

# **Dual Language Immersion North County**

San Diego County Office of Education

Charter Renewal Petition  
Submitted October 9, 2020

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

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## Assurances, Affirmations, and Declarations

As the authorized lead petitioner, I, Mallory Wirth, hereby certify that the information submitted in this petition for renewal of a California public charter school, Dual Language Immersion North County (“DLINC” or the “Charter School”), located within the geographic boundaries of the Vista Unified School District (“VUSD” or “District”), and authorized by the San Diego County Board of Education (“SDCBOE”) with oversight by the San Diego County Office of Education (“SDCOE”) (collectively referred to herein as the “County”), is true to the best of my knowledge and belief. I affirm that DLINC shall follow any and all other federal, state and local laws and regulations that apply to charter schools. I also certify that this petition does not constitute the conversion of a private school to the status of a public charter school and further agree that the Charter School:

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

- The Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities Education Improvement Act of 2004.
- The Charter School shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations § 11967.5.1(f)(5)(C)]
- The Charter School shall ensure that teachers in the Charter School hold the Commission on Teacher Credentialing certificate, permit or other document required for the teacher's certificated assignment. The Charter School may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in the same manner as a governing board of a school district. Teachers employed by charter schools during the 2019-20 school year shall have until July 1, 2025, to obtain the certificate required for the teacher's certificated assignment. [Ref. Education Code §§ 47605(l) and 47605.4(a)]
- The Charter School shall at all times maintain all necessary and appropriate insurance coverage.
- The Charter School shall, for each fiscal year (except when exempted by law), offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Sections 47612.5(a)(1)(A)-(D).
- If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the Charter School within 30 days if the Charter School demonstrates that the pupil had been enrolled in the Charter School. [Ref. Education Code § 47605(e)(3)]
- The Charter School may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School. [Ref. Education Code § 47605(n)]
- The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Education Code § 47612.5(a)(2)]
- The Charter School shall, on a regular basis, consult with its parents and teachers regarding the Charter School's educational programs. [Ref. Education Code § 47605(d)]

- The Charter School shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. Education Code § 47605 and 47605.1]
- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code § 47612(b) and 47610]
- The Charter School shall comply with all applicable portions of the Elementary and Secondary Education Act (“ESEA”), as reauthorized and amended by Every Student Succeeds Act (“ESSA”).
- The Charter School shall comply with the Public Records Act.
- The Charter School shall comply with the Family Educational Rights and Privacy Act.
- The Charter School shall comply with the Ralph M. Brown Act.
- The Charter School shall comply with Government Code Section 1090, *et seq.*, as set forth in Education Code Section 47604.1.
- The Charter School shall comply with the Political Reform Act.
- The Charter School shall meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations § 11960]

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**Mallory Wirth, Lead Petitioner**

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**Date**

## Charter Petition Renewal Criteria

### Evidence of Meeting Charter Renewal Criteria Pursuant to:

- **Education Code Section 47607.2(b) (middle tier)**

Pursuant to the amendments made to Education Code Section 47607, and the creation of Education Code Section 47607.2, by Assembly Bill 1505 (2019), at the time of charter renewal, a chartering authority shall consider the performance of the charter school on the state and local indicators reported the California School Dashboard (“Dashboard”), and, in some circumstances, the performance of the charter school on assessments deemed to be verified data.

In addition to the shift toward assessing Dashboard data, Assembly Bill 1505 also created a three-tiered system of evaluating charter schools’ performance, plus a separate category for Dashboard Alternative School Status schools. Each of the three tiers has unique qualifying criteria.

In alignment with the provisions of new renewal legislation, the California Department of Education has certified Dual Language Immersion North County a middle-tier charter school. DLINC does, in fact, fit into the middle tier of charter schools statewide, and is eligible for charter renewal, as demonstrated below.

Education Code Section 47607.2(b) states:

- (1) For all charter schools for which [top tier and bottom tier] do not apply, the chartering authority shall consider the schoolwide performance and performance of all subgroups of pupils served by the charter school on the state indicators included in the [Dashboard] and the performance of the charter school on the local indicators included in the [Dashboard].*
- (2) The chartering authority shall provide greater weight to performance on measurements of academic performance in determining whether to grant a charter renewal.*

“Measurements of academic performance” are defined in statute as “statewide assessments in the California Assessment of Student Performance and Progress system, or any successor system, the English Language Proficiency Assessments for California, or any successor system, and the college and career readiness indicator.” (Education Code Section 47607(c)(3).

With no testing in 2020, DLINC’s second year in existence, only 2019 state assessments are available for review. The Charter School’s schoolwide and subgroup Dashboard state indicators and, for comparison purposes, the State’s, for the 2018-19 school years show DLINC to be near or slightly better than the State average in all measurements.

In English Language Arts, DLINC scored three points below standard while all State students scored 2.5 points below standard. In Mathematics, DLINC scored 32.5 points

below standard while the State scored 33.5 points below standard. DLINC’s English Learner Progress shows 39 English Learner students and 43.6% making progress towards English language proficiency. Statewide, 48.3% of all students are making progress towards English language proficiency.

**DLINC 2019 Dashboard - Local Indicators**

Basics: Teachers, Instructional Materials, Facilities	Standard Met
Implementation of Academic Standards	Standard Met
Parent and Family Engagement	Standard Met
Local Climate Survey	Standard Met
Access to a Broad Course of Study	Standard Met

*(3) In addition to the state and local indicators, the chartering authority shall consider clear and convincing evidence showing either of the following:*

*(A) The school achieved measurable increases in academic achievement, as defined by at least one year’s progress for each year in school.*

*(B) Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.*

*(4) Subparagraphs (A) and (B) of paragraph (3) shall be demonstrated by verified data ....*

“Verified data” is defined in statute as “data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced.” (Education Code Section 47607.2(c)(1).)

The Charter School has demonstrated academic achievement, as defined by at least one year’s progress for each year in school.

A charter petition renewed pursuant to this Section may be granted a renewal term of 5 years.

**As demonstrated by the evidence in Element 1, the Charter School meets this renewal criterion, and should be granted a renewal term of 5 years.**

## Element 1: The Educational Program

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

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

### General Information

The lead petitioner and contact person for this Charter School is:	Ms. Mallory Wirth
The contact address for Charter School is:	2030 University Drive Vista, CA 92081
The contact phone number for this charter is:	(760) 630-4080
The contact email for this charter is:	mwirth@DLINCnorthcounty.org
The proposed address of the target community to be served by Charter School is:	2030 University Drive Vista, CA 92081
The Superintendent in the Chartering Authority is:	Dr. Paul Gothold
The contact address for the Superintendent is:	San Diego County Office of Education 6401 Linda Vista Road San Diego, CA 92111
The contact phone number for the Superintendent is:	(858) 292-3500
The contact email for the Superintendent is:	paul.gothold@sdcoe.net
The grade configuration of Charter School is:	TK-8
The current number of students:	261
The type of instructional calendar will be:	Traditional/Single Track
The instructional program for Charter School will be:	Spanish/English Immersion using 90:10 model
The term of this Charter shall be from:	July 1, 2021 to June 30, 2026

### Introduction to DLINC

Dual Language Immersion North County is a public charter school serving the community of Vista, San Diego County, offering a high-quality instructional program to students in transitional kindergarten through eighth grade. The program offers an innovative 21st century learning experience, focusing on dual language instruction in both English and

Spanish. The Charter school is located at 2030 University Drive, Vista, CA 92084, and has grown in popularity in the community since 2012.

DLINC is a program which uses a 90:10 model of instruction. According to the California Department of Education (2017), “the 90:10 model has been shown to create higher levels of bilingualism.” Research has shown that students participating in the 90:10 model of dual immersion score higher academically than students participating in a 50:50 model. Additionally, English learners develop stronger literacy skills in Spanish in the 90:10 model than in the 50:50 model. Scores from middle school students in the 90:10 model have scored higher on standardized tests than students in a 50:50 model. DLINC’s goal is for all its students to become proficient in both Spanish and English, which is why DLINC chose the 90:10 model of dual language instruction over the 50:50 model.

In partnership with the County, DLINC will continue to offer the North County community a rigorous standards-based program that employs research-based teaching practices in implementation of its 90:10 dual immersion program. DLINC will continue to meet the intention and purpose of the Charter Schools Act of 1992 (Education Code Section 47600, et seq.) to provide opportunities for teachers, parents, students and community members to establish and maintain charter schools that operate independently from existing school district structure.

### **Community Need for Dual Language Immersion**

DLINC is located in Vista, California, a small city whose residents are 63% White, 48% Latino, 21 % other races, 4 % Asian, 3% Black or African American and 1% Native American. Since its inception, the school’s demographics closely reflect those of the city. However, currently, the Latino population has increased to 71%, and the White student group has decreased to 20%.

In 2012, the program had a bilingual emphasis, but it was running as more of an enrichment Spanish program. The staff came together and considered the dual immersion options in Vista and surrounding areas. There were two programs in Encinitas with long waiting lists. There was a dual immersion program in Vista, but it operated as a 50/50 program, which is a less aggressive model for second language learning. Upon soliciting community input it was revealed that most families attended the school because they placed high value on bilingualism and biliteracy. The staff came together to revitalize the mission statement, clearly directing the focus on second language acquisition. It was decided that the school would implement the 90/10 model of instruction. The Spanish language acquisition would come more quickly in the early years of the program and the English acquisition would be more emphasized in the later years.

Once the new model of instruction was established, the school then focused on continuity of the curricula, searching for higher quality Spanish materials as well as materials that were aligned across grade levels.

The school community saw the refreshed sense of purpose and parents became more involved. The Parent Teacher Organization (PTO) adopted new bylaws, and fundraising began in earnest for teacher materials stipends, class T-shirts, and events such as Field Day and the Move-A-Thon. The PTO established events that centered around exercise and healthy living, and an unofficial sub theme of wellness was born. These events brought people together and a solid foundation for the program was built.

The program continued to increase enrollment based on the strong support of the community. The residents of Vista and surrounding communities realized there was another available option for dual immersion, and attracted families from as far south as Del Mar, as far east as Temecula and as far north as Fallbrook.

In 2018, DLINC was successfully authorized by the San Diego County Office of Education, and we embraced the opportunity to partner with a high-quality authorizer. It was clear that there would be high expectations for accountability, and we welcomed that. Our solid community foundation had been built. We were ready to increase rigor, language facility and test scores.

Ushering in the common core presented unique challenges: How would we balance language facility with common core standards? Students would be held accountable for their learning in two languages; therefore, dual testing systems would be required.

Until very recently standardized tests were not available in Spanish, so we measured progress through local common assessments such as the Basic Phonics Skills Test, the Johns Reading Inventory, and writing samples. However, in 2018, the California Spanish Assessment became available, so we prepared for our students to take that test. This was also the first year that the California Science Test (CAST) was administered. By the spring of 2019, DLINC students in grades K-8 had taken NWEA MAP tests, grades 3-8 had taken the SBAC and the CSA, and grades 5 and 8 had taken the California Science Test.

Due the technological demands of online state assessments, it was determined that our internet would need to be upgraded to accommodate increased simultaneous demand. We learned that testing needed to be staggered to prevent assessment burnout, and we that student socioemotional health plays an important role in the assessment process.

As a direct result of these learnings, we were excited to implement the changes for the 2019-20 academic year. Testing schedules were meticulously prepared over the summer, and technology infrastructure was upgraded to meet the demands of online assessment, as well as regular instruction which incorporated web-based applications. In addition to infrastructure and assessment planning, we strategically developed instructional changes to improve student test scores by creating an after-school reading clinic. This was an evidence-based reading clinic model which centered around authentic, meaningful whole texts and conceptualized instruction in both reading and writing. Pre and post assessments, both qualitative and quantitative, were given for the two sessions that did take place, and the results were strong. Parents and students alike were pleased with the reading clinic. The first session was offered to students working well below grade level, as an early intervention for the school year. Due to the health pandemic, the remaining sessions for English learners and borderline SBAC students on the cusp of moving to the next level.

### **School Performance Over the 2017-21 Charter Term**

Since DLINC's previous renewal, we continue the use of internal assessments to monitor the impact of the academic program. The North-West Educational Assessment (NWEA - MAP) data in reading, language usage, and mathematics has provided the school with crucial insights in assessing our impact on student learning. The analysis of the data yields impressive gains for our students in cohort growth.

In addition to local individual common assessments, DLINC depends on NWEA MAP scores for a number of reasons. First, it is well established that NWEA conducts norm studies regularly to ensure that students are fairly evaluated. Secondly, NWEA MAP tests glean very precise measurements of exactly where students are academically in a given moment. Finally, NWEA MAP tests adjust to a student’s level so that no two tests are alike. The tests become progressively more challenging as a student’s abilities are revealed. With the context of our program at DLINC, NWEA MAP is used to measure any lost learning that may have occurred over a summer. The tests also aid teachers in forming unique small groups which can be based on as little as one small strand or skill. By the end of a school year a teacher has a clear picture of how far a student has come. The results are almost immediate.

The end result of a MAP test is a RIT score. The RIT scale is a stable scale, like feet and inches, that accurately measures student performance, regardless of age, grades, or grade level. Like marking height on a growth chart, and being able to see how tall a student is at various points in time, you can also see how much they have grown between tests. Just as students grow physically at different rates, they grow academically at different rates also.

**Table 1.1: Northwest Educational Assessment (NWEA) 2018-20, Reading**

Grade	2018-19				2019-20				Growth
	Fall	Winter	Spring	Growth	Fall	Winter	Spring	Growth	2-yr. Cohort
2 <sup>nd</sup>	174.4	182.1	187.9	+ 13.5					
3 <sup>rd</sup>	186.4	190.4	193	+ 6.6	191.3	200	203.8	+ 12.5	+ 29.4
4 <sup>th</sup>	201.9	205	208.2	+ 6.3	194.3	198.2	207.2	+ 12.9	+ 20.8
5 <sup>th</sup>	205.9	209.5	204.8	- 1.1	205.5	209	212.3	+ 6.8	+ 10.4
6 <sup>th</sup>	212.4	215.8	213.7	+ 1.3	212.4	215.8	213.7	+ 1.3	+ 7.8
7 <sup>th</sup>	217.6	220.3	219.2	+ 1.6	219.5	218.7	216.8	- 2.7	+ 4.4
8 <sup>th</sup>	206.3	212.8	206.6	+ 0.3	225.5	229.5	231.1	+ 5.6	+ 13.5

Source: NWEA Assessment Portal

In reading, there is a basic pattern among individual scores: lower scores in the fall generally mean more growth occurs, and higher scores in the fall generally produce a lower rate of growth. We can see this represented in the aggregate second grade reading scores in fall, winter and spring of 2019, where students began at 174 (just under the mean of 175) and grew 13.5 points within the course of the year, ending at 187.9, just above the mean of 185.57. Third graders in the same year began in the fall at 186.4, closer to the mean of 186.6, but grew only six points throughout the year. Fifth graders in the same year fell by one point. We attribute part of this to a lack of consistency in staffing that year; however, the teaching staff identified that more intentional instruction of academic vocabulary was in order.

As a result of this data, we have put the follow practices in place:

- Staff across grade levels K-8 used anchor charts in their classrooms to which students could refer to regularly when completing independent assignments.
- Staff in grades K-5 used Raz Kids to support reading comprehension instruction

- Grades 6-8 went from using Engage New York to Houghton Mifflin’s Collection series, so that students had exposure to a greater variety of genres, including more non-fiction.

**Table 1.2: Northwest Educational Assessment (NWEA) 2018-20, Language Usage**

Grade	2018-19				2019-20				Growth
	Fall	Winter	Spring	Growth	Fall	Winter	Spring	Growth	2-yr. Cohort
2 <sup>nd</sup>	172.1	183.3	187	+ 14.9					
3 <sup>rd</sup>	188.2	193.5	199.1	+ 10.9	192.3	199.2	203.5	+ 11.2	+ 31.4
4 <sup>th</sup>	204.3	207.4	209.4	+ 5.1	197.7	201	204.5	+ 6.8	+ 16.3
5 <sup>th</sup>	207	208.2	206.8	- 0.2	208	208.6	211.9	+ 3.9	+ 7.6
6 <sup>th</sup>	210	213.9	213.9	+ 3.9	209	210.4	211.9	+ 2.9	+ 4.9
7 <sup>th</sup>	215.6	216	215.6	0	214.5	216.9	216.8	+ 2.3	+ 6.8
8 <sup>th</sup>		208.4	211.2		222.8	223.8	228.8	+ 6	+ 13.2

Source: NWEA Assessment Portal

Some gaps in language usage have also been identified. This is congruent with what we know about dual language immersion. In an immersion program, language skills are not traditionally taught in the same way that they are when one is learning the second language in a world language, i.e. high school, setting. At DLINC the language lessons accompany the literature. Teachers across the board agreed that more reinforcement was needed on each language usage concept.

However, second, third and fourth grades made nice gains. Once authorized by SDCOE, DLINC became a seat-based, five day per week program. This undoubtedly contributed to this. Additionally, second grade used a clinic model, combining small group, individual, and peer activities so that language lessons could be more detailed. Third grade mirrored stories and concepts in both English and Spanish, reading a story in Spanish and then in English, and using follow up activities in both languages. This is something that is not often done in dual immersion out of concern that students will become less engaged if they already know the outcome of a story. However, the teachers work very cohesively, and mirroring strategies were very purposeful. Fourth graders were very regular writers in the 2018-19 academic year. Teachers displayed their work in the form of a weekly formal writing assignment, pinning each assignment on top of the last one so that students could observe their own progress from the beginning of the year.

Perhaps most observable here is that while teachers collectively brainstormed the practices they would use, ultimately each went in their own direction. And though they were successful, there is a lack of cohesion that leadership recognizes and will address energetically going forward.

**Table 1.3: Northwest Educational Assessment (NWEA) 2018-20, Mathematics**

Grade	2018-19				2019-20				Growth
	Fall	Winter	Spring	Growth	Fall	Winter	Spring	Growth	2-yr. Cohort
2 <sup>nd</sup>	173.7	184.9	189.4	+15.7	184	188	206.9	+ 22.9	
3 <sup>rd</sup>	189.1	191.9	198.5	+ 9.4	192.9	198.3	206.6	+ 13.7	+ 32.9
4 <sup>th</sup>	204.6	208	216.2	+ 11.6	197.4	203.4	214.2	+ 16.8	+ 25.1
5 <sup>th</sup>	205.9	209.5	204.8	- 1.1	211.4	213.2	219.9	+ 8.5	+ 15.3
6 <sup>th</sup>	208.9	213.4	218.9	+ 10	210.8	213.6	215.8	+ 5	+ 9.9
7 <sup>th</sup>	215.6	218.9	220.9	+ 5.3	218.2	220.7	221.4	+ 3.2	+ 12.5
8 <sup>th</sup>	213.6	214.4	219	+ 5.4	226.5	229.9	236.1	+ 9.6	+ 20.5

Source: NWEA Assessment Portal

Most cohorts, excluding fifth grade, made significant gains during the 2018-19 school year, but they came in under the mean score of their peers. In 2019-20, all but one class came in above the grade-level mean except for sixth grade, and although they were under the mean, they went from losing a point of growth the year before, to growing by 9.9 points.

As a result of this data, teachers identified that more detailed differentiation and small group work were in order, and these interventions proved to be effective in 2019-20. Going forward, DLINC will incorporate academic math vocabulary during English instruction. DLINC teachers will also make a systemic effort to integrate math across all subject areas.

As previously described, DLINC has been through several transitions leading to the submission of this request for an additional charter renewal term. At the end of that process, the charter school received its own standalone CDS code at the start of the 2018 academic year. As such, there is a single year of Smarter Balanced Assessment (SBAC) data currently available on the California Department of Education website.

While DLI’s renewal data merited the classification as a “middle tier” charter school and wholly supports successful renewal, we do regularly refer to the performance of other educational entities serving a similar student population in our area.

While the comparisons are not 1:1 due to the student sample size between the charter school, district and county, we are encouraged by the baseline comparison specifically when examining specific student groups such as English Learners and socioeconomically disadvantaged.

**Table 1.4: English/Language Arts Smarter Balanced Assessment Consortium (SBAC) 2018-19**

	DLI			Vista Unified			San Diego County		
	School	EL	SED	District	EL	SED	County	EL	SED
<b>Average</b>	<b>45%</b>	<b>26%</b>	<b>36%</b>	<b>47%</b>	<b>8%</b>	<b>39%</b>	<b>55%</b>	<b>15%</b>	<b>40%</b>
3 <sup>rd</sup>	43%	26%	36%	48%	11%	37%	55%	21%	40%
4 <sup>th</sup>	64%			48%	16%	40%	56%	23%	41%
5 <sup>th</sup>	36%			52%	15%	43%	51%	16%	44%
6 <sup>th</sup>	63%			45%	3%	36%	56%	11%	33%

7 <sup>th</sup>	46%			44%	1%	36%	58%	10%	43%
8 <sup>th</sup>	18%			46%	1%	39%	55%	7%	40%

Source: California Department of Education's "DataQuest" website

We were pleased with several aspects of our ELA SBAC scores. For example, English learners' average performance exceeds that of both Vista Unified and San Diego County. Grade 4 exceeded both Vista Unified as well as San Diego County by 10 %. Grade 5 also exceeded the district and the county by 5%. We attribute this success to two things. First, the program went from a 4 day per week independent study program to a 5 day per week, seat-based program. Also, the school implemented Sustained Silent Reading (SSR) in grades 2-8.

We saw several opportunities for growth among our socioeconomically disadvantaged students, as well as our third graders, fifth graders and middle schoolers. The teachers analyzed the data by strand and noticed that the common thread among these groups (in addition to their individual challenges) was a struggle with lengthy passages of non-fiction text. They made plans to address this through emphasis on reading fluency as well as targeted reading comprehension strategies.

**Table 1.5: Mathematics Smarter Balanced Assessment Consortium (SBAC) 2018-19**

	DLI			Vista Unified			San Diego County		
	School	EL	SED	District	EL	SED	County	EL	SED
<b>Average</b>	<b>29%</b>	<b>15%</b>	<b>23%</b>	<b>38%</b>	<b>7%</b>	<b>29%</b>	<b>47%</b>	<b>14%</b>	<b>32%</b>
3 <sup>rd</sup>	40%	15%	23%	49%	15%	38%	55%	27%	42%
4 <sup>th</sup>	54%			42%	14%	33%	51%	22%	36%
5 <sup>th</sup>	12%			34%	5%	24%	46%	12%	30%
6 <sup>th</sup>	24%			36%	3%	27%	43%	8%	31%
7 <sup>th</sup>	27%			33%	1%	26%	44%	8%	28%
8 <sup>th</sup>	18%			31%	1%	25%	41%	6%	26%

Source: California Department of Education's "DataQuest" website

Two groups had great successes in Math on the SBAC. DLINC's English learners again, outperformed Vista Unified's English learners. Also, our fourth graders exceeded both the district as well as San Diego county in math. Teachers attributed this growth to training with a math consultant in which they were shown strategies to teach students to conceptualize math at a deeper level.

Teachers identified that math is taught in Spanish in our program up until third grade and plans were made in lower grades to go over academic language for math in the lower grades during their English component classes. Additionally, we held after school enrichment math classes for second and third graders in the '19-'20 school year as a means of increasing math acquisition among students. The math teacher for grades 5-8 focused on differentiation of instruction via small groups.

Although NWEA-MAP and SBAC are two completely different assessments, we find that both are valuable within the context of our program, particularly because NWEA-MAP now offers reading and language usage tests in Spanish. NWEA-MAP tests are used to determine any summer learning loss, to form small groups for differentiation of instruction, and to measure growth in basic skills. SBAC measures the application of basic skills

within the framework of the common core and can only be done in English. In 2018-19, students took the California Spanish Assessment in addition to NWEA-MAP and SBAC. This is a Spanish assessment similar to the SBAC that measures common core applications. While the NWEA-MAP, SBAC, and their Spanish counterparts are not aligned, DLINC uses NWEA-MAP results to drive instructional decision-making by teachers in their individual classrooms. The teachers meet in grade level clusters to analyze data regularly, share out results, and impactful best practices.

The SBAC test results are used to launch major schoolwide instructional initiatives. The staff first identifies patterns in the data. They then identify evidence-based strategies to address the patterns observed and they work together to decide which strategies to implement. Although only grades 3-8 are tested, K-2 teachers participate in these discussions as well, determining what they can do to help lay a stronger foundation.

### *English Learner Performance*

DLI’s English Learner population constitutes roughly 18% of the overall student population. As a 90/10 dual language immersion school, we believe all students are language learners at DLINC, we recognize the unique needs of this student group to ensure their academic success.

Curricula, content, instruction, processes and procedures for English Learners are interdependent, cohesive and well-articulated. The English Language Development (ELD) program at DLINC begins in Transitional and/or mainstream kindergarten. Both instruction and language acquisition are monitored throughout an EL’s school career.

English learners receive integrated ELD in small groups during core curriculum classes; these include ELA, Math, Science, and Social Studies. In addition to integrated ELD, all ELs will receive designated daily English Language Development (ELD) for the first 30 minutes of the school day, while their native English-speaking classmates practice sustained silent reading, finish projects and work independently. The EL program functions on a second level as well: in addition to small group instruction, ELD is integrated throughout all English instruction. Language acquisition strategies are the same in both English and most other languages, including Spanish. There is a high emphasis on academic vocabulary, language production, cultural connection, and visual learning. Most of all, our teachers excel in delivering language instruction in multiple modalities -art, drama, physical education, and music- to reach students at every level of language proficiency. The Houghton Mifflin curricula were chosen in part for their strong ELD component. Each lesson is accompanied by a differentiated version for ELs.

**Table 1.6: English Language Proficiency Assessments for California (ELPAC) 2016-2017**

	Oral	Written	Overall
Level 1	6.5%	17%	6.5%
Level 2	13%	33%	28%
Level 3	52%	35%	48%
Level 4	28%	15%	17%

*Source: California Department of Education’s “DataQuest” website*

**Table 1.7: English Learner Reclassification, 2018-20**

Grade	2018-19		2019-20	
	% ELs	Reclassified	% ELs	Reclassified
TK/K	0%	0%	14%	16.7%
1 <sup>st</sup>	31%		11%	
2 <sup>nd</sup>	18%		24%	
3 <sup>rd</sup>	24%		19%	
4 <sup>th</sup>	11%		21%	
5 <sup>th</sup>	33%		17%	
6 <sup>th</sup>	19%		33%	
7 <sup>th</sup>	25%		16%	
8 <sup>th</sup>	18%		8%	

*Source: California Department of Education's "DataQuest" website*

Reclassification of English learners was an area for growth in 2018-19 with no students being reclassified. There were a number of students who came close, meeting 2-3 of the criteria, including the qualitative pieces. In most cases this had to do with falling just below the required score in ELPAC performance. We attributed this to a midyear staffing issue. In response to this data, we took the opportunity to work with consultants at SDCOE to tighten up the English learner plan with a greater emphasis on communications among teachers and parents. Additionally, teachers created plans to address academic language more intentionally. This was effective in that we were able to reclassify 16.7% in 2020.

Annual reclassification of English Learners is based on several criteria:

- ELPAC score- overall proficiency level of Early Advanced (4).
- SBAC ELA score- Students in grades 3-8 take the SBAC. SBAC scores must be at “exceeded” or “met” in the ELA portion. Students in grades K-2 take the NWEA MAP test. MAP scores must meet or exceed the grade level norm.
- Teacher Evaluation- teachers determine that the EL student’s academic language skills are sufficient to succeed in a K-12 English only or Dual Immersion program as evidenced by a writing sample, the grade-level aligned prompt and rubric of which will be taken from our Houghton Mifflin Journeys (K-5) or Collections (6-8) curriculum. Rubrics from these curricula use a four-point scale; a passing grade is indicated if a student scores 3 or above.
- Parent Opinion and Consultation

## School Climate

### Attendance

With 97.09% attendance in 2018-19 and 98.25% in 2019-20, we consider this to be an area of strength. We are particularly proud of the efforts we undertook to ensure regular attendance during the health pandemic when schools pivoted to online learning. We attribute this to three things. First, our parents are committed to our mission and vision

of bilingualism and biliteracy. They know that language acquisition comes only with regular, consistent practice and attendance. Second, we follow up quickly with students who are absent. The office staff calls the parents of students who are absent on the first occurrence. The second time, the teacher follows up with the family. Finally, on the third absence, the Executive Director follows up with both the student and the parents to develop a plan for improvement. Finally, our teachers have put together an engaging program of instruction that holds students' interest.

**Table 1.8: DLINC Attendance 2017-2020**

	2018-19	2019-20
Average Daily Attendance	97.09%	98.25%

*Source: California Department of Education's "DataQuest" website*

*Suspensions and Expulsions*

DLINC has not had to suspend or expel any students. This is the strength of a small, close-knit school community. The teachers have also been trained in Restorative Circles so that they can facilitate students solving their own problems and making amends to the peers they have offended. Minor transgressions of class agreements are handled one-on-one between the student and the teacher; in small, private groups; or in class meetings. The focus of the student-teacher interaction is to help the child find more positive ways of meeting their needs, while respecting the needs of others.

With best practices in place around inclusivity and positive school climate, DLINC has not had the need to suspend nor expel any student for the term of the current renewal.

**Table 1.9: Suspensions & Expulsions 2017-20**

	2017-18	2018-19	2019-20
Suspensions	0	0	0
Expulsions	0	0	0

*Source: California Department of Education's "DataQuest" website*

*Stakeholder Engagement & Satisfaction*

Parents, students and staff are surveyed on a number of matters so the leadership can evaluate our progress in meeting the needs of the school community. In 2018 we asked students in grades 5-8 simply, how well are we making sure you are learning? 98% of these students reported "well enough" or "very well". In the same year, parents were asked about our facility and building maintenance. 64% of parents were satisfied with the maintenance of our building. In 2018, staff was asked to identify strengths and challenges of our program, and of 18 staff members, 18 answered that our dual immersion program was one of our strengths. Surveys in 2019-2020 dealt mostly with meeting community needs for distance learning. One hundred percent of parents indicated that they had internet, but 2 families later learned that they needed more sufficient broadband to be able to support distance learning. Opinions were divided on our distance learning procedures with 70% indicating satisfaction with the amount of work we were assigning, 20% indicating that we were doing too much and 10% indicating we were doing too little.

Parents are engaged with surveys several times per year. However, we also hold Coffee with the Principal every 6 weeks, and these meetings are well attended, particularly at the beginning of the school year. This is a relaxed forum in which parents can discuss ideas and concerns they may have. In 2019-20, three of these meetings served as LCAP town hall meetings. An informational slide show was presented at the first one, and at the subsequent two meeting we discussed 4 of 8 state priorities.

We ensure that parents are aware of these events by sending multiple invitations and reminders on Parent Square. Parent Square can be read in both English and Spanish. Teachers also communicate these events in their weekly e-mails home.

We know our parents are engaged because we have a number of parents who volunteer regularly. Also, during normal school years, our parents congregate on our blacktop between 8:00 and 8:30 a.m. where students line up to meet their teachers. Parents are able to socialize with one another, and the principal and teachers circulate during this time. The program receives strong feedback for the accessible staff and administration.

### Population to be Served

DLINC will provide a rigorous, standards-based 21st century education including exposure to Spanish language instruction. As it is with learning any second language, students develop a respect for all cultures, an appreciation of bilingualism, and naturally embrace diversity, whether they be differences of race, ethnicity or religion. By learning to embrace diversity, the students are better prepared to be successful in the 21st century.

**Table 1.11: Enrollment by Grade-Level 2021-26**

Grade	2021-22	2022-23	2023-24	2024-25	2025-26
TK	21	21	21	21	21
K	21	30	40	50	50
1st	25	21	30	40	50
2nd	27	25	21	30	40
3rd	35	27	25	21	30
4th	39	35	27	25	21
5th	36	39	35	27	25
6th	25	36	39	35	27
7th	36	25	36	39	35
8th	12	36	25	36	39
<b>TOTAL</b>	<b>277</b>	<b>295</b>	<b>299</b>	<b>324</b>	<b>338</b>

### Goals & Philosophy

#### *Vision*

Dual Language Institute North County provides value, opportunity and rigor in a bilingual and biliterate public school setting.

#### *Mission*

The Dual Language Institute is a united community which prepares its students for the future with bilingual instruction for second language acquisition in English or Spanish, as well as respect for themselves, others, and the environment.

## Goals

The DLINC Staff worked closely to set goals which would align across our charter, our WASC self-study and our LCAP. The staff also intended to set goals which were reflective of our mission and vision. The following goals are the product of that collaboration.

### ***DLNC students communicate and collaborate using multiple means of expression, languages, and digital media.***

This refers to students becoming technology-literate, poised in articulation and presentation, and able to express complex ideas in more than one language. Toward this end, we have upgraded technology equipment and integrated on-line curricula and well as digital presentation into our existing curricula.

### ***DLINC students use critical thinking and creativity to work towards reaching high academic standards in English and Spanish***

This refers to depth and breadth of subject matters. DLINC students will learn to search for deep meaning and they will be able to analyze their findings, in more than one language and more than one form of communication. Toward this end, teachers have received training in math instruction which explores the variety of ways individual concepts can be taught. Our middle school students now use the Houghton Mifflin Collections series for English/language arts. This incorporates more non-fiction text and includes multiple genres of literature.

### ***DLI students develop their biliteracy to become engaged and compassionate global citizens***

Teachers posited that students should know the value and worth of their bilingualism and biliteracy and they should learn how to apply to a variety of situations in the world around them. This refers to creating community in the classroom, teaching, learning, and practicing empathy, and developing interpersonal skills in both languages.

## Core Values

### **We believe in OPPORTUNITY**

DLINC aims to prepare students for a global society and labor force, one in which individual gifts, talents, and abilities are fostered and utilized in a collaborative group effort to achieve common goals. DLINC believes individuals, students, parents and schools succeed as a team when given the opportunity to do so. Having the many cultures and backgrounds ability to communicate in multiple languages and work productively, effectively, and efficiently with people, in the home and workplace, is absolutely critical in the 21st century. Therefore, DLINC's learning environment, teaching strategies, practices and curriculum will focus on fostering students' abilities to communicate with others in two written and spoken languages, in a manner which is culturally literate. Instruction will take place in a variety of settings, mediums and contexts. The charter school will provide unique opportunities for students through experiential learning which will engage DLINC's students in reflective assessment and evaluation of their learning product's impact on their greater surroundings. Ultimately, DLINC's students will be active responsible citizens, fully participating in their community and the world around them.

## **We believe in ACHIEVEMENT**

DLINC is determined to ignite passion for dual language communication and personal motivation in its students by creating momentum in the student's successful employment of the second language. DLINC's BCLAD credentialed teachers are specifically trained in eliciting positive communication outcomes from students, which leads to great student satisfaction. Through data-driven instruction DLINC measures student progress multiple times per year. Students are able to see and experience their own growth first-hand, and this incentivizes them to do even better.

## **We believe in COLLABORATION**

DLINC will utilize cooperative and collaborative learning approaches, techniques, and experiences as means of encouraging bilingual communication among students. Students will complete group and team activities via integrated lessons and performance tasks. Students will learn shared responsibility for collaborative work as well as value individual contributions made by each team member. This collaboration will also include working with their family as a team, in the implementation of a dual language curriculum. Families will also join the DLINC collaborative team through a multitude of family engagement opportunities.

## **We believe in FLEXIBILITY**

DLINC realizes that learning is a lifelong process. DLINC intends to cultivate a bilingual environment centered on a love of learning, growth, and continuous personal and professional improvement for students and staff. DLINC's objective is to create an environment that fosters and instills an intrinsic motivation in all students and staff members to become lifelong learners. DLINC intends to create the school community paradigm that learning is continuous and that it equates to growth, development and improvement for all. With this paradigm at the foundation of all DLINC instructional practices and educational operations, the Charter School will engage the teaching and practice of gathering information from a variety of sources, as well as utilizing creative and divergent thinking and viewpoints to develop novel solutions. DLINC also realizes that reflective practice is at the heart of lifelong learning and continuous improvement. Therefore, reflection, feedback and data analysis will be at the foundation of DLINC's pedagogy.

## **Educational Program**

### *Key Program Elements*

#### **Fidelity to the 90/10 Dual Immersion Model**

Implementing a 90/10 dual immersion program requires discipline. We pride ourselves on keeping Spanish instruction completely separate from English instruction. Failure to do so results in students producing both languages in the same setting at the same time, which goes against prevalent second language acquisition theory. Teachers fully immerse students in the designated language of instruction and are careful never to use the alternative language. The outcome of this strict approach is that kindergarten students, upon entering our program, understand nothing in August, fully understand by December and produce by March. Students are regularly evaluated in the second language to ensure that growth is taking place. In the spring of 2019, our native English-speaking students tested at the same level as native Spanish speaking students throughout the state.

## **High Expectations for All Students**

All students are capable learners and it is up to teachers to discover how to elicit this capability, whether it's planning activities which appeal to a wide variety of learning styles, giving positive reinforcement, or simply taking extra time with students to learn what is going on in their lives. Our small school environment lends itself to these practices. Teachers discover how each student learns best, and they in turn use that information to hold students to high academic standards in both English and Spanish. The school aspires to become an International Baccalaureate school and to participate in the rigorous training, which is included in the process, as a means of finding new ways to challenge and stimulate students. Additionally, teachers participate in calibration activities each year. They take time to examine assignments at varying grade levels, to assign grades, and to discuss why they assigned the grades they did. In doing this teacher become unified in their expectations of students.

## **Community Investment and Engagement**

DLINC is a direct reflection of the level of investment our community has in the dual immersion/second language acquisition mission. There is an inevitable momentum which takes place once parents see the progress their students make, and they become more and more involved.

## **What it Means to be an Educated Person in the 21st Century**

A well-educated person in the 21st century must be highly proficient in a rigorous set of competencies in language, reasoning/problem solving, reading, writing, computation, interpersonal relationships, social/ economic studies, the use of technology, and personal work habits in order to succeed in a global economy. With an ever-expanding global economy, students who are biliterate face a range of opportunities for post-secondary learning and careers.

A well-educated person recognizes that the world is constantly changing, and is a self-directed lifelong learner prepared to continually adapt to changes that require new skills and competencies to be successful in their lifetime. An educated person understands that creative thinking leads to opportunity, that talent can be turned into true skill, and that all human beings.

The DLINC curriculum, instructional methodology, and environment are designed to instill and develop these skills in our students so that they will experience future success in college and in their chosen careers, and can continue to be self-directed learners, highly skilled critical thinkers and effective communicators throughout their lives.

DLINC believes that 21st Century Learners exhibit certain characteristics that are further identified below. A 21st Century Learner will:

- Show mastery of a content area and apply understandings to various unfamiliar situations
- Obtain information from a variety of sources and analyze/synthesize it objectively
- Strategize his/her own learning, using self-knowledge to identify learning goals and needs
- Work collaboratively with peers
- Use bilingual/biliterate skills to communicate globally

- Consider multiple points of view and take into account multicultural perspectives
- Pose questions, share new ideas
- Consider his/her purpose within society, and how he/she may better it for everyone

## Curriculum

Selection of instructional materials will be made pursuant to the Charter School’s policy, and curricular materials will be reviewed and updated annually by the Board of the Charter School. These decisions will be based on results of standards-based benchmark assessments, the SBAC scores, and disaggregated data from ongoing assessment tools.

DLINC’s TK curriculum is aligned to the California Preschool Learning Foundations developed by the California Department of Education (Senate Bill 858, Chapter 32, Statutes of 2014). The curricular resources currently in use are provided in the table below.

Curriculum Resources					
Subject	Type	Grade(s)	Title	Digital	Publisher
ELD	Core	K-8	Journeys		Houghton Mifflin
ELD	Core	K-8	GO Math!		Houghton Mifflin
ELD	Supplemental	K-8	Think Central	X	Houghton Mifflin
English	Core	2-5	Journeys		Houghton Mifflin
English	Core	6-8	Collections		Houghton Mifflin
English	Supplemental	TK-5	Raz-Kids		Learning A to Z
English	Supplemental	TK-8	Think Central	X	Houghton Mifflin
Math	Core	TK-8	GO Math!		Houghton Mifflin
Math	Supplemental	3-5	Reflex Math	X	ExploreLearning
Math	Supplemental	TK-8	Think Central	X	Houghton Mifflin
Science	Core	3-8	Science Alive!	X	TCI
Social Studies	Core	3-8	Social Studies Alive!	X	TCI
Spanish	Core	K-5	Senderos		Houghton Mifflin

## Language Arts: English and Spanish

At DLINC, we know that enthusiastic readers and writers have an edge on robust learning. A successful language arts classroom is one in which teachers can use small group, whole group and one-on-one instruction, all as needed. Therefore, students must be able to work independently at times throughout the day. DLINC teachers work hard to establish practices and procedures at the beginning of the school year so that students know exactly what to do when they have a question or have finished their work. This ensures that small group and one on one time with the teacher is uninterrupted and effective.

Well established procedures also ensure that no time is wasted. This is important, because our teachers make every effort to balance the four language components - listening, speaking, reading and writing- equally. Language Arts take place in the morning, and every minute is filled with pre, during and post activities for each new concept.

Beginning with reading, our key philosophy is that students must be met at their own level in order to progress. Therefore, we assess students regularly using multiple measures. Teachers in grades K-3 test students individually with running records, the Basic Phonics Skills Test, spelling inventories, writing samples, and reading comprehension tests on

Raz Kids. We cross reference those tests with NWEA MAP results, and from there teachers form small groups and determine where their students need the most support. No student begins above or below their current reading level. The teacher always knows what skills the student has and does not have. DLINC students are front loaded before each new piece of literature. They examine pictures, graphs and charts associated with the literature. They make predictions based on what they see and hold class discussions sharing what they may already know about the subject matter at hand. Teachers may use realia and images to support the literature. New vocabulary is taught well in advance so that students not only know the meaning of words but also have had a chance to use the words in a meaningful way.

Writing instruction is based on the Gradual Release model: I do, we do, and you do. Students learn early on to consider their purpose as authors: inform, persuade or entertain. They study informational text structures to understand paragraphs and to learn how to organize their thoughts. Students are exposed to word families and spelling patterns early on in order to support their writing skills.

Our Language Arts program focuses on:

- Mastery of the Common Core State Standards
- Developing a love of reading
- Frequent practice in fluency, accuracy, and comprehension
- Creative writing for self-expression
- Comparing and contrasting English and Spanish

## Mathematics

At DLINC, we believe that successful math instruction and acquisition is built upon a classroom environment in which students feel accepted for who they are and safe to make mistakes. Our teachers are intentional about spending time at the beginning of the year to build rapport among classmates and to establish norms and procedures. They continue these practices throughout the year in the form of regular class meetings and restorative circles when necessary. Each restorative circle begins with a “check in”. Students rate how they are feeling on a scale of 1-10 and the reason why they are feeling that way. As a result, students know what is going on in one another’s lives. They learn to be empathetic, patient and kind with one another. This in turn supports students’ ability to make estimates, predictions and conjectures without the fear of judgment or ridicule.

Another major component of our math instruction is to present multiple strategies for each mathematical concept. Our Go Math curriculum was chosen in part because each concept includes more than one strategy for problem solving. Teachers follow the curriculum closely for this reason, and they present each strategy in great detail. Students who do not initially grasp the concept eventually find comprehension when it is presented in a different way. Teachers begin to see patterns of how each individual student learns best, and they use that information to great advantage, forming small groups and making plans for one-on-one instruction when necessary.

Our teachers review past concepts regularly for several reasons. First, spiral review allows students to perform well on summative tests. Secondly, each concept in review is more firmly ingrained in a student’s mind, and it becomes a building block for additional concepts. Also, students who have not understood a concept in the past may finally

understand after the second or third review. Spiral review supports another favorite method of DLINC teachers: repeated, almost constant checks for understanding. Our teachers believe that this cannot be done enough. Each of them develops a variety of systems to check for understanding, allowing students to reflect on their own learning and understand the difference between basic comprehension and mastery. Students learn to rate their level of acquisition and to communicate what they do and don't understand. This type of communication is a transferable life skill.

Our mathematics program focuses on:

- Mastery of the Common Core State Standards
- Solid foundational skills
- Supporting students in trial and error
- Perceiving math as a creative art form
- Developing students' ability to conceptualize numbers as quantities
- Communication of understanding through speaking and writing
- Integration of mathematics across all content areas

## Science

DLINC students learn early on to “think like a scientist”. They learn to ask “how” and “why”, and they learn the Scientific Method as early as kindergarten. There are two common threads in science instruction across grade levels.

First, with approximately 18% English Learners, all teachers integrate academic language and additional language arts skills into their science instruction. Students answer writing prompts in science journals. They learn a variety of note-taking strategies, and they learn to organize their thoughts with color-coding and illustration. Teachers also scaffold lessons by holding discussions. Students use oral recall to discuss what they may already know about a certain concept. There is also an emphasis on patterns, and in particular, language patterns. Science is taught in both Spanish and English, depending on the grade level. Therefore, teachers discuss cognates, roots, prefixes and suffixes in detail. Science is used as a vehicle to enrich language studies.

The second common thread is the idea that science is best learned with hands-on. Teachers introduce new concepts in as many ways as possible: reading, videos, physical models, and realia. Khan Academy, usually known as a math support resource, has become a science resource for our students as well. After scaffolding activities, teachers culminate new concepts with hands-on activities such as flower dissections, earthquake simulations, experiments with batteries, making slime, and more. All agree that hands-on science activities are truly what engages students in the content area and helps them understand the big idea. These activities leave students wanting to know more.

Our Science curriculum focuses on:

- Mastery of the Next Generation Science Standards
- Developing students' innate curiosity
- Making students aware of the natural world and its identification and classification systems.
- Connecting abstract scientific concepts to daily life
- Mastery of the Next Generation Science Standards

- Environmental awareness and protection

### Social Studies

At DLINC, our students will begin to understand social studies and history by asking “why”. We believe this questioning is the most powerful means of eliciting student understanding of what has taken place in the world. Students will integrate the use of the scientific method with social studies to inquire about global happenings, natural resources and their historical uses, geography, and social systems.

Across grade levels, teachers at DLINC use history and social studies as a vehicle for research instruction. From country reports in second grade, to Native Americans in third grade, California Missions in fourth grade and Famous Americans in fifth grades, students review and add to their research skills regularly in social studies.

Teachers also use social studies as a means of integrating the arts into the curriculum. Depending on grade level, students build missions and Native American homes. They perform as characters in a wax museum and design crests and cave dwellings. Third graders take field trips to see the opera and the symphony, and some students enter a San Diego county environmental art calendar contest. DLINC employs a part-time bilingual, credentialed art, music and history teacher who works with our full-time to teachers to create culminating activities for social studies units.

Additional areas of focus in Social Studies:

- mastery of the History-Social Science content standards
- building civic mindedness
- exploring the relationship between geography and culture
- making students aware of the influences that shape history

### Instructional Technology

Technology is a powerful tool and can be an effective instructional aid. To be successful, productive citizens in a 21st century economy, students must attain technology literacy and fluency. We define technology literacy as the ability to responsibly, creatively and effectively use appropriate technology to communicate; access, collect, manage, integrate and evaluate information; solve problems and create solutions; build and share knowledge; and improve and enhance learning in all subject areas and experiences. Technology Fluency is demonstrated when students: apply technology to real-world experiences; adapt to changing technologies; modify current and create new technologies; and personalize technology to meet personal needs, interests and learning style.

At DLINC grades three through eight are equipped with laptop carts. Grades K-2 is equipped with six computers for use in learning centers. Every class is equipped with a digital whiteboard. Technology is used to supplement lessons, implement activities and bring content material to life. Students also use computers for NWEA MAP testing and SBAC testing. DLINC’s primary goals are to develop strong oral and written communication and educate global citizens who can speak and engage confidently with others. Technology is used to enhance the achievement of those goals.

All classroom teachers are provided a computing device for use in instruction and to access data systems for managing grades, student performance data, and internal school communications.

### How Learning Best Occurs

DLINC believes learning best occurs in a framework that incorporates high expectations, and an interdisciplinary curriculum that blends core academic courses. Integration occurs in two directions: infusion of academic concepts into linguistic study and application of acquired language skills into academic courses to bring relevance.

#### *INTEGRATED*

Integration occurs in two directions: infusion of academic concepts into linguistic study and application of acquired language skills into academic courses to bring relevance.

#### *DIVERSE*

Language is best learned when it is presented through as many modalities as possible. DLINC uses drama, art, sports, and music in addition to traditional academics to deliver language instruction.

#### *ANALYTICAL*

The curriculum at DLINC incorporates higher order thinking skills, technology and multimedia, as well as authentic assessments. Students are adept at using evidence to support their conclusions. The curriculum and instruction are designed to elicit multiple correct answers to complex ideas.

#### *CHALLENGING*

DLINC encourages students to be courageous in their learning, and to accept wrong answers as part of the learning process. This requires the ability to work independently. The teachers work largely as facilitators, asking the right questions to guide students to their conclusions.

### Enabling Students to be Self-Motivated, Competent and Life-Long Learners

DLINC aims to enable students to become self-motivated, competent, bilingual, lifelong learners by establishing an environment where learning is engaging, supportive, personalized and meaningful.

Through the use of a research based dual immersion program (90:10), DLINC students will be bilingual, and through an interdisciplinary instructional approach and service learning, students will have the opportunity to learn and participate in an engaging and supportive environment that is both personalized and meaningful.

# Draft Instructional Calendar 2021-22

## Dual Language Immersion North County Academic Calendar 2021-22

July 2021							January 2022								
Su	M	T	W	Th	F	Sa	Su	M	T	W	Th	F	Sa		
				1	2	3							1		
4	5	6	7	8	9	10	Wk 18	2	3	4	5	6	7	8	
11	12	13	14	15	16	17	Wk 19	9	10	11	12	13	14	15	
18	19	20	21	22	23	24	Wk 20	16	17	18	19	20	21	22	
25	26	27	28	29	30	31	Wk 21	23	24	25	26	27	28	29	
							Wk 22	30	31						
August 2021							February 2022								
Su	M	T	W	Th	F	Sa	Su	M	T	W	Th	F	Sa		
1	2	3	4	5	6	7			1	2	3	4	5		
8	9	10	11	12	13	14	Wk 23	6	7	8	9	10	11	12	
15	16	17	18	19	20	21	Wk 24	13	14	15	16	17	18	19	
Wk 1	22	23	24	25	26	27	28	Wk 25	20	21	22	23	24	25	26
Wk 2	29	30	31				Wk 26	27	28						
Wk 3															
September 2021							March 2022								
Su	M	T	W	Th	F	Sa	Su	M	T	W	Th	F	Sa		
				1	2	3			1	2	3	4	5		
Wk 4	5	6	7	8	9	10	11	Wk 27	6	7	8	9	10	11	12
Wk 5	12	13	14	15	16	17	18	Wk 28	13	14	15	16	17	18	19
Wk 6	19	20	21	22	23	24	25	Wk 29	20	21	22	23	24	25	26
Wk 7	26	27	28	29	30		Wk 30	27	28	29	30	31			
October 2021							April 2022								
Su	M	T	W	Th	F	Sa	Su	M	T	W	Th	F	Sa		
					1	2						1	2		
Wk 8	3	4	5	6	7	8	9	Wk 31	3	4	5	6	7	8	9
Wk 9	10	11	12	13	14	15	16	Wk 32	10	11	12	13	14	15	16
Wk 10	17	18	19	20	21	22	23	Wk 33	17	18	19	20	21	22	23
Wk 11	24	25	26	27	28	29	30		24	25	26	27	28	29	30
						31									
November 2021							May 2022								
Su	M	T	W	Th	F	Sa	Su	M	T	W	Th	F	Sa		
	1	2	3	4	5	6	Wk 34	1	2	3	4	5	6	7	
Wk 12	7	8	9	10	11	12	13	Wk 35	8	9	10	11	12	13	14
Wk 13	14	15	16	17	18	19	20	Wk 36	15	16	17	18	19	20	21
Wk 14	21	22	23	24	25	26	27	Wk 37	22	23	24	25	26	27	28
Wk 15	28	29	30				Wk 38	29	30	31					
December 2021							June 2022								
Su	M	T	W	Th	F	Sa	Su	M	T	W	Th	F	Sa		
										1	2	3	4		
Wk 16	5	6	7	8	9	10	11	Wk 39	5	6	7	8	9	10	11
Wk 17	12	13	14	15	16	17	18	Wk 40	12	13	14	15	16	17	18
	19	20	21	22	23	24	25	Wk 41	19	20	21	22	23	24	25
	26	27	28	29	30	31	Wk 42	26	27	28	29	30			

Legend	
26	Holidays/School Breaks
2	Schoolwide Professional Development
	First Day of Instruction
181	Instructional Days
	Final Day of Instruction
	End of Fall Semester
4	Pupil-free/Staff Workdays

82 Days of Instruction - Fall Semester

99 Days of Instruction - Spring Semester

DLINC will have a minimum of 175 days of instruction for each fiscal year and offer, at a minimum, the following number of minutes of instruction:

- TK and kindergarten – 36,000 minutes
- Grades 1-3, inclusive – 50,400 minutes
- Grades 4-8, inclusive – 54,000 minutes

## Bell Schedules

The following bells schedules are in place for the 2020-21 academic year. School Begins at 8:30 a.m. and ends at 3:00 p.m.

### Elementary School (Grades K through 4)

Kindergarten	Time	Instructional Minutes
Mathematics	8:30 am – 9:30 am	60 minutes
Recess	9:30 am – 9:45 am	15 minutes
Language Arts	9:45 am – 11:00 am	90 minutes
Lunch	11:00 am – 11:35 am	35 minutes
ELD	11:35 am – 12:15 pm	40 minutes
Science M,W	12:15 pm – 1:15 pm	60 minutes
Recess	1:15 pm – 1:30 pm	15 minutes
Social Studies T,TH	2:05 pm – 3:00 pm	55 minutes

First Grade Class	Time	Instructional Minutes
Mathematics	8:30 am – 10:00 am	90 minutes
Recess	10:00 – 10:15 am	15 minutes
Language Arts	10:15 am – 11:00 am	45 minutes
Lunch	11:00 am – 11:35 am	35 minutes
Language Arts	11:35 am – 12:20 pm	90 minutes
Science M,W	12:20 pm-1:30 pm	80 minutes
Social Studies T	12:20 pm – 1:30 pm	80 minutes
ELD/ELA *integrated P.E. Thurs	1:30 pm – 2:50 pm	80 minutes
Pack Up/Dismissal	2:50 pm – 3:00 pm	10 minutes

Second Grade Class	Time	Instructional Minutes
Mathematics	8:30 am – 10:15 a.m.	105 minutes
Recess	10:15am – 10:30 am	15 minutes
Language Arts	10:30 am – 11:35 am	65 minutes
Lunch	11:35 am – 12:10 pm	35 minutes
Language Arts	12:10 pm – 12:40 pm	30 minutes
Science, M/W	12:40 pm – 1:30 pm	50 minutes
Social Studies, T/TH	12:40 pm-1:30 pm	50 minutes
ELD/ELA *integrated PE, Wed	1:30 pm – 3:00 pm	90 minutes

Third/Fourth Grade Classes	Time	Instructional Minutes
Mathematics	8:30 am – 10:20	110 minutes
Recess	10:20-10:35	15 minutes
Language Arts	10:35 am – 12:10 pm	95 minutes
Lunch	12:10– 12:45 pm	35 minutes
ELD/Social Studies	12:45– 1:50 pm	65 minutes
ELD/Science	1:50-3:00	70 minutes

## Middle School (Grades 5 through 8)

Class	Time	Instructional Minutes
Period 1	8:30 am – 9:25 am	55 minutes
Period 2	9:30 am – 10:20 am	50 minutes
Nutrition	10:20 am – 10:27 am	7 minutes
Period 3	10:30 am – 11:25 am	55 minutes
Period 4	11:30 am – 12:25 pm	55 minutes
Lunch	12:25 pm – 1:00 pm	35 minutes
Period 5	1:05 pm – 2:00 pm	55 minutes
Period 6	2:05 pm – 3:00 pm	55 minutes

### Professional Development

For the Charter Term, DLINC will provide systematic professional development for staff. In order to assure that teachers have enough time for quality professional development, there will be an early release day every Friday in addition to four full day professional development sessions, two days in August before the school year begins, one day in May and one day at the conclusion of the year in June. The purpose of professional development is to increase teacher capacity, support implementation and ultimately increase student achievement. The systematic process for professional development will depend on the specific needs of DLINC students and staff. Research shows that the most effective professional development engages teams of teachers to focus on the needs of their students. They learn and problem solve together in order to ensure all students achieve success.

The teachers will begin with a review the end of the year data to holistically assess student strengths and areas of opportunities to improve student achievement. Data sources for review will include academic marks, cumulative records, NWEA, SBAC, and ELPAC with special attention to the targeted student groups under LCFF. This process will be used to determine the needed interventions or enrichment to support student growth and success.

DLINC teachers are able to attend any of the multiple offerings for professional development at the San Diego County Office of Education, many of which deal with bilingual education and dual immersion. Among other available resources, professional development will include, but not limited to the following:

- Weekly professional development meetings to teach teachers so they are continually learning.
- Weekly meeting for teachers to meet as Data Team to review student achievement and develop plans and strategies to strengthen the program and how to implement strategies taught at professional development.
- Monthly staff meetings.
- Two days of professional development in August before the opening of the school year.
- Two days of professional development sessions throughout the year.
- Online professional development opportunities.

Previous professional developments have been integrated into DLINC’s instructional program and have had a positive impact on teaching practices and teacher effectiveness. For example, the professional development the teachers received on data analysis has empowered teachers to look collaboratively at summative and formative assessment to determine students’ strengths and challenges. This practice has caused teachers to reflect on lesson pacing and the use of best practices.

Professional Development Calendar (SAMPLE)	
August	<p>New Teacher Training</p> <ul style="list-style-type: none"> <li>• Dual Language Model</li> <li>• Interdisciplinary Instruction (K-4, 5-8)</li> <li>• Differentiating Instruction</li> <li>• Supporting all Learners (Special Education, Interventions, Student Success Team)</li> <li>• Standards-Based Grading</li> <li>• System of Assessments</li> <li>• Establishing Positive Relationships with Families</li> <li>• Classroom Management</li> <li>• Standards-Based Lesson Planning</li> </ul> <p>Pre-Service Professional Development</p> <ul style="list-style-type: none"> <li>• LCAP Reflection &amp; Prior Year Data Analysis</li> <li>• Curricular Training and Pacing Guides</li> <li>• Impactful Schoolwide Instructional Strategies</li> <li>• Best Practices in Differentiation</li> <li>• Using Technology to Enhance Student Learning</li> <li>• Multi-Tiered System of Supports</li> <li>• Lesson planning, Observation, Feedback, and Evaluation</li> </ul> <p>State Mandated Trainings (Safety &amp; Emergency Procedures, Mandated Reporter, Epi-Pen, Bloodborne Pathogens, etc.)            Handbooks – Student/Parent, Staff            Technology training: SIS, grading system, assessments</p>
September	<p>Internal Benchmark Assessment Administration/Data Analysis #1            Formative and Summative Assessments            Positive School Climate &amp; Parents as Partners            LCAP Review            Using IEPs/passports to supports students with disabilities            English Learners: Using EL passports to support ELD, SDAIE            Differentiating Instruction            In-class Interventions            DLINC Power Standards in mathematics            Communicating progress to parents (attendance, grades, standards)            Trainings: Trauma-Informed teaching, Math Mindsets, Parents as Partners            Understanding By Design backward mapping for more intentional instruction</p>
October	<p>Impactful Schoolwide Instructional Strategies            Best Practices in Differentiation            Using Technology to Enhance Student Learning            Multi-Tiered System of Supports</p>
November	<p>Using IEPs/passports to supports students with disabilities            English Learners: Using EL passports to support ELD, SDAIE</p>

	Differentiating Instruction In-class Interventions
December	Positive School Climate & Parents as Partners LCAP Mid-Year Review
January	Internal Benchmark Assessment Administration/Data Analysis #2 Training (Consultant): Mathematics NWEA MAP
February	Using IEPs/passports to supports students with disabilities English Learners: Using EL passports to support ELD, SDAIE Differentiating Instruction In-class Interventions
March	Peer Observations: Each teacher will observe the peer of their choosing. Teachers will observe one another teaching math or using SDAIE strategies with English Learners. Teachers will write a reflection on what they have observed and share positives out in a team discussion. Goal: Accountability, refinement of practice, alignment of strategies/practices
April	Team Discussion: Preparing for Standardized Testing. Teachers will discuss, unify and clarify how testing will be standardized. Goal: Alignment of testing environments and procedures
May/June	Internal Benchmark Assessment Administration/Data Analysis #3 Team Discussion: Standards-Based Report Cards. How should they be modified? Goal: Begin process of streamlining school report cards to provide more comprehensive information in the 2021-2022 School Year Frontloading for 2021-22 <ul style="list-style-type: none"> <li>○ Passports to Success: Using the Passport System for English Learners and Students with Disabilities</li> <li>○ Multi-Tiered System of Supports</li> </ul>

## Meeting the Needs of All Students

### Supporting Academically Low-Achieving

All DLINC students will participate in and benefit from an academically rigorous and standards-based curriculum. Low-achieving students are identified by meeting any of the following criteria: performs at least two (2) grades below grade level, does not meet standards on state testing, and/or answers 60% or more incorrectly on school benchmarks or multiple measures assessments (if) using rubric grading, receives a score of one (1) which is the lowest score a student may receive. Low-achieving students will be identified by teachers, who will notify parents/guardians of their child's academic levels before the end of the first trimester for grades TK-4 or before the end of the first quarter for grades 5-8, and refer the student to the *Student Success Team (SST)* process. Parents are invited to meet with teachers to review student work and discuss learning strategies to use in the home.

DLINC takes a systematic approach to closing the achievement gap by allocating multiple resources to academically low-performing students. DLINC teachers will address the needs of academically low-achieving students, including appropriate modifications in any of the following program components:

**Tier 1 – Foundational Program:** a) all teachers instruct to the standards on a daily basis; b) all student work aligns to standards; and c) all students are able to describe what they are learning and why, reflecting on their learning. Small group instruction and individualized differentiation are used at this level.

As part of the Tier 1 foundation, all students participate in Universal Access (UA). During daily Universal Access time, in addition to small group instruction, teachers will address the specific areas identified in students' Academic Plans by providing targeted instruction individually, in small groups, through guided practice, and by providing feedback. Additionally, teachers will work with low-achieving students by setting weekly and monthly goals in specific content areas. Teachers will also send home weekly reports recognizing student strengths and targeted goal for the following week.

Data mined from the beginning of the year to include the Basic Phonics Skills Test (BPST), the Johns Reading Inventory, NWEA MAP, previous year ELPAC and SBAC assessments are used to determine students' strengths and challenges. During Universal Access, students receive individualized instruction and activities to strengthen their progress toward standards mastery. The differentiated instruction allows for all students to access both the curriculum and subject content at various academic levels. A student's needs may change as interventions are put into place, which is why DLINC utilizes progress monitoring to adjust the interventions to assure standard mastery. Students also take part in small group instruction during this time, and work both individually and collaboratively, depending on the assignment or the activity. For 80% of students, this individualized protected time should offer the assistance needed to be academically successful. For the 20% of students that this does not help in making significant gains, they will take part in Tier 2 of Rtl.

**Tier 2 – Strategic Intervention:** Identified students will receive strategic intervention for 30 minutes within the instructional day in the areas of language arts and/or mathematics in a small-group (5 or fewer students) setting. Through a small group setting, standard and concept specific lessons will be administered. Teachers will be able to observe and assess students, both formally and informally, and differentiate as needed. Strategic intervention allows students to practice and develop skills. On-going benchmark and progress monitoring will be used to adjust interventions. Tier 2 groupings are flexible and can be changed as necessary. The groupings' fluidity allows for students making progress to assess out of this tier, while other students can participate if warranted.

**Tier 3 – Intensive Intervention:** Identified students will receive intensive intervention for at least 30 minutes within the instructional day in the areas of language arts and/or mathematics in a very small-group (2 or 3 students or 1-on-1) setting. Intensive intervention allows students to receive explicit instruction and focus on only one skill until proficient and prepared to move on. Highly flexible grouping will allow teachers to reorganize students, including multi-age grouping when appropriate.

Student progress will be monitored on an ongoing basis through a combination of teacher observation, checklists, classroom assessments, intervention assessments and benchmark assessments to determine the effectiveness of interventions. Student progress will be communicated to the parent or guardian every six weeks. If after the intervention session, the strategies in place are deemed unsuccessful, the student may

repeat an intervention or move up a Tier. If the student is not making adequate progress at Tier 3, he or she will be referred to the SST process.

In addition to the Rtl program to help low-achieving students, teachers will work with administration in completing individual Academic Plans. An academic plan is an intervention plan created by the teacher describing how he/she is going to help a student who is not meeting standards in class. This plan will be content specific, goal specific, and provide strategies and timelines to assist in helping the student make academic progress. Strategies will include individualized instruction, peer-to-peer tutoring, read alouds, and increasing a student's self-confidence. Parents will be part of the process in developing the plan by meeting or communicating with the teacher regarding the actions needed. Weekly homework logs, reading logs, and activity logs will be a part of the Academic Plan and will need the parents' involvement at home. Academic plans will be reviewed every six weeks by staff and administrators, and decisions regarding effectiveness will be determined by students' improvements in targeted areas.

During year one of the DLINC renewal term, the Charter School will transition to the implementation of the Multi-Tiered System of Supports model. MTSS is an integrated student-centered framework for addressing the various needs of all students. In order to provide a smooth transition from Rtl, we will begin with a trainer-of-trainer model during the 20-21 year with a group of teachers, and roll out the program in the Spring of 2021.

#### [Supporting Socio-economically Disadvantaged Students](#)

Students who are socio-economically disadvantaged need opportunities for enrichment. DLINC provides these opportunities through a rich, well-rounded educational experience. Strategies for DLINC's socio-economically disadvantaged students draw heavily from its core belief that when students are engaged in learning activities that encourage them to be bilingual and biliterate, then learning will be more meaningful, and students experience the benefit of a rich, multicultural education.

DLINC offers additional access to computers and tutoring. The Charter School schedule is from 8:30 AM to 3:15 PM, and a computer and tutoring time from 8:00-8:30 AM and 3:15-4:00 PM to provide additional access to computers and additional support to students for tutoring or homework help. Computers are available during these times to allow students without home computer access to computer based instructional materials. Staff provides tutoring and homework help during these periods.

#### [Supporting Academically High-Achieving Students](#)

DLINC provides a rigorous, standards-based academic program that challenges all students, including students who are achieving substantially above grade level. Teachers will identify high achieving students that meet any of the following criteria: performs at least one (1) grade above grade level, designated at performance level of "Meets Standard" or "Exceeds Standard" on state testing, and demonstrates high performance on school benchmark or multiple measure assessments. Classroom enrichment for high achieving students includes, but is not limited to more of a focus on skills as opposed to content—asking students why they chose a particular pathway to solving a problem, or achieving a certain result over another, developing critical thinking skills through practice, having student learn how importance is measured—consequences for grades, classroom

activities, testing outcomes and graduation all encourage high performing students to maintain high performance for themselves. Other extensions include:

- Modeling strategies, like think aloud, and encourage students to do the same
- Using multimedia technologies and encouraging students to use the same so students can use and model for themselves different means of comprehension and find what works best for them
- Provide opportunities for students to practice their skills independently and then in collaborative groups
- Evaluate students using different means, portfolios, projects, scripts, etc.
- Use real-world examples learned in the classroom and applied outside the classroom
- Set aside classroom time for collaborative work
- Teach using open-ended questions
- Increase “wait time” when asking questions

Parents will be notified their student is high achieving during the first parent conference at the end of the first semester, where they will learn about the specific supports being offered to their child at DLINC, and will be provided with strategies to further support their child at home. Parental involvement is critical, and they are involved in the process.

Teachers are given a roster of their students that includes information regarding GATE status, as well as other information. Teachers are taught how to extend student learning by doing pre-assessments of concepts/skills previously mastered and students are able to engage in and share the products of accelerated learning activities, such as PowerPoint presentations, independent projects or projects with peers who have similar interests. Our students have created models of cars of the future, have written original plays, or have created their own models of three-dimensional animals.

Teachers will also meet with parents, the student, and DLINC’s school counselor to determine lesson and activity extensions to support high performing students. Extensions for high achieving students may include but are not limited to:

- Getting students involved in extracurricular activities that further enhance the student learning experience (i.e. robotics, Spelling Bee, Worldlink Competition, etc.)
- Peer tutoring
- Develop skills in areas of interest
- Explore diverse cultures
- Promote discovery
- Emphasize effort and progress
- Promote a healthy lifestyle

### [Supporting English Learners](#)

DLINC meets all federal and state legal requirements for the education of English learners, including long-term English Learners and students at-risk of becoming Long-term English Learners (LTEL). As required by law, DLINC provides timely information and notifications to parents/guardians of English learners such as annual notification to parents, student identification, placement, program options, English Language

Development and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness and standardized testing requirements.

DLINC implements policies and procedures to ensure proper placement, evaluation and communication regarding the educational program for English Learners and the rights of students and parents.

Every teacher at DLINC either has a CLAD or BCLAD credential and has the ability to provide instruction to English learners. Our expectations for instruction include the use of the following pedagogical:

- Specially Designed Academic Instruction in English (SDAIE)  
Every teacher provides Specially Designed Academic Instruction in English (SDAIE) in content areas taught in English in addition to thirty minutes of daily Designated English Language Development (ELD) utilizing specialized state-adopted ELD curriculum: Journeys (K-8).
- Total Physical Response (TPR)  
This integrates the coordination of language and physical movements to develop language pathways between words in one language and actions in another. Multiple mediums such as audio, electronic, visual, and art will be relied upon to present information to English Language Learners, since research shows that children acquire language faster when presented through various models (Clancy, M. & Hruska, B., 2005).
- Guided Language Acquisition Design (GLAD)  
A balanced literacy instructional approach which integrates cross cultural awareness, high-level thinking and academic language. These practical strategies are impactful in promoting positive interactions between students and teachers.

Additional instructional strategies that may be used to help support English learners includes:

- *Vocabulary instruction*: Frontloading vocabulary; repetition and review of concept and vocabulary
- *Manipulatives and visual aids*: Models, demonstrations, visuals and realia
- *Interdisciplinary units*: Authentic and meaningful tasks, making connections between learning and real-life experience; standards-based unit organization;
- *Demonstrations of learning*: Choice of resources, tasks and language production options; opportunities for reflection and verbalizing thoughts through academic talk; assessment and monitoring of progress toward standards and check for understanding;
- *Flexible grouping*: Active participation in various individual and group configurations;
- *Literacy focused*: Print-rich environment; integration of listening, speaking, reading and writing with content areas; explicit direct reading instruction in key skills (e.g., preview, scanning and skimming)
- *Metacognitive strategies and goal setting*.

### *Home Language Survey (HLS)*

As part of the enrollment process, DLINC provides the Home Language Survey upon initial enrollment (i.e. enrollment packet). All students who indicate a home language other than English will be assessed with the English Language Proficiency Assessments for California (ELPAC). The ELPAC has four proficiency levels (Level 4: well developed; Level 3: moderately developed; Level 2: somewhat developed; and Level 1: minimally developed) and is aligned with the 2012 California ELD Standards.

The ELPAC consists of two separate assessments and testing windows:

- Initial Assessment (July 1 through June 30)  
The ELPAC Initial Assessment is administered to all public-school students in grades K-12 whose primary language is not English in order to determine their English language proficiency status.  
  
Any student whose primary language is other than English as determined by the home language survey and who has not previously been identified as an English Learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English language proficiency within 30 calendar days after the date of first enrollment in a California public school, or within 60 calendar days before the date of first enrollment, but not before July 1 of that school year.
- Summative Assessment (February 1 through May 31)  
The Summative Assessment is administered to public school students K-12 who have been identified as “English learners”. English learners will take the ELPAC Summative Assessment annually until they are reclassified as fluent English proficient.

In Kindergarten and grade 1, all domains are administered individually. In grades 2-8, the test is administered in groups, exclusive of speaking, which is administered individually. The ELPAC will be administered via a computer-based platform, while the ELPAC Writing Domain for Kindergarten through grade 2 will continue to be administered as a paper-pencil test.

Testing times will vary depending upon the grade level, domain, and whether the student has an IEP or 504.

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

### *Reclassification Procedures*

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

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the ELPAC.

- Participation of the pupil’s classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil’s curriculum mastery.
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents’ opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process.
- Student must be *well developed* on the *ELPAC*.
- Student must have scored Standard Met or Standard Exceeded in all assessment subtests of the SBAC.
- Student must have a “C” or better letter grade or a NWEA RIT Score in the 50th percentile or higher in reading, language arts, and mathematics.

### *Monitoring English Learner Progress*

During the term of the current petition, the teachers have utilized the English Learner folders and collect student samples to measure progress regarding comprehension, fluency, vocabulary, pronunciation and grammar usage four times a year. Teachers will provide quarterly progress reports to parents on the progress of their English language development. In the fall of 2021, we will be transitioning to the use of “English Learner Passports” to serve as a ready reference for classroom teachers on individual students’ language needs and status of language development.

For students who are reclassified as English proficient (RFEP), DLINC will continue to monitor for a minimum of four years. The Executive Director will maintain a list of students who are identified as English Learners with ELPAC, SBAC, date of entry to U.S. and previous years’ data for all standardized assessments. DLINC also maintains grade progression, benchmark, and promotion to next grade with GPA of 2.0 or above.

DLINC maintains ELD information including: Home Language Survey, ELPAC results, Reclassification Forms, and English language progress monitoring forms to meet the four-year requirement by the California Department of Education. DLINC will provide intervention to students who score Standard Not Met or Standard Nearly Met in English Language Arts and Math on the SBAC.

The Charter School annually evaluates the effectiveness of its education program for English Learners by:

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

### *Supporting Students with Disabilities*

DLINC recognizes its responsibility to enroll and support all students, regardless of disability, to ensure that a free and appropriate education is provided to all students with exceptional needs including mild to moderate and moderate to severe needs. All students can benefit from the dual immersion program and supportive school community at DLINC. DLINC actively provides outreach to families of students with disabilities, and as a direct result, the number of students with disabilities has increased. Currently, DLINC serves or 2.7% of the student population. The students' eligibilities range from Speech and Language Impairment, Specific Learning Disability, Other Health Impaired, and Autism. DLINC has surpassed its goal to increase the percent of students with disabilities served, and currently has a special education population of 10.4%.

### *Special Education Strategies for Instruction*

Additional focus on instructional strategies for students with disabilities addresses the students' specific Individualized Education Program (IEP) goals and focuses on the following areas:

- Reading Comprehension: Focus on details, facts, inference, context clues and vocabulary
- Decoding: Sound symbol correspondence and phonetic rules
- Reading Fluency: Rate and speed of reading automaticity
- Math Calculation: Number sense and mathematical reasoning
- Applied Problems: Real world math problems
- Written Expression: The writing process including writing conventions, grammar and proofreading
- Study Skills: Organizational skills, time management, Cornell notetaking, using technology, and test-taking strategies
- Social Skills: Positive behaviors, building relationships
- Various testing accommodations and modifications

Special education services are provided during the instructional day and address the student's specific IEP goals. Students are provided with their accommodations, learning strategies and test taking skills. In addition, students are supported with further mentorship that addresses both academic and social skills.

The special education services address specific IEP goals that are monitored quarterly and revised annually. Parents and guardians receive progress reports quarterly that describe the student's growth toward meeting his or her specific IEP goals. Special education services include:

#### Specialized Academic Instruction (SAI):

The students receiving this service spend the majority of the school day in a general education program. They receive SAI services according with their individualized educational plan. These services are provided either in a push in or push out model or a combination of both. The students meet with the SAI teacher individually or in a small group outside their general education classrooms, or services are provided within the general education classroom(s).

#### Designated Instruction Services (DIS):

These services will continue to be provided. Currently, students receive Speech and Language Services and Occupational Therapy on a part time basis which meets the needs of the current students.

#### Least Restrictive Environment (LRE):

When one of the students does not make adequate progress toward meeting IEP goals and/or in the general education curriculum, after interventions and support have been provided, the team will reconvene to discuss the appropriateness of the current placement and services. If a more restrictive environment is recommended, then an appropriate placement will be recommended.

#### Supports for Students with Low Incidence Disabilities:

Students with these very specific needs will be provided with any assistive technology equipment, materials or instruction required and as identified and agreed upon in their IEPs. Specialized instructors in the specific areas of low incidence disabilities will be made available as needed.

#### *Compliance*

DLINC 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 law enforced by the U.S. Department of Education Office for Civil Rights (OCR). Furthermore, DLINC will comply with the SELPA guidelines and all California laws pertaining to students with disabilities. Language included here is intended to provide a reasonably comprehensive description of the special education program in the charter petition, in accordance with Education Code Section 47605(c).

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

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

#### *SELPA Representation*

DLINC has been a member of the El Dorado SELPA for purposes of special education, pursuant to Education Code Section 47641(b). However, DLINC reserves the right to apply and become an independent Local Education Agency (LEA) member in a SELPA for purposes of special education. In this case, DLINC will make written verifiable assurances that it will become an independent LEA and, upon acceptance into a SELPA, will be an independent LEA member of that SELPA pursuant to Education Code Section 47641(a).

If DLINC makes written verifiable assurances that it will become an independent local educational agency (LEA) pursuant to Education Code Section 47641(a), DLINC will assume full responsibility for providing special education and related services to eligible charter school students, in accordance with state and federal law.

DLINC will follow policies and procedures of the SELPA in which it is a member and shall utilize SELPA forms and information systems necessary to identify and serve students who qualify for special education. DLINC agrees to collaborate with the SELPA to respond to inquiries and requests, and provide access to information and records, as needed, and shall be responsible for maintaining confidentiality of students' records.

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

#### *Section 504 of the Rehabilitation Act*

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

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

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

The final determination of whether the student is eligible for accommodations under Section 504 must be 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 be eligible for accommodations under Section 504, the 504 team shall be responsible for determining what, if any, accommodations or services are needed to ensure that the student receives a free and appropriate public education (“FAPE”). In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the Charter School’s professional staff. The 504 Plan shall describe the Section 504 disability and any program accommodations, modifications or services that may be necessary.

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

*Services for Students under the “IDEA” as a Public School of the County Pursuant to Education Code Section 47641(b)*

The following description regarding how special education and related services will be provided and funded is being proposed by the Charter School for the sole purpose of providing a reasonably comprehensive description of the special education program in the Charter Petition, and is not binding on the County, unless the County agrees. The specific manner in which special education and related services will be provided and funded may be set forth in a Memorandum of Understanding (“MOU”), delineating the respective responsibilities of the Charter School and the County.

The Charter School shall provide special education instruction and related services in accordance with the IDEA, Education Code requirements, and applicable policies and practices of the Special Education Local Plan Area. The Charter School shall remain, by default, a public school of the County for purposes of Special Education pursuant to Education Code Section 47641(b). However, the Charter School reserves the right to make written verifiable assurances that the Charter School shall become an independent LEA and join a SELPA pursuant to Education Code Section 47641(a) either on its own or with a grouping of charter school LEAs as a consortium.

As a public school of the County, solely for purposes of providing special education and related services under the IDEA pursuant to Education Code Section 47641(b), in accordance with Education Code Section 47646 and 20 U.S.C. Section 1413, the Charter School seeks services from the County for special education students enrolled in the Charter School in the same manner as is provided to students in other County schools. The Charter School will follow the County and SELPA policies and procedures, and shall utilize SELPA forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and parent complaints, and maintaining the confidentiality of pupil records. The Charter School will comply with County protocol as to the delineation of duties between the County central office and the local school site in providing special education instruction and related services to identified pupils. An annual meeting between the Charter School and the County to review special education policies, procedures, protocols and forms of the

County and the SELPA and County protocol, will ensure that the Charter School and the County have an ongoing mutual understanding of County protocol and will facilitate ongoing compliance.

As long as the Charter School functions as a public school of the County solely for purposes of providing special education and related services under the IDEA pursuant to Education Code Section 47641(b), DLINC would anticipate that a Memorandum of Understanding (“MOU”) would be developed between the County and the Charter School which spells out in detail the responsibilities for provision of special education services and the manner in which special education funding will flow to the students of the Charter School.

All students with disabilities at DLINC will be integrated into the programs of DLINC, with the necessary materials, services and equipment to support their learning. DLINC will ensure that any student with a disability attending DLINC is properly identified and served.

#### *Special Education Staffing*

All special education services at the Charter School will be delivered by individuals or agencies qualified to provide special education services as required by California’s Education Code and the IDEA. Charter School staff shall participate in all mandatory County in-service training relating to special education.

It is the Charter School’s understanding that the County will be responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals and resource specialists unless the County directs the Charter School that current County practice is for the individual school sites to hire site special education staff or the County and the Charter School agree that the Charter School must hire on-site special education staff. In that instance, the Charter School shall ensure that all special education staff hired by the Charter School is qualified pursuant to County and SEPLA policies, as well as meet all legal requirements. The County may review the qualifications of all special education staff hired by the Charter School (with the agreement of the County) and may require pre-approval by the County of all hires to ensure consistency with County and SELPA policies. The County shall be responsible for the hiring, training and employment of itinerant staff necessary to provide special education services to Charter School students, including, without limitation, speech therapists, occupational therapists, behavioral therapists and psychologists.

#### *Notification and Coordination*

The Charter School shall follow County policies as they apply to all County schools for responding to implementation of special education services. The Charter School will adopt and implement County policies relating to notification of the County for all special education issues and referrals.

The Charter School shall follow County policies as they apply to all County schools for notifying County personnel regarding the discipline of special education students to ensure County pre-approval prior to imposing a suspension or expulsion. The Charter School shall assist in the coordination of any communications and immediately act

according to County administrative policies relating to disciplining special education students.

### *Identification and Referral for Special Education Services*

The Charter School shall have the responsibility to identify, refer and work cooperatively in locating Charter School students who have or may have exceptional needs that qualify them to receive special education services. The Charter School will implement County policies and procedures to ensure timely identification and referral of students who have, or may have, such exceptional needs. A student shall be referred for special education only after the resources of the general education program have been considered, and where appropriate, utilized.

It is the Charter School's understanding that the County shall provide the Charter School with any assistance that it generally provides its schools in the identification and referral processes, and will ensure that the Charter School is provided with notification and relevant files of all students who have an existing IEP and who are transferring to the Charter School from a District school. The County shall have unfettered access to all Charter School student records and information in order to serve all of Charter School's students' special needs.

In the event that the Charter School receives a parent written request for assessment, it will work collaboratively with the parent and the parent to address the request. All referrals will be responded to in writing by DLINC within 15 days. DLINC will notify the SELPA of the assessment request within five days of receipt. The parent will receive a written Assessment Plan within 15 days. The parent will be given at least 15 days to provide written consent. The assessment will be completed and an individualized Education Program (IEP) meeting will be held within 60 days of receipt of the parent's written consent for assessment.

The Charter School will follow County child-find procedures to identify all students who may require assessment to consider special education eligibility and special education and related services in the case that general education interventions do not provide a free appropriate public education to the student in question.

### *Assessments/Evaluations*

The term "assessments" shall have the same meaning as the term "evaluation" in the IDEA, as provided in Section 1414, Title 20 of the United States Code. The County will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with the County's general practice and procedure and applicable law. The Charter School shall work in collaboration with the County to obtain parent/guardian consent to assess Charter School students. The Charter School shall not conduct special education assessments unless directed by the County.

### *IEP Meetings*

It is the Charter School's understanding that the County shall arrange and notice the necessary IEP meetings. IEP team membership shall be in compliance with state and federal law. The Charter School shall be responsible for having the following individuals in attendance at the IEP meetings or as otherwise agreed upon by the County and Charter School: the Executive Director and/or the Charter School designated representative with appropriate administrative authority as required by the IDEA; the student's special

education teacher; the student's general education teacher if the student is or may be in a general education classroom; the student, if appropriate; and other Charter School representatives who are knowledgeable about the general education program at the Charter School and/or about the student. It is the Charter School's understanding that the County shall arrange for the attendance or participation of all other necessary staff that may include, but are not limited to, an appropriate administrator to comply with the requirements of the IDEA, a speech therapist, psychologist, resource specialist, and behavior specialist; and shall document the IEP meeting and provide of notice of parental rights.

#### *IEP Development*

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

The Charter School shall promptly notify the County of all requests it receives for assessment, services, IEP meetings, reimbursement, compensatory education, mediation, and/or due process whether these requests are verbal or in writing.

#### *IEP Implementation*

Pursuant to County policy and how the County operates special education at all other public schools in the County, the County shall be responsible for all school site implementation of the IEP. The Charter School shall assist the County in implementing IEPs, pursuant to County and SELPA policies in the same manner as any other school of the County. The County and Charter School will need to be jointly involved in all aspects of the special education program, with the County holding ultimate authority over implementation and supervision of services. As part of this responsibility, the Charter School shall provide the County and the parents with timely reports on the student's progress as provided in the student's IEP at least as frequently as report cards are provided for the Charter School's non-special education students. The Charter School shall also provide all home-school coordination and information exchange unless directed otherwise by the County. The Charter School shall also be responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology unless directed otherwise by the County. The Charter School shall comply with any directive of the County as relates to the coordination of the Charter School and County for IEP implementation including but not limited to adequate notification of student progress and immediate notification of any considered discipline of special education students in such matters, the petitioners would notify the County of relevant circumstances and communications immediately and act according to County administrative authority.

#### *Interim and Initial Placements of New Charter School Students*

The Charter School shall comply with Education Code Section 56325 with regard to students transferring into the Charter School within the academic school year. In accordance with Education Code Section 56325(a)(1), for students who enroll in the Charter School from another school district within the State, but outside of the SELPA

with a current IEP within the same academic year, the County and the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP, in consultation with the parent, for a period not to exceed thirty (30) days, by which time the County and Charter School shall adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law. In accordance with Education Code Section 56325(a)(2), in the case of an individual with exceptional needs who has an IEP and transfers into the Charter School from a district operated program under the same special education local plan area of the County within the same academic year, the County and the Charter School shall continue, without delay, to provide services comparable to those described in the existing approved IEP, unless the parent and the County agree to develop, adopt, and implement a new IEP that is consistent with federal and state law. For students transferring to the Charter School with an IEP from outside of California during the same academic year, the County and the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP in consultation with the parents, until the County conducts an assessment pursuant to paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code, if determined to be necessary by the County, and develops a new IEP, if appropriate that is consistent with federal and state law.

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

The County shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students. The Charter School shall not hire, request services from, or pay any non-public school or agency to provide education or services to special education students without the prior written approval of the County. The Charter School shall immediately notify the County of all parental requests for services from non-public schools or agencies, unilateral placements, and/or requests for reimbursement.

#### *Non-discrimination*

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

#### *Parent/Guardian Concerns and Complaints*

The Charter School shall follow County policies as they apply to all County schools for responding to parental concerns or complaints related to special education services. The Charter School shall instruct parents/guardians to raise concerns regarding special education services, related services and rights to the County unless otherwise directed by the County. The Charter School shall immediately notify the County of any concerns raised by parents. In addition, the Charter School and the County shall immediately bring to the other's attention any concern or complaint by a parent/guardian that is in writing and/or which involves a potential violation of state or federal law.

The County's designated representative, in consultation with the Charter School's designated representative, shall investigate as necessary, respond to, and address the parent/guardian concern or complaint. The Charter School shall allow the County access

to all facilities, equipment, students, personnel, and records to conduct such an investigation.

The Charter School and the County shall timely notify the other of any meetings scheduled with parents/guardians or their representatives to address the parent/guardian concerns or complaints so that a representative of each entity may attend. The County, as the LEA, shall be ultimately responsible for determining how to respond to parent concerns or complaints, and the Charter School shall comply with the County's decision.

The Charter School and the County shall cooperate in responding to any complaint to or investigation by the California Department of Education, the United States Department of Education, or any other agency, and shall provide timely notice to the other upon receipt of such a complaint or request for investigation.

### *Due Process Hearings*

The County may initiate a due process hearing or request for mediation with respect to a student enrolled in Charter School if the County determines such action is legally necessary or advisable. The Charter School agrees to cooperate fully with the County in such a proceeding. In the event that the parents/guardians file for a due process hearing, or request mediation, the County and the Charter School shall work together to defend the case. In the event that the County determines that legal representation is needed, the Charter School agrees that it shall be jointly represented by legal counsel of the County's choosing.

The Charter School understands that the County shall have sole discretion to settle any matter in mediation or due process. The County shall also have sole discretion to file an appeal from a due process hearing or take other legal action involving any Charter School student necessary to protect its rights.

### *SELPA Meetings*

It is the Charter School's understanding that the County shall represent the Charter School at all SELPA meetings and report to the Charter School of SELPA activities in the same manner as is reported to all schools within the County.

### *Funding*

The Charter School understands that it will enter into a MOU with the County regarding Special Education funding and cannot at this time unilaterally dictate the funding relationship between the County and the Charter School. The Charter School anticipates, based upon State and Federal law that the fiscal relationship could be summarized as follows:

#### *Retention of Special Education Funds by the County*

The County shall retain all state and federal special education funding allocated for Charter School students through the SELPA Annual Budget Plan, and shall be entitled to count Charter School students as its own for all such purposes.

#### *Retention of ADA Funds by the County for Non-Public Placements*

The Parties acknowledge that the County may be required to pay for or provide Charter School students with placements at locations other than at the Charter School's school site in order to provide them with a free appropriate public education. Such placements

could include, without limitation, programs or services in other County schools, in other school districts within the SELPA, in a County Office of Education program, in a non-public school, at home, at a hospital, or in a residential program. When such programs or services are provided at County expense, the County shall be entitled to receive from the Charter School the pro rata share of all funding received for such student, including, without limitation, all ADA funds, based on the number of instructional days or minutes per day that the student is not at the Charter School site.

#### *Contribution to Encroachment*

The Charter School shall contribute its fair share to offset special education's encroachment upon the County's general fund. Accordingly, the Charter School shall pay to the County a pro-rata share of the County's unfunded special education costs ("encroachment"). At the end of each fiscal year, the County shall invoice the Charter School for the Charter School's pro-rata share of the County-wide encroachment for that year as calculated by the total unfunded special education costs of the County (including those costs attributable to Charter School) divided by the total number of County ADA (including Charter School students), and multiplied by the total number of Charter School ADA. The Charter School ADA shall include all Charter School students, regardless of home district.

#### *Charter School's Outreach Efforts to Recruit Students with Disabilities*

DLINC expects that the number of students with disabilities it serves will reflect the proportion of persons with disabilities in the general public and the County, which is about 10%. DLINC will make efforts in its student recruitment process to ensure that the Charter School will attract a comparable enrollment of students with disabilities as compared to the County. Recruitment efforts toward this special population of students and their families will include:

1. Open-house informational sessions that are held in the community will address parents of students with disabilities and provide assistance if needed.
2. Advertise school at Regional Centers, pre-schools for students with disabilities and on local forums for parents of students with disabilities.
3. One-on-one meetings between the Charter School and parents of students with disabilities express interest in learning more about how DLINC will meet the particular needs of their child.
4. Parents with students with disabilities will be encouraged to bring IEP or 504 Plans to the school site after admission, and prior to school starting so staff can be notified, have a copy of the plans, discuss needs with parents and prepare for the first day of school for the student(s).

DLINC will notify the County of any IEPs, or students that need immediate assistance, so services can be seamless between placements.

#### Student Success Team (SST)

Students are most successful when there is a cooperative effort between parents and Charter School personnel in a spirit of shared responsibility. DLINC's structures for regular planning and collaboration in Professional Learning Community's (PLC) provides teachers with time to evaluate data and to plan strategically to support all learners. In

order to meet the needs of all learners, teachers utilize Universal Access time to differentiate the instruction for each student. Instruction is differentiated according to learning styles, strengths, abilities, and interests to support all learners. Students receive actionable and timely feedback, which empowers them to achieve by building on what they know. All students receive a rigorous, standards-based and bilingual educational experience. Students who experience problems with achieving academically or who demonstrate the need for behavior support are referred to the Student Success Team for further discussion on further interventions.

### *SST Process*

The Student Success Team (SST) is a positive schoolwide early intervention process to support students who are not making satisfactory academic progress or to support students when their behaviors are impeding their own progress or the progress of others. DLINC will set up an SST, which will be composed of parents/guardians, teachers, administrators and other school professionals or the student as appropriate. The SST will meet regularly to highlight a student's strengths upon which a plan for improvement can be based. Concerns are viewed as obstacles to student performance, and not indicative of the student or his/her character. The SST designs a practical support plan that all team members agree to implement. Follow-up meetings will take place to monitor student progress with the interventions in place. Students who continue to have ongoing challenges that are not resolved may be referred for special education evaluations.

### *SST Protocol*

The protocol for any Student Success Team will be as follows:

**Step 1:** The school personnel (teacher, support staff, and administrator) or the parent requests a referral to the Student Success Team. This referral includes information regarding specific concerns and previously attempted interventions and accommodations. Parents are contacted and informed of referral.

**Step 2:** The team members review and collect information relevant to the student's performance. This information *may* include information provided in student's cumulative file, parent/teacher/administrator observations, grade reports, tests, homework, attendance, parent information regarding the student's academic and health history, teacher reports, results of state/district academic assessments and a list of modifications or interventions previously attempted.

**Step 3:** The team establishes a meeting time when all members can participate and be actively involved in the problem-solving process. A translator is arranged if needed.

**Step 4:** The SST meeting representatives summarize strengths and concerns, and discuss and develop an action plan with academic or behavioral interventions. Modified interventions are then documented and monitored for success. The team brings: 1) completed evaluation forms; 2) appropriate work samples; 3) list of interventions attempted; and 4) the student's cumulative file.

**Step 5:** If the plan is unsuccessful, a follow up meeting is held within four to six weeks to discuss alternatives for accommodations. The SST process may be repeated. If the revised plan remains unsuccessful, the student may qualify for more structured

modifications or a 504 plan. An unsuccessful SST process could lead to a determination of qualification for Special Education.

All throughout the SST process, clear lines of communication are in place between DLINC administration, staff, and County special education staff (as appropriate) as the SST process is implemented.

### Supporting Students' Social Emotional Needs

DLINC believes in supporting all students' social emotional needs. Research shows that students whose social emotional needs are not met often experience high levels of emotional stress, conduct problems, interpersonal problems, poor attitudes and low academic performance. DLINC has developed a Positive Behavior Support System through the use of Restorative Circles which allows students to feel part of the classroom and of the school communities. Weissberg notes that "Restorative Circles cultivate a culture in which everyone feels like they belong. They build a particular sense of community in which every member--students, teacher, parent volunteers, aides--feel that they are seen, heard, and respected." Restorative Circles in schools are based on restorative justice principles instead of punishment. They aim first to build classroom communities that are supported by clear agreements, authentic communication, and specific tools to bring issues and conflicts forward in a helpful way. They provide specific pathways to repair harms by bringing together those who are affected by misbehavior in a dialogue to address concerns, achieve understanding, and come to agreement about setting things right. In addition to serving the cause of fairness and justice, restorative circles make safer schools and contribute to social and emotional learning. As a result of Restorative Circles, students become engaged and active learners who are self-aware, caring, respectful, connected to others, responsible decision makers, and academic achievers.

All staff have been trained in the Sanford Harmony program which is social emotional learning for elementary and middle schools and incorporates the strategies encompassed in the program. These strategies include:

- Appreciating diversity;
- Confidently expressing ideas;
- Asking respectful and relevant questions;
- Understanding others' perspectives; and
- Solving problems.

Additionally, the Buddy Up component of Harmony, is intentionally designed to provide opportunities for students to comfortably interact with peers, collaborate with classmates, and increase caring, kindness and empathy. DLINC believes that these tools address the social and emotional needs of the students. Community resources are recommended as necessary. General education teachers are trained on best practices as they relate to behavioral supports and classroom management. DLINC has contracted a behavioral specialist who both trains teachers on appropriate behavioral management techniques and provides support to students with behavioral plans. Finally, DLINC uses the SST process in order to support students who have social and emotional challenges.

## Element 2: Measurable Pupil Outcomes

***“The measurable pupil outcomes identified for use by the charter school. ‘Pupil outcomes,’ for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.”***

Students will matriculate from DLINC with a range of knowledge, skills and attitudes that embody the Charter School’s definition of an Educated Person in the 21st Century, as well as with a comprehensive understanding of the benefits and skills of having a dual language education. DLINC will pursue the following student outcome goals, as measured by multiple and varied benchmark assessments that are aligned to applicable state standards (including CCSS, NGSS and ELD Standards) and reflect proficiency measures required by CAASPP and CAST assessments, as well as state priorities detailed in Education Code Section 52060(d).

Through a sound educational program accessible to all students, DLINC expects the following results:

- Maintain (or exceed) 95% average daily attendance
- Annual growth in CAASPP English/language arts and mathematics “Met/Exceeded” rates
- Annual growth of English Learners as measured by ELPAC
- Annual growth in the English learner reclassification rates
- Special education students will demonstrate appropriate progress toward stated goals in their IEPs each year.
- Maintain a suspension and expulsion rates under 2%
- Students will demonstrate a mastery of grade-level standards and designated outcome goals in the areas of English Language Arts, Mathematics, Science and Social Science/History.
- A closing of the “achievement gap,” with standardized test score data demonstrating a pattern of raised achievement over time for traditionally underserved students, including socio-economically disadvantaged, foster and homeless youth.

These student outcomes are directly tied to the goal of providing students with a rigorous standards-based program while preparing them for a rigorous, dual-immersion program.

DLINC will pursue the following schoolwide and subgroup outcome goals, based on the state priorities detailed in California Education Code Section 52060(d). Student performance and achievement of schoolwide, subgroup and individual student progress is measured by multiple and varied summative and formative assessments that are

aligned to state and federal standards and reflect proficiency measures required by California Assessment of Student Performance and Progress, as well as state priorities detailed in California Education Code Section 52060(d).

### Annual Goals that Support State Priorities

The following are tables describing DLINC’s annual goals to be achieved in the state priorities schoolwide and for all pupil subgroups, as described in Education Code Section 52060(d), and specific annual actions to achieve those goals.

Each of these goals addresses the unique needs of all students attending DLINC, including its numerically significant student subgroups. The metrics associated with these goals help DLINC to ensure that these specific subgroups are making satisfactory progress and are provided with necessary additional supports made possible by additional funds from the Local Control Funding Formula.

DLINC shall annually update and develop the LCAP in accordance with Education Code Section 47606.5 and shall use the LCAP template adopted by the State Board of Education. DLINC shall submit the LCAP to the San Diego County Superintendent of Schools annual on or before July 1, as required by Education Code Section 47604.33

NOTE: The data targets below were developed based on the 2019-20 Local Control Accountability Plan which was originally developed using the input of various stakeholder groups. DLINC will initiate the development of the new three-year LCAP in early 2021. Based on the data on the state’s California Dashboard, targets have been provided for student groups with more than 11 pupils; student groups which were not statistically significant are denoted with an “\*” in the table below.

GOAL #1										
<p><i>All students will have a safe and clean learning environment, access to CCSS/NGSS-aligned curricula, and be supported in their learning by highly effective and fully credentialed teachers.</i> <input checked="" type="checkbox"/></p>	<p>Related State Priorities:</p> <table style="width: 100%; border: none;"> <tr> <td><input checked="" type="checkbox"/> 1</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 7</td> </tr> <tr> <td><input checked="" type="checkbox"/> 2</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 8</td> </tr> <tr> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 6</td> <td></td> </tr> </table> <p>Local Priorities:</p> <p><input type="checkbox"/>:</p> <p><input type="checkbox"/>:</p>	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 4	<input type="checkbox"/> 7	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 5	<input type="checkbox"/> 8	<input type="checkbox"/> 3	<input type="checkbox"/> 6	
<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 4	<input type="checkbox"/> 7								
<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 5	<input type="checkbox"/> 8								
<input type="checkbox"/> 3	<input type="checkbox"/> 6									
Specific Annual Actions to Achieve Goal										
<p><i>Action 1. Fully credentialed teachers are hired for each subject area and are appropriately assigned in all classrooms.</i></p> <p><i>Action 2. Students are provided with a school environment that is clean and well-maintained.</i></p> <p><i>Action 3. Students have full access to rigorous standards-aligned learning materials.</i></p> <p><i>Action 4. All English Learners will be supported by specific curricula aligned to ELD standards that help build vocabulary, speaking/listening skills, increasingly complex reading and academic writing.</i></p> <p><i>Action 5. Teachers are provided with standards-aligned print and electronic classroom resources.</i></p> <p><i>Action 6. Provide teachers with a coherent system of professional development including differentiation, SDAIE, MTSS</i></p> <p><i>Action 6. Provide quality substitute teacher coverage throughout the school year.</i></p>										
Expected Annual Measurable Outcomes										
<p><b>Outcome #1:</b> <i>100% of Teachers are fully credentialed and accurately assigned.</i></p>										

<b>Metric/Method for Measuring: Teacher assignment/credential review</b>						
APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
All Students (Schoolwide)		100%	100%	100%	100%	100%
English Learners		100%	100%	100%	100%	100%
<b>Outcome #2: Use of Facilities Inspection Tool (FIT) all major facility issues remedied in a timely manner with no findings</b>						
<b>Metric/Method for Measuring: FIT</b>						
APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
All Students (Schoolwide)		100%	100%	100%	100%	100%
<b>Outcome #3: All teachers are provided with CCSS/NGSS/ELD-aligned curricula and providing full access to all students to the core curriculum.</b>						
<b>Metric/Method for Measuring: 100% teachers with resources for all curricular areas</b>						
APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
All Students (Schoolwide)		100%	100%	100%	100%	100%
English Learners		100%	100%	100%	100%	100%

<b>GOAL #2</b>	
<p>All students will demonstrate growth in their achievement to meet/exceed state proficiency levels in Spanish, English/language arts, mathematics, and science.</p>	<p>Related State Priorities:</p> <p><input type="checkbox"/> 1    <input checked="" type="checkbox"/> 4    <input type="checkbox"/> 7</p> <p><input type="checkbox"/> 2    <input type="checkbox"/> 5    <input checked="" type="checkbox"/> 8</p> <p><input type="checkbox"/> 3    <input type="checkbox"/> 6</p> <hr/> <p>Local Priorities:</p> <p><input type="checkbox"/>:</p> <p><input type="checkbox"/>:</p>
<b>Specific Annual Actions to Achieve Goal</b>	
<p><i>Action 1. Students are provided actionable feedback on their progress through standardized benchmark exams in English/language arts, mathematics and science.</i></p> <p><i>Action 2. DLI will purchase all NGSS-aligned upgrades for TCI Science curriculum, including interactive notebooks and four new microscopes, TCI curricula for both science and social studies, and Houghton Mifflin’s Journeys/Senderos curriculum with additional online components.</i></p> <p><i>Action 3. All students will be provided with materials to help them become more familiar with the context and scope of the CAASPP.</i></p> <p><i>Action 4. Students have access to technology.</i></p> <p><i>Action 5. Administer Northwest Educational Assessment in reading, language usage, and mathematics and Spanish reading and language usage.</i></p> <p><i>Action 6. Afterschool math enrichment focused on basic skills</i></p> <p><i>Action 7. Embed explicit instruction in K-2 for math specific vocabulary development</i></p> <p><i>Action 8. Teacher professional development: CABE conference, integration of mathematics across content areas, SDCOE Department of Assessment, Accountability and Evaluation on conducting Needs Assessments.</i></p> <p><i>Action 9. Administer the California Spanish Assessment (CSA)</i></p>	
<b>Expected Annual Measurable Outcomes</b>	

**Outcome #1:** *Students will have access to their academic marks in core subjects, and receive consistent feedback on how to improve their performance/increase achievement.*

**Metric/Method for Measuring:** *Academic Marks (% of students earning meets/exceeds on their report cards in English, mathematics, and science)*

APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
All Students (Schoolwide)	<i>Baseline</i>	<i>Increase from baseline</i>				
English Learners	<i>Baseline</i>	<i>Increase from baseline</i>				
Socioecon. Disadv./Low Income Students	<i>Baseline</i>	<i>Increase from baseline</i>				
Foster Youth*	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
African American Students*	*	*	*	*	*	*
American Indian/Alaska Native Students*	*	*	*	*	*	*
Asian Students*	*	*	*	*	*	*
Filipino Students*	*	*	*	*	*	*
Latino Students	<i>Baseline</i>	<i>Increase from baseline</i>				
Native Hawaiian/Pacific Islander Students*	*	*	*	*	*	*
Students of Two or More Races*	*	*	*	*	*	*
White Students	<i>Baseline</i>	<i>Increase from baseline</i>				

**Outcome #2:** *Annual growth in average Rasch Unit (RIT) scores in reading and language usage. (Grades 3 through 8)*

**Metric/Method for Measuring:** *NWEA reading & language usage assessments*

APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
All Students (Schoolwide)	213.7	218	220	222	224	228
English Learners		<i>Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>
Socioecon. Disadv./Low Income Students		<i>Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>
Foster Youth*	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
African American Students*	*	*	*	*	*	*
American Indian/Alaska Native Students*	*	*	*	*	*	*
Asian Students*	*	*	*	*	*	*
Filipino Students*	*	*	*	*	*	*
Latino Students		<i>Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>

Native Hawaiian/Pacific Islander Students*	*	*	*	*	*	*
Students of Two or More Races*	*	*	*	*	*	*
White Students		<i>Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>
<b>Outcome #3: Annual Growth in “meets/exceeds” performance level in English /language arts</b>						
<b>Metric/Method for Measuring: SBAC English/language arts</b>						
APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
All Students (Schoolwide)	49%	51%	52%	53%	54%	55%
English Learners	26%	28%	30%	32%	37%	37%
Socioecon. Disadv./Low Income Students	36%	39%	41%	42%	44%	46%
Foster Youth*	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
African American Students*	*	*	*	*	*	*
American Indian/Alaska Native Students*	*	*	*	*	*	*
Asian Students*	*	*	*	*	*	*
Filipino Students*	*	*	*	*	*	*
Latino Students	50%	52%	54%	56%	58%	60%
Native Hawaiian/Pacific Islander Students*	*	*	*	*	*	*
Students of Two or More Races*	*	*	*	*	*	*
White Students	50%	52%	54%	56%	58%	60%
<b>Outcome #4: Annual increase in Rasch Unit (RIT) scores in mathematics (Grades 3-8)</b>						
<b>Metric/Method for Measuring: NWEA Mathematics (Grades 3-8)</b>						
APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
All Students (Schoolwide)	219	222	225	228	231	234
English Learners		<i>Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>
Socioecon. Disadv./Low Income Students		<i>Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>
Foster Youth*	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
African American Students*	*	*	*	*	*	*
American Indian/Alaska Native Students*	*	*	*	*	*	*
Asian Students*	*	*	*	*	*	*
Filipino Students*	*	*	*	*	*	*
Latino Students		<i>Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>
Native Hawaiian/Pacific Islander Students*	*	*	*	*	*	*

Students of Two or More Races*	*	*	*	*	*	*
White Students		<i>Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>
<b>Outcome #5: Annual increase in mathematics achievement (meets/exceeds)</b>						
<b>Metric/Method for Measuring: SBAC Mathematics</b>						
APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
All Students (Schoolwide)	34%	37%	39%	41%	43%	45%
English Learners	15%	18%	21%	24%	27%	30%
Socioecon. Disadv./Low Income Students	23%	26%	29%	31%	34%	37%
Foster Youth*	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
African American Students*	*	*	*	*	*	*
American Indian/Alaska Native Students*	*	*	*	*	*	*
Asian Students*	*	*	*	*	*	*
Filipino Students*	*	*	*	*	*	*
Latino Students	32%	34%	36%	38%	40%	42%
Native Hawaiian/Pacific Islander Students*	*	*	*	*	*	*
Students of Two or More Races*	*	*	*	*	*	*
White Students	38%	40%	42%	44%	46%	48%
<b>Outcome #6: Annual growth in science mastery (grades 3-5)</b>						
<b>Metric/Method for Measuring: California Science Test (CAST)</b>						
APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
All Students (Schoolwide)	<i>Baseline</i>	<i>Increase from Baseline</i>				
English Learners		<i>Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>
Socioecon. Disadv./Low Income Students		<i>Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>
Foster Youth*	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
African American Students*	*	*	*	*	*	*
American Indian/Alaska Native Students*	*	*	*	*	*	*
Asian Students*	*	*	*	*	*	*
Filipino Students*	*	*	*	*	*	*
Latino Students		<i>Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>	<i>Increase from Baseline</i>
Native Hawaiian/Pacific Islander Students*	*	*	*	*	*	*

Students of Two or More Races*	*	*	*	*	*	*
White Students		Baseline	Increase from Baseline	Increase from Baseline	Increase from Baseline	Increase from Baseline

**Outcome #7: Annual Growth in Spanish language mastery**  
**Metric/Method for Measuring: CA Spanish Assessment (CSA) grades 3-8**

APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
All Students (Schoolwide)	Baseline	Increase from Baseline				
English Learners	Baseline	Increase from Baseline				
Socioecon. Disadv./Low Income Students	Baseline	Increase from Baseline				
Foster Youth*	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
African American Students*	*	*	*	*	*	*
American Indian/Alaska Native Students*	*	*	*	*	*	*
Asian Students*	*	*	*	*	*	*
Filipino Students*	*	*	*	*	*	*
Latino Students	Baseline	Increase from Baseline				
Native Hawaiian/Pacific Islander Students*	*	*	*	*	*	*
Students of Two or More Races*	*	*	*	*	*	*
White Students	Baseline	Increase from Baseline				

**Outcome #2: Ensure full access to curriculum for students with disabilities**  
**Metric/Method for Measuring: SWDs spending at least 80% of the instructional day in the general education setting.**

APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
Students with Disabilities	*	*	*	*	*	*

**GOAL #3**

<p><i>English learners will be supported in their continuing mastery of English at all levels of English Language Development (ELD) and monitoring for four years after reclassifying as “fluent English Proficient”.</i></p>	<p>Related State Priorities:</p> <p><input type="checkbox"/> 1      <input checked="" type="checkbox"/> 4      <input checked="" type="checkbox"/> 7</p> <p><input type="checkbox"/> 2      <input type="checkbox"/> 5      <input checked="" type="checkbox"/> 8</p> <p><input type="checkbox"/> 3      <input type="checkbox"/> 6</p>		
	<p>Local Priorities:</p> <p><input type="checkbox"/>:</p> <p><input type="checkbox"/>:</p>		

**Specific Annual Actions to Achieve Goal**

Action 1. DLI will employ a support staff member whose sole purpose will be to support English learners  
 Action 2. DLI will purchase Houghton Mifflin's Journeys/Senderos curriculum with additional online components.

**Expected Annual Measurable Outcomes**

**Outcome #1: Annual growth of English language mastery for English learners**

**Metric/Method for Measuring: CA Dashboard English Learner Progress Indicator (ELPI)**

APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
English Learners	35.8%	39%	42%	45%	48%	51%

**Outcome #2: Annual growth in "meets/exceeds" performance level in English /language arts for English Learners in grades 3-8**

**Metric/Method for Measuring: SBAC English/language arts**

APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
English Learners	26%	28%	30%	32%	35%	37%

**Outcome #3: Annual increase in mathematics achievement (meets/exceeds) for English Learners in grades 3-8**

**Metric/Method for Measuring: SBAC Mathematics**

APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
English Learners	15%	18%	21%	24%	27%	30%

**Outcome #4: Annual increase in reclassification rates for English Learners**

**Metric/Method for Measuring: Annual Reclassification rate**

APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
English Learners	16.7%	18%	20%	22%	24%	25%

**GOAL #5**

*DLI will foster a positive school climate which values parent involvement and high levels of family engagement and satisfaction.*

Related State Priorities:

- 1       4       7
- 2       5       8
- 3       6

Local Priorities:

- :
- :

**Specific Annual Actions to Achieve Goal**

- Action 1. Use of ParentSquare to provide regular, comprehensive mass communications to stakeholders.
- Action 2. Provide curricular-related field trips/experiences to enable students to form meaningful connections to the community and deepen learning.
- Action 3. Provide evening English classes for parents based on parent interest.
- Action 4. Offer afterschool interventions in Spanish and core curricular areas to ensure student achievement growth.
- Action 5. Attendance Clerk to make daily phone calls and track attendance.

**Expected Annual Measurable Outcomes**

**Outcome #1:** Increase parent engagement (attendance/participation in schoolwide scheduled events, annual survey completion)

**Metric/Method for Measuring:** % parents attending schoolwide events, and % parents completing annual satisfaction survey.

APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
All Students (Schoolwide)	Baseline	Increase from baseline				
English Learners	Baseline	Increase from baseline				
Socioecon. Disadv./Low Income Students	Baseline	Increase from baseline				
Foster Youth*	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
African American Students*	*	*	*	*	*	*
American Indian/Alaska Native Students*	*	*	*	*	*	*
Asian Students*	*	*	*	*	*	*
Filipino Students*	*	*	*	*	*	*
Latino Students	Baseline	Increase from baseline				
Native Hawaiian/Pacific Islander Students*	*	*	*	*	*	*
Students of Two or More Races*	*	*	*	*	*	*
White Students	Baseline	Increase from baseline				

**Outcome #2:** 50% or more of parents overall will attend schoolwide parent conferences, scheduled IEP meetings.

**Metric/Method for Measuring:** Parent Engagement Tracking

APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
All Students (Schoolwide)	Baseline	Increase from baseline				
English Learners	Baseline	Increase from baseline				
Socioecon. Disadv./Low Income Students	Baseline	Increase from baseline				
Foster Youth*	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
African American Students*	*	*	*	*	*	*
American Indian/Alaska Native Students*	*	*	*	*	*	*
Asian Students*	*	*	*	*	*	*
Filipino Students*	*	*	*	*	*	*
Latino Students	Baseline	Increase from baseline				
Native Hawaiian/Pacific Islander Students*	*	*	*	*	*	*

Students of Two or More Races*	*	*	*	*	*	*
White Students	Baseline	Increase from baseline	Increase from baseline	Increase from baseline	Increase from baseline	Increase from baseline
<b>Outcome #3: Increase/maintain average daily attendance rate of 95% or higher</b>						
<b>Metric/Method for Measuring: Average Daily Attendance</b>						
APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
All Students (Schoolwide)	Baseline	Increase from baseline	Increase from baseline	Increase from baseline	Increase from baseline	Increase from baseline
English Learners	Baseline	Increase from baseline	Increase from baseline	Increase from baseline	Increase from baseline	Increase from baseline
Socioecon. Disadv./Low Income Students	Baseline	Increase from baseline	Increase from baseline	Increase from baseline	Increase from baseline	Increase from baseline
Foster Youth*	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
African American Students*	*	*	*	*	*	*
American Indian/Alaska Native Students*	*	*	*	*	*	*
Asian Students*	*	*	*	*	*	*
Filipino Students*	*	*	*	*	*	*
Latino Students	Baseline	Increase from baseline	Increase from baseline	Increase from baseline	Increase from baseline	Increase from baseline
Native Hawaiian/Pacific Islander Students*	*	*	*	*	*	*
Students of Two or More Races*	*	*	*	*	*	*
White Students	Baseline	Increase from baseline	Increase from baseline	Increase from baseline	Increase from baseline	Increase from baseline
<b>Outcome #4: Maintain chronic absenteeism under 2%</b>						
<b>Metric/Method for Measuring: CA Dashboard Chronic Absenteeism Indicator</b>						
APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
All Students (Schoolwide)		Baseline	Maintain/ decrease to 2%	Maintain/ decrease to 2%	Maintain/ decrease to 2%	Maintain/ decrease to 2%
English Learners		Baseline	Maintain/ decrease to 2%	Maintain/ decrease to 2%	Maintain/ decrease to 2%	Maintain/ decrease to 2%
Socioecon. Disadv./Low Income Students		Baseline	Maintain/ decrease to 2%	Maintain/ decrease to 2%	Maintain/ decrease to 2%	Maintain/ decrease to 2%
Foster Youth*	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
African American Students*	*	*	*	*	*	*
American Indian/Alaska Native Students*	*	*	*	*	*	*
Asian Students*	*	*	*	*	*	*
Filipino Students*	*	*	*	*	*	*
Latino Students		Baseline	Maintain/ decrease to 2%	Maintain/ decrease to 2%	Maintain/ decrease to 2%	Maintain/ decrease to 2%

Native Hawaiian/Pacific Islander Students*	*	*	*	*	*	*
Students of Two or More Races*	*	*	*	*	*	*
White Students		Baseline	Maintain/ decrease to 2%	Maintain/ decrease to 2%	Maintain/ decrease to 2%	Maintain/ decrease to 2%
<b>Outcome #5: Maintain suspensions/expulsion rate under 2%</b>						
<b>Metric/Method for Measuring: Suspensions/expulsions on CA Dashboard</b>						
APPLICABLE STUDENT GROUPS	Baseline	2021-22	2022-23	2023-24	2024-25	2025-26
All Students (Schoolwide)	0	Baseline	Maintain/ decrease to 2%	Rates < 2%	Rates < 2%	Rates < 2%
English Learners	0	Baseline	Maintain/ decrease to 2%	Rates < 2%	Rates < 2%	Rates < 2%
Socioecon. Disadv./Low Income Students	0	Baseline	Maintain/ decrease to 2%	Rates < 2%	Rates < 2%	Rates < 2%
Foster Youth*	*	*	*	*	*	*
Students with Disabilities	*	*	*	*	*	*
African American Students*	*	*	*	*	*	*
American Indian/Alaska Native Students*	*	*	*	*	*	*
Asian Students*	*	*	*	*	*	*
Filipino Students*	*	*	*	*	*	*
Latino Students		Baseline	Maintain/ decrease to 2%	Rates < 2%	Rates < 2%	Rates < 2%
Native Hawaiian/Pacific Islander Students*	*	*	*	*	*	*
Students of Two or More Races*	*	*	*	*	*	*
White Students		Baseline	Maintain/ decrease to 2%	Rates < 2%	Rates < 2%	Rates < 2%

### Local Control and Accountability Plan

DLINC will comply with all applicable regulations and requirements relating to the Local Control Funding Formula (LCFF). The Executive Director of DLINC will stay informed of any updates and action by the State Board of Education to implement the LCFF and the associated Local Control and Accountability Plan.

DLINC has developed a Local Control and Accountability Plan in accordance with Education Code Section 47606.5 and the template adopted by the State Board.

DLINC will establish procedures that are aligned to and comply with all applicable deadlines, state priorities, Charter School stakeholders and formats related to the LCFF and the Local Control and Accountability Plan.

### Element 3: Method by which Pupil Progress Toward Outcomes will be Measured

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

DLINC will comply with all regulations, reporting and processes associated with the state’s new Local Control Accountability Plans under the Local Control Funding Formula. DLINC agrees to comply with state requirements for participation and administration of all state-mandated tests, including computer-based assessments. DLINC shall submit and maintain complete, accurate and up-to-date California Longitudinal Pupil Achievement Data System (CALPADS) data in accordance with the requirements of California Code of Regulations, Title 5, Section 861. DLINC hereby grants authority to the State of California to provide a copy of all test results directly to the County as well as DLINC. Upon request, DLINC shall submit a copy of the results of all state-mandated tests to the County. DLINC affirms that the method for measuring student outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card, pursuant to Education Code Section 47605(c)(5)(C).

#### *Method for Measuring Pupil Progress toward Outcomes: Formative Assessments*

DLINC will monitor and measure student progress through a variety of assessment and growth measurement tools.

DLINC will use the NWEA MAP as its internal assessment system to measure its standards-aligned/competency-based model. The NWEA MAP provides each student with an individualized RIT score projected growth target based on students with similar backgrounds and school sites. NWEA’s RIT scale stands for Rasch Unit scale. There are several RIT scales: one each for reading, language usage, mathematics and general science. RIT scales are stable, equal interval scales that use individual item difficulty values to measure student achievement independent of grade level (that is, across grades). "Equal interval" means that the difference between scores is the same regardless of whether a student is at the top, bottom or middle of the RIT scale. These projected growth targets are developed using a pool of ten million students. While not all students will match DLINC’s student population, the pool is large enough that its students are represented and therefore able to project an accurate individualized RIT growth for every student. NWEA successfully proposes realistic growth projections based on similar students in similar schools.

DLINC also assesses at the local level with common assessments in writing and spelling as well as the John’s Reading Inventory and the Basic Phonics Skills Test (BPST). John’s Basic Reading Inventory is an informal reading assessment that helps teachers determine a student’s instructional level. It evaluates speed, accuracy and comprehension. The BPST is an assessment that evaluates letter sounds, specific phonics and phoneme patterns and blending of sounds and words. This is done in both Spanish and English at least two times per year. Teachers use the results of these assessments to direct instruction and for the creation of small groups and differentiated learning. These

assessments also assist in the assigning of reading passages, literary recommendations and areas of instructional focus.

**Table 3.1 Formative Assessments**

Assessment	Purpose	Grade	Timeline
Local Tests and Performance Tasks (presentations, papers, experiments, etc.)	Measure standards mastery across all courses/subjects.	K-8	Daily and/or weekly
Curriculum Based Measurements	Assess mastery of unit/lesson content.	K-8	End of unit/end of semester or year
Basic Phonic Skills Test	Measure basic phonic skills and reading fluency in English and Spanish	K-3	Three times per year
John's Reading Inventory	Measure basic reading skills and reading fluency in English and Spanish	K-3	Three times per year
MWEA MAP Spanish	National Normed-Referenced assessment in Spanish for SLA Reading and Language Usage.	K-8	Once a year, mid-year
NWEA MAP	National Normed-Referenced assessment in ELA and Math	K-8	Three times a year

*Method for Measuring Pupil Progress toward Outcomes: Summative Assessments*

In addition to internal assessments, DLINC will also annually administer all state-mandated testing, including Smarter Balance Assessment Consortium (SBAC), California Science Test (CAST), California Alternative Assessment (CAA), English Learner Proficiency Assessments for California (ELPAC), and. Measurable outcomes and assessment tools provide key data about the efficacy of DLINC’s program, which in turns helps the administration and Board make key decisions about program development and modifications, while also monitoring individual student achievement.

Any accommodations provided to students with special needs on a state standardized tests will be in accordance with the Individualized Education Program. Both special needs students and English learners may receive special testing accommodations, and will be implemented according to all rules set forth by the state for allowable accommodations.

In addition, DLINC monitors student progress regularly through multiple measures of assessments to maintain a balanced assessment system. A standards-management system like School Pathways will help teachers monitor data and report student progress. Time will be allotted regularly for data analysis in PLCs during staff development days. DLINC assessments are aligned to the state standards. The goal of assessments is to provide information for:

- Curriculum and lesson planning to meet the special needs and interests of students.
- The development of schoolwide metric targets to meet DLINC’s goals.

- Interventions delivered by the classroom teacher in small groups.
- Student feedback regarding their individual progress.
- Program evaluation and accountability.
- Students reflect on their goals and assess their own work.
- Professional development needs and areas of focus.
- Communication to all stakeholders (Board of Directors, parents, and the greater DLI community).

Data may be used by all stakeholders to evaluate the success of the Charter School's academic program and to inform Charter School policies and decision-making. DLINC will complete SARC annually. Student achievement data will be disaggregated annually to clearly identify the academic performance of students by sub-groups (e.g. by ethnicity, gender, English Learners, socio-economically disadvantaged students and students with disabilities).

Multiple measures of academic achievement and ongoing communication of student progress at DLINC will take the form of performance-based assessments. DLINC implements performance-based assessments to enable students to demonstrate what they know and what they are able to do in meeting state standards. Performance-based assessments include, but are not limited to:

- *Projects, Demonstrations and Presentations*: These represent a culmination of students' learning in curricular areas; they may be written, oral, dramatic or incorporate technology and may be assessed using a rubric.
- *Schoolwide Calendared Assessments*: Benchmarks assessments will be administered at least three times per year. Additional local assessments may also be developed to measure student progress, such as schoolwide writing prompts and performance tasks similar to the Smarter Balanced Assessment. The faculty will calibrate scoring of writing prompts in PLCs.
- *Curricula-based Assessment*: Teachers assess children regularly in reading, writing and mathematics through curricula-based assessments.
- *Teacher Created Assessments*: Teachers design relevant tasks to measure understandings and mastery of classroom work.
- *Student Writing*: Students write in all content areas. Their written works reflect their understanding of content areas and critical thinking skills.
- *Student Self-assessments*: Students will also assess themselves and their progress through the use of rubrics or reflections.

**Table 2.3: Summative Assessments**

Assessment	Purpose	Grade	Timeline
Smarter Balanced Practice Test	Practice the Smarter Balanced Assessment to familiarize the students with the structure of the SBAC Test	3-8	Once per year
Smarter Balanced Assessment Consortium (SBAC)	State Criterion-Based Assessment in ELA and Math	3-8	Once a year
California Science Test (CAST)	State Criterion-Based Assessment in Science	5, 8	Once a year
California Alternative Assessment (CAA)	State alternative assessment in ELA, Math and Science for qualifying students	3-8	Once a year
ELPAC	Measure language acquisition for English Learners	K-8	Once a year

### Data Analysis and Reporting

DLINC uses a proactive approach to data analysis. The Board of Directors and the Charter School leadership has established strong goals for student achievement and the support needed for Charter School teachers to analyze student data easily and continuously. The most common type of data are internally created assessments and publisher designed assessments. These data allow teachers to receive summative data quickly so they can immediately adjust instruction to assure student mastery of standards. The use of NWEA MAP testing allows teachers to receive formative data quickly so they can determine the strength of the lesson pacing and student mastery of standards.

After each quarterly NWEA administration, data reports will be created and analyzed by administration and teachers, looking for areas of growth and new or continuing areas of opportunity. Staff-wide professional development will take place to address the trends, and determine the next steps in reteaching for teachers, and/or the implementation of specific academic interventions/supports for students as illustrated by the data.

Results from assessments will be shared with students and parents, along with plans for supporting student growth. Additionally, all data will be shared with the Board and parent groups (School Site Council and English Learner Advisory Committee) in order to align plans for addressing the data and annual goals for student performance.

### Grading System

DLINC will use two types of grading systems. In grades TK-4, students will receive a standards-based report card each trimester. In grades 6-8, students will receive a letter grade grading system with quarterly progress reports and end of course grades will be on a semester schedule.

#### Grades TK-4 Grading System

A student may score from 1 to 4 on all rubrics:

- 1 – Not Meeting Standard

- 2 – Approaching Meeting Standard
- 3 – Meets Standard
- 4 – Exceeds Standard

### **Grades 5-8 Grading System**

A student may score from A-F on all assignments, quizzes, tests, projects and courses:

- A – 90-100%
- B – 80-89%
- C – 70-79%
- D – 60-69%
- F – 0-59%

### **Report Cards and Conferences**

In grades TK-4, students and parents receive trimester report cards. In Grades 5-8, students and parents receive quarterly progress reports and report cards. A variety of conferences are conducted throughout the school year and include:

- **Parent/Teacher Conferences:** These are scheduled two times per year. During these conferences, parents have the opportunity to share their expectations, ask questions and share any concerns they have about their child. Goals are established for the child (or by the child in collaboration with the teacher and parent in upper grades) and the teacher shares specific data regarding the child's academic and social skills.
- **Child/Teacher Conferences:** Teachers regularly confer with their students individually during small group instruction to discuss progress towards goals and provide actionable feedback. The teacher begins with sharing a positive statement about the child's academic strengths and shares one specific strategy or information (actionable feedback) that the student can use to continue to grow and achieve.
- **Other Conferences:** Regular communication with parents about student achievement is important at DLINC. Conferences may be arranged and initiated by the teacher, parent, or administration throughout the school year to ensure that the academic program is meeting the student's needs.

### **Promotion**

Students shall be promoted to the following grade at the end of each school year. It is the Charter School's policy to abide by grade-level placement as determined by birth date. If a student is not meeting grade level standards, the Charter School believes that it is in the child's best interest to receive additional interventions.

## Element 4: Governance

***“The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.” Education Code § 47605 (c)(5)(D).***

### Non-Profit Public Benefit Corporation

While DLINC will continue to collaborate with the San Diego County Office of Education, DLINC shall be operated as a separate legal entity, independent of the County.

DLINC shall be a directly funded independent charter school operated by Dual Language Immersion North County, a California nonprofit public benefit corporation, pursuant to California law. DLINC will operate autonomously from the County, with the exception of the supervisory oversight as required by statute and other contracted services as may be negotiated between the County and the Charter School.

Pursuant to California Education Code Section 47604(d), the County shall not be liable for the debts and obligations of the Charter School, operated by a California non-profit benefit corporation, or for claims arising from the performance of acts, errors, or omissions by the Charter School as long as the County has complied with all oversight responsibilities required by law.

Attached, in the Appendices, please find the DLINC Articles of Incorporation, Bylaws, and Conflict of Interest Code.

### Board of Directors

The Board of Directors shall include no less than five (5) and no more than seven (7) members. The number of Directors may be changed by a duly adopted amendment to the Board Bylaws. The Board composition shall include a parent representative and up to six (6) community representatives. All directors shall have full voting rights, including any representative appointed by the chartering authority as consistent with Education Code Section 47604(b). The qualifications for directors are generally the ability to attend Board meetings, a willingness to actively support and promote DLINC, and a dedication to its educational endeavors. If the chartering authority appoints a representative to serve on the Board of Directors, the Board of Directors may appoint an additional director to ensure an odd number of Board members. Candidates for the parent representative seat shall be selected from the parents and guardians of the students attending Dual Language Immersion North County and shall be appointed by the Board of Directors. The community representative seat shall be designated unanimously by the designees named members of the Board: Dual Language North County, Inc.

Except for the initial Board of Directors, each director shall hold office unless otherwise removed from office in accordance with these bylaws for two (2) year(s) and until a successor director has been designated and qualified. Terms for the initial Board of Directors shall be three (3) seats for a term of two (2) year(s) and two (2) seats for a term of one (1) year.

Each director, except for a representative appointed by the chartering authority, shall hold office unless otherwise removed from office in accordance with the bylaws for two years and until a successor director has been designated and qualified.

- The Parent Representative shall be appointed at the last general meeting of the fiscal year by a majority vote of the Board Members.
- The Community Representative shall be appointed at the last general meeting of the fiscal year by a majority vote of the Board Members.
- An Educator Representative shall be appointed at the last general meeting of the fiscal year by a majority vote of the Board of Directors. The Educator Representatives shall be from the educational field, currently serving as a K-12 instructor, administrator or college/university faculty. No persons serving on the Board may be “interested persons” as defined in the bylaws.
- The chartering authority representative shall be appointed by the charter authority.

DLINC and all employees and representatives of DLINC, including members of the governing board, board committees, and DLINC staff shall comply with applicable federal and state laws. Board members will be considered on their expertise in curriculum, instruction, administration, strategic planning, fiscal management, real estate, fund raising, school governance and community outreach

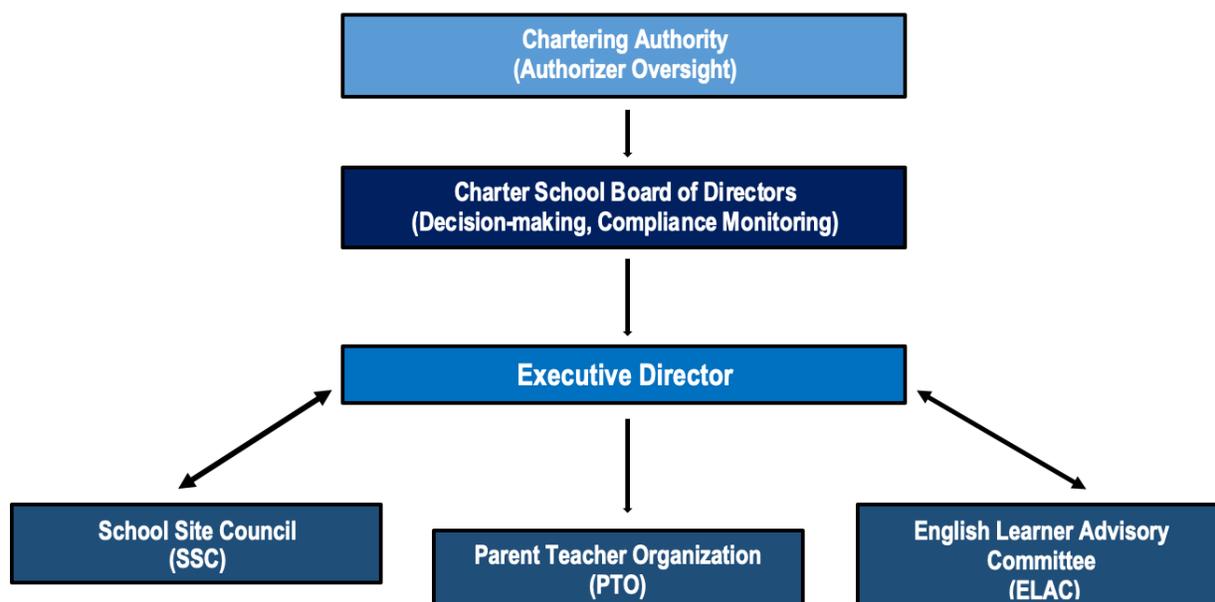
### Board Meetings

The Board meets monthly and has agreed to meet as frequently as necessary, but no less than four times a year. It will take minutes for open portions of each meeting and make those minutes available to the public. It will make available minutes of closed portions of the meeting to those with a need to know and the authority to receive the minutes. Meetings are open to all interested parties and shall be held in compliance with the Ralph M. Brown Act (“Brown Act”) and Education Code Section 47604.1.

All notices, agendas, and minutes of meetings will be retained by DLINC. These records will be accessible for public and County review upon request.

The Organizational Chart shows the flow and chain of command for DLINC. The Board of Directors operates the Charter School. The Board hires an Executive Director to run the day-to-day operations of DLINC. DLINC currently contracts with Charter School Management Corporation (CSMC) to provide back-office assistance in areas of budgeting and accounting. Teachers and other classified staff report directly to the Executive Director. Stakeholders have direct access to the Board of Directors. The Parent Advisory Organizations, which is made up of the School Site Council, English Language Acquisition Committee, and the Parent Teacher Organization, reports to the stakeholders and Board of Directors.

**Table 4.1: DLINC Organizational Chart**



### Responsibilities of the Board of Directors

The DLINC Board of Directors governs and operates DLINC within the parameters of the Bylaws. No persons serving on the Board may be “interested persons” as defined in the bylaws. Directors are subject to the conflict of interest rules under Government Code Section 1090, *et. seq.*, as set forth in Education Code Section 47604.1, and Government Code Section 81000, *et. seq.*, (the “Political Reform Act”) and other applicable laws. In addition, the Board of Directors has adopted a conflict of interest code that complies with the requirements of the Political Reform Act, including submittal of Fair Political Practices Commission (FPPC) Form 700 Statements of Economic Interest, and Corporations Code conflicts of interest rules. This conflict of interest code shall be updated with any charter school-specific conflicts of interest laws.

Directors will have a legal fiduciary responsibility for the operation of DLINC. The Board will ensure that practices and policies are carried out in alignment with the Charter School goals, mission statement, and charter. The Board is responsible for compliance with all regulations applicable to charter schools, monitors contracts with outside entities and ensures sound fiscal management. The Board is the final authority in matters affecting DLINC, including, but not limited to, staffing, financial accountability, the academic program and all other responsibilities provided for in the Corporations Code, the Articles of Incorporation, Bylaws or this charter petition. The DLINC Board directs the work of the Executive Director.

The Board of Directors may delegate any of its roles and responsibilities to the Charter School’s Executive Director, staff or third party, however the Board holds ultimate and final accountability over the performance of those powers or duties so delegated. The Board oversees an Executive Director who is responsible, under the authority and with oversight by the Board, for implementation of the mission and academic program of DLINC, as well as the operational management of the Charter School.

A shared decision-making model will be used by the Board of Directors so that decisions are made collaboratively and in consideration of all facts, viewpoints and alternatives. Decisions will be made based on the best interests of students and the implementation of the Charter School's mission, vision and goals. Directors will find areas of commonality and work toward a consensus to reach agreement. Clear and ongoing communication regarding roles and responsibilities of each trustee will ensure the Board's effectiveness.

The Board of Directors will make available a variety of communication methods for parents, staff, and community members to share ideas and concerns. At every Board of Directors meeting, there is time at the beginning of the agenda to hear from the public. Parents can also provide input at parent meetings or through a comment box displayed prominently in the main office. In order to encourage parent attendance at Board Meetings, on occasion there will be awards or student presentations shared at Board meetings.

The Board may authorize committees and task forces as needed to develop and implement policies of the Charter School in specific areas (i.e., audit committee, advisory committee and fundraising committee).

### Board Trainings

Board members will attend training seminars, conferences and/or retreats to ensure that they have the proper tools and knowledge to govern a charter school. Areas of training will include understanding the responsibilities of being a board member, the Brown Act, conflict of interest laws that apply to charter schools, including the Political Reform Act and anti-self-dealing provisions described in the California Corporations Code. The Board may select experts and consultants to provide this training. DLINC intends to support the Board's continuous growth by sending board members and staff to trainings offered by the California Charter Schools Association and Charter Schools Development Center.

Each member will act in accordance with both the Duty of Care: to act in good faith and with care of an ordinary prudent person; and the Duty of Loyalty: to refrain from doing anything that would cause injury to the organization.

DLINC contracts with CSMC as a back-office service provider to develop and maintain the budget. The Executive Director works closely with the back-office service provider to provide regular updates to the Board such as required reports, balance sheet statements, cash-flow status, deferral and payment schedules, audit findings, grants and other charter funding opportunities.

DLINC shall establish and provide a Uniform Complaint Policy and Procedures (UCP) in accordance with applicable federal and state laws and regulations, including but not limited to all applicable requirements of California Code of Regulations, Title 5, Section 4600 et seq.

DLINC shall adhere to all applicable federal and state laws and regulations regarding student fees, including Education Code Sections 49010 to 49013, and extend its UCP to cover complaints filed pursuant to Education Code Section 49013.

DLINC shall extend its UCP to cover complaints filed pursuant to the Local Control Funding Formula legislation provisions set forth in Education Code Section 52075, and all other legally required provisions.

### School Site Council (SSC)

The SSC meetings are held at least four times annually. The SSC meetings shall be in accordance with the Brown Act. The SSC is composed of 10 members representing all the stakeholders which include: one (1) administrator, three (3) teachers, one (1) classified employee and five (5) parents, all nominated and elected by those groups they represent. The SSC at DLINC is the vehicle through which the school community comes together to chart the Charter School's plan for improvement. The goal of the SSC is to ensure that the Charter School is continually engaged in identifying and implementing curriculum and instructional practices that result in both strengthening the core academic program and guaranteeing student access to and success in that program.

The main responsibilities of the SSC are as follows:

- Annually develop and approve the School Plan for Student Achievement (SPSA)
- Review and revise Comprehensive School Safety Plans
- Develop site level parent involvement policy
- Advise the Charter school on the parent involvement policy
- Annually review the Charter school's Title I Parent Compact (Title I)
- Advise the Charter school in the development of the Local Control and Accountability Plan prior to submission to the governing board for final adoption.

DLINC has been engaging stakeholders in discussions about SBAC and NWEA scores, academic achievement for all students, safe and drug-free schools, reading interventions for underperforming students and daily and on-time attendance. In addition, SSC has been supporting and maintaining a schoolwide focus on Common Core State Standards in English Language Arts, mathematics and social studies, on Next Generation Science Standards, and specific focus on English Language Development standards to improve student achievement of English Learners. The SSC will also be able to give updates to Board Members during the monthly Board meetings during the standing agenda item under Reports.

### English Learner Advisory Committee

To the extent that DLINC has more than 21 identified English Learners, DLINC will maintain an English Language Advisory Committee. The ELAC meetings shall be held in accordance with the Brown Act. ELAC is composed of a Teacher Program Lead and parents of English Learners. Leadership positions in ELAC are determined by group consensus and not by election. Translation is provided by parents and staff. The ELAC will also be able to give updates to Board Members during the monthly Board meetings during the standing agenda item under Reports. The purpose of ELAC is to provide parents of English learners the opportunity to:

- Participate in the Charter School's needs assessment on any issue, not limited to those pertaining to English Learners
- Advise the team leads and Charter School staff on the Charter School's program and services for English Learners

- Provide input on the most effective ways to ensure regular Charter School Attendance
- Advise the Charter School on the annual language census
- Advise the School Site Council on the development of the School Plan for Student Achievement as well as other accountability plans.

### The School-Home Connection

In accordance with the DLINC ideals, it is recognized that strong relationships between the charter school and home depend on mutual respect, trust, and communication. The best way to build such relationships is by fostering dialogue to assure that parents understand and support the fundamental mission and vision of the DLINC, and to help Charter School staff understand the needs, wishes, values and culture of parents and students. Every team lead will serve as facilitators of this process. School-home bridge-building activities may include:

- Orientation for new families to clarify the mission and vision of DLINC, the educational approach and expectations for parent participation and a description of volunteer opportunities;
- Parent meetings to solicit input on major Charter School decisions and feedback on ongoing operations;
- Invitation of parents to committee meetings and Charter School functions;
- Training in how the DLINC's assessment process works, including parents' roles in it;
- Inclusion of parents in instruction, as appropriate;
- Regular communication between parents and teachers;
- Workshops to help parents support their children's education; and
- School celebrations.

### Parental Involvement

Parental involvement is critical to the success of all students. Parents are welcomed at DLINC and are a key part of the learning process at the Charter School. Parents receive a calendar of important dates and are kept apprised of test scores across the Charter School and for their individual child, are key in the LCAP development process and their input is received through surveys and parent forums. DLINC hosts open houses, back to school nights and encourage parents to participate in field trips as well as classroom activities. Parents report to DLINC through surveys that they are well informed and welcome on campus.

In terms of educating DLINC parents, DLINC provides parents information about State Standards assessments before testing, and holds parent forums to answer any questions regarding state-mandated assessments. Teachers provide parents guidance on how they can help their child succeed at home in their studies as well. Teachers send home report cards, hold parent conferences and parents can also get updates on student progress online.

The DLINC culture involves a community of staff, parents and professionals dedicated to empowering students to achieve their goals. Learning outcomes improve when parents or guardians actively participate in their child’s education. Parents are viewed as valued partners at DLINC and are invited to volunteer in the classroom, participate in Charter School committees and school events and attend Board meetings.

DLINC will engage parents, teachers and community leaders to meet on a periodic basis to advise on the operations of DLINC, with the purpose of increasing student achievement, sense of belonging to a greater learning community and pride in how they are demonstrating their learning.

In accordance with Education Code Section 47605(n), DLINC shall not require a parent or legal guardian of a prospective or enrolled student to perform volunteer service hours, or make payment of fees or other monies, goods or services in lieu of performing volunteer service, as a condition of his/her child’s admission, continued enrollment, attendance or participation in the Charter School’s educational activities, or otherwise discriminate against a student in any manner because his/her parent cannot, has not or will not provide volunteer service to DLINC.

The PTO holds monthly bilingual parent meetings that will give parents an opportunity to be involved in the school, volunteer, share feedback, voice concerns or ask questions about the educational program at DLINC. The Executive Director and a teacher will attend all PTO meetings. The PTO also organizes fundraising and special family events at DLINC. The PTO will also be able to give updates to Board Members during the monthly Board meetings during the standing agenda item under Reports.

DLINC views parents as partners in the education of their children. As a multilingual community, parents bring a wealth of experiences to the school community. DLINC will hold monthly, bilingual parent workshops presented by the Executive Director, School Counselor, Teachers or other Parents. Below is a sample table of the topics covered during the school year.

**Table 4.2 Sample Annual Parent Workshops**

Month	Topic
August	Orientation to DLINC and the 90:10 Model
September	Back to School Night What Assessments does my Child take and What to the Results Mean?
October	How to Communicate with your Child’s Teacher(s)
November	How to Support my Child with Homework and Preparing for Assessments and Projects
December	Family Reading Night and Project-Based Learning Showcase
January	Why is Attendance Important
February	What Role do Parents play in School Climate 8 <sup>th</sup> Grade Parents – Preparing for High School
March	Open House LCAP Goals and Workshop
April	How to Support my Child’s Social, Emotional Needs
May	How can I Help Improve my Child’s Achievement over the Summer
June	End of Year Celebration and Project-Based Learning Showcase

In addition to parent and community workshops, parent resources and opportunities for involvement include:

- Coffee with the Executive Director
- Active PTO that meets monthly and sponsors field trips and activities
- Inclusion in LCAP town hall meetings
- Parent Safety Committee

### Teacher Involvement

DLINC views teachers as the experts in curriculum and instruction. As the primary executors of the DLINC's educational program, they are the day-to-day stewards of DLINC's mission and vision. Their voices will be heard as authoritative in matters related to curriculum, instruction and student achievement and as having weight in all areas of Charter School decision-making. Teachers will confer among themselves and with administrators to discuss concerns, student progress, student needs, professional development plans, long-range school plans and other governance issues.

### Student Involvement

Students' voices are respected in Charter School decisions, and their expertise about their needs and interests is acknowledged and valued. Student opinion regarding the effectiveness of instructional styles in meeting their learning needs is integral to curricular design. DLINC has a duty to be responsive to all students' needs and interests, so long as they are consistent with the DLINC's mission and vision.

DLINC also offers additional resources in the form of:

- After-school typing class for K-3 students
- After-school cooking class for K-3 students
- Enrichment and extracurricular activities

## Element 5: Employee Qualifications

***"The qualifications to be met by individuals to be employed by the charter school."  
Education Code § 47605(c)(5)(E).***

### Equal Employment Opportunity

DLINC acknowledges and agrees that all persons are entitled to equal opportunity employment and shall not discriminate against applicants or employees on the basis of the characteristics listed in Education Code Section 220, or protected by under other California or federal law. Equal employment opportunity shall be extended to all aspects of the employer-employee relationship, including but not limited to recruitment, selection, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall and dismissal from employment.

### Credentialing Requirements

DLINC shall ensure that all teachers hold the Commission on Teacher Credentialing certificate, permit or other document required for the teacher's certificated assignment. DLINC may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in the same manner as a governing board of a school district. Teachers employed by charter schools during the 2019–20 school year shall have until July 1, 2025, to obtain the certificate required for the teacher's certificated assignment. DLINC shall maintain current copies of all teacher credentials and make them readily available for inspection by the County.

### Charter School Employees

The staffing needs for DLINC are identified by the Executive Director and will be consistent with the Charter School budget as approved by the DLINC Board of Directors. The Charter School is supported by an Executive Director, classified clerical staff, paraprofessionals and certificated classroom personnel. Any changes to the staffing needs for the 2021-2026 charter term shall be reviewed by the Executive Director.

### Employee Qualifications

Before any employee can begin service at DLINC they must provide evidence of fingerprinting/background screening and tuberculosis (TB) risk assessment. These documents must be checked and verified by administrative staff. The Charter School will maintain a current copy of all employee records, which will be available for audit along with a record of their teaching credentials, fingerprinting/background screening, professional development hours and a current tuberculosis (TB) risk assessment test. All Human Resource/employee documents will be maintained and kept with accordance of the law. See Element 6 of this charter for additional information.

Within the provisions of applicable law, DLINC reserves the right to recruit, interview and hire anyone at any time who has the best qualifications to fill any of its position vacancies so long as the credentialing requirements are met. Additionally, DLINC will ensure its charter is a School of Choice and no employee will be required to work here. DLINC will comply with all state and federal laws concerning the maintenance and disclosure of employee records.

## Recruitment and Selection Process

DLINC believes that all of its employees play an important role in creating a positive, successful learning environment. DLINC will recruit professionals to fill administrative, instructional and non-instructional roles based on a demonstrated commitment to excellence and shared belief in DLINC's vision and mission. DLINC is dedicated to excellence, a key to which is the selection of well-trained individuals who can exert every effort to raise standards, to improve service, to promote a climate in which the exercise of sound personal and professional judgment is encouraged and to achieve conditions, which attract persons worthy of trust to careers in education.

The recruitment process will consist of a variety of announcements to attract a diverse teaching staff. The teacher recruitment process will include recruitment fairs, professional networks, graduate schools of education and website postings (Ed-Join, the school website, California Charter Schools Association, Charter Schools Development Center). DLINC may also advertise in community and regional newspapers.

## Job Descriptions and Qualifications

### Executive Director

The Executive Director is the Chief Executive Officer of the charter school. He or she is responsible for the effective operation of the Charter School, general administration of all instructional, business or other operations necessary to the running of the Charter School. The Executive Director will administer and supervise the Charter School and its employees, lead development of educational program improvement, foster a culture of positive, engaged learners and serve as a strong advocate for the Charter School's core values.

The Executive Director provides organizational leadership and supervises all programs. The Executive Director reports to the DLINC Board of Directors. The Executive Director is the chief spokesperson for the Charter School and is responsible for working with all key stakeholders invested in the charters and works closely with the Board of Directors to execute long-term strategic growth of the organization.

The Executive Director will work with DLINC staff to plan and design innovative curriculum, implement teacher training, ensure that the expanding Charter School program provides all students with State Standards based academics and that students receive enrichment through arts, robotics, physical education and world language instruction.

The Executive Director will work collaboratively with all key stakeholders of the DLINC community to provide consistent and effective school leadership. Responsibilities and duties include, but are not limited to:

- Instructional leadership
- Effective management and supervision of operations
- Timely and appropriate communications to all stakeholders
- Fiscal management
- Ensure compliance with educational requirements

#### Executive Director Qualifications:

- Bachelor's degree or higher
- Valid California Administrative Credential (preferred)
- Minimum three years teaching experience
- Experience coaching and developing staff
- Knowledge of local, state and federal laws applying to public schools
- Laws and regulations specific to charter schools
- Budget preparation and control procedures
- Promotion and marketing of the program
- Communicating clearly and effectively with key stakeholders

#### Teachers

DLINC teachers will meet all California credentialing requirements as they apply to charter schools pursuant to Education Code Sections 47605(l) and 47605.4(a). DLINC may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in the same manner as a governing board of a school district. Teachers employed by charter schools during the 2019–20 school year shall have until July 1, 2025, to obtain the certificate required for the teacher's certificated assignment.

Teachers at DLINC will be expected to be collaborative, and committed to continuous improvement by reflecting on teaching practices and multiple data points to assess effectiveness. Teachers should demonstrate knowledge of how to engage and support all learners through inquiry and differentiated instruction. DLINC teachers are expected to communicate often and effectively with students and parents. All teachers should possess core values of respect and appreciation for all races and cultures.

#### Core Competencies of Teachers:

- Knowledge of State Standards-based instruction, ability to align curriculum and standards to student needs.
- Willingness to adopt assessment practices that can be used in State Standards-based evaluation of student learning.
- Knowledge of student assessment and the ability to use data to inform teaching practices.
- Ability to effectively use a broad range of instructional designs, instructional strategies, teach the curriculum with fidelity, provide a flexibly paced coherent curriculum, establish challenging standards-based goals and effective student feedback.
- Demonstrated competence using advanced technology skills as an integrated learning tool.
- Effective classroom management skills that contribute to student collaboration.
- Build student independence and active engagement.

- Willingness to work as a vital part of the DLINC team to ensure continuous improvement for students, staff and the DLINC community as a whole.
- Willingness and ability to work with students and parents on an ongoing basis to ensure student success.
- Love of students, enthusiasm for innovative teaching designs, instructional flexibility and the belief that all students can succeed.
- Desire and ability to engage in continuing research-based education dialogue, staff development and positive interactions within the established professional learning community.
- Positive references from most recent employment and/or college/graduate school.

Teacher Qualifications:

- Bachelor's Degree
- Master's Degree preferred
- California Teaching Credential required for the particular assignment (Multiple or Single Subject (CLAD, BCLAD and Education Specialist Instruction with Autism Rider as appropriate)
- Commitment to DLINC's Vision and Mission

TK Teachers will have one of the following credentials issued by the Commission on Teacher Credentialing (CTC) and shall have one of the following:

- At least 24 units in early childhood education, or childhood development or both
- As determined by the local education agency employing the teacher, professional experience in a classroom setting with preschool age children that is comparable to the 24 units of education described above.
- A child development permit issued by the CTC.

[Enrollment Counselor](#)

The Enrollment Counselor will work collaboratively with his/her team to continue to strengthen and grow DLINC and support the mission and vision of the Charter School.

Essential Duties and Responsibilities:

- Ensures all personal information regarding students is kept confidential and private.
- Checks with the team concerning calls and e-mail messages regarding prospective enrollment and provides information concerning the programs offered, and Charter School policies and procedures.
- Checks and responds to voice and e-mails in order to ensure questions and concerns are addressed.

- Trains team members in following procedures required when answering phone calls/e-mail messages and forwarding the designated paperwork required for school entry.
- Monitors paperwork submissions and compliance items according to with the enrollment process policies.
- Assists in initiating telephone calls to verify, receive or transmit information; receives, opens and screens incoming mail.
- Expedites information, facilitates implementation of policies and programs and assures timely communications.
- Identifies special needs or accommodations from student registration information and forwards documentation to the appropriate department.
- Performs technical and specialized functions in the processing of enrollment, placement and accommodations.
- Follows procedures required to request enrollment records from the student's previous school needed to complete the admissions phase or upon completion of the admissions phase.
- Serves as a reference source, providing detailed information and assistance to the Home Office Staff, parents and the public regarding enrollment policies.

#### Enrollment Counselor Qualifications:

- Minimum Associate's Degree
- Bachelor's Degree Preferred
- Must have data entry experience
- Communicates effectively both orally and in writing

#### [Registrar/Student Records Clerk](#)

The Registrar will work collaboratively with his/her team to continue to strengthen and grow DLINC and support the mission and vision of the Charter School.

#### Essential Duties and Responsibilities:

- Responsible for the maintaining, tracking and communicating of student records.
- Verifying of attendance, grading and transcripts for all students.
- Collaborates with other departments in ensuring accuracy of state reports.

#### Registrar/Student Records Clerk Qualifications:

- Associate's Degree
- Minimum of two years previous Registrar experience
- Excellent communication
- Highly proficient in Google Apps and Microsoft Office Suite
- Ability to work collegially with others in the organization

### Instructional Aides/Yard Aides

DLINC employs instructional aides for classroom support or supervisors for student breaks.

Qualifications:

- Strong communication skills
- Be trained in and willing to continue learning how to manage student behavior and implement instructional strategies.
- Be able to foster positive interactions with children, staff and parents.

### Staff Evaluations

All DLINC staff will submit to an evaluation process at the close of each school year in order to provide feedback on teaching, learning and assessment processes (certificated staff) or job mastery (classified staff) and to provide DLINC leadership guidance toward initiatives for the up and coming school year. Staff will complete a self-evaluation that covers the following categories:

- Job knowledge
- Productivity
- Quality
- Dependability
- Initiative
- Communication
- Teamwork/Cooperation
- Student/Family Support

Upon the close of the evaluation, all DLINC staff will work with DLINC program leads on the establishment of new performance objectives for the following school year that will help each staff member master their professional job processes. The performance objectives will be SMART:

- S – specific, significant and stretching
- M – measurable, meaningful and motivational
- A – agreed upon, attainable, achievable, acceptable and action-oriented
- R – realistic, relevant, reasonable, rewarding and results-oriented
- T – time-based, timely, tangible and trackable

The DLINC staff will be evaluated using the following Rating Scale:

Rating		Descriptor
5	Exceptional	Performance far exceeded expectations due to exceptionally high quality of work performed in all essential areas of responsibility, which resulted in overall quality of work that was superior with significant or unique contribution in support of program, school, and/or organizational objectives. This rating is achievable by any employee though given infrequently, and should be reserved for the top 1% (or less).

4	Exceeds Expectations	Performance consistently exceeded expectations in all areas of responsibility. The quality of work regularly exceeded normal expectations
3	Meets Expectations	Performance consistently met expectations in all essential areas of responsibility, at times possibly exceeding expectations, and the quality of work overall was very good.
2	Improvement Needed	Performance did not consistently meet expectations in one or more essential areas of responsibility or achievement of goals.
1	Unsatisfactory	Performance was consistently below expectations in most essential areas of responsibility, and/or reasonable progress toward critical goals was not made. Significant improvement is required in one or more important areas.

## Element 6: Health and Safety Procedures

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

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

***(ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282.***

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

DLINC is committed to implementing and maintaining policies to ensure the health and well-being of everyone at its school site.

Annually, DLINC adopts, implements and maintains at all times a current, comprehensive Health, Safety and Emergency Preparedness Plan (“Plan”), which must include but is not limited to provisions for building and site emergency evacuation, the acquisition and maintenance of adequate onsite emergency supplies, fire, flood, earthquake and terrorist threat procedures and hostage situations.

The Plan includes DLINC’s requirements and procedures for protecting student health and safety during off-campus school-sponsored activities, including but not limited to field trips and transportation. DLINC shall ensure that all staff members receive annual training on Charter School’s health, safety and emergency procedures, including but not limited to training on blood borne pathogens, and shall maintain a calendar for, and conduct, emergency response drills for students and staff. Staff shall also receive training in emergency response, including appropriate “first responder” training or its equivalent.

DLINC shall annually review, update and/or modify as necessary, the Health, Safety and Emergency Preparedness Plan, and keep it readily available for on-site use and training. DLINC shall provide a copy of the Health, Safety and Emergency Preparedness Plan and subsequent updates to the County for review.

### **Mandated Child Abuse Reporters**

All employees of the Charter School shall be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by school districts. The Charter School shall provide mandated reporter training to all employees annually in accordance with Education Code Section 44691.

### **Athletic Programs**

DLINC shall comply with the requirements of Education Code Section 49475, with respect to any athletic program (as defined in Education Code Section 49475) offered by or on behalf of DLINC.

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

DLINC is committed to providing a school that is free from discrimination and sexual harassment as well as any harassment based upon the actual or perceived

characteristics of race, religion, creed, color, gender, gender identity, gender expression, nationality, national origin, ancestry, ethnic group identification, genetic information, age, medical condition, sex and pregnancy, physical or mental disability, childbirth or related medical conditions, military and veteran status, denial of family and medical care leave or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics or any other basis protected by federal, state, local law, ordinance or regulation. DLINC has developed a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at DLINC (including employee-to-employee, employee-to-student and student-to-employee misconduct). Reported incidents of this nature are very serious and are addressed in accordance with AB 543 (EC Sections 231.5 and 231.6).

copy of the policy shall be provided as part of any orientation program conducted for new and continuing pupils at the beginning of each quarter, semester, or summer session, as applicable, and to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or at the time that there is a new employee hired. The Charter School shall create a poster that notifies students of the applicable policy on sexual harassment in accordance with Education Code Section 231.6, and shall prominently and conspicuously display the poster in each bathroom and locker room at the schoolsite and in public areas at the schoolsite that are accessible to, and commonly frequented by, pupils.

DLINC, including its employees, officers, and representatives, shall comply with FERPA and Education Code Section 49060 et seq. at all times.

Parents and eligible students shall receive a notice of their rights under FERPA. The notice shall inform the parents and eligible students that they have the right to:

- Inspect and review the student's education records;
- Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading or otherwise in violation of the student's privacy rights;
- Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA and the Code of Federal Regulations authorize disclosure without consent; and
- File with the Department of Education a complaint concerning alleged failures by the Charter School to comply with the requirements of FERPA and its promulgated regulations.
- Request that the Charter School not release student names, addresses and telephone listings to military recruiters or institutions of higher education without prior written parental consent.

### [Procedures for Background Checks](#)

Employees and contractors of DLINC will be required to submit to a criminal background check and to furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1, and must submit two sets of fingerprints to the California department of Justice for the purpose of obtaining a criminal record summary. The Charter School shall not hire any person, in either a certificated or classified position, who has been

convicted of a violent or serious felony except as otherwise provided by law, pursuant to Education Code Sections 44830.1 and 45122.1.

The Executive Director shall be the Custodian of Records, as required by the California Department of Justice, to monitor compliance with this policy and report to the Charter School Board of Directors on a regular basis. The Board President shall monitor the fingerprinting and background clearance of the Executive Director.

Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

DLINC shall maintain on file and have available for inspection evidence that: (1) DLINC has performed criminal background checks and obtained clearance for all employees prior to employment; (2) DLINC has obtained certification from each of its contracting entities/independent contractors that the entity/contractor has conducted required criminal background clearances for its employees prior to provision of school site services and/or any contact with students, and has requested subsequent arrest notification service; and (3) DLINC has performed criminal background checks and obtained clearance for all volunteers not directly supervised by staff and who may have contact with students.

DLINC shall also ensure that it requests and receives subsequent arrest notifications from the California Department of Justice for all employees and volunteers not directly supervised by staff. Upon request, DLINC shall provide a copy of Department of Justice confirmation of Custodian of Records status for each Custodian of Records. DLINC, including its administrators and officers, shall comply with the requirements of Education Code Sections 44030.5.

#### **Tuberculosis Risk Assessment and Examination**

All employees and volunteers who have frequent or prolonged contact with students, will be assessed and examined (if necessary) for tuberculosis prior to commencing employment and working with students, and for employees at least once each four years thereafter, as required by Education Code Sections 49406. DLINC shall maintain TB clearance records and certificates on file.

#### **Immunizations**

All DLINC staff and students will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster.

DLINC shall maintain student immunization, health examination and health screening records on file.

#### **Medication in School**

DLINC will adhere to Education Code Section 49423 regarding administration of medication in school.

DLINC shall stock and maintain the required number and type of emergency epinephrine auto-injectors onsite and provide training to employee volunteers in the storage and use of the epinephrine auto-injector as required by Education Code Section 49414.

DLINC staff is responsible for overseeing the administration of medication to students attending the Charter School hours. It is imperative that practices followed in the administration of medication be carefully delineated to ensure the safety of DLINC's students and the legal protection of its employees. Any student who is required to take, during school hours, medication prescribed for him or her by a physician or surgeon may be assisted by designated Charter School personnel or may carry and self-administer prescription auto-injectable epinephrine if DLINC receives the appropriate written statements.

In order for a student to carry and self-administer prescription auto-injectable epinephrine, DLINC shall obtain both a written statement from the physician or surgeon detailing the name of the medication, method, amount and time schedules by which the medication is to be taken, and confirming that the student is able to self-administer auto-injectable epinephrine, and a written statement from the parent, foster parent or guardian of the student consenting to the self-administration, providing a release for the designated Charter School personnel to consult with the health care provider of the student regarding any questions that may arise with regard to the medication, and releasing DLINC and Charter School personnel from civil liability if the self-administering student suffers an adverse reaction as a result of self-administering medication.

In order for a student to be assisted by designated Charter School personnel, DLINC shall obtain both a written statement from the physician detailing the name of the medication, method, amount and time schedules by which the medication is to be taken and a written statement from the parent, foster parent or guardian of the student indicating the desire that the Charter School assist the student in the matters set forth in the statement of the physician.

Guidelines:

- The primary responsibility for the administration of medication rests with the parent/guardian, student and medical professional.
- Medication shall be administered only during school hours if determined by a physician to be necessary.
- Designated staff shall keep records of medication administered at the Charter School.
- All medication will be kept in a secure and appropriate storage location and administered per physician's instructions by appropriately designated staff.
- Designated staff shall return all surplus medication to the parent/guardian upon completion of the regimen or prior to extended holidays.
- Designated staff shall establish emergency procedures for specific medical conditions that require an immediate response (i.e. allergies, asthma, diabetes).

- The written statements specified in this policy shall be provided at least annually and more frequently if the medication, dosage, frequency of administration or reason for administration changes.
- A student may be subject to disciplinary action if that student uses auto-injectable epinephrine in a manner other than as prescribed.

### Vision/Hearing/Scoliosis

Students shall be screened for vision, hearing and scoliosis. DLINC shall adhere to Education Code Section 49450 *et. seq.* as applicable to the grade levels served by the Charter School.

### Diabetes

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

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

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

### Prevention of Human Trafficking

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

### Feminine Hygiene Products

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

### California Healthy Youth Act

DLINC shall teach sexual health education and human immunodeficiency virus (HIV) prevention education to students in grades 7-12, at least once in middle school, pursuant to the California Healthy Youth Act (Education Code Section 51930, *et seq.*).

### Comprehensive Health, Safety and Emergency Preparedness Plan

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

- child abuse reporting procedures
- routine and emergency disaster procedures
- policies for students who committed an act under Education Code Section 48915 and other Charter School-designated serious acts leading to suspension, expulsion, or mandatory expulsion recommendations
- procedures to notify teachers of dangerous students pursuant to Education Code Section 49079
- a discrimination and harassment policy consistent with Education Code Section 200
- provisions of any schoolwide dress code that prohibits students from wearing "gang-related apparel," if applicable
- procedures for safe ingress and egress of pupils, parents, and employees to and from the Charter School
- a safe and orderly environment conducive to learning
- the rules and procedures on school discipline adopted pursuant to Education Code Sections 35291, 35291.5, 47605, and 47605.6
- procedures for conducting tactical responses to criminal incidents

### Bullying Prevention

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

### Blood Borne Pathogens

DLINC shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. The DLINC Board has established a written "Exposure Control Plan" designed to protect employees from possible infection due to contact with blood borne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV). Whenever exposed to blood or other body fluids through injury or accident, students and staff should follow the latest medical protocol for disinfecting procedures. All staff are mandated to complete the online Blood Borne Pathogens course within the first month of employment and annually thereafter.

### Safe Place to Learn Act

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

### Alcohol-, Drug- and Smoke-Free Environment

DLINC shall function as a drug-, alcohol- and smoke-free environment. DLINC will host activities that promote a drug-, alcohol- and smoke-free environment. These may include

student assemblies, review of the procedures outlined in the Parent and Student Handbook and Red Ribbon Week activities.

#### Procedures for Campus Visitors

No visitors shall enter or remain on school grounds during school hours without having registered with the Executive Director or designee, except to precede expeditiously to the office of the Executive Director or designee for the purpose of registering. If signs posted in accordance with Section 627.6 restrict the entrance or route that visitors may use to reach the office of the Executive Director or designee, a visitor shall comply with such signs. (Penal Code § 627.)

#### Cal/OSHA, FMLA and CFRA Compliance

DLINC will comply will all applicable laws relating to charter schools in meeting the requirements of Cal/OSHA, Family and Maternity Leave Act (FMLA) and the California Family Rights Act (CFRA).

#### Facility Safety

DLINC shall comply with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the California Building Standards Code. DLINC currently operates in a facility that complies with all applicable laws, including access requirements of the federal American Disabilities Act (ADA) as applicable. DLINC will comply with all zoning, building, fire, health and structural safety regulations applicable to charter schools, and will maintain file records documenting compliance. DLINC agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. DLINC shall conduct fire drills as required under Education Code Section 32001.

As required by law, DLINC will maintain a copy of Certificate of Occupancy (or its equivalent) and/or facilities inspections on file and ready for inspection. As required by law, DLINC will provide the County with documentation that its facility complies with the Field Act or the California Building Standards Code and will provide related documentation prior to the start of the school year.

## Element 7: Means to Achieve Racial and Ethnic Balance

***“The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated, fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. Upon renewal, for a charter school not deemed to be a local educational agency for purposes of special education pursuant to Section 47641, the chartering authority may consider the effect of school placements made by the chartering authority in providing a free and appropriate public education as required by the federal Individuals with Disabilities Education Act (Public Law 101-476), on the balance of pupils with disabilities at the charter school.” Education Code § 47605(c)(5)(G).***

DLINC participates in a number of outreach events in an effort to increase student enrollment and continue to develop its diverse student population. During the months of January through March, DLINC will post information about the Charter School and the open enrollment period on the school website and in around the community in English and Spanish. These postings will be within 10 miles of the school site at grocery stores, churches, community centers and childcare centers. There will be two Prospective Parent Meetings/Orientations held in the evening during the months of January through March at the school site and in the community. Attendance at the meetings in no way impacts the student’s admission or enrollment. There will be scheduled tours monthly to allow prospective parents/guardians to visit the Charter School and the classrooms. Prospective parents are invited to the Charter School’s Open House in April. In addition, student-led clubs hold regular bake sales. DLINC’s students participate in a number of competitions that include Spelling Bee, Geography Bee, First Robotics Competition, World Link Youth Town Meeting and Maker Faire, in Balboa Park. DLINC participates yearly in the Vista Chamber of Commerce Christmas Parade, the Vista Strawberry Festival, and the Del Mar Kids’ Expo. Currently, DLINC has a partnership with Maker Place and has a number of corporate sponsors who sponsor extra-curricular activities at the site.

DLINC anticipates that the Dual Language Immersion program will continue to be an attractive educational option for many families. To create a school community that reflects the diversity of the general populations residing within San Diego County, DLINC will strive to recruit students from a range of racial, ethnic, linguistic, ability, and socioeconomic backgrounds. The Dual Language Immersion program also brings a sense of validation to families from diverse and multicultural backgrounds, which will help in DLINC’s recruiting efforts. The Charter School commits itself to measurable efforts designed to show its continued commitment to a diverse student body.

DLINC will maintain an accurate accounting of the population balance of ethnic and racial students, special education students, and English learner students as well as progress toward meeting the goal of enrolling a diverse student body representative of the community (See Charter School’s Outreach Efforts to Recruit Students with Disabilities

in Element One) and 50% of students who are Native Spanish speakers. Annually, DLINC will audit the data about students enrolled in the Charter School and will use this information to determine where additional outreach efforts are needed.

### Charter School's Outreach Efforts to Recruit Students who are Native Spanish Speakers

DLINC expects that the number of students who are native Spanish speakers it serves will reflect the proportion of languages ideal for a Dual Immersion program, which is to have 50% of its students as native English speakers (or other native language other than Spanish) and 50% of its students as native Spanish speakers. DLINC will make efforts in its student recruitment process to ensure that the Charter School will attract students who are native Spanish speakers. Recruitment efforts toward this special population of students and their families will include:

1. Open-house informational sessions that are held at the school and in the community in Spanish.
2. Advertise Charter School throughout the Vista community in English and in Spanish. DLINC will advertise at the following locations: at churches and centers of worship with Spanish services like St. Francis of Assisi, North Coast Church, Vista Iglesia Adventista del Séptimo Día, Tri-City Bible Church, Victory Outreach Vista and Iglesia Ni Cristo; pre-schools for students who speak Spanish, like in-home care, Head Start, Super Spanish and Stars Montessori; markets where most of the clientele speaks Spanish, like Tortillera Los Reyes, Primo Food Mart and Rodeo's Market; the Vista Family Health Center; and other salons and retail stores.
3. One-on-one meetings in Spanish between the Charter School and parents of Spanish speaking students who express interest in learning more about how DLINC will ensure biliteracy for their child.
4. Parents of Spanish speaking students will be encouraged to tour the school, attend an Orientation and/or Open House conducted in Spanish so parents can ask questions, see the classrooms, and witness the teaching and learning.

A responsive school website was developed and optimized for both desktop and mobile view (<https://www.dlinorthcounty.org>) New school literature will be developed including a tri-fold brochure translated into both English and Spanish. New banner stands and table displays will also be developed for community outreach.

#### Website Design

- Translate the DLINC website to provide the audience with an option to view the site in English or Spanish

#### Search Engine Optimizer

- Optimize the site for Spanish language

#### Email Communications

- Update lead forms to include an option to receive email communications from the school in either English or Spanish

### Traditional Media Advertising

- Media buys to include outlets serving Native Spanish speakers
- School enrollment information to be included in both English and Spanish in direct mail communications

### Accessibility

- All printed collateral are available in both English and Spanish

### Charter School's Outreach Efforts to Recruit Students who are Educationally Disadvantaged

DLINC will aim marketing and outreach efforts toward educationally disadvantaged students, in addition to the strategies previously described to ensure a diverse student population. DLINC will use data from neighborhood community plans to inform marketing efforts. Research studies have demonstrated that socioeconomically disadvantaged students attending charter schools have been far more successful than those attending non-charter schools (The Unappreciated Success of Charter Schools, Forbes Magazine). In all discussions and meetings held during outreach efforts, the focus will be on the Charter School's vision to empower global leaders, give each child the tools for high academic achievement, a bilingual education and ensure access to the curriculum.

The Charter School will continue to engage in ongoing recruitment and outreach efforts as described above with the continued development of marketing materials, advertising, online and social media presence, hosting and attendance at community events and continued efforts to establish community partnerships. The Charter School budget includes financial resources allocated to outreach efforts. DLINC will furnish the County annual documentation of ongoing recruitment and outreach efforts.

## Element 8: Admission Requirements

***“Admission policies and procedures, consistent with [Education Code Section 47605] subdivision (e).” Education Code § 47605(c)(5)(H).***

The Charter School will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition or discriminate against any student based upon any of the characteristics listed in Education Code Section 220.

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

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

The Charter School will comply with 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. The Charter School will provide specific information, in its outreach materials, websites, at community meetings, open forums and regional center meetings, that notifies parents that Charter School is open to enroll and provide services for all students, and provides a standard contact number for access to additional information regarding enrollment.

The Charter School will maintain complete and accurate records of its annual admissions and enrollment processes, including but not limited to documentation of implementation of the lottery and waitlist criteria and procedures in accordance with the terms of the Charter. These records shall be made available to the County upon request.

DLINC’s admissions policy has been designed to reach out to families from a variety of racial, ethnic, learning, and socioeconomic backgrounds.

## Lottery Procedures and Admission Process

During the open enrollment period, the parent or guardian will complete a nondiscriminatory intent to enroll form. The parent or guardian will be encouraged to attend an orientation session, a variety of which will be scheduled to accommodate a range of schedules, with translation provided as needed. Charter School staff shall also be available to speak with interested parents or guardians via phone or in the Charter School office, in the event they cannot attend an orientation session. The annual orientation details the expectations of the families who elect to enroll at DLINC and provide opportunities for families to ask questions and become familiar with the school facility and community.

Intent to enroll forms will be accepted during a publicly advertised open enrollment period for 60 days between January and May. In the event that any grade level has received more intent to enroll forms than availability, DLINC will hold a public random lottery to determine enrollment for the impacted grade level(s) with the exception of existing students of DLINC, who are guaranteed enrollment in the following school year. Lottery preferences in the case of a public random drawing shall be given to the following students in the following order:

- Residents within the boundaries of Vista Unified School District
  - Siblings of students admitted to or attending the Charter School
  - Children of employees or Board Members
  - Students who are currently enrolled in or who reside in the attendance area of the local public elementary school in which the Charter School is located (for purposes of the SB 740 Charter School Facility Grant Program)
  - All other in-district students
- Residents outside the boundaries of Vista Unified School District
  - Siblings of students admitted to or attending the Charter School
  - All other out-of-district students
- All other students

The Charter School and the County agree to adhere to the requirements related to admission preferences as set forth in Education Code Sections 47605(e)(2)(B)(i)-(iv).

All lottery rules and procedures will be posted on the website for a minimum of 30 days prior to the lottery and also made available at the Charter School's main office.

- All interested parties will know, prior to the holding of the lottery, how many openings are available in the Charter School for the different grades served by the Charter School.
- The lottery will take place on the Charter School campus in a facility large enough to allow all interested parties to observe the drawing, or at another public venue near the Charter School large enough to accommodate all interested parties. If local or state health directives demand it, the lottery will be made available for viewing on the internet.

- During an open enrollment period, which will be at least 60 days long and occur within the months of January through May, interested parties will complete an intent to enroll form with the name, grade, and contact information of their students in order to participate in the lottery, if one is needed.
- The lottery will take place on a weekday evening or other time when most interested parties are available, within 30 days of closing the open enrollment period. Parents do not have to be present in order for the student to participate in the lottery.
- Enrollment lotteries shall be conducted for each grade in which there are fewer vacancies than pupils interested in attending. All lotteries shall take place on the same day in a single location. Lotteries will be conducted in ascending order beginning with the lowest applicable grade level. There is no weighted priority assigned to the preference categories; rather, within each grade level, students will be drawn from pools beginning with all applicants who qualify for the first preference category, and shall continue with that preference category until all vacancies within that grade level have been filled. If there are more students in a preference category than there are spaces available, a random drawing will be held from within that preference group until all available spaces are filled. If all students from the preference category have been selected and there are remaining spaces available in that grade level, students from the second preference category will be drawn in the lottery, and the drawing shall continue until all spaces are filled and preference categories are exhausted in the order provided above.
- Once capacity has been reached for a grade, the names are placed on a waiting list in the order in which they were drawn. This wait list will allow students the option of enrollment in the case of an opening during the current school year. In no circumstance will a wait-list carry over to the following school year.
- An adult citizen of good standing, not otherwise employed by the Charter School, will testify in writing, under penalty of perjury, that he or she personally witnessed the lottery pursuant to the above, and that it was random, public and fairly executed as described above. This documentation will be on file in the DLINC main office and available upon request.
- All applicants who are admitted to the Charter School will receive notification in writing by U.S. mail and will receive five business days to respond to the Charter School either in writing, in person or by phone, fax or e-mail of their intention to accept or decline the offer for enrollment. If there is no response after five business days, a phone call will be made to the prospective applicant on two separate occasions and then the vacancies will be considered declined and the application will be withdrawn and will be offered to the next student on the waiting list.
- Vacancies that become available during the school year will be filled in order from the numbered applicants on the waiting list within five business days. In the event there are no applicants on the waiting list, new students may apply to enter the Charter School. The parent/guardian of a new student after the school year has started will be encouraged to attend one orientation/informational meeting with the Executive Director or another designated staff member to ensure understanding of the Charter School's mission, educational program, and requirements. Charter

School staff shall also be available to speak with interested parents or guardians via phone or the Charter School's Office, in the event they cannot attend an in-person meeting.

- All waiting lists extinguish annually at the end of the Charter School's formal academic year.

### Enrollment Procedures

After admission, the Charter School staff will meet with the enrolled student and parent or guardian to assure that the parents or guardians are making an informed educational choice for their child. The student and the parents must sign statements indicating that they are familiar with and agree to abide by all policies and procedures set forth in the Parent and Student Handbooks, which will be given to them before the student begins school.

Upon enrollment, DLINC will request student records from the prior school district of enrollment. The process of identifying and serving all students begins with a detailed enrollment packet after students have been admitted. Families choosing to attend DLINC after acceptance through the lottery will complete an enrollment packet that will include the following, if the student is not a child of a homeless individual or a homeless youth pursuant to the McKinney-Vento Homeless Assistance Act:

- Proof of Minimum Age Requirements
- Free and Reduced Lunch Application
- Immunization Record
- Utility Bill or similar (to verify address)
- Physician Record
- Health Card
- Report Card
- Home Language Survey
- Release of Records Form
- Standardized Test Results
- Copy of IEP or 504 if applicable
- GATE Program if applicable
- EL Status or ELPAC Scores

Based on data gathered from existing documentation and the DLINC Intake Procedure, the staff of DLINC makes every effort to identify needs early on and begin the process of addressing those needs.

## Element 9: Annual Financial Audits

***“The manner in which annual, independent, financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.” Education Code § 47605 (c)(5)(I).***

An annual independent financial audit of the books and records of DLINC shall be conducted as required by Education Code Sections 47605(c)(5)(I) and 47605(m). The books and records of the Charter School 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.

DLINC will avail itself of the well-tested plans and systems used at reputable high-quality charter schools to develop an internal process to provide information for an independent audit.

### Annual Audit Procedures

The Board of Directors shall be responsible for contracting with and overseeing an independent auditor through a request for proposal format. The auditor will have, at a minimum, a CPA and experience in an educational institution, and will be approved by the State Controller on its published list as an educational audit provider. The audit will be produced according to generally accepted accounting principles and will verify the accuracy of the Charter School's financial statements, average daily attendance, enrollment accounting practices, state compliance and review the Charter School's internal controls. 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.

To ensure sound fiscal practices throughout the school year, DLINC shall be supported by a back-office service provider to manage the Charter School’s financial operations and maintain a sound internal control policy. Contracted services may include, but are not limited to, budgeting, fiscal planning, vendor services, personnel and payroll, accounts payable, attendance tracking systems, completion and submission of compliance reports and monitoring adherence to the charter process and laws. The Executive Director will refer to the “Standards and Procedures for Audits of K-12 Local Educational Agencies” (Audit Guide) to ensure compliance with all requirements. The Executive Director will work with the back-office service provider to provide the information needed for the independent audit.

DLINC will transmit a copy of the annual, independent financial audit for the preceding fiscal year to the County Superintendent of Schools, the State Controller and the California Department of Education by December 15th of each year. Should the audit note any exceptions or deficiencies, DLINC will follow the procedures below:

- The Executive Director, along with the audit committee of the Board of Directors, will review any audit exceptions or deficiencies and report to the Board of Directors with recommendations on how to resolve them.
- The Board will submit a report to the County describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the County along with an anticipated timeline for the same.
- Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel (“EAAP”) in accordance with applicable law.

#### Auditor

DLINC will comply with all auditor selection requirements and will notify the proper authorities as required.

DLINC’s current auditor is:

Squar Milner  
3655 Nobel Dr. Ste. 450  
San Diego, CA 92122  
(858) 597-4100

The independent financial audit of DLINC is a public document and will be made available to the public upon request. For reasonable cause, the County may engage audits of Charter School’s finances at any time. DLINC will ensure there is money in the budget to cover the costs of the audit.

## Element 10: Suspension and Expulsion Procedures

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

- (i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil’s side of the story.***
- (ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:***
  - (I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil’s basic rights.***
  - (II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.***
- (iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five school days before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil’s parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil’s educational rights holder, and shall inform the pupil, the pupil’s parent or guardian, or the pupil’s educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil’s parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, “involuntarily removed” includes disenrolled, dismissed, transferred or terminated, but does not include suspensions specified in clauses (i) and (ii).”***

**Education Code § 47605(c)(5)(J).**

In order to maintain a safe learning environment, DLINC will implement effective suspension and expulsion procedures, which will be specific and concrete and annually reviewed by the Board of Directors according to input from the Charter School community. Suspension and expulsion policies will include the right for due process, and will be consistent with all applicable laws and in consideration of court precedents. Any revisions to the policies will be with the ultimate goal to empower parents and students with the

opportunity to acquire and demonstrate leadership skills like problem solving, conflict resolution, collaborative decision-making and the ability to consider other viewpoints as well as take personal ownership of life situations.

### Charter School Community

DLINC staff and teachers will use positive discipline methods to create a caring school community and teach students effective behavior management skills as well as how to be accountable for their actions. Teachers at DLINC will create a safe, inclusive learning environment that fosters a sense of belonging and significance. DLINC will implement Restorative Circles which include weekly class meetings that help students feel ownership of their classroom because their thoughts and feelings will be regularly heard and valued. Class meetings will also incorporate character/leadership building activities and restorative circles to teach students about showing respect, cooperation and concern for others and problem-solving skills. All teachers will be fair and uphold schoolwide expectations for behavior at DLINC as part of the Positive Behavior Support System. When dealing with a situation, teachers will prompt students to think about and reflect on their choices. When students evaluate their behavior and feel like they have a voice, they are empowered to make better decisions and learn from their mistakes. All teachers have also been trained on the Sanford Harmony program which addresses valuing diversity, understanding, communication and problem solving.

### School Climate and Discipline Policy

As part of the educational mission of DLINC, administrators, faculty, and staff are all responsible for ensuring that DLINC is a safe and secure environment. DLINC considers suspension and expulsion as a last resort. Whenever possible, DLINC will employ alternatives to suspension. The Executive Director or designee has the authority to suspend students when necessary and will be responsible for maintaining records of all suspensions. DLINC will follow all applicable federal and state laws regarding special education, discipline, confidentiality and access to records. DLINC shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available to the County upon request.

This Suspension and Expulsion Policy and Procedures have been established in order to promote learning and protect the safety of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describe the offenses for which students at non-charter schools may be suspended or expelled and the procedures governing those suspensions and expulsions in order to establish its list of offenses and procedures for suspensions, expulsions, and involuntary removal. The language that follows is largely consistent with the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions, expulsions, and involuntary removals, and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

While suspension and expulsion are to be regarded as a last resort, the Charter School has developed parent and student handbooks to communicate the suspension and expulsion policy prior to the start of the school year. The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures and distributed as part of the parent

and student handbook. The notice shall state that this Policy and Procedures are available on request at the Executive Director's office.

Consistent with this Policy, it may be necessary to suspend or expel a student from regular classroom instruction. This shall serve as the Charter School's policy and procedures for student suspension, expulsion, and involuntary removal, and it may be amended from time to time without the need to seek a material revision of the charter so long as the amendments comport with legal requirements.

Teachers and administrators are responsible for disciplining students. Charter School staff shall enforce disciplinary policies and procedures fairly and consistently among all students. Discipline includes but is not limited to advising and counseling students, conferring with parents/guardians, detention during and after school hours, use of alternative educational environments, restorative circles or suspension. Administrators can recommend expulsion. This Policy and its Procedures will be printed and distributed annually as part of the Student Handbook which will clearly describe discipline expectations.

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

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

DLINC 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, expulsion, and involuntary removal, including rights to appeal.

DLINC shall be responsible for the appropriate interim placement of students during and pending the completion of the Charter School's student expulsion process.

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the applicable provisions of the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by the Charter School for any reason unless the parent/guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action. The

written notice shall be in the native language of the student or the student's parent/guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform the student, the student's parent/guardian, or educational rights holder of the basis for which the student is being involuntarily removed and the student's parent/guardian, or educational rights holder's right to request a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

#### **A. Grounds for Suspension and Expulsion of Students**

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

#### **B. Enumerated Offenses**

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

- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Harassed, threatened or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- n) Unlawfully offered, arranged to sell, negotiated to sell or sold the prescription drug Soma.
- o) Engaged in or attempted to engage in hazing. For the purposes of this policy, "hazing" means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current or prospective student. For purposes of this policy, "hazing" does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this policy, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for their own safety or for their immediate family's safety or for the protection of school property, which includes but is not limited to, electronic files and databases or the personal property of the person threatened or their immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile or offensive educational environment. This provision shall apply to students in any of grades 4 to 12, inclusive.
- r) Caused, attempted to cause or threatened to cause or participated in an act of hate violence, as defined in Education Code Section 233(e). This provision shall apply to students in any of grades 4 to 12, inclusive.

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

reasonably believed, that the student was or is the student who was impersonated.

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

iii. An act of cyber sexual bullying.

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

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

- w) A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
- x) Possessed, sold or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion when it is determined the student:

- a) Possessed, sold or otherwise furnished any firearm, explosive or other destructive device unless, in the case of possession of any device of this type, the student had obtained written permission to possess the item from a

- certificated school employee, with the Executive Director or designee's concurrence.
- b) Brandished a knife at another person.
  - c) Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, et seq.
  - d) Committed or attempted to commit a sexual assault or committed a sexual battery as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 of former Section 288a of the Penal Code or committed a sexual battery as defined in Penal Code Section 243.4.
3. Discretionary Expellable Offenses: Students may be recommended for expulsion when it is determined the student:
- a) Caused, attempted to cause or threatened to cause physical injury to another person.
  - b) Willfully used force or violence upon the person of another, except self-defense.
  - c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind.
  - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
  - e) Committed or attempted to commit robbery or extortion.
  - f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
  - g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
  - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of a student's own prescription products by a student.
  - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
  - j) Unlawfully possessed or unlawfully offered, arranged or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
  - k) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
  - l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

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

- t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
- 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
    - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
    - ii. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.
    - iii. Causing a reasonable student to experience substantial interference with their academic performance.
    - iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
  - 2) “Electronic Act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager, of a communication, including, but not limited to, any of the following:
    - i. A message, text, sound, video or image.
    - ii. A post on a social network Internet Web site including, but not limited to:
      - a. Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
      - b. Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
      - c. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.

- iii. An act of cyber sexual bullying.
  - a. For purposes of this policy, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording or other electronic act.
  - b. For purposes of this policy, “cyber sexual bullying” does not include a depiction, portrayal or image that has any serious literary, artistic, educational, political or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- u) A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).
- v) Possessed, sold or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.
- 4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the student:
  - a) Possessed, sold or otherwise furnished any firearm, explosive or other destructive device unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.
  - b) Brandished a knife at another person.
  - c) Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, et seq.

- d) Committed or attempted to commit a sexual assault or committed a sexual battery as defined in Penal Code Section 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code or committed a sexual battery as defined in Penal Code Section 243.4.

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

DLINC will use the following definitions:

- The term “knife” means (A) any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing; (B) a weapon with a blade fitted primarily for stabbing; (C) a weapon with a blade longer than 3½ inches; (D) a folding knife with a blade that locks into place; or (E) a razor with an unguarded blade.
- The term “firearm” means: (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.
- The term “destructive device” means any explosive, incendiary or poison gas, including but not limited to: (A) bomb; (B) grenade; (C) rocket having a propellant charge of more than four ounces; (D) missile having an explosive or incendiary charge of more than one-quarter ounce; (E) mine; or (F) device similar to any of the devices described in the preceding clauses.

### **C. Suspension Procedures**

Suspensions shall be initiated according to the following procedures:

#### **1. Conference**

Suspension shall be preceded, if possible, by a conference conducted by the Executive Director (or designee) with the student and the student’s parent/guardian and, whenever practical, the school employee making the referral for suspension. At the conference, the Executive Director (or designee) will explain the reasons disciplinary action is being recommended. The Executive Director (or designee) listens to the student’s version of the incident and any evidence presented in the student’s defense, in accordance with Education Code Section 47605(c)(5)(J)(i). Additionally, the Executive Director (or designee) will present all the evidence of the student’s offense. This conference shall be held within two (2) school days, unless the student waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a student for failure of the student’s parent or guardian to attend a conference with Charter School officials. Reinstatement of the

suspended student shall not be contingent upon attendance by the student's parent/or guardian at the conference.

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

## 2. Notice to Parents/Guardians

At the time of the suspension, the Executive Director or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. A written notification will be mailed to the parents no later than one school day following the decision to suspend a student. This notice shall state the specific offense(s) committed by the student as well as the date the student may return to school following the suspension. In addition, the notice may also state the time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay. Within one school day of the beginning of any suspension, the suspension will be entered in the student's disciplinary record.

## 3. Suspension Time Limits, Recommendations for Placement and Expulsion

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

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

## 4. Homework Assignments During Suspension

In accordance with Education Code Section 47606.2(a), upon the request of a parent, a legal guardian, or other person holding the right to make education decisions for the student, or the affected student, a teacher shall provide to a student in any of grades 1 to 12, inclusive, who has been suspended from school for two (2) or more school days, the homework that the student would otherwise have been assigned.

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

#### **D. Authority to Expel**

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

A student may be expelled either by the neutral and impartial Charter School Board of Directors following a hearing before it or by the Charter School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board of Directors as needed. The Administrative Panel shall consist of at least three (3) members who are certificated and neither a teacher of the student nor a member of the Charter School Board of Directors. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

#### **E. Expulsion Procedures**

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

Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Executive Director or designee determines that the student has committed an expellable offense and recommends the student for expulsion.

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

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

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of the Charter School's disciplinary rules which relate to the alleged violation;

4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student and/or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of their right to (a) receive five (5) days' notice of their scheduled testimony, (b) have up to two (2) adult support persons of their choosing present in the hearing at the time the complaining witness testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours the complaining witness is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of

the support persons for the complaining witness to accompany the complaining to the witness stand.

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

### **G. Record of Hearing**

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

### **H. Presentation of Evidence**

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing.

While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board or Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

### **I. Expulsion Decision**

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

If the Administrative Panel decides not to recommend expulsion, or the Board of Directors ultimately decides not to expel, the student shall immediately be returned to their previous educational program.

### **J. Written Notice to Expel**

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

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

### **K. Disciplinary Records**

The Charter School shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available to the chartering authority upon request.

### **L. No Right to Appeal**

The student shall have no right of appeal from expulsion from the Charter School as the Charter School Board of Directors' decision to expel shall be final.

### **M. Expelled Students/Alternative Education**

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

#### **N. Rehabilitation Plans**

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

#### **O. Readmission or Admission of Previously Expelled Student**

The decision to readmit a student after the end of the student's expulsion term or to admit a previously expelled student from another school district or charter school who has not been readmitted/admitted to another school or school district after the end of the student's expulsion term, shall be in the sole discretion of the Board of Directors following a meeting with the Executive Director or designee and the student and student's parent/guardian or representative to determine whether the student has successfully completed the rehabilitation plan and to determine whether the student poses a threat to others or will be disruptive to the school environment. The Executive Director or designee shall make a recommendation to the Board of Directors following the meeting regarding the Executive Director or designee's determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The student's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission or admission to the Charter School.

#### **P. Notice to Teachers**

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

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

##### **1. Notification of County**

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

##### **2. Services During Suspension**

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting (which could constitute a change of placement and the student's IEP would reflect this change), and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment and behavioral

intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

### 3. Procedural Safeguards/Manifestation Determination

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

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

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

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

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

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

### 4. Due Process Appeals

The parent/guardian of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School

believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

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

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

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

## 5. Special Circumstances

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

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

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

## 6. Interim Alternative Educational Setting

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

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

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

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

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

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

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

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

## Element 11: Employee Retirement Systems

***“The manner by which staff members of the charter schools will be covered by the State Teachers’ Retirement System, the Public Employees’ Retirement System, or federal social security.” Education Code § 47605(c)(5)(K).***

### Benefits

All eligible employees will participate in the State Teachers’ Retirement System (STRS) and all eligible employees will participate in Public Employees’ Retirement System (PERS) and federal social security.

DLINC will make all employer contributions as required by federal social security, Medicare, workers’ compensation insurance, unemployment insurance and any other payroll obligations of an employer.

### Logistics

The Executive Director is responsible for ensuring that appropriate arrangements for retirement coverage are made for all employees.

Further DLINC will bear full responsibility for monitoring and reporting membership information. The County will bear no responsibility for any reporting errors or omissions.

## Element 12: Public School Attendance Alternatives

***“The public school attendance alternatives for students residing within the school district who choose not to attend charter schools.” Education Code § 47605(c)(5)(L).***

DLINC is a school of choice. As such, no student may be required to attend DLINC. DLINC admission forms will inform parent(s) or guardian(s) of each student that the student has no right to admission in a non-charter District school of any local education agency (or program of any local education agency) as a consequence of enrollment in the Charter School, except to the extent that such a right is provided by the local education agency.

Students choosing not to attend DLINC may attend other public schools, according to district policy, within their home school district.

Transportation for DLINC is the sole responsibility of the families who choose to attend DLINC. DLINC will not provide transportation to and from school, except as required by law.

### Element 13: Rights of District Employees

***“The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.” Education Code § 47605(c)(5)(M).***

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

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

## Element 14: Mandatory Dispute Resolution

***“The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.” Education Code §47605(b)(5)(N).***

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

Should any section of this element pertaining to resolving disputes be in conflict with SDCOE’s policies or desired protocols, then the charter is amenable to altering said areas through a mutually agreed upon Memorandum of Understanding.

DLINC will make every effort to work professionally with SDCOE and will always work to resolve any disputes amicably without resorting to formal procedures.

### Written Notification

In the event that the DLINC or the SDCOE have disputes regarding the terms of this charter or any other issue regarding the Charter School and District’s relationship, both parties agree to inform the other, in writing, of the specific issue(s) being disputed (“dispute statement”) and refer the issue to the Superintendent or designee and the Executive Director of DLINC.

If the SDCOE believes the dispute relates to an issue that could lead to revocation of the charter in accordance with Education Code Section 47607, the Charter School requests that this shall be noted in the written dispute statement, although it recognizes it cannot legally bind the District to do so. However, participation in the dispute resolution procedures outlined in this section shall not be interpreted to impede or act as a prerequisite to the District’s ability to proceed with revocation in accordance with Education Code Section 47607 and its implementing regulations.

### Informal Meeting

The Executive Director and Superintendent or their respective designees shall meet and confer within 10 business days of receipt of the dispute statement and will attempt to resolve the dispute. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two Board members from their respective boards who shall jointly meet with the Superintendent and the DLINC Executive Director or their respective designees and attempt to resolve the dispute within 15 business days from receipt of the dispute statement.

### Third-party Mediation

If the joint meeting fails to resolve the dispute, within 10 business days after the attempted informal mediation fails, DLINC and SDCOE shall submit the dispute to a neutral, mutually

agreed upon mediator to engage the parties in a mediation session designed to facilitate resolution of the dispute. The Executive Director and Superintendent or their respective designee will work jointly to develop the format of the mediation and dispute resolution process. DLINC and SDCOE shall share equally the cost of hiring a mediator.

### Legal Remedies

If the matter is not resolved using the process stated above, 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 SDCOE and the Charter School.

### Internal Dispute Resolution

The DLINC Board of Directors will adopt policies and procedures for voicing and resolving disputes internal to the Charter School. The Charter School shall also maintain a Uniform Complaint Policy and Procedures as required by state law.

The District agrees to refer all complaints regarding operations of DLINC to the Executive Director for resolution in accordance with the Charter School's policies. SDCOE agrees not to intervene in any complaint without the consent of DLINC unless the matter directly relates to one of the reasons specified in Education Code Section 47607 for which a charter may be revoked.

## Element 15: Charter School Closure Procedures

***“The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of student records.” Education Code § 47605(c)(5)(O).***

The following procedures shall apply in the event DLINC closes. The following procedures apply regardless of the reason for closure.

### Board of Directors Action

Closure of DLINC will be documented by official action of the Board. The action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities (“Authorized Closer”).

### Notifications to Agencies and Staff

The Charter School will promptly notify the County, SELPA, County Office of Education, the retirement systems in which the Charter School’s employees participate (e.g., Public Employees’ Retirement System, State Teachers’ Retirement System, and federal social security), the CDE, all Charter School employees and vendors of the closure, the effective date of the closure and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure.

### Notifications to Parents/Guardians

Notification of the closure DLINC will be made promptly to parents and guardians of students of DLINC. Information will be provided to assist parents and students in locating suitable alternative programs. The Board will appoint a designee to be the contact during the school closure process.

As applicable, DLINC will provide parents, students and the County with copies of all appropriate student records and will otherwise assist students in transferring to their next school, including specific information on completed courses and credits that meet graduation requirements. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act (“FERPA”) 20 U.S.C. Section 1232(g).

### Student and Staff Records

DLINC shall provide the Authorized Closer with a list of students in each grade level and the classes they have completed, together with information on the students’ districts of residence. DLINC will ask the County to store original records of Charter School students. All student records of the Charter School shall be transferred to the County upon Charter School closure. If the County will not or cannot store the records, the Charter School shall work with the County Office of Education to determine a suitable alternative location for storage.

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

### Financial Close-Out

DLINC will complete an independent final audit within six months after the closure of DLINC that may function as the annual audit in accordance with Education Code Section 47605(c)(5)(l), and that includes at least the following:

- a. An accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment and other items of materials value.
- b. An accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans and unpaid staff compensation.
- c. An assessment of the disposition of any restricted funds received by or due to the Charter School.
- d. Disposal of any net assets remaining after all liabilities of the Charter School have been paid or otherwise addressed, including but not limited to, the following:
  - The return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports.
  - The return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

DLINC will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the Charter School and will be provided to the County promptly upon its completion.

### Required Reports

DLINC will ensure the completion and filing of any annual reports required pursuant to Education Code Section 47604.33.

### Assets

Upon closure of the Charter School all assets of the Charter School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the Charter School, remain the sole property of the non-profit public benefit corporation. Upon the dissolution of the nonprofit public benefit corporation, all net assets shall be distributed to another public school that satisfies the requirements of paragraphs (a) through (e) of section III.A of Notice 2015-07 issued by the Internal Revenue Service and the Treasury Department entitled, "Relief for Certain Participants in § 414(d) Plans" or any final regulations implementing 26 U.S.C. § 414(d) or to a State, political subdivision of a State, or agency or instrumentality thereof. Any assets acquired from the County or County property will be promptly returned upon Charter School closure to the County.

### Dissolution of Non-profit Public Benefit Corporation

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

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

DLINC shall use, but is not limited to, Charter School reserves normally maintained for contingencies and emergencies to fund closure proceedings.