent required by law.

CLOSURE PROTOCOL (“P” OR “XVI” IN SOME PETITIONS)

[Ref. California Education Code 47605(b)(5)(P)]

The following procedures shall constitute the ‘Closure Protocol’ and shall apply in the event Joshua Tree Arts & Technology Academy ceases to be a charter school or otherwise closes for any reason:

Any decision to close Joshua Tree Arts & Technology Academy as a charter school operating

pursuant to this Charter shall be documented by official action of the Joshua Tree Arts & Technology Academy Governing Body ('Closure Action'). The action will identify the reason for closure (e.g., decision not to renew as a charter school). The Closure Action shall be deemed to have been automatically made if any of the following occur: the Charter is revoked or non-renewed, the Joshua Tree Arts & Technology Academy Governing Board votes to close Joshua Tree Arts & Technology Academy, or the Charter lapses. In the event of a Closure Action, the following steps shall be implemented.

1. The Joshua Tree Arts & Technology Academy Governing Body will notify the CDE of the determination of the closure action and of the effective date of the closure as a Charter school within 72 hours of the Closure Action.
2. Written notification to the home districts of the list of returning students within 72 hours of the determination of the Closure Action.
3. Written notification of the Closure Action and the effective date of closure of Joshua Tree Arts & Technology Academy shall be made by Joshua Tree Arts & Technology Academy to the CDE and the San Bernardino County Office of Education by registered mail within 72 hours of the Closure Action.
4. On closure, Joshua Tree Arts & Technology Academy shall remain solely responsible for all liabilities arising from the operation of JTATA.
5. The Joshua Tree Arts & Technology Academy Governing Body will ensure notification to the parents and students of Joshua Tree Arts & Technology Academy of the closure and provide information to assist parents and students in locating suitable alternative programs. This notice will be provided within 72 hours of the Closure Action. The written notification shall include information on assistance in transferring each student to another appropriate school, and a process for the transfer of all student records. Parents/guardians will also be provided with student information that includes grade reports, discipline records, immunization records, and completed coursework.
6. Joshua Tree Arts & Technology Academy will provide parents, students and the receiving school districts with copies of all appropriate student records within seven calendar days of the determination of the Closure Action or within seven days of the last student attendance day at Joshua Tree Arts & Technology Academy if Joshua Tree Arts & Technology Academy is to remain open as a charter school beyond the date that a Closure Action is determined, and will otherwise assist students in transferring to other schools. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 USC Section 1232g. Joshua Tree Arts & Technology Academy will ask the CDE to store as necessary original records of charter school students. If the CDE will not store student records, the Charter School will discuss an alternative arrangement with the CDE and shall provide a copy for parents/guardians of the student record of their child prior to closure. All transfers of student records shall be made in compliance with the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. § 1232g.

7. As soon as is reasonably practical, Joshua Tree Arts & Technology Academy will prepare final financial records. Joshua Tree Arts & Technology Academy will also have an independent audit completed by an independent auditor, approved in advance by the CDE, and included on the State Controller's approved list of independent auditors as soon as is reasonably practical, but in no case later than six months after closure. The final audit will delineate the disposition of all assets and liabilities. Any liability or debt incurred by Joshua Tree Arts & Technology Academy shall be the responsibility of Joshua Tree Arts & Technology Academy and not the District. Joshua Tree Arts & Technology Academy understands and acknowledges that Joshua Tree Arts & Technology Academy will cover the outstanding debts or liabilities of Joshua Tree Arts & Technology Academy. Any unused monies at the time of the audit will be returned to the appropriate funding source. Joshua Tree Arts & Technology Academy understands and acknowledges that only unrestricted funds will be used to pay creditors. Any unused special education related funds will be returned to the SELPA, as appropriate, and other categorical funds will be returned to the source of funds. For a minimum of six calendar months from the later of the Closure Action or effective date of the closure, whichever comes first, sufficient staff will maintain employment to take care of all necessary tasks and procedures required for a smooth closing of the School and student transfers.

The Joshua Tree Arts & Technology Academy Governing Board shall adopt a plan for windup of the School and, if necessary, the corporation, in accordance with the requirements of the Corporations Code.

In addition to the final audit, Joshua Tree Arts & Technology Academy shall also submit any required year-end financial reports to the California Department of Education, in the form and timeframe required.

If Joshua Tree Arts & Technology Academy is to be operated by or as a nonprofit corporation, and the corporation does not have any other functions than operation of the School, the corporation will be dissolved according to its bylaws. The corporation's bylaws will address how assets are to be distributed at the closure of the corporation.

This Closure Protocol shall survive the revocation, expiration, termination, cancellation of this Charter or any other act or event that would end Joshua Tree Arts & Technology Academy's right to operate as a charter school pursuant to this Charter or cause Joshua Tree Arts & Technology Academy to cease operation. Joshua Tree Arts & Technology Academy and the District agree that, due to the nature of the property and activities that are the subject of this petition, the CDE and public shall suffer irreparable harm should Joshua Tree Arts & Technology Academy breach any obligation under this Closure Protocol. The CDE, therefore, shall have the right to seek equitable relief to enforce any right arising under this Closure Protocol or any provision of this Closure Protocol or to prevent or cure any breach of any obligation undertaken, without in any way prejudicing any other legal remedy available to the District. Such legal relief shall include, without limitation, the seeking of a temporary or permanent injunction, restraining order, or order for specific performance, and may be sought in any appropriate court.

All remaining assets will be liquidated and all creditors will be paid first. Upon the winding up and dissolution of the corporation, after paying or adequately providing for the debts and obligations of the corporation (including any obligations requiring the return of grant funds on the dissolution of the corporation), any capital assets, including facilities or property, purchased in whole or part with public funds will be distributed to a political subdivision of the state organized for educational purposes at the discretion of the corporation's governing board. Any remaining assets of the corporation shall be distributed to either (i) such organization organized and operated exclusively for educational purposes which has established its tax exempt status under Section 501 (c)(3) of the Internal Revenue Code of 1986, as amended, (or the corresponding provision of any future United States Internal Revenue Law), or (ii) a state or political subdivision of a state of the United States to be used exclusively for public purposes.

ELEMENT 8 - IMPACT ON THE CHARTER AUTHORIZER ("MISC." IN SOME PETITIONS)

[Ref. California Education Code §47605(g)]

OVERSIGHT FEES

To assist in covering the costs of the oversight and processing functions performed by the CDE and in accordance with the State Education Code section 47613, the Charter shall pay an amount equal to one percent (1%) of every payment received by the Charter from any source for which such sums are due from the application of the normal appropriations funding model.

Any funds received in whole, or in part, due to the cooperation of the CDE shall also be included within the one percent (1%) calculation. Joshua Tree Arts & Technology Academy acknowledges that the CDE's actual costs of conducting its oversight obligations will meet or exceed the maximum fee permitted by law and the CDE shall not be required to submit documentation of its actual oversight costs.

If, in accordance with an MOU to be developed between the CDE and JTATA, the CDE provides additional services, those fees shall be above and beyond the CDE's oversight fee and shall be charged to JTATA in accordance with the MOU.

DEBT AND OBLIGATIONS

Joshua Tree Arts & Technology Academy shall be solely responsible for all costs and expenses related to this Charter and its operation, including, but not limited to, costs of insurance, reserves, staff and operations.

Joshua Tree Arts & Technology Academy shall have no authority to enter contracts for or on behalf of the CDE. Any contracts, purchase orders, or other documents which are not approved or ratified by the SBE's Governing Board as required by law, including, but not limited to, Education Code Section 17604, shall be unenforceable against the SBE or CDE and shall be Joshua Tree Arts & Technology Academy's sole responsibility. Additionally, the CDE or granting agency shall have no authority to enter contracts on behalf of Joshua Tree Arts & Technology Academy. Joshua Tree Arts & Technology Academy shall require that the following language is included in any and all contracts entered into by those entities:

Joshua Tree Arts & Technology Academy shall have no authority to enter contracts for or on behalf of the CDE. Any contracts, purchase orders, or other documents which are not approved or ratified by the SBE's Governing Board as required by law, including, but not limited to, Education Code Section 17604, shall be unenforceable against the SBE or CDE and shall be Joshua Tree Arts & Technology Academy's sole responsibility.

POTENTIAL CIVIL LIABILITY (“MISCELLANEOUS” IN SOME PETITIONS)

The Joshua Tree Arts & Technology Academy shall be operated as a California non-profit, public benefit corporation. This corporation is organized and operated exclusively for public and charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code §23701(d).

In accordance with the California Education Code §47604(c), an authority (which includes the SBE) that grants a charter to a charter school operated as a non-profit public benefit corporation shall not be liable for the debts or obligations of a charter school or for claims arising from the performance of acts, errors or omissions by the charter school if the authority (e.g. SBE) has complied with all oversight responsibilities required by law. JTATA shall work diligently to assist the SBE and CDE in meeting any and all oversight obligations under the law, including attending meetings as requested by the CDE or SBE, reporting to or complying with other requested procedures/protocols, or taking other reasonable means to ensure the SBE or CDE shall not be liable for the operation of JTATA.

JTATA and the SBE shall enter into a MOU wherein JTATA shall indemnify the SBE for the actions of JTATA under this charter.

The corporate bylaws of JTATA shall provide for indemnification of the JTATA’s Board, officers, agents, and employees. As stated in other sections of this petition, JTATA shall purchase general liability insurance, Officers and Board insurance, Volunteer insurance, and other insurance as needed.

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

The JTATA Board will institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

The Charter will be operated as a direct-funded charter school as defined by applicable statute and/or regulation. The Charter will act as its own fiscal agent to the fullest extent of the law. The School will ensure that all provisions of charter school legislation are adhered to. The SBE and CDE shall not be liable for the debts or obligations of the charter school. To the fullest extent of the law, the Charter shall be deemed to be a "school district" for purposes of Section 41302.5 and Sections 8 and 8.5 Article XVI of the California Constitution.

JTATA and their respective officers, board members, employees, and volunteers shall operate and provide school services pursuant to this Charter as a wholly independent entity. The SBE and JTATA shall not in any way or for any purpose become or be deemed to be agents, partners,

a joint venture, or a joint enterprise. The SBE shall not be liable for the actions or liabilities of JTATA.

The Charter will indemnify the SBE from any and all liability that operation of the Charter may have upon the SBE. The SBE shall not be liable for the actions, debts or obligations of the Charter. To the fullest extent permitted by law, JTATA agrees to promptly, fully and completely indemnify, defend through counsel reasonably acceptable to the SBE and hold harmless the SBE, the SBE's Board of Trustees, and each of their members, officers, administrators, employees, agents, representatives, volunteers, successors, and assigns ("Indemnitees") from and against any and all claims, demands, actions, causes of action, suits, losses, expenses, costs, penalties, obligations, or liabilities of whatever nature or kind, including, but not limited to, attorney's fees and litigation costs, that in any way arise out of or relate to any actual or alleged act or omission on the part of JTATA, and/or on the part of the board of directors, administrators, employees, agents, representatives, volunteers, subcontractors, invitees, successors, and/or assigns of JTATA in any way related to the performance of and/or to the failure to perform in whole or in part any obligation under the Charter and/or in any way related to the operation of JTATA or of any other facility, program, or activity.

The obligations of JTATA to defend the SBE and the other Indemnitees identified herein is not contingent upon there being an acknowledgment of, or a determination of the merit of any claim, demand, action, cause of action, or suit, and those obligations will be deemed to be triggered immediately upon the assertion of any claim, demand, action, cause of action, or suit within the scope of this paragraph. However, nothing in this section shall be construed to obligate JTATA to indemnify an Indemnatee for any claims, demands, actions, causes of action, suits, losses, expenses, costs, penalties, obligations, or liabilities resulting from the Indemnatee's sole negligence, from the Indemnatee's active negligence, or from an Indemnatee's willful misconduct where such sole negligence, active negligence, or willful misconduct has been adjudged by the final and binding findings of a court of competent jurisdiction; except, in instances where the active negligence or willful misconduct of an Indemnatee accounts for only part of the loss(es) involved, the indemnity obligations of JTATA shall be for that portion of the loss(es) not due to the active negligence or the willful misconduct of such Indemnitees.

OVERSIGHT, REPORTING, REVOCATION, AND RENEWAL

The SBE may inspect or observe any part of the school at any time, but shall provide reasonable notice to the Superintendent of the school prior to any observation or inspection if the SBE is so inclined. Due to its shared facilities usage, JTATA would prefer that the SBE provide such notice at least three working days prior to the inspection or observation, unless the SBE and JTATA agree otherwise. Inspection, observation, monitoring, and oversight activities may be assigned or subcontracted to a third party by the SBE only in accordance with state law.

This Charter was created pursuant to Education Code section 47600 et seq. and granted by the SBE. The State Board of Education, pursuant to Education Code Section 47607(b), may revoke it only if the authority finds that the Charter School did any of the following:

1. Failed to meet or pursue any of the pupil outcomes identified in the charter petition.
2. Failed to meet generally accepted accounting standards of fiscal management.
3. Violated any provision of law.

If the SBE believes it has cause to revoke this Charter, the board agrees to notify the governing board of JTATA in writing, noting the specific reasons for which the Charter may be revoked, and grant the School sixty days to respond to the notice and a reasonable time to take appropriate corrective action.

MISCELLANEOUS PROVISIONS

INTERPRETATION

Headings at the beginning of each paragraph and subparagraph are solely for the convenience of the parties and are not a part of this Petition. Whenever required by the context of this Petition, the singular shall include the plural. This Petition shall be construed to give the fullest autonomy to JTATA, to fulfill its primary goal of meeting the academic needs of students.

SEVERABILITY

Notwithstanding the SBE's authority to revoke this Charter, the provisions of this Petition are severable, and in the event that any one or more provisions shall be determined to be judicially unenforceable, in whole or in part, the remaining provisions shall nevertheless be binding and enforceable.

NOTICES

Any and all notices, demands or other communications required or desired to be given hereunder by any party shall be in writing and shall be validly given or made to another party if served either personally or, if deposited in the United States mail, certified or registered, postage prepaid, return receipt requested. If such notice, demand or other communication be served personally, service shall be conclusively deemed made at the time of such personal service. If such notice, demand or other communication be given by mail, such shall be conclusively deemed given forty-eight hours after the deposit thereof in the United States mail, addressed to the party to whom such notice, demand or other communication is to be given as set forth in an MOU between the SBE and JTATA.

GOVERNING LAW AND CONSTRUCTION

This Petition shall, in all respects, be governed by the laws of the State of California applicable to agreements executed and to be wholly performed within the State of California. Nothing contained herein shall be construed so as to require the commission of any act contrary to law.