



SAN BENITO COUNTY
POLYTECHNIC ACADEMY

**AGENDA
REGULAR MEETING
BOARD OF DIRECTORS
POLYTECHNIC ACADEMY**

2066 San Benito St., Hollister, CA 95023

March 12, 2024

6:00 pm

Remote viewing is available at:

<https://us06web.zoom.us/j/82142199177?pwd=kuxw6yv3Ia77apZFk21bV3GkMCUArY.1>

Meeting ID: 821 4219 9177

Passcode: 928882

One tap mobile

+16699006833,,82142199177#,,,,*928882# US (San Jose)

+16694449171,,82142199177#,,,,*928882# US

**INSTRUCTIONS FOR PRESENTATIONS TO
THE BOARD BY PARENTS AND CITIZENS**

Polytechnic Academy (“School”) welcomes your participation at the School’s Board meetings. The purpose of a public meeting of the Board of Trustees (“Board”) is to conduct the affairs of the School in public. Your participation assures us of continuing community interest in our School. To assist you in the ease of speaking/participating in our meetings, the following guidelines are provided:

1. Agendas are available to all audience members at the door to the meeting.
2. “Request to Speak” forms are available to all audience members who wish to speak on any agenda items or under the general category of “Oral Communications.” “Oral Communications” is set aside for members of the audience to raise issues that are not specifically on the agenda. However, due to public meeting laws, the Board can only listen to your issue, not respond, or take action. These presentations are limited to three (3) minutes and total time allotted to non-agenda items will not exceed fifteen (15) minutes. The Board may give direction to staff to respond to your concern or you may be offered the option of returning with a citizen-requested item.
3. You may also complete a “Request to Speak” form to address the Board on Agenda items. With regard to such agenda items, you may specify that agenda item on your “Request to Speak” form and you will be given an opportunity to speak for up to five (5) minutes when the Board discusses that item.
4. When addressing the Board, speakers are requested to state their name and address from the podium and adhere to the time limits set forth.
5. Any public records relating to an agenda item for an open session of the Board which are distributed to all, or a majority of all, of the Board members shall be available for public inspection at 650 San Benito Street #230, Hollister, CA 95023.



SAN BENITO COUNTY
POLYTECHNIC ACADEMY

In compliance with the Americans with Disabilities Act (ADA) and upon request, Polytechnic Academy may furnish reasonable auxiliary aids and services to qualified individuals with disabilities. Individuals who require appropriate alternative modification of the agenda in order participate in Board meetings are invited to contact the Executive Director's office.



SAN BENITO COUNTY
POLYTECHNIC ACADEMY

I. PRELIMINARY

A. CALL TO ORDER

Meeting was called to order by the Board Chair at _____.

B. ROLL CALL

| | Present | Absent |
|-------------------|---------|--------|
| Dr. Ariel Hurtado | _____ | _____ |
| Armando Barragan | _____ | _____ |
| Jessica Filice | _____ | _____ |
| Julie Carpendo | _____ | _____ |

C. FLAG SALUTE

II. COMMUNICATIONS

A. ORAL COMMUNICATIONS: Non-agenda items: no individual presentation shall be for more than three (3) minutes and the total time for this purpose shall not exceed fifteen (15) minutes. Ordinarily, Board members will not respond to presentations and no action can be taken. However, the Board may give direction to staff following a presentation.

B. For Information: Reports
This is a presentation of information which has occurred since the previous Board meeting.

C. For Information: Board/Staff Discussions
Board and staff discuss items of mutual interest.

III. CONSENT AGENDA ITEMS

All matters listed under the consent agenda are considered by the Board to be routine and will be approved/enacted by the Board in one motion in the form listed below. Unless specifically requested by a Board member for further discussion or removed from the agenda, there will be no discussion of these items prior to the Board votes on them. The director recommends approval of all consent agenda items.

- A. Board meeting minutes for November 14, 2023
- B. Board meeting minutes for February 13, 2024

IV. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION



SAN BENITO COUNTY
POLYTECHNIC ACADEMY

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: CU-24-00026

- B. PUBLIC EMPLOYMENT
Title: Learning Director

V. **PUBLIC SESSION**

RECONVENE TO OPEN SESSION: The meeting was reconvened to open session at ____.

PUBLIC REPORT ON ACTION TAKEN IN CLOSED SESSION (includes the vote or abstention of every member present).

VI. **ITEMS SCHEDULED FOR ACTION**

1. The Board will consider approving a Legal Services Agreement with Young, Minney & Corr, LLP.
2. The Board will consider designating signatories for its bank accounts.
3. The Board will consider establishing its regular meeting calendar for the remainder of 2023-24 and 2024-25.
4. The Board will consider approving an English Learner Master Plan.
5. The Board will consider approving an Independent Study Board Policy.
6. The Board will consider approving a Learning Acceleration Policy.
7. The Board will consider approving an agreement with Grand Canyon University to participate in Learning, Leading, and Serving.

VII. **ITEMS SCHEDULED FOR INFORMATION**

VIII. **ADJOURNMENT**

The meeting was adjourned at _____.



**SAN BENITO COUNTY
POLYTECHNIC ACADEMY**

MINUTES

REGULAR MEETING

**BOARD OF DIRECTORS
POLYTECHNIC ACADEMY**

(A California Non-Profit Public Benefit Corporation)

Date and Time

Tuesday, February 13, 2024 at 6:00 PM PDT

Location

341 Tres Pinos Rd., Hollister, CA 95023

Zoom:

<https://us06web.zoom.us/j/82142199177?pwd=kuxw6yv3Ia77apZFk21bV3GkMCUArY.1>

Meeting ID: 875 5973 5266

Passcode: 928882

Disability Access

Requests for disability-related modifications or accommodations to participate in this public meeting shall be made 24 hours prior to the meeting to Dr. Ariel Hurtado at email ahurtado@poly-academy.org with such requests. All efforts will be made for reasonable accommodations.

I. PRELIMINARY

A. Call to Order.

The directors named by the incorporator of the Corporation named above, constituting the Board of Directors of this Corporation, held a meeting at the time, on the day, and at the place set forth as follows:

Time: 6:00 PM

Date: Tuesday, February 13, 2024

Place:

Zoom:

<https://us06web.zoom.us/j/82142199177?pwd=kuxw6yv3Ia77apZFk21bV3GkMCUArY.1>

B. Roll Call.

| | Present | Absent |
|-------------------|--------------|---------------|
| Dr. Ariel Hurtado | <u> X </u> | <u> </u> |
| Armando Barragan | <u> X </u> | <u> </u> |
| Jessica Filice | <u> X </u> | <u> </u> |

C. Flag Salute

Ariel Hurtado

D. Approval of Agenda.

The agenda was approved as presented.

II. OPEN SESSION

A. Oral Communications.

There were no comments from the public.

B. For Information: Executive Director’s Report

There was no report.

C. For Information: Board/Staff Discussions

There was no discussion.

III. CONSENT AGENDA ITEMS

There were no consent agenda items.

IV. ITEMS SCHEDULED FOR ACTION

A. The Board will consider designating Julie Carpenedo as a Director.

It was moved by Trustee Barragan and seconded by Trustee Filice to appoint Julie Carpenedo as a Director.

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|---------------|---------------|
| Dr. Ariel Hurtado | <u> X </u> | <u> </u> | <u> </u> |
| Armando Barragan | <u> X </u> | <u> </u> | <u> </u> |
| Jessica Filice | <u> X </u> | <u> </u> | <u> </u> |

Motion approved.

B. The Board will consider ratification of a memorandum of understanding with the San Benito County Board of Education and County Office of Education.

The Board was presented a copy of the memorandum of understanding that was considered and discussed.

It was moved by __Trustee Carpenedo__ and seconded by Trustee Barragan__ to approve of the Bylaws attached as Exhibit “C.”

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|--------|---------|
| Dr. Ariel Hurtado | <u> X </u> | _____ | _____ |
| Armando Barragan | <u> X </u> | _____ | _____ |
| Jessica Filice | <u> X </u> | _____ | _____ |
| Julie Carpenedo | <u> X </u> | _____ | _____ |

Motion approved.

C. The Board will consider approving revisions to its Bylaws, consistent with the memorandum of understanding with the County.

The Board was presented a copy of the revised Bylaws that were considered and discussed.

It was moved by __Trustee Barragan__ and seconded by __Trustee Carpenedo__ to approve of the Conflict of Interest Code attached as Exhibit “D.”

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|--------|---------|
| Dr. Ariel Hurtado | <u> X </u> | _____ | _____ |
| Armando Barragan | <u> X </u> | _____ | _____ |
| Jessica Filice | <u> X </u> | _____ | _____ |
| Julie Carpenedo | <u> X </u> | _____ | _____ |

Motion approved.

D. The Board will consider establishing March 1, 2024 as the date for its enrollment lottery for the 2024-25 school year.

It was moved by __Carpenedo__ and seconded by __Filice__ to approve of the proposed lottery date of March 1, 2024.

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|--------|---------|
| Dr. Ariel Hurtado | <u> X </u> | _____ | _____ |

| | | | |
|------------------|--------------|---------------|---------------|
| Armando Barragan | <u> X </u> | <u> </u> | <u> </u> |
| Jessica Filice | <u> X </u> | <u> </u> | <u> </u> |
| Julie Carpenedo | <u> X </u> | <u> </u> | <u> </u> |

Motion approved.

E. The Board will consider delegating authority to the Executive Director and the Board Chair to approve the facilities lease, contracts, and employee hiring.

This item was pulled from the agenda for later consideration.

It was moved by _____ and seconded by _____ to approve that the principal office be located in the County of San Benito, California.

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|---------------|---------------|---------------|
| Dr. Ariel Hurtado | <u> </u> | <u> </u> | <u> </u> |
| Armando Barragan | <u> </u> | <u> </u> | <u> </u> |
| Jessica Filice | <u> </u> | <u> </u> | <u> </u> |
| Julie Carpenedo | <u> </u> | <u> </u> | <u> </u> |

V. ADJOURNMENT

The meeting was adjourned at _____.

* * *

CERTIFICATE OF SECRETARY

I certify that I am the duly elected Secretary of the Polytechnic Academy, a California nonprofit public benefit corporation; that these minutes, consisting of seven (7) pages are the minutes of the first meeting of the Board of Directors held on _____.

Jessica Filice, Secretary

4869-8966-6698, v. 1



**SAN BENITO COUNTY
POLYTECHNIC ACADEMY**

MINUTES

REGULAR MEETING

**BOARD OF DIRECTORS
POLYTECHNIC ACADEMY**

(A California Non-Profit Public Benefit Corporation)

Date and Time

Tuesday, November 14, 2023 at 5:00 PM PDT

Location

930 Sunnyslope Road, Suite A4, Hollister, CA 95023

Zoom:

<https://us06web.zoom.us/j/87559735266?pwd=OiNzgmTSwubk5PkkDnZyAzYVAiLHO.1>

Meeting ID: 875 5973 5266

Passcode: 085032

Disability Access

Requests for disability-related modifications or accommodations to participate in this public meeting shall be made 24 hours prior to the meeting to Dr. Ariel Hurtado at email ahurtado@poly-academy.org with such requests. All efforts will be made for reasonable accommodations.

I. PRELIMINARY

1. Call to Order.

The directors named by the incorporator of the Corporation named above, constituting the Board of Directors of this Corporation, held their first meeting at the time, on the day, and at the place set forth as follows:

Time: 5:03 PM

Date: Tuesday, November 7, 2023

Place:

Zoom:

<https://us06web.zoom.us/j/88419862057?pwd=89mBKUmEbclCpx38EpTuqzVq7PheXF.1>

Meeting ID: 884 1986 2057 **Passcode:** 537416

2. **Roll Call.**

| | Present | Absent |
|-------------------|--------------|---------------|
| Dr. Ariel Hurtado | <u> X </u> | <u> </u> |
| Armando Barragan | <u> X </u> | <u> </u> |
| Jessica Filice | <u> X </u> | <u> </u> |

3. **Approval of Agenda.**

The agenda was approved as presented.

4. **Introduction of Board of Directors of Polytechnic Academy.**

5. **Notice of Director Participating in Meeting Remotely pursuant to Government Code Section 54953(f)(2)(A)(i).**

II. OPEN SESSION

1. **Oral Communications.**

There were no comments from the public.

2. **Consideration and Approval of Election of Officers.**

The Board was presented with the names of persons to be elected President, Chair, Secretary, and Treasurer to the offices indicated before their names, to serve for one year or until their respective successors are duly elected and qualified, whichever occurs later as follows:

- President: Jorge Lopez
- Chair: Dr. Ariel Hurtado
- Treasurer: Armando Barragan
- Secretary: Jessica Filice

It was moved by Trustee Filice and seconded by President Hurtado to approve of the election of officers as proposed.

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|---------------|---------------|
| Dr. Ariel Hurtado | <u> X </u> | <u> </u> | <u> </u> |
| Armando Barragan | <u> X </u> | <u> </u> | <u> </u> |
| Jessica Filice | <u> X </u> | <u> </u> | <u> </u> |

Motion approved.

The officers as proposed were elected to the office designated next to the name of each. The officers elected accepted their respective offices and thereafter the Chair presided at the meeting as Chair, and the Secretary acted as Secretary of the meeting.

3. Consideration and Approval of Resignation of Sole Incorporator.

The Board was presented with an Action by Written Consent of Sole Incorporator naming the initial corporate Board of Directors as Dr. Ariel Hurtado, Armando Barragan, Jessica Filice which was executed by Kimberly Rodriguez as the sole incorporator of Polytechnic Academy.

It was moved by __Trustee Filice__ and seconded by __President Hurtado__ to approve of the Action by Written Consent of Sole Incorporator attached as Exhibit “A,”.

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|--------|---------|
| Dr. Ariel Hurtado | <u> X </u> | _____ | _____ |
| Armando Barragan | <u> X </u> | _____ | _____ |
| Jessica Filice | <u> X </u> | _____ | _____ |

Motion approved.

The Secretary was directed to insert the Action by Written Consent of Sole Incorporator in the book of the minutes of the Corporation and was also directed to keep a copy at the principal office of the Corporation.

4. Consideration and Approval of Articles of Incorporation and Confirmation of Agent for Service of Process.

The Chair informed the Board that the original Articles of Incorporation of the Corporation had been filed in the office of the California Secretary of State on June 6, 2023, and that they named Armando Barragan as initial agent for service of process. The Chair presented to the meeting a certified copy of the Articles of Incorporation, showing filing as stated.

It was moved by __Trustee Filice__ and seconded by __President Hurtado__ to ratify the filing of the Articles of Incorporation attached as Exhibit “B” and to confirm of Armando Barragan as the agent for service of process.

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|--------|---------|
| Dr. Ariel Hurtado | <u> X </u> | _____ | _____ |
| Armando Barragan | <u> X </u> | _____ | _____ |
| Jessica Filice | <u> X </u> | _____ | _____ |

Motion approved.

The Secretary was directed to insert the copy in the book of the minutes of the Corporation and was also directed to keep a copy at the principal office for the transaction of business of the Corporation.

5. Consideration and Approval of Bylaws.

The Board was presented a form of bylaws that was considered and discussed.

It was moved by Trustee Filice and seconded by President Hurtado to approve of the Bylaws attached as Exhibit "C."

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|---------------|---------------|
| Dr. Ariel Hurtado | <u> X </u> | <u> </u> | <u> </u> |
| Armando Barragan | <u> X </u> | <u> </u> | <u> </u> |
| Jessica Filice | <u> X </u> | <u> </u> | <u> </u> |

Motion approved.

The Secretary of this Corporation was directed to execute a certificate of the adoption of the approved Bylaws and to insert those Bylaws as so certified in the book of minutes of this Corporation, and to see that a copy of the Bylaws similarly certified is kept at the principal office for the transaction of business of this Corporation.

6. Consideration and Approval of the Conflict of Interest Code.

The Board was presented a Conflict of Interest Code that was considered and discussed.

It was moved by Trustee Filice and seconded by Trustee Barragan to approve of the Conflict of Interest Code attached as Exhibit "D."

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|---------------|---------------|
| Dr. Ariel Hurtado | <u> X </u> | <u> </u> | <u> </u> |
| Armando Barragan | <u> X </u> | <u> </u> | <u> </u> |
| Jessica Filice | <u> X </u> | <u> </u> | <u> </u> |

Motion approved.

The Secretary was directed to insert the copy in the book of the minutes of the Corporation and was also directed to keep a copy at the principal office for the transaction of business of the Corporation. The Secretary was also directed to submit a copy of the Conflict of Interest Code to the San Benito County Board of Supervisors for approval.

7. Consideration and Approval of Accounting Year.

The Chair suggested that the Board consider adoption of an accounting year as follows:

Date the accounting year begins: July 1st

Date accounting year ends: June 30th

It was moved by __Trustee Filice__ and seconded by __President Hurtado__ to approve of the proposed accounting year.

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|---------------|---------------|
| Dr. Ariel Hurtado | <u> X </u> | <u> </u> | <u> </u> |
| Armando Barragan | <u> X </u> | <u> </u> | <u> </u> |
| Jessica Filice | <u> X </u> | <u> </u> | <u> </u> |

Motion approved.

8. **Consideration and Approval of Principal Office Location.**

It was moved by __Trustee Filice__ and seconded by __President Hurtado__ to approve that the principal office be located in the County of San Benito, California.

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|---------------|---------------|
| Dr. Ariel Hurtado | <u> X </u> | <u> </u> | <u> </u> |
| Armando Barragan | <u> X </u> | <u> </u> | <u> </u> |
| Jessica Filice | <u> X </u> | <u> </u> | <u> </u> |

Motion approved.

9. **Consideration and Approval of Payment of the Expenses of Incorporation.**

It was moved by __Trustee Filice__ and seconded by __President Hurtado__ to approve the payment of the expenses of incorporation.

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|---------------|---------------|
| Dr. Ariel Hurtado | <u> X </u> | <u> </u> | <u> </u> |
| Armando Barragan | <u> X </u> | <u> </u> | <u> </u> |
| Jessica Filice | <u> X </u> | <u> </u> | <u> </u> |

Motion approved.

The Chair was authorized and directed to pay the expenses of the incorporation of the Corporation.

10. **Consideration and Approval of Filing of Applications for Tax Exemption.**

It was moved by __Trustee Filice__ and seconded by _President Hurtado__ to approve of the filing of the applications for federal and state tax exemption.

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|--------|---------|
| Dr. Ariel Hurtado | <u> X </u> | _____ | _____ |
| Armando Barragan | <u> X </u> | _____ | _____ |
| Jessica Filice | <u> X </u> | _____ | _____ |

Motion approved.

The Chair was authorized to take all necessary steps and to execute all necessary instruments to apply for federal and state tax exemptions as a charitable nonprofit organization.

11. **Consideration and Approval of Authorization to Enter into Contracts.**

It was moved by __Trustee Filice__ and seconded by _President Hurtado__ to authorize entering into contracts related to the establishment of the charter school and all vendor contracts necessary to implement the educational programs contained in the charter petition.

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|--------|---------|
| Dr. Ariel Hurtado | <u> X </u> | _____ | _____ |
| Armando Barragan | <u> X </u> | _____ | _____ |
| Jessica Filice | <u> X </u> | _____ | _____ |

Motion approved.

The Chair was authorized to enter into the contracts relating to the establishment of the charter school, including but not limited to educational program contracts and business services contracts for the benefit of the Corporation.

12. **Consideration and Approval of Authorization to Retain Counsel.**

It was moved by __Trustee Filice__ and seconded by _President Hurtado__ to authorize the retention Young, Minney & Corr, LLP to advise the Corporation regarding its establishment and operation of the charter school.

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|--------|---------|
| Dr. Ariel Hurtado | <u> X </u> | _____ | _____ |
| Armando Barragan | <u> X </u> | _____ | _____ |
| Jessica Filice | <u> X </u> | _____ | _____ |

Motion approved.

The Chair was authorized and directed to execute an Agreement employing Attorneys with Young, Minney & Corr, LLP.

13. **Consideration and Approval of Accounting Method.**

It was moved by __Trustee Filice__ and seconded by __President Hurtado__ to approve of the accrual accounting method for all tax reporting requirements, unless otherwise required by law.

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|--------|---------|
| Dr. Ariel Hurtado | <u> X </u> | _____ | _____ |
| Armando Barragan | <u> X </u> | _____ | _____ |
| Jessica Filice | <u> X </u> | _____ | _____ |

Motion approved.

14. **Consideration and Approval of Establishment of Bank Account.**

It was moved by __Trustee Filice__ and seconded by __President Hurtado__ to approve the Resolution to Establish New Bank Account attached as Exhibit “E.”

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|--------|---------|
| Dr. Ariel Hurtado | <u> X </u> | _____ | _____ |
| Armando Barragan | <u> X </u> | _____ | _____ |
| Jessica Filice | <u> X </u> | _____ | _____ |

Motion approved.

15. **Consideration and Approval of the Hiring of Employees.**

It was moved by __Secretary Filice__ and seconded by __President Hurtado__ to approve the Hiring of Employees.

Vote:

| | Yes/Aye | No/Nay | Abstain |
|-------------------|--------------|--------|---------|
| Dr. Ariel Hurtado | <u> X </u> | _____ | _____ |
| Armando Barragan | <u> X </u> | _____ | _____ |
| Jessica Filice | <u> X </u> | _____ | _____ |

Motion approved.

The Chair was authorized and directed to hire employees or to delegate the authority to hire employees.

III. ADJOURNMENT

The meeting was adjourned at 5:19 PM.

* * *

CERTIFICATE OF SECRETARY

I certify that I am the duly elected Secretary of the Polytechnic Academy, a California nonprofit public benefit corporation; that these minutes, consisting of seven (7) pages are the minutes of the first meeting of the Board of Directors held on _____.

Jessica Filice, Secretary

4869-8966-6698, v. 1



LAW OFFICES OF YOUNG, MINNEY & CORR, LLP

SACRAMENTO ■ LOS ANGELES ■ SAN DIEGO ■ WALNUT CREEK

AGREEMENT FOR THE PROVISION OF
LEGAL SERVICES

BY

YOUNG, MINNEY & CORR, LLP

1. **IDENTIFICATION OF PARTIES.** This Agreement is made between the law office of YOUNG, MINNEY & CORR LLP, hereinafter referred to as "Attorney," and **POLYTECHNIC ACADEMY** hereinafter referred to as "Client." This agreement is required by Business and Professions Code Section 6148 and is intended to fulfill the requirements of that section.
2. **LEGAL SERVICES TO BE PROVIDED.** Attorneys agree to provide the following professional services upon request:
 - a. Represent and advise Client on those aspects of law as directed by the Client;
 - b. Prepare legal opinions regarding statutes, court decisions, legislation, and other legal issues;
 - c. Represent the Client before the courts, and other legal and administrative agencies;
 - d. Assist Client in legal matters relating to administration of the Client;
 - e. Perform such other duties as may be assigned by Client in meeting its obligations under the law; and
 - f. Other duties as assigned by Client and acceptable to Attorneys.
3. **RESPONSIBILITIES OF ATTORNEY AND CLIENT.** Attorney will perform the legal services called for under this Agreement, keep Client informed of progress and developments, and respond promptly to Client's inquiries and communications. Client will be truthful and cooperative with Attorney and keep Attorney reasonably informed of developments and of Client's address, telephone number, and whereabouts.
4. **RETAINER.** Client will forward a deposit of \$0.00 to Attorney. Upon receipt of said monies, the deposit will be placed in a trust account, to be used to pay costs, expenses and fees incurred for legal services upon the commencement of this Legal Services Agreement up to the deposited amount. Client hereby authorizes Attorney to withdraw sums from the trust account to pay the costs and/or fees Client incurs upon commencement of this Legal Services Agreement. Any unused deposit at the conclusion of Attorney's services will be refunded to Client.

5. **ATTORNEY'S FEES.** Client agrees to pay Attorney fees for services provided under this Agreement as follows:

- Partners, Of Counsel \$375.00 per hour
- Senior Associates \$350.00 per hour
- Associates \$325.00 per hour
- Law Clerks \$185.00 per hour
- Paralegals \$135.00 per hour

Attorney will charge in increments of 1/10th of an hour, rounded off for each particular activity to the nearest 1/10th of an hour. Attorney time will be itemized and billed on a monthly basis or sooner if a discernible project has been completed. The bills are due and owing upon receipt. Shall payment not be received within 30 days from the date of the invoice, the account may be subject to an interest charge calculated at 12% per annum. Attorney rates may increase at any time and Client will be informed of any increase in writing. Any rate increase during this agreement will take effect 30 days after written notification to the Client.

The minimum charge for any particular activity will be 1/10th of an hour. Attorney will charge for all activities undertaken in providing legal services to Client under this Agreement, including, but not limited to, the following: correspondence, attendance at meetings, review, revision and preparation of legal documents; legal research; telephone conversations; settlement discussions; and all other phases of administrative and judicial representation. This Agreement does not address fees for litigation, which may be determined on a case-by-case basis to be at a higher rate.

6. **COSTS.** Client further agrees to reimburse Attorney for all cost and expenses incurred by Attorney, for actual and necessary expenses and costs with respect to providing legal services including but not limited to costs of serving pleadings, filing fees and other charges assessed by courts and other public agencies, arbitrator's fees, court reporters' process server fees, fees fixed by law or assessed by courts or other agencies, postage, copies (@ 20¢ per page), facsimile transmissions (@ \$1.00 per page) mailing, parking, mileage, consultant fees, investigation expenses, lodging and reasonable travel expenses, consultants' fees and expert witness fees. All fees and costs will be billed to the Client as incurred by Attorney on a monthly basis. When legal representation as provided for under this Agreement includes litigation, Client will bear costs for court filing fees, deposition costs, expert fees and expenses, investigation costs and process server fees, travel, photocopying, and facsimile charges. Client will be billed on a monthly basis for these costs. The bills are due and owing upon receipt. Attorney rates and costs may increase at any time and Client will be informed of any increase in writing. Any rate increase during this agreement will take effect 30 days after written notification to the Client.

7. **REPRESENTATION OF ADVERSE INTERESTS.** Client is informed that the Rules of Professional Conduct of the State Bar of California require the Client's informed written consent before an Attorney may begin or continue to represent the Client when the Attorney has or had a relationship with another party interested in the subject matter of the Attorney's proposed representation of the Client. Attorney is not aware of any relationship with any other party interested in the subject matter of Attorney's services for Client under this agreement. As long as



Attorney's services for Client continue under this agreement, Attorney will not agree to provide legal services for any such party without Client's prior written consent.

8. **SETTLEMENT.** Attorney will not settle Client's claim without the approval of Client, who will have the absolute right to accept or reject any settlement. Attorney will notify Client promptly of the terms of any settlement offer received by Attorney.
9. **ATTORNEY'S LIEN.** Attorney will have a lien for Attorney's fees and costs advanced on all claims and causes of action that are the subject of their representation of Client under this agreement and on all proceeds of any recovery obtained (whether by settlement, arbitration award, or court judgment).
10. **DISCHARGE OF ATTORNEY.** Client may discharge Attorney at any time by written notice effective when received by Attorney. Unless specifically agreed by Attorney and Client, Attorney will provide no further services and advance no further costs on Client's behalf after receipt of the notice. If Attorney is Client's Attorney of record in any proceeding, Client will execute and return a substitution-of-Attorney form immediately on its receipt from Attorney. Notwithstanding the discharge, Client will be obligated to pay Attorney's fee for all services provided and to reimburse Attorney out of the recovery for all costs advanced.
11. **WITHDRAWAL OF ATTORNEY.** Attorney may withdraw at any time as permitted under the Rules of Professional Conduct of the State Bar of California. The circumstances under which the Rules permit such withdrawal include, but are not limited to, the following: (a) The Client consents; and (b) the Client's conduct renders it unreasonably difficult for the Attorney to carry out the employment effectively. Notwithstanding Attorney's withdrawal, Client will be obligated to pay Attorney's fees for all services provided.
12. **RELEASE OF CLIENT'S PAPERS AND PROPERTY.** At the termination of services under this agreement, Attorney will release promptly to Client on request all of Client's papers and property. "Client's papers and property" include correspondence, deposition transcripts, exhibits, experts reports, legal documents, physical evidence, and other items reasonably necessary to Client's representation, whether Client has paid for them or not.
13. **ELECTRONIC STORAGE.** In order to provide you with efficient and convenient legal services, we will communicate and transmit documents using e-mail. Because cybersecurity continues to evolve, there may be risks communicating in this manner, including risks related to confidentiality and security. By entering into this Agreement, you are consenting to such e-mail transmissions.

In addition, we use a cloud-based computing service with servers located in a facility other than our office. Some of our electronic data, including e-mails and documents, are stored in this manner. By entering into this Agreement, you understand and consent to having communications, documents and information pertinent to your matter stored through a cloud-based service.

14. **DISCLAIMER OF GUARANTY.** Although Attorney may offer an opinion about possible results regarding the subject matter of this agreement, Attorney cannot guarantee any particular



result. Client acknowledges that Attorney has made no promises about the outcome and that any opinion offered by Attorney in the future will not constitute a guaranty.

15. **ENTIRE AGREEMENT.** This agreement contains the entire agreement of the parties. No other agreement, statement, or promise made on or before the effective date of this agreement will be binding on the parties.
16. **SEVERABILITY.** If any provision of this agreement is held in whole or in part to be unenforceable for any reason, the remainder of that provision and of the entire agreement will be severable and remain in effect.
17. **MODIFICATION.** This agreement may be modified by subsequent agreement of the parties only by an instrument in writing signed by both of them or an oral agreement to the extent that the parties carry it out.
18. **ARBITRATION OF FEE DISPUTE.** If a dispute arises between Attorney and Client regarding Attorney's fees under this agreement and Attorney files suit in any court other than small claims court, Client will have the right to stay that suit by timely electing to arbitrate the dispute under Business and Professions Code sections 6200-6206, in which event Attorney must submit the matter to such arbitration.
19. **ATTORNEY'S FEES.** The prevailing party in any action or proceeding to enforce any provision of this agreement will be awarded reasonable Attorney's fees and costs incurred in that action or proceeding or in efforts to negotiate the matter.
20. **EFFECTIVE DATE.** The effective date of this agreement is **FEBRUARY 20, 2024** or the date first signed below by Client and will automatically renew annually on the effective date.
21. **ERRORS AND OMISSIONS POLICY.** Client is informed that Attorney has errors and omissions insurance which covers the professional services that are to be rendered pursuant to this agreement.
22. **AUTHORIZATION.** By signing below Client certifies it has taken all actions necessary for approval of this Agreement by the governing body of Client.
23. **INDEPENDENT CONTRACTOR.** It is expressly understood and agreed to by both parties that Attorneys, while carrying out and complying with any of the terms and conditions of this Agreement, is an independent contractor and is not an employee of the Client.

The foregoing is agreed to by:

POLYTECHNIC ACADEMY

DATE _____

YOUNG, MINNEY & CORR, LLP

DATE February 20, 2024

Paul C. Minney

Paul C. Minney, Founder/Partner





SAN BENITO COUNTY
POLYTECHNIC ACADEMY

San Benito County Polytechnic Academy 2024-2025 Board Meetings

- February 13, 2024 | Regular Board Meeting
- March 13, 2024 | Regular Board Meeting
- April 9, 2024 | Regular Board Meeting
- May 14, 2024 | Regular Board Meeting
- June 11, 2024 | Regular Board Meeting
- July 9, 2024 | Regular Board Meeting
- August 13, 2024 | Regular Board Meeting
- September 10, 2024 | Regular Board Meeting
- October 8, 2024 | Regular Board Meeting
- November 12, 2024 | Regular Board Meeting
- December 10, 2024 | Regular Board Meeting
- January 14, 2025 | Regular Board Meeting
- February 11, 2025 | Regular Board Meeting
- March 11, 2025 | Regular Board Meeting
- April 8, 2025 | Regular Board Meeting
- May 13, 2025 | Regular Board Meeting
- June 10, 2025 | Regular Board Meeting

- July 8, 2025 | Regular Board Meeting
- August 12, 2025 | Regular Board Meeting
- September 9, 2025 | Regular Board Meeting
- October 14, 2025 | Regular Board Meeting
- November 18, 2025 (*Note, 11/11/25 is Veterans Day*) | Regular Board Meeting
- December 2025 | Regular Board Meeting



SAN BENITO COUNTY
POLYTECHNIC ACADEMY

San Benito County Polytechnic Academy
English Language Learner Master Plan

San Benito County Polytechnic Academy (SBCPA)

Table of Contents

Contents

| | |
|---|-----------|
| Introduction..... | 4 |
| SBCPA Mission Statement..... | 4 |
| Vision..... | 4 |
| SBCPA Vision for English Learners..... | 4 |
| California English Language Development Standards..... | 4 |
| Acquiring a Second Language..... | 6 |
| California English Language Proficiency Descriptors..... | 7 |
| California’s English Proficiency Levels..... | 7 |
| Federal Laws and Legal Requirements..... | 7 |
| Federal Program Monitoring..... | 10 |
| English Learner Master Plan Alignment..... | 11 |
| Section 1: Identification, Placement, Parent Notification, and Reclassification..... | 12 |
| Home Language Survey (DRAFT)..... | 15 |
| Reclassification Policy and Procedures..... | 17 |
| EL Reclassification Policy..... | 17 |
| English Language Learner Reclassification Criteria..... | 18 |
| English Language Learners Process and Procedures for Students with Disabilities..... | 20 |
| IEP Documentation..... | 20 |
| Section 2: Instructional Program and Materials..... | 21 |
| Section 3: Staffing and Professional Development..... | 23 |
| Section 4: Funding..... | 25 |
| Section 5: Family and Community Involvement..... | 26 |
| Section 6: Monitoring, Evaluation, and Accountability..... | 28 |
| Governance and Responsibilities..... | 29 |
| Student Evaluation and Monitoring..... | 30 |
| Section 7: Appendix--Supplemental Documents..... | 32 |
| San Benito County Polytechnic Academy..... | 32 |
| Annual Parent Notification Letter..... | 32 |
| Federal Title I or Title III and State Requirements..... | 32 |
| Language Assessment Results..... | 32 |
| Exit (Reclassification) Criteria..... | 33 |
| Academic Achievement Results..... | 34 |
| Graduation Rate for English Learners..... | 34 |
| Choosing a Language Acquisition Program..... | 34 |
| Language Acquisition Programs Offered..... | 35 |
| B. Appendix B: Initial Notification to Parents..... | 36 |

INITIAL PARENT NOTIFICATION LETTER.....36
Federal Title I or Title III and State Requirements..... 36
Language Assessment Results.....36
Graduation Rate for English Learners..... 36
Choosing a Language Acquisition Program..... 37
Language Acquisition Programs Offered..... 37

Introduction

At San Benito County Polytechnic Academy (SBCPA), we are committed to our students' academic success and to the development of a strong community of learners. The SBCPA community takes pride in the cultural and linguistic diversity present in our schools. We recognize the unique perspectives, varied experiences, and great potential for success that our ELs bring to our school environment. We also embrace the inherent challenges in teaching learners who are developing proficiency in academic English.

SBCPA Mission Statement

The mission of the San Benito County Polytechnic Academy is to cultivate a collaborative learning community that successfully prepares young people to earn their high school diploma and achieve academic excellence while simultaneously enrolling in post-secondary coursework and earning workforce certifications. Students gain personal leadership skills, develop critical thinking, navigate career exploration, and master technical skills as they move toward successful careers, post-secondary education, and productive life.

Vision

The San Benito County Polytechnic Academy offers an innovative, unique, blended approach to educating adolescents and young adults in preparation for diploma attainment and successful post-secondary lives by providing dual enrollment and real job-related experiences.

Our vision is to prepare young people, regardless of their circumstances, to gain access to a unique educational program that will increase their postsecondary opportunities and unleash their intelligence and positive energy to build their lives and the community. As students claim their right to a quality education, they understand their options realize they are capable of academic excellence, and become active participants in their future success through leadership, education, and technical training. Young people become empowered by their transformation, develop agency, and take responsibility for their post-secondary goals.

SBCPA Vision for English Learners

At SBCPA our vision is to ensure that all our K-12 English Learners develop native-like fluency in Academic English as efficiently as possible so that they can participate fully in the rigorous academic content.

California English Language Development Standards

The California English Language Development Standards (CA ELD Standards) represent current research on effective instruction for English learners. The ELD Standards are intended to support the acquisition of English as English learners (ELs) engage in rigorous academic content. The CA ELD Standards provide a roadmap for ELs in grades Kindergarten through Grade 12 and guarantee that each English Learner can

gain access to grade-level content in all subjects, and master the state’s subject matter standards for college and career readiness.

The CA ELD Standards describe the essential knowledge, skills, and abilities that students who are learning English need to access and engage with grade-level academic content. The ELD Standards align with the key knowledge, skills, and abilities for achieving college and career readiness described in the California Common Core State Standards for English Language Arts (K-5) and Literacy in History/Social Studies, Science, and Technical Subjects (Grades 6-12). However, the CA ELD Standards do not repeat the CA CCSS, nor do they represent ELA content at substandard levels of achievement or rigor. Instead, the CA ELD Standards are designed to amplify and enhance the existing Standards so that ELs gain proficiency in a range of academic English language skills. This amplification of the CA CCSS allows English Learners to keep pace with grade-level content while simultaneously learning academic English.

SBCPA embraces the guidance set forth by CDE as we embark on a five-year journey of improvement. Four recommendations provided by the California Department of Education (CDE) guide the work of SBCPA in developing and implementing an effective program for English Language Learners:

1. **Theory:** Educationally sound and research-based.
2. **Practice:** Effective implementation of high-quality programs with fidelity and instructional methodology that transform theory into practice.
3. **Results:** Ongoing analysis of student performance data that serves to evaluate the implementation of all programs and results in informed modifications to both programs and instruction.
4. **Communication and Collaboration:** Ongoing reflection, collaboration, and communication between all stakeholders to ensure the achievement of common goals.

Theory Applicable to English Learning

Understanding the languages and cultures of ELs is the first step to understanding how to design, implement, monitor and evaluate programs to help them progress toward English proficiency, as well as attain challenging content and academic achievement standards. The ability to listen, speak, read, and write is basic to academic success in language. Whether children have been educated in their home country or the U.S., whether instruction is in



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English or another language, once students enter San Benito County Polytechnic Academy, regardless of instructional program implemented or the language used in the classroom, our goal is to provide them the opportunity to attain English proficiency and achieve academic success. For many ELs, contact with English begins at school, which is where our task begins.

Understanding the distinction between first language development and second language acquisition is necessary to set the foundation for learner-centered instructional strategies for ELs. At SBCPA, we have identified five principles to apply to both first and second language acquisition:

1. Language is learned by using language.
2. The focus in language is meaning and function (not form).
3. Successful language learning is non-stressful, meaningful, concretely based, and comprehensible.
4. Language is self-directed, not segmented or sequenced.
5. Conditions necessary for language acquisition essentially are the same for all children.

These principles, when supported with robust teaching and learning help facilitate language learning. The rate of language development will vary; under optimal conditions, to develop academic English fully and be able to listen, speak, read, and write in a way that is indistinguishable from a native English speaker.

Acquiring a Second Language

According to the Principles and Practice in Second Language Acquisition, (Krashen, 1982), a new language is acquired subconsciously as it is used for various purposes. People acquire language when they receive oral or written messages they understand. These messages provide comprehensible input that eventually leads to output in the form of speaking and writing. If a student needs to know how to ask permission to use the bathroom, s/he acquires the vocabulary needed to accomplish this task. By using language for real purposes, it is acquired naturally and purposefully. Language is acquired through reading and writing, as well as through listening and speaking.

ELs learn English more quickly when teachers use pictures, gestures, manipulatives, and other means to make English comprehensible, while at the same time reducing stress associated with the expectation that students immediately produce the new language.

A National Study of School Effectiveness for Language Minority Students' Long-Term Academic Achievement estimated that it could take as long as 14 years for older students who begin second language acquisition without literacy skills or consistent prior formal schooling in their first language, (Thomas & Collier, 1995). Additionally, Jim Cummins (1980) suggested a framework that distinguishes between language for basic social interaction and that used for academic purposes. Basic Interpersonal Communication Skills (BICS) refer to language skills needed for social conversation purposes (Cummins, 1981). Cognitive Academic Language Proficiency (CALP) refers to formal language skills used for academic learning. Cummins further supplants that all communication tasks can be viewed along two intersecting domains - cognitive demand and contextual embeddedness. Instruction should be planned to move among the quadrants, increasing the cognitive demand with familiar/embedded language and teaching new language about familiar content.

California English Language Proficiency Descriptors

The Proficiency Level Descriptors (PLDs) detail three stages of English language development. English learners are expected to progress steadily through these stages as they gain increasing proficiency in English. The PLDs describe student knowledge, skills, and abilities along a continuum, identifying specific knowledge and abilities in each of the three proficiency levels: **Emerging**, **Expanding**, and **Bridging**.

These descriptors guide teachers in providing ELs with targeted instruction in English as well as differentiated instruction in academic content areas. It is essential that ELs at all levels of English language proficiency fully participate in grade-level tasks in all content areas with varying degrees of scaffolding to develop both content knowledge and English.

Emerging

Students at this level typically progress very quickly, learning to use English for immediate needs as well as beginning to understand and use academic vocabulary and other features of academic language.

Expanding

Students at this level are challenged to increase their English skills in more contexts and to learn a greater variety of vocabulary and linguistic structures, applying their growing language skills in more sophisticated ways appropriate to their age and grade level.

Bridging

Students at this level continue to learn and apply a range of high-level English language skills in a wide variety of contexts, including the comprehension and production of highly technical texts. The “bridge” alluded to is the transition to full engagement in grade-level academic tasks and activities in a variety of content areas without the need for specialized ELD instruction.

California’s English Proficiency Levels

| <i>ELPAC Language Proficiency</i> | <i>ELPAC Summative Score</i> |
|-----------------------------------|------------------------------|
| Emerging | 1 |
| Expanding | 2 |
| | 3 |
| Bridging | 4 |

Federal Laws and Legal Requirements

Over the last fifty years, the United States has made significant progress toward advocating and improving education opportunities for all students. Federal statutes prohibiting discrimination in education programs have been enacted to protect the rights of students; most notably Title VI of the Civil Rights Act of 1964 prohibiting race, color, and national origin discrimination (US Department of Education, 1999). This civil rights law and several other court cases represent a national commitment to end discrimination in education (US Department of Education, 1999). Many state and federal laws are

designed to help deliver the promise that every individual has the right to develop his or her talents to the fullest regardless of race, language, religion, or gender identity (US Department of Education, 1999).

Below is a summary of federal laws and Supreme Court cases protecting English learners as well as the district obligations in serving this population of students.

Title VI of the Civil Rights Act (1964)

- Prohibits discrimination based on race, color, or national origin.
- Students may not be excluded from any program or activity receiving federal financial assistance.

Office for Civil Rights Memorandum (1970)

- Requires school districts to take affirmative steps to rectify language deficiencies.
- Prohibits assignment to special education classes based on English language skills.
- Requires parent notification of school activities.
- Forbids specialized programs for English learners to operate as an educational dead-end or permanent track which would disallow them access to academic opportunities.

Lau v. Nichols - 4141 U.S. 563 (1974): Supreme Court case which affirmed Title VI of the Civil Rights Act

- A civil rights case was brought by Chinese American English learners in San Francisco, California which claimed the lack of linguistically appropriate accommodations (ex. Educational services in English) effectively denied the students equal educational opportunities based on their ethnicity, as required by Title VI of the Civil Rights Act of 1964.
- The US Supreme Court in 1974 ruled in favor of the students.
 - There is no equality of treatment merely by providing students with the same facilities, textbooks, textbooks, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.

Equal Educational Opportunities Act of (1974)

- Denial of equal educational opportunity prohibited.
- Prohibits discrimination against faculty, staff, and students, including racial segregation of students.
- Requires school districts to take action to overcome academic and linguistic barriers to students' equal participation.

The Lau Remedies (1975)

- Specifies approved approaches, methods, and procedures for:
 - Identifying and evaluating language minority students' English language skills.
 - Districts and schools required to:
 - Determine instructional English language development programs.
 - Decide when English learners no longer need English language development services.
 - Determine the professional standards education must meet to deliver the English language development program.

Castaneda v. Pickard (1981): Court case challenging a school district for not meeting Lau v. Nichols and the Equal Educational Opportunities Act

- Roy Castaneda, father of two Mexican American children, led suit against the Raymondville Independent School District (RISD) in Texas arguing:
 - The district failed to establish sufficient bilingual education programs, which would have assisted his children in overcoming the language barriers that prevented them from participating equally in the classroom.
 - There was no way to sufficiently measure the Raymondville Independent School District's approach to overcoming language barriers, as required in Lau v. Nichols (1974)
 - The Court ruling established a three-prong approach to measure compliance with the Equal Educational Opportunities Act (1974) as it relates to English learner programs.
 - Theory - The ELD program must be based on sound educational theory.
 - Practice - The ELD program is implemented with fidelity and with appropriate scale and human resources, to transform theory and practice.
 - Evaluation - measures the effectiveness of ELD programs.

Every Student Succeeds Act (ESSA), 2017

President Obama signed the Every Student Succeeds Act into law on December 10, 2015. This bipartisan measure reauthorizes the 50-year-old Elementary and Secondary Education Act (ESSA), the nation's national education law and longstanding commitment to equal opportunity for all students.

ESSA includes provisions that will help to ensure success for students and schools. Below are some of the key provisions. The law:

- Advances equity by upholding critical protections for America's disadvantaged and high-need students.
- Requires - for the first time - that all students in America be taught to high academic standards that will prepare them to succeed in college and career.

- Ensures that vital information is provided to educators, families, students, and communities through annual statewide assessments that measure students' progress toward those high standards.
- Helps to support and grow local innovations - including evidence-based and placed-based interventions developed by local lenders and educators - consistent with our investing in innovation and promise neighborhoods.
- Sustains and expands this administration's historic investments in increasing access to high-quality preschool.
- Maintains an expectation that there will be accountability and action to effect positive change in our lowest-performing schools, where groups of students are not making progress, and where graduation rates are low over extended periods.

Federal Program Monitoring

State and federal laws require the CDE to monitor EL programs in local educational agencies (LEAs) through the Federal Program Monitoring (FPM) process. The following key dimensions are the necessary components to a complete English learner program according to the State of California English Learner (EL) Instrument (*California Department of Education, 2016-2017*):

Dimension I – Involvement

- EL 1: Parent Outreach & Involvement
- EL 2: Translation of Information for Parents
- EL 3: Private School Consultation & Participation
- EL 4: English Learner Advisory Committee (ELAC)
- EL 5: District English Learner Advisory Committee (DELAC)

Dimension II – Governance & Administration

- EL 6: English Learner Identification & Assessment
- EL 7: Parent/Guardian Notifications
- EL 8: Implementation, Monitoring & Revision of LEA Plans
- EL 9: EL Program Inclusion in the Development of the Single Plan for Student Achievement
- EL 10: Inventory

Dimension III – Funding

- EL 11: Supplement, Not Supplant, with Title III & EIA-LEP
- EL 12: Time Accounting Requirements

Dimension IV – Standards, Assessment, and Accountability

- EL 13: Evaluation of English Learner Program Effectiveness
- EL 14: Reclassification
- EL 15: Teacher EL Authorization

Dimension V – Staffing and Professional Development

- EL 16: Professional Development Specific to English Learners

Dimension VI – Opportunity and Equal Educational Access

EL 17: Appropriate Student Placement

EL 18: Parental Exception Waivers for Alternative Program

Dimension VII – Teaching and Learning

EL 19: English Language Development

EL 20: Access to the Core Subject Matter

English Learner Master Plan Alignment

All sections in the San Benito County Polytechnic Academy’s EL Master Plan align with Federal Program Monitoring (FPM) requirements:

Section 1: Identification, Parent Notification, & Reclassification [FPM: EL 2, 6, 7, 14]

- Home Language Survey (HLS)
- English language proficiency assessment (ELPAC)
- Parent notification assessment results
- Reclassification recommendation form (RFEP)
- Four-year RFEP monitoring
- English Learner Program Effectiveness Plan

Section 2: Instructional Program and Materials [FPM: EL 17, 18, 19, 20]

- Integrated and Designated ELD Instruction (English language development)
- Parental Exception Waivers
- Secondary Courses
- Instructional Materials

Section 3: Staffing and Professional Development [FPM: EL 15, 16]

- Authorization and credentials
- High-quality professional development

Section 4: Funding [FPM: EL 3, 10, 11, 12]

- Basic and supplementary resources
- Title III funds to supplement, not supplant.

Section 5: Family and Community Involvement [FPM: EL 1, 4, 5]

- Parent outreach and involvement
- English Learner Advisory Committee (ELAC)
- District English Learner Advisory Committee (DELAC)

Section 6: Monitoring, Evaluation, and Accountability [FPM: EL 8, 9, 13]

- Program Evaluation
- Governance and Responsibilities
- Student Evaluation and Monitoring
- Data Collection

Section 1: Identification, Placement, Parent Notification, and Reclassification

ELD Program Eligibility

As required by federal law, to determine if a student qualifies for English Language Development (ELD) services, he/she will be given an English language proficiency test based on parental responses on the Home Language Survey. The Home Language Survey is completed by parents when a child registers for school. The English proficiency test assesses English reading, writing, speaking and listening. The test scores will indicate whether the student is eligible to receive ELD instruction in a program designed to help students acquire English language proficiency and access grade-level content instruction.

SBCPA EL Identification Policies and Procedures

Beginning with the 2017-18 school year, the Every Student Succeeds Act (ESSA) requires that each state have consistent entrance and exit procedures for English Learners (ELs). The ESSA plan describes these standardized entrance procedures for the identification of English learners:

Step 1: Determine if the student is a potential EL student through adherence to the Home Language Survey Guidance and completion of the Home Language Survey (HLS).

Step 2: Review the HLS results to determine if it indicate the student may have a primary or home language other than English (PHLOTE) and may be an English learner.

Step 3: If the HLS indicates the student may have a PHLOTE, the approved English language proficiency (ELP) assessment is administered.

Step 4: If the student's results on the ELP assessment indicate the student is an English learner (EL), the student is identified. The student's parents are informed of the service options for their child and select the

service that the student will receive or waive services. They are also informed that they may modify their selection at any time. The student's EL status is also reported in CALPADS.

Home Language Survey

California Education Code, Section 52164.1 (a) contains legal requirements that direct schools to determine the language(s) spoken in the home of each student. A Home Language Survey (HLS) must be completed by a parent or legal guardian upon initial registration of TK-12 students. New students enrolling in California schools for the first time may include but are not limited to, migrant, immigrant, out-of-state transfers, special education, alternative education, transitional kindergarten (TK), and kindergarten students.

Before completing the HLS, parents are to receive an explanation regarding the purpose and uses of the HLS, as well as the possibility that their child may be assessed to measure their English language proficiency level. In particular, it should be made clear that the HLS is not used to determine a student's language classification or immigration status. Each school office should have a designated staff member available to provide consistent information about the HLS, assessment process, and instructional program options offered to English learners (ELs).

The HLS consists of the following four questions:

1. Which language did your child learn when he/she first began to talk?
2. Which language does your child most frequently speak at home?
3. Which language do you (the parents or guardians) most frequently use when speaking with your child?
4. Which language is most often spoken by adults in the home? (parents, guardians, grandparents, or any other adults)

The answers provided for each HLS question are used to determine a student's home language status:

- English Only (EO)
- Possible English Learner – To Be Determined (TBD)

All four HLS questions must be answered, and the HLS form must be signed by the parent/guardian. The document becomes a permanent part of the student's cumulative record (CUM). The first, or initial, HLS (Grade K) for a student supersedes any other HLS forms completed at later times. Therefore, the answers provided on the initial HLS are documented permanently in Illuminate Ed and CALPADS.

To determine a student's home language status, follow the guidelines below:

1. ALL English on HLS questions #1-3 → mark "EO"
The student is considered English Only (EO). The Office Manager will update the student's language classification on Illuminate Ed. The initial HLS shall be added to the student's CUM folder and the student is placed in the district's general education program.

2. At least one response other than English on HLS questions #1-3 → mark “*TBD*”
The student is designated as having a primary language other than English and the assessment process begins. A copy of the initial HLS shall be provided to the EL Site Coordinator. The HLS is placed in the student’s CUM folder. The ELPAC Initial Assessment (IA) must be administered within 30 calendar days of enrollment*. The EL Site Coordinator will update the student’s language classification (TBD→ IFEP or EL). They will also add language test dates and results in Illuminate Ed. Students will be placed in the appropriate educational program based on the results of ELPAC IA.
3. A language other than English on question #4 only → mark “*EO*”
The student is considered English Only (EO) and placed in the district’s general education program. The language spoken most often by *the adults at home* does not determine the native language proficiency of the student.

*The following actions must occur within the 30 days of enrollment:

1. Review of Home Language Survey to determine whether the student needs to take the IA (this is only for students entering a CA public school for the first time in their lives)
2. Notification of Initial Testing to be sent home to family if the student is determined to be eligible for testing
3. Testing in ELPAC Initial Assessment (IA)
4. ELPAC IA results mailed home to family

The ELPAC is the assessment used in California to determine the English proficiency of students whose primary language is not English. The ELPAC is aligned with the 2012 California English Language Development Standards. The assessment measures four domains of language: Listening, Speaking, Reading, and Writing.

Initial Assessment (IA)

The ELPAC is administered once to a student based on the results of the home language survey and determines whether the student is an English Learner (EL) or is fluent in English. English Learners are assigned an English proficiency level (1-4) that will inform proper placement into appropriate instruction for Designated ELD. The IA of the ELPAC is scored locally.

Summative Assessment (SA)

Students who are identified as English Learners via the ELPAC IA, take the ELPAC Summative Assessment annually to assess their progress in learning English. The ELPAC Summative Assessment measures English in the four language domains (listening, speaking, reading, and writing) and assigns an English proficiency level (1-4) for the student's performance. The results are utilized as one of four criteria that will determine readiness to be reclassified as a fluent English speaker, to assist in appropriate instructional placement, and to report progress for school system accountability.

Administration of the ELPAC

Both the ELPAC SA and IA are paper-pencil assessments given in seven grade spans - K, 1, 2, 3-5, 6-8, 9-10, and 11-12. In K-1 all items are administered individually. In grades 2-12, the test is administered in group settings except the Speaking portion, which is administered individually. Testing times vary.

Students with Disabilities and the ELPAC

Students with disabilities who cannot take one or more domains of the ELPAC with allowed universal tools, designated supports, or accommodations, will take an alternative assessment(s), as noted in their IEP or Section 504 plan.

ELPAC Testing Schedule

IA: Administration window **July 1st** through **June 30th** (Students must be tested and results provided to the family within 30 days of the student's first day of enrollment into that school).

SA: Administration window **February 1st** through **May 31st**.

Parental Right to Refuse ELD Services

Parents have the right to opt out of receiving ELD services for their child. State law mandates the completion of a Parental Waiver Form to formally decline services.

Procedures for Granting Parental Exception Waivers (EC310 and 311):

1. Parent(s) must personally visit the school to apply for a waiver.
2. Waiver requests must be submitted annually.
3. Parents will receive a written description of the program options.

4. All parental waivers shall be acted upon within 20 instructional days of submission to the school site director.
5. Parental exception waivers shall be granted unless the school principal and educational staff have determined that an alternative program... would not be better suited for the overall educational development of the pupil (CCR, Title 5, section 11309 [b][4]).

***In cases where a parental exception waiver is denied, parents/guardians must be informed in writing of the reason(s) for denial and advised of any procedures that exist to appeal the decision.*

6. Schools are required to offer the Alternative Bilingual program if there are 20 or more approved requests at one grade level Waiver Appeal Process Parents have the right to address the district's board of education regarding any concerns. Requests to the SBCPA Board should be submitted at least three weeks before the meeting. Parents may also file a formal complaint under the district's Uniform Complaint Procedures (CCR, Title 5, Section 11309 [d]). Copies of all parental exception waivers shall be filed at each school site and the district office.

Reclassification Policy and Procedures

EL Reclassification Policy

Introduction

The Governing Board of San Benito County Polytechnic Academy will adopt the updated Reclassification guidelines for EL students, based on the transition from the California English Language Development Test (CELDT) to the English Language Proficiency Assessments for California (ELPAC). This policy adheres to the changes made to the Summative ELPAC threshold scores and the decision to standardize the 2018 - 2019 ELPAC criteria, per the Updated Reclassification Guidance set forth by the California Department of Education for English Learner (EL Reclassification).

Existing Reclassification Criteria

The reclassification criteria set forth in California Education Code (EC) Section 313 and Title 5 California Code of Regulations (5 CCR) Section 11303 remain unchanged. Local educational agencies (LEAs) should continue using the following four criteria to establish reclassification policies and procedures:

1. Assessment of English language proficiency (ELP), using an objective assessment instrument, including, but not limited to, the state test of ELPAC; and
2. Teacher evaluation, including, but not limited to, a review of the student's curriculum mastery; and
3. Parent opinion and consultation; and
4. Comparison of student performance in basic skills against an empirically established range of performance in basic skills of English proficient students of the same age.

Update Guidance: Summative ELPAC Scores and ELPAC Criterion

In November of 2018, the State Board of Education (SBE) approved new Summative ELPAC threshold scores by grade level for K-8 and by grade span for grades 9-10 and grades 11-12, which are reported on a

Level 1-4 scale. SBCPA will use the new scores to determine level designation for ELP beginning with the 2024-2025 Summative ELPAC administration. The Summative ELPAC Scale Score Ranges are available on the CDE ELPAC website. In January 2019, based on the new 2018 - 2019 Summative ELPAC threshold scores, the SBE approved the use of ELPAC Overall Performance Level (PL) 4 as the statewide standardized ELP criterion for reclassification beginning with the 2018 - 2019 Summative ELPAC administration for grades K-12.

Therefore, SBCPA schools shall use the Overall PL 4 to determine whether a student has met the ELP assessment criterion. All other criteria will remain locally determined. Pursuant to 5 CCR, 11308(c)(6) (Advisory Committees), any local reclassification procedures must be reviewed by SBCPA’s advisory committee (DELAC) on programs and services for English Learners.

English Language Learner Reclassification Criteria

Students will be reclassified based on the following criteria. **All four criteria must be met.**

| ELPAC Criteria | San Benito County Polytechnic Academy’s Measurement | Reclassification Criteria |
|---|--|--|
| 1. Assessment of ELP, using an objective assessment instrument, including, but not limited to, the state test of ELPAC (ELPAC Overall PL 4 only); <i>and</i> | ELPAC Assessment | <ul style="list-style-type: none"> ● Students must earn an overall score of 4 on the most recent Summative ELPAC to qualify for reclassification. |
| 2. Teacher evaluation, including, but not limited to, a review of the student’s curriculum mastery (holds no bearing on the final outcome); <i>and</i> | Grades in English class, including the 8 th grades in English and Math, and teacher consultation, if necessary | <ul style="list-style-type: none"> ● Students must earn a “C” or higher for the most recent semester of their English course |
| 3. Parent opinion and consultation; <i>and</i> | A telephone call to the parent guardian that notifies them of their rights and encourages them to participate in the reclassification process. <i>and</i> Optional face-to-face meeting with parent/guardian | <ul style="list-style-type: none"> ● Parents are encouraged to provide feedback and ask questions. |
| 4. Comparison of student performance in basic skills against an empirically established range of performance in basic skills based on the performance of English proficient students of the same age. | NWEA Map, Dibels, SpringBoard, Benchmark, PSAT, READ 180, English 3D, Achieve 3000, CAASPP (SBAC) | <p>Grades 3-8, 11</p> <ul style="list-style-type: none"> ● Met Standard or Exceeded Standard ● Read 180 ● English 3D <p>Grades 9 & 10:</p> <ul style="list-style-type: none"> ● PSAT score = 430 and above <p>Grade 12:</p> <ul style="list-style-type: none"> ● SAT score = 480 and above |

Reclassification of English Learners with Disabilities

Under current state law, students who are English learners must participate in the annual administration of ELPAC until they are reclassified as Fluent English Proficient (RFEP). This means ALL students, including those with disabilities. The reclassification process in public schools is based on guidelines approved by the State Board of Education and is based on California EC Section 313(d). Pupil Services and the EL Services will continue to use the ELPAC Information Guide, to provide additional professional development for EL Site Contacts and Individualized Education Program (IEP) team members to better support dual-identified English learners (ELs with disabilities).

SBCPA, together with service partners, is equipped to provide dual-identified ELs with linguistically appropriate programs and support services to meet their unique needs. English learners with disabilities, including those with severe cognitive disabilities, will be provided the same opportunities to be reclassified as students without disabilities. SBCPA utilizes multiple measures and multiple criteria in determining whether a student has acquired sufficient English skills to perform successfully in academic subjects and meet IEP goals without ELD support. Considering all guidelines, criteria, resources, and the individual needs of each dual-identified English learner, the IEP team will determine the following:

- Appropriate measures of English language proficiency (ELP)
- Appropriate measures of performance in basic skills
- Minimum levels of proficiency that would be equivalent to an English proficient peer with similar disabilities in accordance with district reclassification policies In accordance with federal and state law, the IEP team may address the individual needs of each English learner with a disability using multiple criteria in concert with district reclassification criteria:
 - Criterion 1: Assessment of ELP using an objective assessment instrument
 - Including, but not limited to ELPAC.
 - An alternative assessment may be used to measure the student's ELP on any or all four domains in which the student cannot be assessed using ELPAC.
 - The IEP team can use the scores from an alternate assessment aligned with the state ELD standards for reclassification purposes.
 - Criterion 2: Teacher evaluation
 - Use the student's classroom performance information based on his or her IEP goals for academic and ELD.
 - Criterion 3: Parental opinion and consultation
 - The parent or guardian is a participant on the IEP team.
 - Criterion 4: Student's score on an assessment of basic skills
 - The IEP team should specify in the student's IEP an assessment of basic skills to meet the guidelines for reclassification (e.g., the California Alternate Assessment)
 - Other assessments may be considered that are valid and reliable and designed to compare basic skills of dual-identified ELs to native speakers of English with similar disabilities The IEP team, including the parent and EL Site Contact, will decide whether or not to reclassify a student with disabilities using the criteria listed above and on the worksheet below. Other alternative assessments may be used to supplement the four required criteria to ensure the most appropriate decision is made for each student.

English Language Learners Process and Procedures for Students with Disabilities

English Language Learners and the Individualized Education Plan (IEP)

In developing an IEP for a student with limited English proficiency, the IEP Team must consider the student's level of English Level Proficiency (ELP), this includes both second language conversational skills as well as academic language proficiency. Therefore, the IEP Team must consider the student's level of ELP in listening, speaking, reading, and writing, to support and strengthen implementation of the IEP goals.

The Individuals with Disabilities Education Act (IDEA) requires that IEP goals be developed in areas of need related to the student's disability. Being an English learner is not a disability. Rather, state and federal regulations require that IEP goals be linguistically appropriate, which means they must be written at a level of linguistic ability that is appropriate for the student based on his/her current English language development (ELD) level as evidenced by recent assessment English Language Proficiency Assessments for California (ELPAC) or an alternate assessment).

For students with an IEP, the IEP team determines the appropriate instructional setting for the student to receive ELD as well as the staff responsible (EL or Special Education). Classroom instruction is primarily in English. The IEP team also determines the extent to which primary language support/instruction is provided. ELD instruction is defined as the direct, systematic, explicit development of vocabulary, grammar, comprehension, and expression in both oral and written domains of English using curricula and instructional methods appropriate for second language learners. ELD is a required component of every English learner's core curriculum, regardless of level. ELD must be individualized based on need. It is best practice to group students with other students at the same or similar fluency level for ELD.

Program Requirements for English Learners in Special Education

Programs and Services for EL Students in Special Education ELD instruction is based on the California ELD Standards. The ELD standards are divided into four domains: (1) Listening (2) Speaking (3) Reading (4) Writing. The English language proficiency levels through which EL students progress are the following: beginning, early intermediate, intermediate, early advanced, and advanced. Each English learner receives a program of instruction in English language development (ELD) in order to develop proficiency in English as rapidly and effectively as possible.

IEP Documentation

The Local Education Agency (LEA) will document the current English Language Proficiency and academic assessment results in the student's IEP per an Initial Evaluation, Annual Review, or Triennial Evaluation.

The Case manager, generally, a special education teacher completes the IEP information for an English Learner in the following sections of the IEP:

- Information/Eligibility-identifies the student as an English learner (EL) and/or redesignated as English Proficient
- Present Levels of Academic Achievement and Functional Performance-indicates outcomes on the English Language Development Test, areas and scores.
- Special Factors- Programs and Services for EL Students in Special Education are considered and identified in the Special Factors Section of the IEP. This includes completing the primary

language supports, setting for ELD services, and type of program. A Structured Language Immersion program or Alternative program is selected.

- The Structured Language Immersion setting can be provided for English Learners with an IEP in a variety of ways including:
 - a. Targeted EL instructional groups held within the context of a classroom taught by a special educator.
 - b. Instruction in a general education classroom during a portion of the day, English language development (ELD) instruction is provided by a general education teacher.
 - c. In a collaborative model, special educators team with the general education teacher to provide EL services to provide programs and services for EL Students in Special Education.
- Statewide Assessments - The IEP team will determine ELPAC accommodations in the areas of Listening, Speaking, Reading, and Writing, and alternate assessment to ELPAC and the areas of alternate assessment-listening, speaking, reading, and writing.
- Alternate Assessments-identifies areas -Listening, Speaking, Reading, and Writing; indicates the name of the Alternate Assessments, and the person responsible for administering the alternate assessments.

Section 2: Instructional Program and Materials

ELD Program Overview

The medium of instruction in SBCPA schools is English, though the value and use of a child's first language is recognized, respected, and encouraged. English language instruction is universal; taught by all educators and infused into all content areas and interventions. To ensure that we are meeting our EL students' needs, each of our schools employs the following:

- California Common Core State Standard (CCSS) and California English Language Development Standards are interwoven into all academic areas.
- Ongoing formative assessments are used to determine EL needs in grade-0level content as well as English language development.
- Multi-tiered systems of support (MTSS) are utilized to ensure EL learners receive appropriate and timely interventions in reading, writing, math, and/or other areas, as needed.
- Teachers use best practices in literacy and English language development instruction.

The ELD program at San Benito County Polytechnic Academy provides English Learners with effective and rigorous instruction via high-quality K-12 programs and curricula that will enable them to fully participate in their educational experience in school and in their social lives in school and in the community. The K-12 ELD Program is content-based and focuses on developing communication and literacy skills as well as academic knowledge in the content areas of English, math, science, history/social studies, and technical subjects.

Integrated and Designated ELD

According to California's ELA/ELD Framework, "**ELs at all English proficiency levels and at all ages require both integrated ELD and specialized attention to their particular language learning needs, or designated ELD.**" Such a multilayered application of the CA ELD Standards requires deep collaboration between educators, support for teachers, and, most importantly, a sustained focus on the

strengths and needs of individual ELs and a persistent belief that all ELs can achieve the highest levels of academic and linguistic excellence.” (Ch. 2, p. 97) Curricula utilized to fulfill the requirements of Integrated and Designated ELD at SBCPA will “systematically and thoroughly address **the acquisition and fluent application of foundational skills; the development of comprehension and academic language; and the skillful use of spoken and written English for a variety of purposes in a variety of contexts**” (CA ELA/ELD Framework, p. 9).

Integrated ELD

The ELA/ELD Framework “uses the term integrated ELD to refer to **ELD throughout the day and across the disciplines**. All teachers with ELs in their classrooms should use the CA ELD Standards in addition to their focal CA CCSS for ELA/Literacy and other content standards to support their ELs’ linguistic and academic progress. The goal section of each set of grade-level and grade-span CA ELD Standards specifies that in California schools, ELs should engage in activities in which they **listen to, read, analyze, interpret, discuss, and create a variety of literary and informational text types**. Through these experiences, they develop an understanding of how language is a complex and dynamic resource for making meaning, and they develop language awareness, including an appreciation for their primary language as a valuable resource in its own right and for learning English” (CA ELA/ELD Framework, p. 81).

Designated ELD

“Designated ELD is protected time during the regular school day when teachers **use the CA ELD Standards as the focal standards**” in ways that build into and form content instruction to develop critical English language skills, knowledge, and abilities needed for content learning in English... an opportunity during the regular school day to support ELs to develop the discourse practices, grammatical structures, and vocabulary necessary for successful participation in academic tasks across the content areas.” (CA ELA/ELD Framework, p. 91)

SBCPA High School ELD Program

Integrated ELD

Curriculum: Springboard English Language Arts and Springboard English Language Development by College Board (Grades 9-11)

Springboard English Language Arts provides instructional scaffolding to teachers at point-of-use within daily lessons so that all English Learners are given support to access grade-level standards. The curriculum offers differentiated instructional modifications for students who are at the Emerging, Bridging, and Expanding proficiency levels. Daily whole-group instruction includes rigorous practice with reading, listening, writing, and speaking. Additionally, Springboard English Language Development guides teachers in how to further enhance and modify instruction for English Learners so they have additional practice with and, therefore, greater access to daily lesson objectives.

Designated ELD

Curriculum: Inside the USA Essential Language and Literacy Skills for Newcomers (National Geographic Learning)

Develop language, survival vocabulary, and the basic building blocks of literacy for newly arrived and preliterate students

Provides instruction designed to facilitate the acquisition of academic English for students with an ELPAC Summative Score of one (1). Inside the USA language, survival vocabulary, and the basic building blocks of literacy for newly arrived and preliterate students. Inside the USA will be offered for one instructional period per day for qualifying students (30 minutes/ day).

Curriculum: English 3D

Provides instruction designed to facilitate the efficient acquisition of academic English for students with an ELPAC Summative Score of two through four (2-4). English 3D accelerates proficiency in the academic language, speaking and listening, and writing skills vital to success in academic and professional settings. English 3D will be offered for one instructional period per day for qualifying students (30 minutes/day).

Culture of Equitable Outcomes for EL Students

Equitable and culturally appropriate practices in education stem from federal and state legislative precedents (ex. The Elementary and Secondary Education Act and Every Student Succeeds Act). SBCPA educators recognize the unique needs of learners who come from diverse cultural and linguistic backgrounds and utilize targeted governmental grants to provide equitable culturally responsive and appropriate learning and community engagement opportunities for our English learners and immigrant students and families.

Section 3: Staffing and Professional Development

Staffing

| | |
|----------------------------|---|
| Learning Director | <ul style="list-style-type: none">• Hires and places staff appropriately.• Collaborates to determine staffing and training needs at the site (Leadership Team, ELAC, teachers, support staff, etc.)• Monitors and evaluates program and staff |
| Executive Director | <ul style="list-style-type: none">• Oversees district requirements, hiring, and placements.• Coordinates and implements district staff development and teacher training for EL services.• Monitors the implementation of the master plan |
| Coordinator of EL Services | <ul style="list-style-type: none">• Updates EL Master Plan and monitors implementation.• Provides support and guidance to site leadership |

Teacher Authorization and Credentials

SBCPA hires teachers who hold appropriate credentials or certificates issued by the California Commission on Teacher Credentialing (CTC). The California Education Code (EC) requires individuals to hold the appropriate authorization before providing instructional services, including specified EL services. The pertinent statutes include EC Section 44001, EC Section 44830(a), EC Section 44831, and particularly EC Section 44253.1, which reads: “For these pupils to have access to quality education, their special needs must be met by teachers who have essential skills and knowledge related to English language development, specially designed content instruction delivered in English, and content instruction delivered in the pupils’ primary languages.” The California Commission on Teacher Credentialing (CTC) is responsible for establishing the teacher authorization process by which teachers are certified as having specified knowledge, skills, and abilities for providing instruction to ELs. All staff members working with English learners will continue to receive professional development.

Recruitment

SBCPA shall participate in recruitment fairs sponsored by universities, colleges, and organizations. The site administration team shall lead the participation in the recruitment process and work with community and educational partners as well. Every effort will be made to hire and retain authorized teachers.

Professional Development

Educators receive ongoing professional development through school-wide training as well as support and guidance given by the district EL coordinator. Professional development is centered around language acquisition, language development, English language instruction and how to infuse it into content instruction, best practices in teaching and learning, and effective collaboration.

Recommended Professional Development Topics & Conferences:

- 2012 English Language Development (ELD) standards
- 2014 ELA/ELD Framework
- Training & support for administration and site leadership
 - Annual updates for EL Master Plan EL program options & reclassification criteria
 - ELAC & DELAC training & support
 - Annual Accountability Leadership Institute (ALI) for English Learners Conference of California Association on Bilingual Education (CABE) Conference
- Designated ELD instruction for Lesson planning & online resources
- Integrated ELD training for core subjects
 - Effective Instruction & best practices refreshers
 - Teachers Leading Teachers (TLT)
 - Jeff Zwiers et al.: Academic Discourse & Common Core Standards in Diverse Classrooms
 - Universal Design for Learning (UDL)
 - Supporting English learners in the mathematics classroom
 - Project-Based Learning (PBL)
 - Kagan Cooperative Learning trainings
 - Speaking Frames, Vocabulary, English 3D
 - Erik Palmer: Speaking/listening (PVLEGS lessons & digital literacy/research)
 - Technology integration & CUE conferences
 - California County Office training & workshops (e.g., OUSD, WCCUSD, etc.)

- Early Literacy, Guided reading, Benchmark Assessment System (BAS), Orton Gillingham
- Pupil Services & Special Education, Supporting Dual-Identified English learners (ELs with disabilities)
- California Assessment of Student Performance & Progress (CAASPP) Assessments, English Language Proficiency Assessments of California: ELPAC, observation tools, and rubrics
 - Dylan William: Embedded Formative Assessments
 - New teachers
 - New Teacher Institute - Effective Instruction training
 - Beginning Teacher Induction Program (TIP) trainings
- Professional Learning Communities (PLCs)
 - Grade level or department PLCs.
 - Collaborative learning & planning days
- Parents & Community of English Learner Advisory Committee (ELAC)
 - District English Learner Advisory Committee (DELAC)
 - Family Literacy Nights & programs
 - School Site Council (SSC) and Parent Advisory Committee (PAC) - Migrant Services, District/school parent meetings & conferences

Recommended Online Resources

- California eStandards website & app, <http://estandards.scoecurriculum.net/>
- Stanford's Understanding Language: Language, Literacy, and Learning in the Content Areas ell.stanford.edu
- Academic Language Development (ALD) Network aldnetwork.org
- Massive Open Online Courses (MOOCs) <http://online.stanford.edu/courses>

Section 4: Funding

Basic and Supplementary Resources

Each school's general funds are used to provide an appropriate core curriculum for each EL student. Resources include staff, curriculum materials, instructional supplies, and other services available to students. LEA resources provide adequate services in ELD, primary language support, and instruction that promote each student's self-image and cross-cultural understanding. Throughout the year, school site personnel purchase materials, both basic core and supplemental, as needed. Site purchase orders are reviewed by the executive administration level staff to ensure monies are used appropriately. Staff at schools review school inventories and make purchasing recommendations based on site populations and needs. Schools receive regulations, guidelines, and suggestions/recommendations for materials and expenditures from the site administration and educational programs. Federal law requires that all employees funded with federal grant funds provide verification of their time worked in the federal program. Documentation is required to ensure that the district is properly charging salaries and wages that are reasonable, necessary, and allowable in accordance with applicable federal program requirements. The resource codes involved with federal programs reviewed by CDE and that require Time & Effort accounting forms are 3000-5999, Title I Part A & D; Title II Part A, Title III EL, and ASES.

Title III Funding

Title III resources shall be used to provide English learners with supplemental services and materials. This includes, but is not limited to, the following:

- (a) hiring supplemental teachers and paraeducators.
- (b) purchasing supplemental teaching materials and assessment instruments.
- (c) providing additional staff training to develop instructional skills to better support ELs.
- (d) expanding English learner parent involvement and participation opportunities.
- (e) providing other reasonable expenses, which may include translation services and training of parent advisory groups.

Note: If the district and school site receive other state and federal funds, such funds supplement and do not supplant the district's core curriculum services or other categorical funds for EL students.

Section 5: Family and Community Involvement

Parent and Community Involvement

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|-----------------------------|---|
| Learning Director | <ul style="list-style-type: none"> ● Facilitates site English Learner Advisory Committee (ELAC) ● Attends District English Learner Advisory Committee (DELAC) meetings. ● Communicates with parents & families regularly (providing translated information and documentation as needed) ● Provides opportunities for parent education & involvement |
| Coordinator for EL Services | <ul style="list-style-type: none"> ● Oversees parent committee procedures for ELAC & DELAC ● Provides parent educational support to site leadership. ● Provides assistance & support regarding parent notification, translation, implementation of ELAC/DELAC, & parent education |
| Parents / Guardians | <ul style="list-style-type: none"> ● Participates in parent education opportunities, school activities, & parent committees ● Completes Home Language Survey (HLS) ● Reviews student assessment results and progress reports ● Attends meetings & signs paperwork |

Parents are an integral part of the educational partnership that includes students, staff, and community members. Parents of English learners must be well informed of all site and district activities, procedures, and policies that directly impact their children. It is the joint responsibility of both the school and district to educate and help parents clearly understand the educational program options and opportunities for their children. Parents are encouraged to participate in parent committees that advise the school, district, and board on funding and services for English learners.

There are numerous parent & community activities available throughout the year at SBCPA:

- Parent Committees, English Learner Advisory Committee (ELAC)

- School Site Council (SSC)
- Parent Advisory Committee (PAC) - Migrant Services
- LCAP Guidance Committee
- English Language Learning & Family Literacy Program
- School District and County of Education Community Events
- Back-to-School, Carnivals, Open House & Family Nights
- Awards, Celebrations & Holiday Events, Sports, Games & Competitions
- Community, School, and/or Classroom Volunteer

English Learner Advisory Committees

The English Learner Advisory Committee (ELAC) consists of an integrated school staff, parent, and community group to help ensure that the site and district's EL program is well-planned, effectively implemented, and ultimately successful in achieving its goals for English learners.

School sites with 21 or more EL students shall have an elected ELAC that meets at least four times a year. The committee will be composed of parents and staff, with parents of EL students making the majority of members. Parents of EL students will be represented by the same percentage as the EL student enrollment at the site (or more). Committee members serve for two years. Election procedures, meeting requirements, and sample agendas for implementing the ELAC can be found in the Categorical Programs Handbook for SSC and ELAC Procedures provided to the schools by the administration.

ELAC agendas, sign-in sheets, and minutes will be submitted to the Site Director after every meeting for review and filing. The Learning Director is responsible for following ELAC protocol and providing training in required areas. To ensure proper training for parents and committee members, site directors will use the FST and ELAC Training Guide that is provided and updated by the EL Services Coordinator. Training is also provided in areas that the site committee requests. In addition, each school's English Learner Advisory Committee (ELAC) elects a district DELAC representative and an alternate.

Roles & Responsibilities of ELAC

- (a) Assist in the development of the school's plan for services to English learners.
- (b) Have input into the school's needs assessment.
- (c) Assist in the school's efforts to make parents aware of the importance of regular school attendance.
- (d) Review data regarding the diversity and language needs of students at their site.

District English Learner Advisory Committee (DELAC)

When there are 51 or more EL students in a district, a District English Learners Advisory Committee (DELAC) shall be formed. The DELAC will be composed of representatives from the school-level English Learner Advisory Committees and interested school and district staff. Most of the members will be parents of EL students who are not district employees. Committee members serve for two years. Committee members will be trained regarding their roles and responsibilities and will be kept apprised of issues, policies, and information that relate to EL programs. District staff and DELAC members will plan the yearly meeting schedule to meet district and parent needs. Meeting notification will be mailed to all members at least one week before the meeting. Agendas and minutes will be translated, and a Spanish interpreter will be available at each meeting. In addition, DELAC members representing individual

schools will act as a liaison between the DELAC and ELAC. The DELAC representative will present information received at the DELAC to the ELAC.

Roles & Responsibilities of DELAC

- (a) Have input in the development of the Master Plan for services for EL students.
- (b) Have input into a districtwide needs assessment on a school-by-school basis.
- (c) Have input into the district’s EL education goals and objectives.
- (d) Be informed on federal, state, and district English learner reports.
- (e) Review and comment on the written notification of initial enrollment.
- (f) Review and comment on any related waiver request.

Section 6: Monitoring, Evaluation, and Accountability

SBCPA Evaluation of EL Program Effectiveness

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|----------------------------|---|
| Learning Director | <ul style="list-style-type: none"> ● Oversees program evaluation procedures at school sites. ● Collects data & submits required paperwork to Special Projects |
| EL Site Contact | <ul style="list-style-type: none"> ● Assists with the program evaluation process at the school site. ● Oversees collection of data |
| Coordinator of EL Services | <ul style="list-style-type: none"> ● Coordinates EL program evaluation procedures at district level. ● Coordinates the development of the Title III plan. ● Provide assistance & support regarding assessment and evaluation data. ● Monitors English Language Acquisition reporting and data |

The goal of program evaluation is to provide information about the effectiveness of SBCPA’s EL services. The information guides district and school sites for implementation, monitoring, and improvement of programs for English learners. An EL student folder will be updated and housed in the cumulative record of each English learner. The purpose of the student record is to document and monitor English language development, assessment, and reclassification. The folder contains copies of the Home Language Survey, ELPAC labels and assessment results, parent notification letters, and reclassification paperwork.

Process:

1. Progress of English Learners towards proficiency in English as determined by the yearly ELPAC Summative Assessment.
2. The number and percentage of English learners reclassified as fluent English proficient.
3. The number and percentage of English learners who are or are at risk of being classified as long-term English learners.

4. The achievement of English learners on the California Assessment of Student Performance and Progress (CAASPP) in core content areas.
5. Progress toward any other goals for English learners identified in the district's LCAP.
6. A comparison of current data with data from at least the previous year.
7. Ongoing collection of data (quantitative and qualitative) to improve curricular and instructional programming.

Governance and Responsibilities

Quality Program Implementation

Successful program implementation depends on the presence of three critical elements: the commitment of the entire school community, the availability of qualified staff, and the timely allocation of sufficient resources. The district administration and school sites have essential and unique roles in program implementation.

Administration

Executive administration will be responsible for providing sufficient resources to sites in order to successfully implement EL programs and services. These resources include qualified and well-trained staff, instructional materials, supplies, equipment, staff development resources, and adequate facilities. Other district responsibilities include guidance in curriculum development, program compliance, improvement, evaluation and data analysis, master plan updates, and updates to Title III, LEA Plan Goal 2, and Local Control Accountability Plan (LCAP) to ensure quality program implementation.

School Site

The responsibility of school sites is to determine how to best deliver services to its students. The distribution of the EL student population and the diversity of the school community are important factors to be considered when planning EL programs. The Master Plan for English Learners is a guide for program implementation, planning, and development of the Single Plan for Student Achievement (SPSA). School sites will work with executive administration and review data from assessments and parent surveys to design programs that best meet student needs. Program quality is measured and monitored by effective use of resources, planning, program adjustments, and ongoing staff development.

Community

Parent advisory groups and the school community play an important role in the governance of all educational programs. School Site Councils and English Learner Advisory Committees (ELAC) have the responsibility to assist in the ongoing program planning and evaluation through committee and school activities. Parents will have discussion and input on LCAP, Title III, EL Master Plan, and SPSA updates.

CALPADS English Language Acquisition Data and Report

A Technology team, with support from the school administration, will ensure the process for maintaining the CALPADS process that contains specific data on the English Language Acquisition status of students in the district. Each year the CALPADS submission window opens during which time local educational agencies (LEAs) may view certification reports of their English Language Acquisition Status students

(including English learners and fluent English proficient students) along with Title III Eligible Immigrants data for all applicable students in CALPADS.

Student Evaluation and Monitoring

Academic Achievement

Academic achievement is monitored at the federal, state, and district levels with the systems, assessments, and resources listed below.

State

California Accountability Model & School Dashboard

- California's new accountability and continuous improvement system provides information about how local educational agencies and schools are meeting the needs of California's diverse student population based on a concise set of measures.

California School Dashboard Report

- The Dashboard contains reports that display the performance of local educational agencies (LEAs), schools, and student groups on a set of state and local measures to assist in identifying strengths, weaknesses, and areas in need of improvement.

California Model Five-by-Five Grid Placement Reports

- California's new accountability and continuous improvement system is based on a five-by-five colored table that produces 25 results using five colors. The reports display the schools' (by district) and student groups' placement on the five-by-five colored tables.

California Assessment of Student Performance and Progress (CAASPP) System

- Summative assessment for ELA and mathematics in grades three through eight and eleven

School Level

- Assessments & Grades → 9-12th grades
- Formative assessment system to monitor literacy development & reading comprehension.
- Grades determined by formal and informal assessments (curriculum & teacher-created)

Data Collection

All English learner student information is recorded in state and district databases that are accessible to district personnel, site leadership, and teachers. The District technology and data manager will provide technical support, training, and monitoring.

California Longitudinal Pupil Achievement Data System (CALPADS)

- State-level longitudinal data system used to maintain individual-level data including student demographics, course data, discipline, assessments, staff assignments, and other data for state and federal reporting.

School Information System (Aeries)

- The “District-level” system provides SBCPA staff with data such as student demographics, attendance, scheduling, discipline, gradebook, report cards, assessment history, state reporting mandates, parent portal, student portal, and more.
 - Gradebook for K-12
 - Student Profile Reports & Widgets
 - Assessment Reports (ELPAC, BAS, etc.)
-

Section 7: Appendix--Supplemental Documents

A. Appendix A: SAMPLE Annual Parent Notification Letter

San Benito County Polytechnic Academy Annual Parent Notification Letter Federal Title I or Title III and State Requirements

Dear Parent(s) or Guardian(s): Your child continues to be identified as an English learner. Each year, we are required to assess your child and notify you of your child’s proficiency level in English. We must inform you of the language acquisition program options available. From these options, you may choose the one that best suits your child (California *Education Code (EC)* Section 310). This letter also contains the criteria for a student to exit the English learner (EL) status (20 United States Code [U.S.C.] Section 6312[e][3][A][i],[vi]).

Language Assessment Results

(20 U.S.C. Section 6312[e][3][A][ii])

| Composite Domains | English Language Proficiency Assessments for California (ELPAC) Scale Score | ELPAC Performance Level |
|-------------------|---|--------------------------------------|
| Overall | «Overall_Scale_Score» | «Overall_Performance_Level_» |
| Oral Language | «Oral_Language_Scale_Score» | «Oral_Language_Performance_Level» |
| Written Language | «Written_Language_Scale_Score» | «Written_Language_Performance_Level» |

| Domain | ELPAC Performance Level |
|-----------|-------------------------|
| Listening | «Listening_Performance» |
| Speaking | «Speaking_Performance_» |

| | |
|----------------|--------------------------------|
| Reading | « <i>Reading_Performance</i> » |
| Writing | « <i>Writing_Performance</i> » |

Your child is participating in an Individualized Education Program (IEP), which is on file:
«Special_Education_District_of_Accountabi»

A description of how your child’s program placement will contribute to meeting the objectives of the IEP is attached (20 U.S.C. Section 6312[e][3][A][vii]).

Exit (Reclassification) Criteria

(20 U.S.C. Section 6312[e][3][A][vi])

The goal of language acquisition programs is for EL students to become proficient in English as rapidly as possible and to meet state academic achievement measures. The San Benito County Polytechnic Academy exit (reclassification) criteria are listed below.

| Required Criteria (EC Section 313[f]) | San Benito County Polytechnic Academy Reclassification Criteria |
|--|--|
| English Language Proficiency Assessment | <ul style="list-style-type: none"> • Students must earn an overall score of 4 on the most recent Summative ELPAC to qualify for reclassification |
| Teacher Evaluation | <ul style="list-style-type: none"> • Students must earn a “C” or higher for the most recent semester of their English course. • Teacher consultation (if needed) |
| Parental Opinion and Consultation | <ul style="list-style-type: none"> • Parents are encouraged to provide feedback and ask questions. |

| | |
|--|---|
| Comparison of Performance in Basic Skills | <p>Grades 3-8, 11</p> <ul style="list-style-type: none"> Met Standard or Exceeded Standard <p>Grades 9 &10:</p> <ul style="list-style-type: none"> PSAT score = 430 and above <p>Grade 12:</p> <ul style="list-style-type: none"> SAT score = 480 and above <p>Grades 9 – 12</p> <ul style="list-style-type: none"> Proficient levels on school benchmarks assessment |
|--|---|

Academic Achievement Results

(20 U.S.C. Section 6312[e][3][A][ii])

| Skill Area | Smarter Balanced Assessment Consortium (SBAC) or Local Measures | Other Measure |
|------------------------------|---|---|
| English Language Arts | <i>[insert English language arts results]</i> | <i>[insert English language arts results]</i> |
| Mathematics | <i>[insert mathematics results]</i> | <i>[insert mathematics results]</i> |

[Customize this table]

Graduation Rate for English Learners

(20 U.S.C. Section 6312[e][3][A][vi])

Local educational agency (LEA) graduation rates are displayed on the Graduate Data report, which is available on the California Department of Education DataQuest web page at <http://dq.cde.ca.gov/dataquest/>.

Choosing a Language Acquisition Program

Parents or guardians may choose a language acquisition program that best suits their child (EC Section 310). Language acquisition programs are educational programs designed to ensure English acquisition occurs as rapidly and effectively as possible. They provide instruction to English learners based on the state-adopted academic content standards, including English language development (ELD) standards (20 U.S.C. Section 6312[e][3][A][iii],[v]); EC Section 306[c]).

Language Acquisition Programs Offered

We are required to offer, at a minimum, a Structured English Immersion (SEI) program option (*EC* Section 305[a][2]).

Structured English Immersion Program: A language acquisition program for English learners in which nearly all classroom instruction is provided in English, but with a curriculum and a presentation designed for students who are learning English. At a minimum, students are offered Designated ELD and provided access to grade-level academic subject matter content with Integrated ELD.

Integrated ELD—the integrated ELD curriculum provides instructional scaffolding so that English Learners of all levels of English proficiency gain access to grade-level content during daily whole-group instruction. Each of the three daily lessons within whole group instruction contains specific recommendations to teachers on how to provide light, moderate, and substantial support to students to guarantee successful access to lesson content.

Designated ELD—the designated ELD curriculum provides explicit instruction in ELD Standards to English Learners in a small group format. Thirty-minute lessons are linked to daily whole-group lesson content with an explicit focus on ELD standards. Daily lessons incorporate supported reading of grade-level text with emphasis on student verbal expression of text meaning and instruction in targeted language structures found within the text.

Parents or guardians may choose a language acquisition program that best suits their child. Schools in which the parents or guardians of 30 students or more per school or the parents or guardians of 20 students or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible (20 U.S.C. Section 6312[e][3][A][viii][III]); *EC* Section 310[a]).

Parents or guardians may provide input regarding language acquisition programs during the development of the Local Control and Accountability Plan (*EC* Section 52062). If interested in a different program from those listed above, please contact the Polytechnic Academy School Administrator to ask about the process.

Although schools have an obligation to serve all EL students, parents or guardians of English learners have a right to decline or opt their children out of a school's EL program or out of particular EL services within an EL program. If parents or guardians opt their children out of a school's EL program or specific EL services, the children retain their status as English learners. The school remains obligated to take the affirmative steps required by Title VI of the Civil Rights Act of 1964 and the appropriate actions required by the Equal Education Opportunity Act of 1974 to provide EL students access to its educational programs (20 U.S.C. sections 1703[f], 6312[e][3][A][viii]).

B. Appendix B: Initial Notification to Parents

INITIAL PARENT NOTIFICATION LETTER

Federal Title I or Title III and State Requirements

Dear Parent(s) or Guardian(s): A language other than English was noted on your child's Home Language Survey when your child first enrolled in our school. State and federal laws require us to assess your child and notify you of your child's proficiency level in English. We are required to inform you of the language acquisition program options available. From these options, you may choose the one that best suits your child (California *Education Code [EC]* Section 310). This letter also explains the criteria for a student to exit the English learner (EL) status (20 United States Code [U.S.C.] Section 6312[e][3][A][i],[vi]).

Language Assessment Results

(20 U.S.C Section 6312[e][3][A][ii])

| Composite Domains | English Language Proficiency Assessments for California (ELPAC) Initial ELPAC Performance Level |
|---|--|
| Overall | Status: [Insert Overall_Performance_Level] Score: [Insert Overall_Score] |
| Oral Language (Listening and Speaking) | [Insert Oral Level] |
| Written Language (Reading and Writing) | [Insert Written Level] |

Based on results of the English language proficiency assessment, your child has been identified as an [Insert Calculated_ELAS] student.

Your child is participating in an Individualized Education Program (IEP), which is on file: [Insert_on_FILE]

A description of how your child's program placement will contribute to meeting the objectives of the IEP is attached. (20 U.S.C Section 6312[e][3][A][vii]).

Graduation Rate for English Learners

(20 U.S.C. Section 6312[e][3][A][vi])

The expected rate of graduation for students in this program is [Graduation Rate] percent.

The graduation rate is displayed on the Graduate Data report, available on the California Department of Education DataQuest web page at <https://dq.cde.ca.gov/dataquest/>.

Choosing a Language Acquisition Program

Parents or guardians may choose a language acquisition program that best suits their child (*EC* Section 310). Language acquisition programs are educational programs designed to ensure English acquisition occurs as rapidly and effectively as possible. They provide instruction to English learners based on the state-adopted academic content standards, including English language development (ELD) standards (20 U.S.C. Section 6312[e][3][A][iii], [v]); *EC* Section 306[c]).

Language Acquisition Programs Offered

We are required to offer, at a minimum, a Structured English Immersion (SEI) program option (*EC* Section 305[a][2]).

Structured English Immersion Program: A language acquisition program for English learners in which nearly all classroom instruction is provided in English, but with a curriculum and a presentation designed for students who are learning English. At a minimum, students are offered Designated ELD and provided access to grade-level academic subject matter content with Integrated ELD.

Integrated ELD— the integrated ELD curriculum provides instructional scaffolding so that English Learners of all levels of English proficiency gain access to grade-level content during daily whole-group instruction. Each of the three daily lessons within whole group instruction contains specific recommendations to teachers on how to provide light, moderate, and substantial support to students to guarantee successful access to lesson content.

Designated ELD—the designated ELD curriculum provides explicit instruction in ELD Standards to English Learners in a small group format. Thirty-minute lessons are linked to daily whole-group lesson content with an explicit focus on ELD standards. Daily lessons incorporate supported reading of grade-level text with emphasis on student verbal expression of text meaning and instruction in targeted language structures found within the text.

Parents or guardians may choose a language acquisition program that best suits their child. Schools in which the parents or guardians of 30 students or more per school or the parents or guardians of 20 students or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible (20 U.S.C. Section 6312[e][3][A][viii][III]); *EC* Section 310[a]).

Parents or guardians may provide input regarding language acquisition programs during the development of the Local Control and Accountability Plan (*EC* Section 52062). If interested in a different program from those listed above, please contact the school administrator to ask about the process.

Although schools have an obligation to serve all EL students, parents or guardians of English learners have a right to decline or opt their children out of a school's EL program or out of particular EL services within an EL program. If parents or guardians opt their children out of a school's EL program or specific EL services, the children retain their status as English learners. The school remains obligated to take the affirmative steps required by Title VI of the Civil Rights Act of 1964 and the appropriate actions required by the Equal Education Opportunity Act of 1974 to provide EL students access to its educational programs (20 U.S.C. sections 1703[f], 6312[e][3][A][viii]).



**SAN BENITO COUNTY
POLYTECHNIC ACADEMY**

INDEPENDENT STUDY POLICY

San Benito County Polytechnic Academy (the “Charter School”) may offer independent study to meet the short or long-term educational needs of pupils enrolled in the Charter School. Independent study is an optional educational alternative in which no pupil may be required to participate and is designed to teach the knowledge and skills of the core curriculum. The Charter School shall provide appropriate existing services and resources to enable pupils to complete their independent study successfully. The following written policies have been adopted by the Polytechnic Academy Board of Directors for implementation at Charter School:

1. For pupils in all grade levels and programs offered by the Charter School, the maximum length of time that may elapse between the time an assignment is made and the date by which the pupil must complete the assigned work shall be 20 school days.
2. The Executive Director or designee shall conduct an evaluation to determine whether it is in the best interests of the pupil to remain in independent study upon the following triggers:
 - a. When any pupil fails to complete 3 assignments during any period of 20 school days.
 - b. In the event a student’s educational progress falls below satisfactory levels as determined by ALL of the following indicators:
 - i. The pupil’s achievement and engagement in the independent study program, as indicated by the pupil’s performance on applicable pupil-level measures of pupil achievement and pupil engagement set forth in Education Code Section 52060(d) paragraphs (4) and (5).
 - ii. The completion of assignments, assessments, or other indicators that evidence that the pupil is working on assignments.
 - iii. Learning required concepts, as determined by the supervising teacher.
 - iv. Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher.

A written record of the findings of any evaluation conducted pursuant to this policy shall be treated as a mandatory interim pupil record. The record shall be maintained for a

period of three years from the date of the evaluation and, if the pupil transfers to another California public school, the record shall be forwarded to that school.

3. The Charter School shall provide content aligned to grade-level standards that are substantially equivalent to in-person instruction. For high school grade levels, this shall include access to all courses offered by the Charter School for graduation and approved by the UC or CSU as creditable under the A-G admissions criteria.
4. The Charter School has adopted tiered re-engagement strategies* for the following pupils:
 - a. All pupils who are not generating attendance for more than 10 percent of the required minimum instructional time over four continuous weeks of the Charter School's approved instructional calendar;
 - b. Pupils found not participatory in synchronous instructional offerings pursuant to Education Code Section 51747.5 for more than 50 percent of the scheduled times of synchronous instruction in a school month as applicable by grade span; or
 - c. Pupils who are in violation of the written agreement pursuant to Education Code Section 51747(g).

These procedures shall include local programs intended to address chronic absenteeism, as applicable, with at least all of the following:

- a. Verification of current contact information for each enrolled pupil.
 - b. Notification to parents or guardians of lack of participation within one (1) school day of the recording of a nonattendance day or lack of participation.
 - c. A plan for outreach from the school to determine pupil needs, including connection with health and social services as necessary.
 - d. A clear standard for requiring a pupil-parent-educator conference to review a pupil's written agreement, and reconsider the independent study program's impact on the pupil's achievement and well-being, consistent with the policies adopted pursuant to paragraph (4) of subdivision (g) of Education Code Section 51747.
5. The following plan shall be in place in accordance with Education Code Section 51747(e) for synchronous instruction and live interaction*:
 - a. For pupils in grades 9-12, inclusive, the plan to provide opportunities for at least weekly synchronous instruction for all pupils throughout the school year by each pupil's assigned supervising teacher shall be as follows: meeting with the teacher or teachers of record weekly by Zoom or another videoconferencing platform.
 6. The following plan* shall be utilized to transition pupils whose families wish to return to in-person instruction from independent study expeditiously, and, in no case, later than five instructional days: the Charter School will hold a meeting with the student and family to discuss options for in-person instruction at the Charter School or their school district of residence.

* The tiered reengagement strategies, plan for synchronous instruction and live interaction, and plan to transition pupils whose families wish to return to in-person instruction (paragraphs 4, 5, and 6 above) shall not apply to pupils who participate in an independent study program for fewer than 15 schooldays in a school year and pupils enrolled in a comprehensive school for classroom-based instruction who, under the care of appropriately licensed professionals, participate in independent study due to necessary medical treatments or inpatient treatment for mental health care or substance abuse. Local educational agencies shall obtain evidence from appropriately licensed professionals of the need for pupils to participate in independent study pursuant to this subdivision. The tiered re-engagement strategies shall not apply to independent study offered due to school closure or material decrease in attendance for 15 school days or less for affected pupils under one or more of the circumstances described in Education Code Sections 41422 and/or 46392, and 46393 for which the Charter School files an affidavit seeking an allowance of attendance due to emergency conditions.

7. A current written agreement shall be maintained on file for each independent study pupil, including but not limited to, all of the following:
 - a. The manner, time, frequency, and place for submitting a pupil's assignments, for reporting the pupil's academic progress, and for communicating with a pupil's parent or guardian regarding a pupil's academic progress.
 - b. The objectives and methods of study for the pupil's work, and the methods used to evaluate that work.
 - c. The specific resources, including materials and personnel, that will be made available to the pupil. These resources shall include confirming or providing access to all pupils to the connectivity and devices adequate to participate in the educational program and complete assigned work.
 - d. A statement of the policies adopted pursuant to subdivisions (a) and (b) of Education Code Section 51747 regarding the maximum length of time allowed between the assignment and the completion of a pupil's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether or not the pupil should be allowed to continue in independent study.
 - e. The duration of the independent study agreement, including the beginning and ending dates for the pupil's participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than one school year.
 - f. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the pupil upon completion.
 - g. A statement detailing the academic and other supports that will be provided to address the needs of pupils who are not performing at grade level, or need support in other areas, such as English learners, and individuals with exceptional needs in order to be consistent with the pupil's individualized education program or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils in foster care or experiencing homelessness, and pupils requiring mental health supports.



**SAN BENITO COUNTY
POLYTECHNIC ACADEMY**

SAN BENITO COUNTY POLYTECHNIC ACADEMY

CREDIT THROUGH EXAMINATION LEARNING ACCELERATION POLICY

Philosophy

San Benito County Polytechnic Academy (“SBCPA” or the “Charter School”) is committed to the success of each student. SBCPA has adopted and follows a Student Success Team (“SST”) Policy to establish and implement student achievement and intervention strategies in a timely manner. Alongside the implementation of such strategies, a student and/or parent/guardian may request to accelerate the student’s learning by passing a test in lieu of completing all coursework for a particular subject. In implementing this policy, the SBCPA Board of Directors (“Board”) is guided by the following principles:

1. Learning Acceleration criteria will be objectively based on a student’s ability to pass exams of course subject matter created by board-approved third-party vendors. No Polytechnic Academy-created tests will be used for students to meet the course SBCPA standards. Tests must be procured from or administered by highly qualified entities with a proven track record of rigor, comprehensiveness, and recognition by university and industry leaders as qualifying students for certification in college or career readiness or achievement. The Polytechnic Academy Board reserves the right to add additional third-party tests to this policy.
2. Approved course exams include those produced by ACT Workkeys CTE and the College Board’s College-Level Examination Program.
3. Ensuring that students are provided with the flexibility to tailor their education in a uniquely meaningful way.

Learning Acceleration

A. Required Steps Preceding Promotion Decision

Before approving student participation in credit through examination as part of fulfilling a student’s regular learning program, SBCPA will follow the following steps:

1. When SBCPA receives a course credit through examination request from a student or the student's parent/guardian, the Charter School will schedule and hold a Student Study Team ("SST") meeting for student.¹ The student and/or parent/guardian will be invited to the SST meeting to discuss student progress and the appropriateness of the test-out option for the individual student and their learning plan. Student and/or parent/guardian will receive a copy of the SST meeting notes which will serve as notice of proposed student achievement strategies.
4. If there is disagreement among the SST, the Executive Director will make the determination whether to allow the student to receive credit for passage of a third-party test. The Executive Director will send notice of this decision within forty-eight (48) hours of the meeting at the address provided by student and/or parent/guardian to the Charter School via mail unless otherwise agreed to in writing.
5. Polytechnic Academy will provide course exam small group instruction or tutoring for students preparing for credit through examination during their regular learning program. Passage of these exams will result in course credit for the student in the subject matter of the test without participating in a full course.
6. Students who do not receive prior approval may not substitute credit through examination for a course required in their regular learning program; however, they may submit proof of passage of course tests approved by this policy, which they have taken and passed independently, to the SST for credit regardless of their participation in the process above.

B. Right to Appeal

If the student and/or parent/guardian disagrees with the decision, they have the right to appeal to the SBCPA Board through the following steps:

1. The student and/or parent/guardian choosing to appeal a decision not to preapprove credit through examination shall submit a completed Credit Through Examination Learning Acceleration Appeal Request Form (attached as Exhibit A) to the Executive Director specifying the reasons why the decision should be overturned. The submission of the Appeal Request Form must occur no later than ten (10) school days following the student and/or parent/guardian's receipt of the determination of preapproval.
2. The Board shall review the appeal as well as the student's academic performance records on which the SST relied. The Executive Director shall be provided an opportunity to state orally and/or in writing the criteria on which the SST or Executive Director's decision was based. The student and/or parent/guardian will also be given an opportunity to state their reason for appeal orally and/or in writing. The Appeal will be held in a closed session of the Board to maintain student confidentiality. The Board will prepare a written decision that summarizes the findings and conclusions.

¹ For students qualified under the Individuals with Disabilities Education Act ("IDEA"), any decisions regarding acceleration will be made by the Individualized Education Program ("IEP") team in an IEP meeting. For students with a Section 504 Plan, any decisions will be made by the Section 504 team in a 504 meeting.

3. The Board shall notify the student and/or parent/guardian and Executive Director of its decision in writing within seven (7) school days of the Appeal via mail at the address provided by student and/or parent/guardian to the Charter School unless otherwise agreed in writing.
4. The Board's decision is final.

Exhibit A

**San Benito County Polytechnic Academy
Credit Through Examination Learning Acceleration Appeal Request Form**

Date: _____

Name of Student: _____

Date of Birth: _____ Grade: _____

As outlined in the San Benito County Polytechnic Academy (“SBCPA”) Credit Through Examination Learning Acceleration Policy, my child was recommended **for** // **against** (circle one) learning acceleration by the SBCPA SST or Executive Director. I do not agree with this recommendation and wish to appeal this decision to the SBCPA Board of Directors.

Please explain your disagreement: _____

I am aware that this appeal must be made within ten (10) school days of my receipt of the recommendation to retain or promote my child and should be submitted to the Executive Director. This appeal will go before the SBCPA Board of Directors, and it will make a final determination regarding retention or promotion.

Student or Parent/Guardian Name

Student or Parent/Guardian Signature

Date



Participants in Learning, Leading and Serving Agreement – Out of State

By way of this agreement, _____ agrees to participate in Grand Canyon University's Participants in Learning, Leading and Serving (PLLS) program. The purpose of this agreement is to define the relationship between Grand Canyon University (GCU) and signee as it relates to the PLLS participation:

- **No cost:** There is no cost to become a PLLS participant.
- **Not exclusive:** There is no expectation of exclusivity.
- **No minimum expectation:** There is no limit or minimum on the number of benefits a school or district may utilize, and participants are not expected to partake in any benefits to become and remain PLLS participants.

If your organization is a County Office of Education, Educational Service Center, or equivalent, the benefits of the PLLS agreement may be extended to school district affiliates.

BENEFITS AND CONTRIBUTIONS TO PLLS SCHOOLS AND DISTRICTS

1. High school students graduating from a PLLS participant high school, who are fully admissible to GCU (not Accepted with Specifications), will receive a minimum institutional award package of \$2,800 per academic year. The total GCU award package could be higher based upon a student's level of academic merit, program of study, registration date, and other offers for incoming students including those related to participation in athletics, pep band, theater, debate, etc.

With the University's commitment to provide an affordable private, Christian education, effective tuition rates would **not exceed** \$13,700 per academic year **after the minimum GCU scholarship package is applied.**

The high school must be a PLLS participant on or before the August 1st immediately following the student's graduation in order for the student to be eligible for the \$2,800 minimum award. If August 1st falls on a weekend or holiday, the deadline will take effect on the following business day.

Unless explicitly stated otherwise, this scholarship can be combined with other Grand Canyon University scholarships in accordance with the Grand Canyon University CAP policy but cannot exceed your charges.

2. A 10% scholarship is available to graduates of PLLS participant high schools, to attend an online Bachelor's program starting within two years of graduation.
3. PLLS participants will have access to a 10% scholarship for their faculty, staff, and governing board members (subject to district policies), providing savings toward tuition and fees for online undergraduate, graduate or doctoral degree programs, along with non-degree single courses and continuing teacher education courses. Spouses will receive a 5% scholarship. Provided that, the PLLS scholarship for online and cohort classes cannot be combined with any other institutional scholarship/award.



4. A 15% scholarship is available to PLLS participants employed as paraprofessionals and classified employees entering an online Bachelor's program through the College of Education, a Secondary Education Emphasis degree program, Bachelor of Science in Behavioral Health Science, or the Bachelor of Science in Applied Management, Applied Human Resources Management, Applied Marketing and Advertising, Applied Technology, Applied Business Analytics, Applied Business Information Systems or Applied Entrepreneurship degree program.
5. Students' parents will receive a 10% scholarship when entering an online Bachelor's program through the College of Education, a Secondary Education Emphasis degree program, or a graduate degree program that leads to initial teacher licensure. A 5% scholarship is available for all other masters and doctoral degree programs related to the field of Education through the University's College of Education.

Parents are eligible for the scholarship if the student is actively enrolled in a school with a PLLS agreement in effect. Parents of students who attended a high school while a PLLS agreement was in effect and who are actively attending GCU will also be eligible for the scholarship*.

6. PLLS participants will have access to the GCU Online Job Board to post employment opportunities and search for applicants
7. PLLS participants will have access to GCU's Canyon Professional Development services and applicable discounts. Available Canyon Professional Development opportunities include: Expert-led Professional Development, Coaching, Mentoring, Consultation, and Strategic Planning. All fee-based services are specifically customized to meet the needs and goals of our PLLS participants.
8. PLLS participants may access complimentary, certification and licensure test preparation workshops available for those pursuing careers where state and national testing are required. State specific test prep options vary by location and availability.
9. PLLS participants will have access to a catalog of dual or concurrent enrollment courses for current high school students, providing them with an opportunity to reduce the time to complete a bachelor's degree from four years to three. These courses are offered at \$52.50 per credit hour.
10. PLLS participants have access to complimentary Live lessons intended for 11th and 12th grade high school students and teachers. Lessons are hosted virtually and are led by a programmatic expert teaching GCU curriculum through a web-hosted presentation.
11. PLLS participants will receive communication about GCU-sponsored initiatives and programs that benefit students, staff and school communities.
12. PLLS participants will have the opportunity to participate in coordinated PR and marketing efforts using GCU provided branded and approved marketing materials, if desired. The GCU marketing staff will review any materials designed by participant schools.
13. To learn more about other services and benefits, please contact your local GCU representative.



PLLS SCHOOL AND DISTRICT CONTRIBUTIONS TO GCU

1. GCU offers a very generous scholarship package for admissible students. Our goal is to ensure that qualified high school seniors receive this information about attending GCU. We ask PLLS participant high schools to make the information available to eligible students and their parents, using their preferred communication method.
2. PLLS participants will allow GCU representatives to participate in college visitation programs and any college fairs (if applicable).
3. PLLS participants will allow GCU representatives to share information with any faculty, staff, parents or spouses that are interested in learning more about online and cohort programs.
4. PLLS participants will distribute GCU information via their preferred communication method. This will include an introductory email to all appropriate employees that announces the program and provides information about the benefits as well as other applicable announcements, newsletters and updates.
5. PLLS participants will utilize GCU branded and approved materials when promoting GCU programs and/or seek approval from GCU to use customized materials for print, email and websites. GCU may publicize the PLLS participant, the agreement and related programs in advertising, publicity and promotion, including GCU websites, and social media utilizing approved participant marks and logos.

ADDITIONAL SERVICES

GCU agrees to provide Participant workforce development support through its Grow from Within Menu of Services as listed in Exhibit A.

**GCU's right to utilize PLLS participant's logos and trademarks and right of publicity will survive the termination or expiration of this Agreement for a reasonable period of time until GCU is able to revise and update such materials, websites, and social media.*

**The Parties agree to protect the participants' educational records in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g and any applicable policy of the Parties. To the extent permitted by law, the Parties may share information from participants' educational records with each other so that each can perform its respective responsibilities under this Agreement but shall not disclose or share education records with any third party.*

GCU reviews scholarship programs that impact each incoming class on an annual basis and reserves the right to alter the amount of scholarships for incoming students, without prior notice to participants.

**The PLLS scholarship for online and cohort classes cannot be combined with any other institutional scholarship/award.*

GRAND CANYON UNIVERSITY™



The undersigned agrees to the conditions of the PLLS participation, which is effective upon signing and will continue on an ongoing basis. The signature on this agreement allows the district/school students, educators and adult learners to be eligible for the scholarships, awards and discounts outlined in the agreement. Both GCU and the PLLS participant reserve the right to dissolve the relationship at any time should it not align with either party's mission or goals. The acting party should present the termination of participation by way of written notice. If the agreement is cancelled, individuals who are continuously enrolled in a degree program at GCU will continue to receive the tuition scholarship initiated by the participant agreement throughout the duration of their program.

District/School Name

District/School Administrator (Print Name)

Title

Signature

Date

Phone Number

Email Address

School Address

City/State/Zip Code

GCU General Counsel

Date



Preferred Contacts for Communication

Information Distribution (i.e. distribution of newsletters, Benefits Guide):

Name: _____

Title: _____

Phone: _____

Email: _____

Guidance Counselor:

Name: _____

Title: _____

Phone: _____

Email: _____

Professional Development:

Name: _____

Title: _____

Phone: _____

Email: _____

Human Resources:

Name: _____

Title: _____

Phone: _____

Email: _____



Exhibit A

Grow from Within Menu of Services

Please select the services below that you and your organization would like to learn more about.

- Employer Services:** Join the GCU employer network Career Connections, which includes a digital job board for full-time and part-time positions, access to events and a variety of other resources and engagement opportunities.
- Online Cohorts:** This model is designed to ensure that your staff can complete their program alongside their colleagues and peers.
- Scholarship Opportunities:** GCU tuition scholarships available for participant's employees and/or members.
- Professional Development:** Opportunities are led by experts in their respective fields and are designed to strengthen employee knowledge and motivation.
- Meet GCU:** Visit, tour and experience GCU's vibrant and growing campus at no cost.¹ While on campus, meet GCU leadership, college deans and counselors. Leaders will have the opportunity to connect and learn with other industry influencers and develop ways to enhance options for your students and employees through participant benefits.
- Test Preparation:** State-specific test prep options vary by location and availability. Examples of sessions include:
 - NES/Praxis for reading, writing and math
 - NES Secondary for English, math or history at the high school level
- GCU-Hosted Information Meetings:** GCU counselor can coordinate information meetings to walk through university admissions process, financial aid, payment options and complimentary transcript evaluations.
- LIVE Lessons:** Virtual classroom presentations for 11th and 12th grade students led by an expert teaching GCU curriculum.
- Dual Enrollment:** This is an affordable and efficient way for high school and homeschool students to get a head start on earning their college degree. With the ease of credit transferability, students are able to learn college-level academic skills on an accelerated college pathway that may reduce time to graduation.

¹Restrictions for travel reimbursement may apply.