



# Gateway High School

A California Public Charter School  
Established in 1998

Petition for Charter Renewal Respectfully Submitted to the  
San Francisco Unified School District Board of Education February 2019

Requested Charter Renewal Term: July 1, 2019 – June 30, 2024

*"The high school of the 21st Century must be much more student-centered and above all much more personalized in programs, support services, and intellectual rigor."*

- Breaking Ranks: Changing an American Institution  
NASSP in partnership with the Carnegie Foundation

## Table Of Contents

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<b>Assurances and Declaration</b>	<b>4</b>
<b>I. Educational Program</b>	<b>7</b>
A. Mission and Vision	7
B. Gateway’s Highlights and Successes	8
C. Charter Renewal Criteria	12
D. Targeted School Population: Gateway’s Students	17
E. What It Means to be an Educated Person in the 21st Century	18
F. How Learning Best Occurs: The Means to Achieve Our Mission and Vision	19
G. Overview of Academic Program	23
H. Transferability of Courses	26
I. Instructional Calendar and Attendance	26
J. Charter School Goals and Actions to Achieve the Eight State Priorities	27
K. Strategies to Support Students Not Meeting Outcomes	28
L. Strategies to Support Academically High-Achieving Students	30
M. Strategies to Support English Learners	31
N. Strategies to Support Students with Disabilities	32
<b>II. Measurable Student Outcomes</b>	<b>39</b>
A. Student Outcome Goals: Schoolwide Learner Outcomes	39
B. School-Wide Student Performance and School Goals	40
C. Goals, Actions and Measurable Outcomes Aligned with the Eight State Priorities	41
<b>III. Methods to Assess Progress Toward Meeting Outcomes</b>	<b>43</b>
A. Assessment assumptions	43
B. Assessment Tools	44
C. Local Control and Accountability Plan	46
<b>IV. Governance Structure</b>	<b>47</b>
<b>V. Qualifications of Employees</b>	<b>51</b>
<b>VI. Health and Safety Procedures</b>	<b>53</b>
<b>VII. Means to Achieve Racial and Ethnic Balance</b>	<b>56</b>
<b>VIII. Admission Policies and Procedures</b>	<b>57</b>
<b>IX. Independent Financial Audit</b>	<b>58</b>
<b>X. Pupil Suspension and Expulsion</b>	<b>60</b>

<b>XI. Retirement Plans</b>	<b>80</b>
<b>XII. Public School Attendance Alternatives</b>	<b>81</b>
<b>XIII. Return Rights of Employees</b>	<b>82</b>
<b>XIV. Dispute Resolution Process</b>	<b>83</b>
<b>XV. Closure Procedures</b>	<b>85</b>
<b>XVI. District Impact Statement</b>	<b>87</b>
<b>XVII. Miscellaneous Charter Provisions</b>	<b>89</b>

## Assurances and Declaration

As the authorized lead petitioner, I, Sharon Olken, hereby certify that the information submitted in this petition for the renewal of Gateway High School (“Gateway” or the “Charter School”), a public charter school located within the boundaries of the San Francisco Unified School District (“SFUSD” or the “District”) at 1430 Scott Street, San Francisco, on the Burl Toler Campus, is true to the best of my knowledge and belief. I also certify that the Charter School follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

- Gateway shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- Gateway Public Schools declares that it shall be deemed the exclusive public school employer of the employees of Gateway for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605 (b)(6)]
- Gateway shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- Gateway shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- Gateway shall admit all students who wish to attend Gateway, unless the Charter School receives a greater number of applications than there are spaces for students, in which case it will hold a public random drawing to determine admission. Except as required by Education Code Section 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B)(i)-(iv) and as described in our charter section VIII. In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C). [Ref. Education Code Section 47605(d)(2)(A)-(C)]
- Gateway shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, gender expression, gender identity, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]
- Gateway shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities Education Improvement Act of 2004.

- Gateway shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- Gateway shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to noncore, noncollege preparatory teachers. [Ref. Education Code Section 47605(l)]
- Gateway shall at all times maintain all necessary and appropriate insurance coverage.
- Gateway shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D)
- If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the Charter School within 30 days if the Charter School demonstrates that the pupil had been enrolled in the Charter School. [Ref. Education Code Section 47605(d)(3)]
- The Charter School may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School. [Ref. Education Code Section 47605(n)]
- Gateway shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Education Code Section 47612.5(a)(2)]
- Gateway shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs. [Ref. Education Code Section 47605(c)]
- Gateway shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. Education Code Sections 47605 and 47605.1]
- Gateway shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Sections 47612(b) and 47610]
- Gateway shall comply with all applicable portions of the Elementary and Secondary Education Act ("ESEA"), as reauthorized and amended by the Every Student Succeeds Act ("ESSA").
- Gateway shall comply with the Public Records Act.
- Gateway shall comply with the Family Educational Rights and Privacy Act.

- Gateway shall comply with the Ralph M. Brown Act.
- Gateway shall meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]

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Sharon Olken, Executive Director  
Gateway Public Schools

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Date

# I. Educational Program

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

Governing Law: The annual goals of the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals. Education Code Section 47605(b)(5)(A)(ii).

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

## A. Mission and Vision

Gateway High School is a model college preparatory charter school committed to academic excellence through personalized, student-centered learning. Gateway combines a rigorous academic program with an approach where the individual talents and strengths of its students are identified and supported. Working with teachers committed to our mission, Gateway students will acquire the skills, habits, and knowledge necessary for academic and personal success in college and in adult life.

Gateway's values of personal integrity, responsibility, and respect for others should inspire students to contribute to their communities however they can. By attending a charter school which fully embraces the diversity of the Bay Area, Gateway students will appreciate what they have in common with those who are different and value what they learn from one another.

## B. Gateway's Highlights and Successes

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Gateway's mission is to provide a high quality college-preparatory experience and education to a very diverse group of learners, with a specific focus and expertise on serving students with learning differences. As we celebrate our 20<sup>th</sup> anniversary this year, we continue to find our mission to be ambitious and important to educational reform efforts both locally and statewide.

### *Awards and Recognition*

- In 2016, Gateway was awarded the maximum accreditation of six years from the Western Association of Schools and Colleges.
- In 2017, Gateway was awarded the California Department of Education's Gold Ribbon School award in recognition of the school's work on providing equitable access to and success in Advanced Placement and honors courses.
- In 2018, Gateway was selected to be featured as an exemplar school in a research study by the Learning Policy Institute, an education policy and think tank headed by Linda Darling-Hammond. The study focuses on the practices and programs in five schools across the country that are implementing research-based best practices for educating the whole child.
- In 2018, Gateway became a Facing History Partner School, embracing Facing History's values and practices around critical thinking, social-emotional learning, equity and justice, and the development of safe and inclusive schools. Facing History supports staff and teacher teams with on and off-site professional development, as well as advisory and core content curriculum.
- In 2018, Five Gateway teachers were selected to participate in the Stanford Hollyhock Fellowship Program, an intensive two-year, cohort-style professional development program designed to support highly motivated, early-career high school teachers to persist and thrive in the classroom. High school teachers from across the country collaborate on teaching strategies for their core content areas and issues of equity at their school sites.
- Gateway's college counseling program was honored by the Rossier School of Education at University of Southern California as a model of school reform excellence that results in measurable results for traditionally underserved students.

### *Student Achievement*

- In each of Gateway's 20 years, 95%-100% of seniors have matriculated to two and four-year colleges. In 2018 100% of Gateway students were accepted to college. 98% matriculated, with 86% attending four-year schools. Thirty-nine percent are the first in their family to attend college.



- According to the most recently available data on DataQuest, for 2017-2018, Gateway's cohort graduation rate was 98%, second only to Lowell in SFUSD.
- Of Gateway's 371 10th-12th graders, 77% are currently taking a least one honors or AP class. In the past five years, we have been particularly focused on ensuring that representation of students by subgroup in these classes mirrors Gateway's student population to the greatest extent possible. (This year, for example, 33% of all students in honors/AP classes at Gateway are Latino, compared to 28% of the student body.)
- The percentage of students on the Honor Roll increased by 48% between 2009-2010 and 2015-2016. The percentage of students eligible for free and reduced lunch qualifying for the Honor Roll nearly doubled in this period. Since then, Gateway students earning D's and F's has continued to decrease to a third of the 12% earned in 2011-2012.
- Fifty percent of Latino students statewide met or exceeded the CAASPP ELA/Literacy standard in 2017, while nearly 70% of Gateway Latino students met or exceeded the standard in 2017.
- In a recent survey of our alumni, 91% reported that they felt "prepared or highly prepared" for the rigors of college.
- Gateway's average daily attendance rate is 96% for this academic year.

### *Gateway Program and Culture*

- In order to ensure every student gets the individualized attention necessary for success, Gateway maintains a very small average class size of 25:1.
- All Gateway students take a rigorous college prep course load that exceeds the University of California A-G requirements.
- Gateway offers intensive intervention classes in order to ensure all students can access our rigorous college prep curriculum. Students in Gateway's two-year reading recovery program gain an average of four and a half years of fluency and four years of word recognition during the program.
- Gateway has a strong advisory program. Each advisor has no more than 18 students. Students have the same advisor for their entire four years. The advisor acts as an academic advisor, counselor and as a point person for families.
- All Gateway students participate in Project Week, an intersession program between first and second semesters, where they study one topic in depth and in a hands-on way for five days.
- Through a new partnership with the Boys & Girls Club of San Francisco (BGCSF), which includes an onsite clubhouse that is accessible to all students, Gateway has increased academic and social-emotional support. Based out of the Study Café, our BGCSF staff

members manage a range of services, including the Independent Study Program, which provides academic support and online credit recovery; the Tutor Program, which connects volunteer tutors with individual students in need of support; one-on-one counseling services; and the Burl Toler Scholars program, which provides academic support, mentorship and leadership opportunities.

- Working in conjunction with SFUSD, Gateway has implemented restorative practices and Positive Behavior Intervention & Support (PBIS) as a means to build a positive school culture, reduce suspensions, and increase equity.
- Gateway has a strong student culture of respect for differences and shared responsibility for learning. Gateway's GSA (Gender and Sexuality Alliance), Black Student Union, ACE (Activism/Cultura/Educación) as well as other student-led clubs, help reinforce our mission and culture.
- Thanks to our success in preparing a diverse group of students for college and our reputation as a safe, rigorous school environment, in each of the past five years, Gateway High School has had more than 600 applicants for 135 spots in our ninth grade class.
- In order to increase student engagement and agency, and the growth of 21st century skills, Gateway created a Director of Partnerships position in 2016 to connect students to internships, courses, programs and other opportunities in the community, as well as to partner with outside organizations to provide opportunities on-campus. This has led to widespread participation in extracurricular activities, including 33 students participating in internships, and 19 seniors are participating in GenesysWorks, a paid internship and skills development program for underserved communities.
- Gateway has intentionally bolstered STEAM education, offering additional courses such as AP Environmental Science, AP Physics, and Computer Science, as well as hosting extra-curricular opportunities like Robotics and coding clubs for girls and students with limited access to technology. Many of these opportunities take place in the newly developed Impact Lab, a flexible-use space.
- Gateway hires additional resource specialists in order to reduce their caseload to 14 students, rather than 28, allowing for more personalized, comprehensive support for students with IEPs.

#### *An Emphasis on Great Teaching*

- Seventy-six percent of Gateway's teachers possess advanced degrees beyond a BA/BS.
- Responding to the Bay Area's affordable housing crisis, in 2016-2017 Gateway Public Schools (GPS) began a major project to increase teacher salaries by 20-25% over four years.

- In tandem with this increase, the GPS developed a new teacher compensation model intended to place greater value on teaching as a profession, and to provide teachers a professional, living wage that allows them to stay in the profession for the long term. Under this new Career Stages Model (CSM) of compensation, teachers will receive an annual increase as they would with the step scale, but in addition they will be able to apply to move into one of three new salary lanes that recognizes their expertise and impact as it grows throughout their career.
- Gateway Impact, Gateway Public Schools' program to share tools, curriculum and practices that foster student agency with the larger education community, has hosted a variety of opportunities for Bay Area educators to come together to learn and share best practices, including February 2019's Powerful Learners mini-conference. Gateway Impact has also hosted an education speaker series and developed a searchable catalogue of professional development opportunities accessible to educators everywhere.

## C. Charter Renewal Criteria

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*Evidence of Meeting Charter Renewal Standards Pursuant to Education Code Section 47607(b) and the California Code of Regulations, Title 5, Section 11966.4(b)(1)*

Education Code Section 47607(b) requires that a charter school must meet at least one of the following renewal criteria prior to receiving a charter renewal:

- (1) Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, both schoolwide and for all groups of pupils served by the charter school.
- (2) Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.
- (3) Ranked in deciles 4 to 10 inclusive, in the API for a demographically comparable school in the prior year or in two of the last three years.
- (4) The entity that granted the charter determines that the academic performance of the Charter School is at least equal to the academic performance of the public schools that the Charter School pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the Charter School is located, taking into account the composition of the pupil population that is served at the Charter School.
- (5) Has qualified for an alternative accountability system pursuant to subdivision [d] of Education Code Section 52052.

The following shall serve as documentation confirming that the Charter School meets the statutory criteria required for renewal as set forth in Education Code Section 47607(b)(4) (***Also see Appendix A: CDE DataQuest/CAASPP Reports***):

As a school of choice for families in San Francisco, we recognize that ensuring that we are providing a great education to our students is essential, and as such we value transparency and accountability. That said, we have long held the belief at Gateway that schools are not well served when they elevate their own status through denigrating the success or competence of other schools. Additionally, we know that school comparisons are often apples to oranges as a result of distinct student populations, resources, and other factors.

In this section, we fulfill our legal responsibility to demonstrate that the academic performance of Gateway is "at least equal to" other schools our students might attend through analysis of our CAASPP scores. That said, we strongly believe that the highlights and successes listed in [Section I. B](#) provide a richer account of how we benefit our students as a whole and our distinct student subgroups, why we meet renewal criteria, and how we are a strong partner and complement to other schools in San Francisco.

### CAASPP Score Analysis

Gateway's CAASPP English language arts scores have generally met or outpaced the state and SFUSD averages since the test's inception in 2015. From 2015-2017, an average of 75% of Gateway students met or exceeded standards for English language arts, compared with a state average of 58% and an SFUSD average of 66%. Gateway's CAASPP math scores steadily grew from 33% meeting or exceeding the standard in 2015 to 52% in 2017.

Gateway's 2018 CAASPP scores reflect the distinct learning needs of that year's junior class, with 33% of students taking the test qualifying for IEP or 504 plans. A number of these students had not received special education services until arriving at Gateway. In response to this need, Gateway expanded the Learning Center services for this group, adding a second resource specialist and two additional Learning Skills classes. Despite this group's learning needs, their retention rate is on-par with Gateway's average of 88% of 9th graders entering Gateway set to graduate from Gateway, and we anticipate their college-going rate to be consistent with Gateway's average of 96% of graduating seniors going on to college.

### Gateway California Assessment of Student Performance and Progress ("CAASPP") Scores, 2016-18: Percentage of Students Meeting or Exceeding Standards

School	Assessment	2016	2017	2018
<a href="#">Gateway High School</a>	ELA	75%	75%	54%
	Math	45%	52%	36%
SFUSD	ELA	66%	68%	62%
	Math	53%	54%	50%

### Analysis of Comparison Schools Data

Gateway's student population is ethnically, geographically, and socio-economically diverse. Recognizing that it's difficult to find other schools with an exact demographic match, the table below includes schools that have the most comparable breakdown of African American, Asian, Latino, and White groups.

School	Total	Black or African American	Asian	Filipino	Hispanic or Latino	White	Two or More Races	Economically Disadvantaged
Gateway	482	12%	15%	2%	34%	21%	8%	48%
Mission	1,117	13%	11%	4%	53%	11%	2%	61%
Balboa	1,271	5%	40%	9%	35%	4%	2%	66%
O'Connell	475	16%	7%	7%	50%	8%	3%	68%
Marshall	441	14%	20%	4%	51%	1%	1%	66%
Wallenberg	637	9%	52%	4%	16%	12%	3%	57%

### **Comparison Schools That Gateway Students Would Otherwise Be Required to Attend and Are Demographically Similar in the District.**

To identify schools that Gateway students would otherwise be required to attend, we looked at schools that are geographically proximal to our students' zip codes. We have found there to be significant overlap between the geographic and demographic categories of comparison schools, thus the table below addresses both categories.

School	Schoolwide Assessment	2016	2017	2018
Gateway	ELA	75%	75%	54%
	Math	45%	52%	36%
Mission	ELA	29%	37%	28%
	Math	10%	16%	14%
O'Connell	ELA	46%	43%	31%
	Math	16%	12%	11%
Balboa	ELA	60%	67%	58%
	Math	42%	48%	38%
Wallenberg	ELA	72%	72%	71%
	Math	47%	58%	46%

The above table demonstrates Gateway's comparable or exemplary achievement in ELA and math relative to schools that Gateway students would otherwise be required to attend, with Gateway's ELA meeting/exceeding percentage exceeding that of all other schools in every year but 2018. In math, Gateway's meeting/exceeding percentage exceeded or closely matched the other schools except in 2018.

### **Additional Justification for Charter Renewal**

#### **Analysis of Charter Renewal Criteria – Student Subgroups**

Education Code Section 47607(a)(3) states:

The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school (defined as “a numerically significant pupil subgroup, as defined by paragraph (3) of subdivision (a) of Section 52052.” EC §47607(a)(3)(B)) as the most important factor in determining whether to grant a charter renewal.

The tables below compare the performance of subgroups to those in schools that are similar demographically and geographically. The first table reveals that Gateway's Latino student achievement in both ELA and math exceeds that of the comparable schools. An average of 56% of Gateway's Latino students met or exceeded the ELA standard from 2016-2018; an average of 40% of SFUSD students did so.

**Hispanic or Latino Subgroup CAASPP Scores, 2016-2018:  
Percentage of Students Meeting/Exceeding Standard**

School	Assessment	2016	2017	2018	3 year avg.
Gateway	ELA	53%	69%	47%	56%
	Math	13%	49%	22%	28%
Mission	ELA	22%	33%	24%	26%
	Math	3%	6%	3%	4%
Balboa	ELA	42%	44%	49%	45%
	Math	15%	17%	14%	15%
O'Connell	ELA	47%	44%	25%	37%
	Math	7%	2%	2%	7%
Marshall	ELA	6%	0%	5%	4%
	Math	4%	0%	0%	1%
Wallenberg	ELA	64%	35%	33%	44%
	Math	21%	20%	8%	16%

*In order to protect student privacy, an asterisk (\*) will be displayed instead of a number on test results where 10 or fewer students had tested.*

The following table demonstrates that Gateway's African American students' ELA achievement is significantly higher than in comparable schools. An average of 43% of Gateway's African American students met or exceeded ELA standard from 2016-2018, while 28% of African American students in SFUSD met or exceeded standard. Trends are less clear for math achievement for this subgroup. Improving African American math achievement has been an ongoing focus of Gateway's math faculty inquiry and professional development.

**Black or African American Subgroup CAASPP Scores, 2016-2018:  
Percentage of Students Meeting/Exceeding Standard**

School	Assessment	2016	2017	2018	3 year avg.
Gateway	ELA	60%	50%	21%	47%
	Math	27%	0%	5%	11%
Mission	ELA	11%	16%	7%	11%
	Math	0%	0%	15%	5%
Balboa	ELA	0%	28%	*	28%
	Math	0%	18%	*	18%
O'Connell	ELA	*	23%	9%	11%
	Math	*	15%	*	15%
Marshall	ELA	*	0%	*	0%
	Math	*	*	*	*
Wallenberg	ELA	47%	25%	3%	38%
	Math	7%	8%	7%	22%
SFUSD	ELA	33%	28%	24%	28%
	Math	11%	10%	12%	33%

*In order to protect student privacy, an asterisk (\*) will be displayed instead of a number on test results where 10 or fewer students had tested.*

The following chart demonstrates that the achievement of economically disadvantaged students achievement at Gateway is higher than in most similar schools - in some cases significantly. Wallenberg is the biggest outlier, and it has significant differences in student population within its socioeconomic subgroup from Gateway.

**Economically Disadvantaged Subgroup CAASPP Scores, 2016-2018:  
Percentage of Students Meeting/Exceeding**

<b>School</b>	<b>Assessment</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>3 year avg.</b>
<b>Gateway</b>	ELA	63%	64%	47%	58%
	Math	33%	48%	32%	37%
<b>Mission</b>	ELA	22%	26%	29%	26%
	Math	23%	16%	12%	17%
<b>Balboa</b>	ELA	57%	62%	54%	58%
	Math	42%	46%	37%	42%
<b>O'Connell</b>	ELA	45%	43%	27%	38%
	Math	13%	15%	6%	34%
<b>Marshall</b>	ELA	9%	17%	17%	14%
	Math	17%	19%	16%	17%
<b>Wallenberg</b>	ELA	68%	74%	68%	70%
	Math	49%	60%	39%	49%



## D. Targeted School Population: Gateway's Students

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Consistent with our mission, Gateway High School serves approximately 485 economically, racially, ethnically and geographically diverse 9th-12th graders from the San Francisco community and the surrounding Bay Area. Gateway's unique mission is to develop innovative programs for supporting a wide range of learners to succeed in a rigorous college preparatory program. One key area of focus is supporting students with learning disabilities: we strive to have at least 25% of the student body fit that profile.

We believe that **all children** should have access to the best educational options available and, as a charter school of choice, Gateway strives to educate students and families across San Francisco about the opportunities and challenges available at Gateway. Our goal is to encourage applications from as wide a range of students and their families as possible who believe that our mission and programs will suit their needs and aspirations. Most importantly, Gateway's enrollment efforts (See Sections VII and VIII) make clear our commitment to serving students and families who have historically been underserved.

The table below describes our current student population, showing the diversity of our student body.

<b>Gateway High School Student Demographics*</b> <b>2017-2018</b>		
	<b>Enrollment</b>	<b>% of Enrollment</b>
<b>American Indian or Alaska Native</b>	2	0.4%
<b>Asian</b>	73	15%
<b>Pacific Islander</b>	0	0%
<b>Filipino</b>	8	2%
<b>Hispanic or Latino</b>	165	34%
<b>Black or African American</b>	58	12%
<b>White</b>	100	21%
<b>Two or More Races</b>	39	8%
<b>English Learners (Total)</b>	24	5%
<b>Socioeconomically Disadvantaged</b>	229	48%
<b>Students with a current Individualized Education Program ("IEP")</b>	84	17%
<b>Students Receiving Services under an IEP or Section 504 Plan</b>	107	22%
<b>TOTAL</b>	<b>482</b>	

In addition to ethnicity, Gateway students represent the diversity of San Francisco and the Bay Area in other ways as well. Close to 50% of our students qualify for free or reduced-price meals, more than one third will be the first in their families to attend college, and students at Gateway have previously attended close to 100 different middle schools.

## **E. What It Means to be an Educated Person in the 21<sup>st</sup> Century**

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All of our curriculum and programs are intended to help our students achieve our Schoolwide Learner Outcomes which represent the knowledge, skills, and habits that we want all students to possess by the time they graduate. These Outcomes were drafted by members of our entire community including staff, students and parents, and they define for us what it means to be an educated person in the 21<sup>st</sup> century. The Schoolwide Learner Outcomes are described below.

### **Gateway High School Graduates will be:**

#### **Self-Advocates who share responsibility for their learning by:**

1. Understanding, monitoring, organizing, and facilitating their own learning
2. Setting high standards for themselves, striving to achieve individual academic potential and developing perseverance in academically challenging situations
3. Capitalizing on the support and resources available to them.

#### **Models of Integrity who contribute to an ethical community by:**

1. Striving to live by a code of ethics developed through evidence, experience, reflection, and dialogue with others
2. Leading by example, encouraging others to examine their own values
3. Practicing compassion by acting with responsibility and awareness toward self, fellow students, faculty, the environment, and the community at large.

#### **Community Advocates who create positive change for their communities by:**

1. Recognizing and understanding their position in the local and global community
2. Being socially responsible and informed citizens
3. Applying their broad base of knowledge and skills to contribute to their communities.

#### **Respectful of Differences**

1. Recognizing the strengths of diversity and difference, including socioeconomic, ethnic, philosophical or learning differences
2. Collaborating effectively with and understanding the perspectives of others
3. Advocating for and supporting the learning of others.

#### **Critical and Creative Thinkers who possess the skills and content necessary for lifelong learning by:**

1. Interpreting, synthesizing, analyzing, and evaluating information effectively to solve problems
2. Communicating ideas effectively through a variety of modes and media
3. Having a deep knowledge and skill base necessary for college preparation and continued learning.

## **F. How Learning Best Occurs: The Means to Achieve Our Mission and Vision**

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*“We need a new approach to education; one that will give our children the solid basis of knowledge, skills, and confidence they will need to meet the challenges of their time. An alternate paradigm, a new framework about development based on the simple proposition that ‘all children can learn’ – once they are taught how to learn – will help us reorganize our thinking and our practices.”*

- Jeff Howard

At Gateway High School, we believe that learning best occurs when the following conditions are met and programs are in place:

### **Students are known well, and learning is personalized and student-centered.**

At Gateway, we believe that schools and classrooms must be small enough so that each student feels connected to their teachers, and authentic relationships are built. Educators can then learn their students’ individual interests, strengths and weaknesses and use that understanding to help students achieve genuine academic success. Gateway is designed for this type of personalization with its small school size (approximately 485 students), average student to teacher ratio of 25:1, active grade-level teams, and an advisory program in which each student is matched with the same faculty advisor for his or her four years of high school. In addition, the dominant pedagogical approach is teachers-as-coach in which instruction is student-centered and individualized for student success.

### **Students feel they belong in the learning community and that their culture and experience are seen and valued.**

Gateway faculty engages in ongoing professional development on the role of race, bias and privilege in the larger world in our practice as educators. We actively work to interrupt patterns of inequity by rethinking our programs, systems, and pedagogical approaches. Using the latest research on culturally responsive teaching, faculty work to make course content, lesson design, and pedagogical practices reflective of and responsive to the range of student cultures and ethnicities. To better understand student experience as well as the impact of these adjustments, Gateway teachers regularly survey students and elicit feedback through focus groups and other means. Attention to issues of status and equity is central to Gateway teaching.

### **School has high expectations for all students and has an explicit emphasis on college preparation.**

Gateway High School believes that providing a college preparatory education for all students and building a culture of college aspiration and readiness throughout the Charter School leads to more equitable achievement and opportunity for students. All students at Gateway take a course load that exceeds the University of California (UC) A-G requirements and a full year of coursework with one of our college counselors. Gateway has two full-time college counselors who work with each student – starting in 9<sup>th</sup> grade – on getting excited about college, preparing for the Scholastic Aptitude Test (SAT), developing an appropriate list of colleges for application, researching and securing financial aid and scholarships, and completing the college application process and personal statement.

### **Students are surrounded by people who are different than they are.**

Gateway was founded on the paired principles that all students can learn at high levels and that all students learn *differently*. Based on these initial, cornerstone beliefs of the Charter School, at Gateway we believe that understanding and appreciating difference is, in fact, a prerequisite for learning and adult life. To quote Roland Barth, professor of education at Harvard University, we “work hard to attend to, acknowledge, honor and celebrate differences, because (we) believe pronounced differences are often accompanied by pronounced learning. (We) are committed to the question ‘How can we make conscious, deliberate use of differences in social class, gender, age, ability, race, and interests as resources for learning?’”

**Students understand how they learn and are coached to improve their process of learning.**

At Gateway, we believe that an essential role of schools is to help students learn how to learn effectively. When students focus on the “process of learning” (and not just its products) they gain insight into what motivates them, challenges them, aids them, and empowers them as learners. Beginning in 9<sup>th</sup> Grade Seminar and continuing throughout their four years in our advisory program, students learn to assess their own unique learning profile and strengths and weaknesses as learners. These insights provide a context for students to develop learning strategies that suit their needs and build on their assets so that they can take an active role in their own academic success. Through these efforts, students come to understand how they learn best and become more independent, self-motivated and self-assured. To underscore its importance in the curriculum, a portion of students’ grade in every class is based on their “process of learning,” and calculated through self-assessment and teacher feedback.

**Students have consistent, proactive advising and support.**

All students at Gateway are matched with a faculty advisor who works closely with their advisees for all four years. Incoming 9th graders are supported in the transition to high school and in making healthy choices by the 9th Grade Seminar course. The full-year of college counseling provided to all Gateway students supports each student in developing a post-secondary plan that reflects the student’s strengths and interests. For students who struggle academically, social-emotionally, and/or behaviorally, Gateway uses a multi-tiered system of supports (MTSS), having received a grant to participate in the California Scale-Up MTSS Statewide (SUMS) training program. Gateway’s Response to Intervention (RTI) team reviews student data regularly and plans long- and short-term academic, social-emotional, and behavioral interventions to support struggling students. Patterns of student achievement are continually analyzed and discussed with students, families, and teachers. Responding to the increase in anxiety and depression amongst adolescents nationwide, Gateway’s counseling services team has grown significantly in the last five years, with the addition of a Student Interventionist and the partnership with the Boys & Girls Club of San Francisco providing 30 hours of weekly counseling provided to students most needing that support. Additionally, Gateway’s behavior intervention team meets regularly to develop, implement, and evaluate best practices for Positive Behavior Intervention & Support (PBIS).

**Emphasis is on depth over breadth, critical thinking over rote learning.**

At Gateway, our goal is to prepare students for a world that requires the ability to think critically, and to collaborate, problem-solve, and communicate effectively. Gateway’s curriculum includes performance tasks and projects which support deep understanding and the development of 21st century and noncognitive skills we know are essential for success in school and life. By identifying the key skills, content, and essential questions for each discipline and course, Gateway’s teachers use a proficiency-based approach and a spiral of learning over four years that ensures that students graduate with the intellectual and imaginative powers to be informed, lifelong learners.

**Scaffolding, structure and multi-modal approaches are used to support student learning.**

Gateway uses a scaffolded curriculum to help students master complicated skills and concepts, thus ensuring that all students have access to sophisticated course work. Additionally, teachers work together to create and use common structures and rubrics across classes to facilitate students' focus on content learning and skill development. In order to ensure that "all kinds of learners" can engage fully in our curriculum, teachers employ multi-modal approaches to instruction, including project-based learning, collaborative assignments, and integration of visual and auditory resources into the classroom.

**Assessment is explicit, standards-based, and individualized.**

At Gateway, we believe that students need a clear understanding of what they are expected to learn, ongoing feedback about their progress, and flexibility to demonstrate mastery through multiple means and at a pace that is appropriate for them. Course assessments are based on clear rubrics that highlight the essential question, goals, and key skill and content standards for the unit. Student portfolios contain examples of each student's ongoing work towards individual and Charter School goals. Assessments are individualized as needed (using extended time, oral exams, etc.) However, accommodations do not lower expectations; instead, all students are held to the same standard but allowed to demonstrate their knowledge in ways that best fit their learning profile and are provided with the accommodations and modifications necessary for their individual needs.

**Students' individual learning needs are supported and respected.**

Integral to the success of Gateway's mission is the Learning Center, designed to support students' academic needs in partnership with teachers and families. The Learning Center promotes awareness of learning differences and their impact during adolescence, as well as the strategies available for academic success. Its goal is to dissolve the stigma attached to the label "learning disabled" and to demonstrate how a personalized approach to teaching and an understanding of the different ways people learn helps all students learn more effectively. The Learning Center provides tutorial support, audiobooks, learning strategies instruction, technology support, and alternative assessment environments to all students.

**The learning environment is safe, both physically and emotionally.**

Gateway High School believes that students must feel safe in order to achieve at their highest levels, and we take this responsibility to our students and their families extremely seriously. Through our advisory curriculum, the work of the counseling team and campus supervisor, relationships with families, connections with the San Francisco Police Department and other community agencies, safety drills and procedures, and ongoing dialogue, we work hard to protect our students while they are at Gateway and help them live safe lives outside of school. Gateway uses Restorative Practices as a guiding framework and system which is used in all spaces and intervention tiers as an important means to build community, address community grievances and infractions, and teach students how to solve problems peacefully and productively. Additionally, faculty and staff have built capacity to cultivate and maintain a safe environment through ongoing de-escalation and trauma-informed practices training.

**Teachers are experts in their fields and are supported and encouraged to continue growing as professionals.**

Research has shown that the most important factor in students' success is the quality of instruction they are receiving. To support teachers' capacity to create an engaging, productive, rigorous learning environment, we invest in their ongoing professional growth through on- and off-site

professional development. Using a Professional Learning Community (PLC) model, teachers spend 150 hours of onsite PD building their capacity to meet the needs of our diverse learners. Analyzing student achievement data, implementing and assessing the impact of research-based practices, and sharing findings are key steps in the PD cycle. Teachers also work collaboratively on curriculum planning teams, meeting weekly to refine unit and lesson plans and adding layers of differentiated curriculum to meet the needs of students with learning differences. Along with onsite PD and attending conferences such as the National Council of Teacher of Mathematics (NCTM), teachers are supported in pursuing National Board Certification, the Stanford Hollyhock Fellowship, and other opportunities for intensive professional growth.

**Community is emphasized as well as co-curricular opportunities for students.**

Academics are a crucial part of preparation for college and for life, but we believe that it is equally important for students to become agents in their own lives and communities. As our Schoolwide Learning Outcomes indicate, Gateway is committed to developing the whole child and to building community across difference. In order to foster community at Gateway, the Charter School meets in a weekly assembly for announcements, performances, and celebrations. Additionally, the advisory program-- which includes biweekly Advisory group sessions-- has three key goals: 1) to ensure that each student is known well and is closely connected to at least one adult in the building; 2) to foster students' agency and self-awareness (including understanding their learning styles and setting personal and academic goals); and 3) to build community across grade levels and social groups. Student-led clubs such as the Black Student Union and the Debate Club help define and strengthen our school culture. In addition to student-created activities, students participate in a wide-range of CIF sanctioned interscholastic sports. Finally, the Director of Partnerships connects students to a wide range of internship, job and job training, travel, and service opportunities.

**Students have access to cutting edge technology**

At Gateway we believe that preparing students for the world of college and work in the 21<sup>st</sup> Century must include access to and proficiency with technology. With a 2-to-1 student to technology ratio, Gateway's students use technology for research and analysis, as a means to share, store and publish information, to create multisensory presentations, to practice individual skills in deficit areas, and to remediate delays in written language, spelling and memory. In order to ensure maximum productivity and efficiency, Gateway students and teachers are trained throughout the year on how to use our vast technological resources.

**Time is used flexibly to support student learning and other institutional goals**

Gateway's block schedule organizes instruction in ways that are more conducive to in-depth learning. Our 90 minute blocks allow time for hands-on activities and projects, small group support, and opportunities for extension and challenge. In order to foster community, school pride, and communication, we have built time into our weekly block schedule for school-wide assemblies and meetings, advisory and extra academic support. Before each mid-quarter progress report, we have a minimum day schedule so that students and teachers can work on reteaching key concepts and students can retake assessments on which they didn't show proficiency the first time. Gateway's schedule and calendar also increase opportunities for hands-on and community-building possibilities such as Project Week, community service projects, celebrations, student activities, etc.

## G. Overview of Academic Program

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*"Schools must offer a rich, interesting curriculum full of powerful ideas and experiences aimed at inspiring its students with the desire to know more, sustains students' natural desire to make sense of the world and trusts in their capacity to have an impact on it."*

*The Power of Their Ideas, Deborah Meier*

Gateway's curriculum is designed with our unique mission in mind and is intended to foster excellence in all disciplines associated with a liberal arts tradition. Faculty members guide students to master skills, to acquire knowledge, and to think critically, creatively and independently. Gateway strives to help young people achieve their intellectual potential as well as to understand how they can positively impact the larger world. Gateway courses are standards-based, incorporating Common Core State Standards ("CCSS"), as well as the Next Generation Science Standards ("NGSS"), English Language Development Standards ("ELD") and remaining State Content Standards (collectively referred to herein as "standards") as applicable; as well as Gateway's particular emphasis on process of learning; and commitment to community, integrity, and social justice.

Gateway challenges students in mind, body and spirit to see beyond themselves and to go beyond the familiar, to remain committed to developing the best in themselves and others. The college preparatory curriculum of Gateway meets the demands of selective universities and colleges, including the UC A-G requirements; teachers and staff work collaboratively to ensure that Gateway students have support to meet the challenges of our curriculum.

Gateway's curriculum is engaging, rigorous, and focused on transferable skills and inquiry that require students to think critically. Students take four years of Humanities, including three years of an integrated cross-cultural study of history, literature, and social studies course and one year of Civics/Economics and English 12. This approach allows students to engage in major questions of identity, power, ethics, and philosophy. This writing-intensive series offers credits in English, history and social science and includes ongoing writing workshops and labs. During 9<sup>th</sup> and 10<sup>th</sup> grades, our humanities course focuses on world history, culture and literature. During 11<sup>th</sup> grade, our humanities course is a thematic look at United States history, connecting key questions and events of the past with current issues that are relevant to students' lives and communities. During senior year, all students take a full year of Civics, which includes economics and American government and culminates in an in-depth policy paper, partnership with a community-based organization, and exhibition of findings on a current issue in American society. Seniors also take ERWC (Expository Reading and Writing Course) English 12, a CSU-developed course designed to prepare students for the demands of first-year college English courses. Additionally, we offer Advanced Placement ("AP") U.S. History, AP Literature, and English 11 Honors, and embedded honors options in Humanities 9 and 10. We encourage all students to consider challenging themselves in one of these ways during their time at Gateway.

Gateway's science and math program is a rigorous, hands-on approach to the foundations, methods and advances of science and technology. In math, we offer courses from Algebra 1 through AP Calculus AB, and all students must pass at least three years of math through Algebra 2. Since our last charter renewal, we have developed an Introduction to Statistics and Applied Math course for seniors; currently 87% of Gateway seniors are taking a fourth year of math. In science, students

take environmental science in 9<sup>th</sup> grade, biology in 10<sup>th</sup> grade, and chemistry or physics in 11<sup>th</sup> grade. By the time students are seniors, they have completed two lab sciences (per UC requirements) and have engaged in three years of inquiry-based, hands-on, collaborative science. We offer a host of electives and honors/AP offerings in science to complement the courses listed previously: AP Environmental Science, AP Physics 1, AP Biology, and Gardening.

All students at Gateway take at least three years of Spanish. Students who are beginning Spanish learners enter the world language track, which culminates in AP Spanish Language for students interested in taking the fourth year. Students who are heritage Spanish speakers and students who have participated in a Spanish-immersion educational setting prior to Gateway pursue the heritage learner track, the goal of which is academic biliteracy and culminates in AP Spanish Literature.

Students at Gateway also take at least two full years of instruction in the arts, choosing from courses in visual art, drama, and dance. To support the transition to high school, 9<sup>th</sup> graders take 9<sup>th</sup> Grade Seminar, a research-based course designed to foster a sense of belonging, self-awareness, academic habits, and healthy decision-making. In order to ensure all students successfully navigate the college admissions process, Gateway students take a full year of College Counseling, which is taught by our college counselors.

A key component of Gateway's academic program is Project Week, an intensive program in which students step out of the regular routine of the school day to examine a single subject over the course of five days. Project Week is another way Gateway supports students in taking risks, building on strengths, and developing curiosity. Some of our most passionate advocates of Project Week are those students who have to work the hardest to succeed in a more traditional school day. Project Week has the additional benefit of affording teachers and students the opportunity to work together on common interests outside of the teacher's core discipline. By changing the rhythm of the school day, students see that learning is an ongoing process that takes place both inside and outside the classroom.

Gateway has implemented an internship program for juniors and seniors as well as a lunchtime career speaker series. These programs enable Gateway students to see the connection between school and work, to envision themselves in various professions as well as gain real-world mentors, and to build career technical skills.

At Gateway, we are committed to supporting our students in meeting their academic and personal goals. Our academic requirements are designed to prepare them for success in college and to inspire them to continue their commitment as lifelong learners:

### **Graduation Requirements**

Humanities:	4 years, including Civics and English 12
Mathematics:	3 years, at least through successful completion of Algebra II
Sciences:	3 years of science, including two years of lab science
World Language:	3 consecutive years, through successful completion of Spanish 3, or
2	years with a score of 3 or better on the AP Spanish Language exam
Arts:	2 years (one year must be UC/CSU approved)
Electives:	2 years
Physical Education:	2 years (240 hours total)
Community Service:	25 hours each year in attendance at Gateway



*\*In order to graduate from Gateway, students must earn 250 credits.*

**Other Required Coursework**

9<sup>th</sup> Grade Seminar: 1 year  
College Counseling 2 semesters  
Project Week: 1 for each year in attendance at Gateway

Gateway's graduation requirements exceed the A-G entrance requirements of the University of California (UC) and California State Universities (CSU) systems. We believe these increased requirements not only prepare students for the college environment but also strengthen students' applications to competitive universities.

***Sample Four Year Program for a Typical Student***

<b>9<sup>th</sup> Grade:</b>	9 <sup>th</sup> Grade Humanities: World Cultures I Algebra 1 Environmental Science Spanish 1 Elective 9th Grade Seminar Project Week
<b>10<sup>th</sup> Grade:</b>	10 <sup>th</sup> Grade Humanities: World Cultures II Geometry Biology Spanish 2 Visual Art or Drama Elective Project Week
<b>11<sup>th</sup> Grade:</b>	11 <sup>th</sup> Grade Humanities: The United States Experience Algebra 2 Chemistry Spanish 3 College Counseling (2 <sup>nd</sup> semester) Electives Project Week
<b>12<sup>th</sup> Grade:</b>	12 <sup>th</sup> grade English: Expository Reading & Writing Course (ERWC) Civics College Counseling (1 <sup>st</sup> semester) Elective 1 (often a science/math option) Elective 2 Project Week

## H. Transferability of Courses

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All of Gateway's core academic courses have been approved by the UC; all courses (including non-UC approved electives) are listed on the "UC A-G Guide" website to facilitate transferability.

Curriculum guides for each subject area and course are made available to parents, as well as a guide to A-G requirements as it relates to the Gateway program. Pursuant to Education Code Section 47605(b)(5)(A)(iii), because Gateway is accredited by the Western Association of Schools and Colleges ("WASC"), courses offered by Gateway are considered transferable; because Gateway's courses are approved as meeting A to G requirements for UC admission, Gateway's courses may be considered to meet college entrance requirements.

***Please see Appendix B for Gateway's Curriculum Guides.***

***Please see Appendix C for Gateway's Challenge Course and Honors/AP Class Listings.***

## I. Instructional Calendar and Attendance

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In order to support families with students in other SFUSD schools, Gateway High School follows the SFUSD calendar to determine start and ends of instruction, vacations, and most holidays. We have 175 instructional days for students and an additional 16 professional development days for faculty.

The following unique aspects of our instructional calendar are designed to support our mission and vision.

- Each year, Gateway holds a full-day orientation for its incoming 9<sup>th</sup> grade class to help them build connections to students and teachers and to immediately begin building a strong culture of achievement, aspiration and community for our newest students. Each year, we take our 9<sup>th</sup> graders to a college campus (UC Berkeley) for this day.
- Throughout the year, Gateway has 16 days of Professional Development for all staff that is broken down as follows:
  - Two days of summer training for teachers who are new to Gateway
  - Six days of "Faculty Week" in August preceding student orientation days
  - Three days of professional development in the first semester
  - Two days of professional development in the second semester
  - Three days of professional development at the close of the school year
- Between first and second semester, we hold Project Week, an intensive intersession in which each student takes one elective class full time for five days.
- Each curricular planning team takes one full day each quarter to plan for the upcoming unit. This time allows faculty to use the Understanding by Design framework to plan curriculum using the standards and essential questions for the course as the guide.

Gateway's weekly block schedule (***see Appendix D***) is designed to support the Charter Schools' mission as well. The Charter School has a seven period block schedule in which each class meets three times per week, twice in an extended block and once for a more traditional 45-minute block. Each class meets for 235 minutes per week. Humanities, because it fulfills both English and history

requirements, meets for twice as much time. We hold a weekly all-school meeting, and advisory meets twice per week. In addition, we have two faculty meeting times built into our schedule to ensure that we have time for professional development as a full faculty, in subject area groups, in grade level teams, and in Professional Learning Communities. All curricular planning teams have common planning time, which amounts to more than two hours per week.

Gateway has high expectations for student attendance, which are reinforced through our attendance policies. We send two attendance bulletins (reminders about our policies and information about how to appropriately clear absences) home per year, and use a robocall/robotext system to alert families of unexcused absences and excessive tardiness. Our Attendance Intervention Team closely monitors student attendance and works closely with teachers, administrators and families when students struggle. We also reward perfect and exemplary attendance each semester, and use “Ontime Attendance Raffles” to acknowledge punctuality on a class-by-class basis. We consistently maintain attendance rates above 95% and strive for attendance rates of 97% or higher.

## **J. Charter School Goals and Actions to Achieve the Eight State Priorities**

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Gateway complies with all requirements pursuant to Education Code Section 47605(b)(5)(A)(ii) including developing annual goals, for all pupils (i.e. schoolwide) and for each subgroup of pupils as identified in Education Code Section 52052, for each of the applicable eight (8) state priorities identified in Education Code Section 52060(d). See Element B for the schoolwide goals, actions, and measurable outcomes, both schoolwide and for numerically significant student relevant subgroups, and see Element C for the corresponding assessments.

Gateway also complies with all elements of the Local Control and Accountability Plan pursuant to regulations and templates adopted by the State Board of Education and reserves the right to establish additional, school-specific goals and corresponding assessments throughout the duration of the charter.

Gateway has clearly defined school-wide outcome goals in compliance with Education Code Sections 47605(b)(5)(B) and 52060(d).

Gateway pursues school-wide and subgroup outcome goals, as measured by multiple and varied benchmark assessments that are aligned to standards and reflect proficiency measures required by the CAASPP, as well as applicable state priorities detailed in Education Code Section 52060(d) that apply for the grade levels served, or the nature of the program operated, by the Charter School. For purposes of measuring achievement of these goals, a numerically significant pupil subgroup will be defined as one that meets both of the following criteria:

- (i) The subgroup consists of at least 30 pupils, each of whom has a valid test score.
- (ii) For a subgroup of pupils who are foster youth or homeless youth, a numerically significant pupil subgroup is one that consists of at least 15 pupils. (Education Code 47607(a)(3)(B) and 52052(a)(3)).

See **Appendix E** for the Gateway 2018-19 LCAP that includes school-wide and subgroup outcome goals and performance targets aligned to the eight state priorities that apply for the

grade levels served, or the nature of the program operated, by the Charter School, and methods for measuring progress and the individual(s) with primary responsibility for each, all aligned with the state's priorities defined in Education Code Section 52060(d). The LCAP shall not be deemed part of the charter, and therefore, annual amendments to the LCAP, in accordance with Education Code Section 47606.5, shall not be considered a "material revision to the charter" as defined in Education Code Section 47607. The Charter School shall submit the LCAP to the District annually on or before July 1, as required by Education Code Section 47604.33. Actions intended to ensure that the Charter School meets these goals and targets are delineated throughout this charter petition.

## **K. Strategies to Support Students Not Meeting Outcomes**

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A crucial part of Gateway's mission is to prepare all students for the rigors of college, including those who have not previously achieved academic success. Our student body is vastly diverse in terms of previous academic preparation, and we are committed to ensuring that all students develop the skills, habits and knowledge expected and required in college and in the professional workforce. As such, Gateway has a variety of strategies and supports in place for students who are struggling. Our faculty and staff support students daily through our scaffolded, structured curriculum and instructional practices, and all teachers hold office hours so that students can receive individualized help. All students are matched with a faculty advisor who works closely with their advisees over four years and provides ongoing academic counseling and guidance. Teachers participate in extensive professional development that is focused on increasing student literacy, serving English language learners and struggling readers, differentiation in the classroom, classroom and school-wide culture, and accommodations for students with disabilities.

In addition to the strategies described above, Gateway has two important structures that support students who are not meeting outcomes: Gateway's Learning Center and SST.

### **Gateway's Learning Center:**

The Learning Center reflects the Charter School's commitment to helping a diverse body of students realize their full academic potential, as well as the recognition that all students learn differently. Often described as the "heart" or "engine" of the school, the Learning Center is available to all students who need additional support. Along with providing academic support classes and case management for students with diagnosed learning issues, the Learning Center provides after-school tutoring, classroom accommodations, and consultation for any student experiencing academic difficulty and provides ongoing support to Gateway parents and faculty.

Any student experiencing academic difficulty (whether or not the student has an identified learning disability) may utilize the Learning Center for:

- Access to co-taught classes. Co-teachers plan and deliver well-structured lessons that accommodate diverse learners.
- Reading intervention courses that improve decoding and comprehension skills.
- Extended time and an alternative exam environment
- Access to assistive technology including audiobooks, ChromeBooks and speech recognition software
- Basic math and reading support, reading comprehension support, study skills and learning strategy instruction (limited to students with greatest need)

- Collaboration with teachers to secure “reasonable accommodations”
- Academic counseling as needed through an SST
- Referrals for diagnostic testing and accommodations on standardized tests

### **Assistive Technologies:**

Gateway provides several computer applications that are available to students using Chromebooks and Chromebase desktop computers in the Learning Center. Effective use of these and other titles can enhance learning, as well as help students approach academics in a more methodical, independent manner. Among Gateway’s assistive technology resources are Chromebook extensions that make web pages, PDFs, and Google Drive and Google Classroom files accessible to students who need support with reading and writing. Students are also provided access to a variety of low-tech devices, along with audiobooks through Learning Ally, and electronic books through Bookshare.

### **The Study Café:**

The Study Café, now staffed by the Boys & Girls Club SF (BGCSF), is a unique space for Gateway students who require or request additional support with academic work. During the school day, students can enroll in an Independent Study block in the Study Café, during which they can work on academics individually, in small groups, or with the support of a volunteer tutor. Twenty-five tutors, recruited through collaboration with community partners such as San Francisco School Volunteers, University of San Francisco, and San Francisco State University, serve roughly 40 students each week through our school day.

The Study Café is also available after school for independent work and tutoring support; BGCSF staff are available for social-emotional support through formal mentoring both by appointment and on a drop-in basis; and healthy snacks are made available throughout the school day. Boys & Girls Club staff, in conjunction with Gateway’s Director of Student Activities, also run the Burl Toler Scholars program, a youth-led program that provides academic support and leadership development opportunities for students. Students participate in activities in five focus areas: academic success, career exposure, community involvement, peer support, and college readiness. Students participate in afterschool study and tutoring sessions, and can earn a scholar’s “letterman” jacket in recognition of their academic commitment and achievement.

### **Reading Support Program:**

Gateway’s Reading Support Program includes Tier 2 and 3 level intervention for students who are two or more grade levels behind in reading. The Reading Comprehension course uses the Guided Reading model to build comprehension, fluency, and automaticity and aims to increase students’ comprehension by 1.5-2 grade levels in one year – a significant jump given that these students have historically made little progress each year. Students who are reading significantly below grade level and who lack the ability to sound out (decode) unfamiliar words for reading and spelling participate in Reading Skills, a two-year Tier 3 intervention series. Using the Wilson Reading System, a multi-sensory phonics-based program developed especially for older students, students learn the rules and patterns that govern the underlying structure of the English language. Students participate in the Reading Support Program in addition to their Humanities courses.

**Response to Intervention Team:**

Gateway's Response to Intervention (RTI) Team includes the mental health counseling team, behavioral intervention team, college counseling team, attendance team, and BGCSF team. This group meets regularly to review student performance data, and to create intervention plans for and monitor the progress of students who are struggling academically, social-emotionally, behaviorally. Working in conjunction with Advisors and the Learning Center, the RTI Team provides a coordinated set of strategies for students who are struggling at Gateway. Interventions may include mental health counseling, assignment of a one-on-one tutor, attendance contract, parent meeting, initiation of the Student Success Team (SST) process, reading intervention, etc. All interventions are logged on the RTI Intervention Tracker which is shared with staff.

**L. Strategies to Support Academically High-Achieving Students**

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Gateway High School is committed to providing a rich and challenging curriculum to all students. Many courses offer an "embedded honors" option so that students can pursue deeper or accelerated study within a heterogeneous classroom and earn an honors designation for their efforts. For 10th-12th graders, a variety of honors and AP classes are available:

- AP Environmental Science
- AP Biology
- AP Physics 1
- Algebra 2 Honors
- Precalculus Honors
- AP Calculus AB
- Honors American Literature
- AP English Literature & Composition
- AP US History
- AP Government
- AP Spanish Language & Culture
- AP Spanish Literature & Culture
- Visual Art 3 Honors

Additionally, students achieving above grade level as measured by interim assessments, portfolio assessment, and/or other means, receive appropriate academic enrichments within the classroom. Some examples of approaches used to ensure appropriate challenge for academically high-achieving students include:

- Students reading above grade level are given reading materials and literature at their individual levels within their independent reading time and on other assignments as appropriate and available. Academically high achieving students may also be given a more challenging culminating assignment for units and chapters.
- Students who demonstrate high levels of skill/accomplishment in the area of writing receive individualized coaching and support in this area through the writer's workshop process. These students are also often called upon to develop and apply their leadership skills in this area as they serve as peer-editors for their classmates. They are also encouraged to take on advanced writing assignments and extensions.
- In mathematics, students are given challenge problems and longer explorations through which they are able to apply their mathematical skills and concepts. Math courses use

technology resources such as Khan Academy to provide opportunities for individual pacing and exploration.

## **M. Strategies to Support English Learners**

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Gateway is deeply committed to the success of its English Learners (ELs), including long-term English Learners or English Learners at risk of becoming long-term English Learners. Gateway's integrated ELD approach includes the use of Specially Designed Academic Instruction in English (SDAIE) strategies to ensure that students are both accessing the material and are also developing their academic vocabulary and speaking, listening, reading and writing skills. Teachers build their capacity to differentiate instruction for ELs through professional development and coaching. For example, close to half of Gateway faculty have participated in two-year WestEd Content Literacy training that increased their facility with EL students. Designated ELD services are administered through the reading intervention program, in which students engage in word study, guided reading, and academic support ; additional support is provided through the Independent Study/tutoring program, Advisory, and Learning Center.

Gateway High School and its Language Appraisal team-- comprised of the Data Manager, Director of Curriculum & Instruction, Learning Center Director, and Testing Coordinator-- evaluates the effectiveness of its education program for ELs by:

- Monitoring student progress in reading, writing, listening and speaking through assessments including the Scholastic Reading Inventory (SRI), ELPAC, CAASPP, and Humanities portfolio assessment.
- Monitoring teacher qualifications and the use of appropriate instructional strategies based on program design.
- Monitoring student identification and placement.
- Monitoring parental program choice options.
- Monitoring availability of adequate resources.

Additionally, Gateway High School is dedicated to reaching out to families of students whose first language is not English, providing interpretation services at meetings and to translating written correspondence with families.

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

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

pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

Gateway classifies students as Initial Fluent English Proficient (IFEP) based on state guidelines for ELPAC scores in all categories of listening, speaking, reading, and writing. Gateway may change a student's status to Reclassified Fluent English Proficient based on state guidelines. Once students are proficient, they are Reclassified Fluent English Proficient (RFEP). After a student is RFEP, they no longer take the ELPAC. However, their progress continues to be monitored for four (4) years by meeting regularly with their teachers and reviewing their benchmark assessments and standardized testing results to ensure that they are able to keep up with their peers.

### **Assurances**

Gateway High School meets all applicable legal requirements for EL students, including long-term English Learners or English Learners at risk of becoming long-term English Learners, as it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. Gateway High School implements policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

Gateway High School will use District home language survey results where possible and will administer the home language survey upon a student's initial enrollment at Gateway (on enrollment forms.)

All students who indicate that their home language is other than English will be tested with the ELPAC within thirty days of initial enrollment<sup>1</sup> and at least annually thereafter between February 1<sup>st</sup> and May 31<sup>st</sup> until re-designated as fluent English Proficient. We will also follow the District's re-designation process each spring.

As required under ESSA requirements for language proficiency, Gateway High School will notify all parents of its responsibility for ELPAC testing and of ELPAC results within thirty days of test administration.

## **N. Strategies to Support Students with Disabilities**

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### **Overview**

As with all of our students, students with disabilities take a rigorous, college-preparatory program and are supported within the classroom through strong pedagogy, individual attention afforded by small class sizes, and supports such as the reading program, advisory program and RTI Team interventions. Gateway uses an inclusive, co-teaching model to support students with disabilities. Many students with IEPs are provided supplementary academic support classes as well.

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<sup>1</sup> The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been taken the ELPAC Initial Assessment. All other students who have indicated a home language other than English will continue with annual ELPAC Summative Assessment during that testing window.



Gateway faculty work closely with our Learning Center staff to understand students' needs and meet all academic and legally mandated requirements. Learning Center staff provide case management for students and professional development for faculty.

Gateway High School will adhere to all laws affecting individuals with exceptional needs, including all provisions of the Individuals with Disabilities Education Act ("IDEA"), its amendments, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act ("ADA"). All students will be given equal access to the Charter School, regardless of disabilities, and the Charter School will not discriminate against any student based on his or her disabilities. The Charter School shall not require the modification of an IEP or 504 Plan as a condition of admission to or continued enrollment in the Charter School.

The Charter School recognizes the importance of providing education opportunities to all students regardless of physical challenges or special needs. To that end, the Charter School pledges to work in cooperation with the District to ensure that the students enrolled in the School are served in accordance with applicable federal and state law. Employees providing special education services at Gateway, such as our Resource Specialist, para-professionals, psychologists, speech and language therapists, and occupational therapists, shall remain employees of the District. The Charter School shall follow all policies and procedures of the District's SELPA in the provision of special education services. The Charter School is a "school of the District" for special education purposes, per Education Code sections 47646(a) and 47641(a).

#### **Services for Students Under the IDEA/MOU with the District**

As provided in the Memorandum of Understanding ("MOU") between Gateway and the District, Gateway agrees as follows:

1. It is understood that all children will have access to Gateway High School and no student shall be denied admission due to disability.
2. Gateway High School will comply with all applicable state and federal laws.
3. Gateway High School agrees to implement an SST, a regular education function, to monitor and guide referrals for Special Education services. Gateway High School agrees that it is solely responsible for compliance with Section 504.
4. Gateway High School has not elected to participate as an independent Local Education Agency ("LEA") for Special Education services; and therefore, pursuant to Education Code section 47641(b), Gateway High School is deemed a public school of the LEA granting the charter, SFUSD, for Special Education purposes. Gateway High School reserves the right to elect to become its own LEA or join with other charter schools to form a consortium and join a Special Education Local Plan Area ("SELPA") within California in any fiscal year following its first year of enrolling students. In the event Gateway High School elects to join a SELPA, it shall do so in accordance with the rules and procedures of the SELPA and will notify the District and SELPA Director of this intent before June 30 of the preceding school year.
5. Gateway High School and SFUSD intend that Gateway High School will be treated as any other public school in SFUSD with respect to the provision of Special Education services,

including the allocation of duties between on-site staff and resources and SFUSD staff and resources.

6. *Division and Coordination of Responsibility:* SFUSD and Gateway High School agree to allocate responsibility for the provision of services (including but not limited to identification, evaluation, IEP, development and modification, and educational services) in a manner consistent with their allocation between SFUSD and its local public school sites. Where particular services are generally provided by staff at the local school site level, Gateway High School will be responsible for providing said staff and programming; where particular services are provided to the Charter School by the central SFUSD office, those services will be made available to Gateway High School in a similar fashion.
7. Gateway High School and SFUSD intend that they will jointly ensure that all students entitled to services under the IDEA and Education Code section 56000 *et seq.* will receive those services.
8. Identification and Referral: Gateway High School shall have the same responsibility as any other public school in SFUSD to work cooperatively with SFUSD in identifying and referring students who have or may have exceptional needs that qualify them to receive special education or related services. Gateway, High School with the assistance of SFUSD, will develop, maintain, and implement policies and procedures to ensure identification and referral of students who have, or may have, such exceptional needs. These policies and procedures will be in accordance with California law and SFUSD policy. As between Gateway High School and SFUSD, Gateway High School is solely responsible for obtaining the cumulative files, prior and/or current IEPs and other special education information on any student enrolling from a non- SFUSD school.
9. SFUSD shall provide Gateway High School with any assistance that it generally provides its other public schools in the identification and referral processes. SFUSD will ensure that Gateway High School is provided with notification and relevant files of all students transferring to Gateway High School from a SFUSD school, who have an existing IEP, in the same manner that it ensures the forwarding of such information between SFUSD schools. All records and files will be released with the signed permission of the parent/guardian.
10. SFUSD and Gateway, working in the IEP team, shall make the determination as to what assessments are necessary, including assessments for all referred students, annual assessments and triennial assessments, in accordance with SFUSD's general practice and procedure and applicable law. Gateway High School shall not conduct unilateral independent assessments without prior written approval of SFUSD.
11. Responsibility for arranging necessary IEP meetings shall be allocated in accordance with SFUSD's general practice and procedure and applicable law. Gateway High School shall be responsible for having the designated representative(s) of Gateway High School in attendance at the IEP meetings in addition to representatives who are knowledgeable about the regular education program at Gateway High School.
12. Decisions regarding eligibility, goals/objectives, program, placement and exit from Special Education shall be the decision of the IEP team. Team membership shall be in compliance with state and federal law and shall include the designated representative of Gateway High

School (or designee) and the designated representative of SFUSD (or designee). Services and placements shall be provided to all eligible Gateway High School students in accordance with the policies, procedures and requirements of SFUSD and of the Local Plan for Special Education.

13. For students who enroll in Gateway High School with a current IEP, SFUSD and Gateway High School shall conduct an IEP meeting in accordance with applicable law. Gateway High School shall notify SFUSD immediately of students who may fall into this category. For such students who were previously enrolled in SFUSD, SFUSD agrees to forward the student's cumulative file including all Special Education files to Gateway High School within 10 days with signed parent/guardian permission. In addition SFUSD will provide consultative assistance to Gateway High School to help transition the student.

To the extent that the agreed upon IEP requires educational or related services to be delivered by staff other than Gateway High School staff, SFUSD shall provide and/or arrange for such services. SFUSD services shall include consultative services by SFUSD staff to Gateway High School staff in the same manner that SFUSD staff consults with staff at other SFUSD schools.

14. *Instruction:* Gateway High School will coordinate with SFUSD to deliver resource services to students within the context of their regular courses. Gateway uses an inclusion model whenever possible to ensure students are taught in a general education setting as much as possible, and pursuant to their IEP. Only in limited and appropriate cases will services be delivered outside the context of students' regular course. Gateway High School teacher teams will meet regularly during common planning time with SFUSD resource specialists to coordinate delivery of resources in their classes.
15. *Complaints:* In consultation with Gateway High School, SFUSD shall address/respond/investigate all complaints against Gateway received under the Uniform Complaint Procedure involving Special Education.
16. *Due Process Hearings:* In consultation with Gateway High School, SFUSD may initiate a due process hearing on behalf of a student enrolled in Gateway High School as SFUSD determines is legally necessary to meet a local educational agency's responsibilities under federal and state law. SFUSD and Gateway High School shall work together to initiate the case. In the event that SFUSD determines that legal counsel representation is needed, SFUSD and Gateway High School shall be jointly represented by legal counsel, unless there is a conflict of interest. In case separate counsel is needed by Gateway High School, the Gateway Public Schools Board of Trustees may select such counsel, and shall be responsible for the costs of its legal counsel.
17. The SFUSD Superintendent or designee shall represent Gateway High School at all SELPA meetings as it represents the needs of all schools in SFUSD. Reports to Gateway High School regarding SELPA decisions, policies, etc. shall be communicated to Gateway High School as they are to all other schools within SFUSD. To the extent that SFUSD and/or SELPA provides training opportunities and/or information regarding Special Education to site staff, such opportunities/information shall be made available to Gateway High School staff. To the extent that SFUSD site staff have the opportunity to participate in committee meetings of

the SELPA as representatives of their school, such opportunities shall be made available to Gateway High School staff.

18. *Transfer of Special Education Apportionment Directly to SFUSD:* The parties agree that, pursuant to the division of responsibilities set forth in the MOU, Gateway High School has elected the status of any other public school in SFUSD for the purposes of Special Education services and funding, and SFUSD has agreed to provide Special Education services for Gateway High School, consistent with the services it provides at its public schools. Consistent with this division of responsibility, all funds apportioned to and received by Gateway High School directly from the state and federal government for Special Education services shall be retained by SFUSD. In exchange, Gateway High School shall receive an equitable share of funding and services consisting of either or both of the following:
  - a. State and federal funding provided to support Special Education instruction or designated instruction and services or both provided or procured by Gateway High School that serve pupils enrolled in and attending Gateway High School.
  - b. Any necessary Special Education and related services including administrative and support services and itinerant services that are provided by the local educational agency on behalf of pupils with disabilities enrolled in Gateway High School.
19. *Gateway High School Contribution to Special Education General Fund:* Gateway High School shall owe SFUSD its pro-rata share of the annual special education general fund. The special education general fund contribution is calculated as follows: To the extent that district-wide (including Charter School) special education and related services costs (excluding transportation costs) exceed District-wide (including Charter School) special education funding, the excess cost shall be charged to Charter School on a prorated basis. This amount will be identified each year as part of the MOU process.
20. Special education funds for special education staff and services provided at the local school site level by Gateway High School with the agreement of SFUSD shall be allocated to Gateway High School by SFUSD.
21. Gateway High School agrees to adhere to the policies and requirements of the Local Plan for Special Education and to SFUSD policies.
22. Special education services will be offered at Gateway High School based upon each student's IEP.
23. If needed due to limited special education staff, SFUSD may seek out contracts with other school districts, or companies, or organizations to serve Gateway High School students. Gateway High School shall assist SFUSD in providing such services.

A special education MOU has been developed between the District and Gateway High School which spells out in detail the responsibilities for provision of special education services by the Charter School and the manner in which special education funding will flow through the District to the students of the Charter School. The specifics of this arrangement will be controlled by the MOU between Gateway High School and SFUSD. As part of the MOU between the District and Gateway High School:

- The District shall receive and retain all State and Federal special education funds due to the Charter School.
- The District shall provide special education instruction and related services to Charter School students in the same manner as provided to other students of the District.
- The District special education staff serving students at Gateway High School will be under the supervision of San Francisco County SELPA or designee. Gateway reserves the right to jointly interview with the District prospective staff before they are assigned to Gateway. In the case of a vacancy, Gateway may bring qualified candidates to the District to fill the vacancy. Unless that candidate is not qualified in accordance with SFUSD standards, the District may hire that individual recommended by Gateway. Further details for Staff management are outlined in the MOU.
- The District shall provide funding to the Charter School for any special education instruction or related services provided by the Charter School in the same manner as is currently provided to other schools of the District.
- The Charter School shall pay its proportionate share of District-wide general fund contribution.

This arrangement, or a reasonable alternative to this arrangement, will be codified in an annual MOU between the District and the Charter School.

#### **Section 504/ADA**

The Charter School shall be solely responsible for its compliance with Section 504 and the Americans with Disabilities Act (“ADA”). All facilities of the Charter School shall be accessible for all students with disabilities in accordance with the ADA.

Further, the Charter School shall adopt and implement a policy which outlines the requirements for identifying and serving students with a 504 accommodation plan. The Charter School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the Charter School. A student who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment, is eligible for protections under Section 504..

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

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

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

If the student is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations are needed to ensure that the student receives the free and appropriate public education ("FAPE"). In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the Charter School's professional staff.

The 504 Plan shall describe the Section 504 disability and any program modification that may be necessary.

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

## II. Measurable Student Outcomes

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

Gateway High School's student learning outcomes define what all of our graduates will be expected to know and be able to do. In defining the Charter School's learner outcomes and performance standards, emphasis is placed on the fundamental skills and knowledge that underlie readiness for higher education, workplace readiness, and readiness to assume an adult role in our society. However, it is important to note that our learner outcomes are both cognitive and affective. In other words, in addition to teaching students to be good learners and ensuring they master the standards, we want to teach them to be good people. Gateway's learner outcomes are central to our mission as a school and are integrated into each course's curriculum and assessments.

Our program is designed to support students becoming literate and numerate, meeting the standards.

### A. Student Outcome Goals: Schoolwide Learner Outcomes

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#### Gateway graduates will be able to meet Gateway's Schoolwide Learner Outcomes

- **Self-Advocates** who share responsibility for their learning
- **Models of Integrity** who contribute to an ethical community
- **Community Advocates** who create positive change for their communities
- **Respectful of Differences** celebrating our diversity and what we have in common
- **Critical and Creative Thinkers** who possess the skills and content necessary for lifelong learning

#### **Self-Advocates who share responsibility for their learning by:**

1. Understanding, monitoring, organizing, and facilitating their own learning
2. Setting high standards for themselves, striving to achieve individual academic potential and developing perseverance in academically challenging situations
3. Capitalizing on the support and resources available to them.

#### **Models of Integrity who contribute to an ethical community by:**

1. Striving to live by a code of ethics developed through evidence, experience, reflection, and dialogue with others
2. Leading by example, encouraging others to examine their own values

3. Practicing compassion by acting with responsibility and awareness toward self, fellow students, faculty, the environment, and the community at large.

**Community Advocates who create positive change for their communities by:**

1. Recognizing and understanding their position in the local and global community
2. Being socially responsible and informed citizens
3. Applying their broad base of knowledge and skills to contribute to their communities.

**Respectful of Differences, celebrating our diversity and what we have in common**

1. Recognizing the strengths of diversity and difference, including socioeconomic, ethnic, philosophical or learning differences
2. Collaborating effectively with and understanding the perspectives of others
3. Advocating for and supporting the learning of others.

**Critical and Creative Thinkers who possess the skills and content necessary for lifelong learning by:**

1. Interpreting, synthesizing, analyzing, and evaluating information effectively to solve problems
2. Communicating ideas effectively through a variety of modes and media
3. Having a deep knowledge and skill base necessary for college preparation and continued learning.

## **B. School-Wide Student Performance and School Goals**

As a public charter school, Gateway is highly accountable to its students and parents/guardians, to SFUSD, to the State of California, and to the federal government, as applicable. Accountability focuses on the following questions:

1. Are students meeting the established learning outcomes?
2. Does the academic program support the learning outcomes?
3. Is the Charter School a viable organization?
4. Is the Charter School adhering to the terms of the charter?

Gateway undertakes ongoing internal review of these questions, including analysis of student achievement data, school culture, and school structure.

In addition to mastery of the standards, our Schoolwide Learner Outcomes, department and course outcomes, Gateway pursues the following ongoing aspirational goals recognizing that we might not hit these targets every year:

1. 90% Gateway graduates will meet or exceed requirements for the California State and University of California systems.
2. At least 90% of Gateway seniors will apply to four-year colleges.
3. At least 95% of graduates will go on to higher education, with at least 75% attending four-year colleges.
4. Gateway High School will maintain attendance rates of at least 95% or better and will strive for attendance rates of 97% or better.



5. Fewer than 5% of Gateway students will drop out.
6. At least 75% of students will be proficient or above in English language arts as measured by the CAASPP test.
7. At least 50% of students will be proficient or above in math as measure by the CAASPP test.

Gateway will additionally pursue the following additional standards of excellence:

1. Gateway will retain its WASC accreditation, incorporating all WASC standards. Gateway currently has a six-year accreditation;
2. Gateway will share best practices and lessons learned with other schools, including charter and District schools within SFUSD; and
3. Gateway will conduct constituent surveys on an annual basis.

Gateway's exit outcomes and performance goals will continue to be modified and revised based on state and national standards and requirements, as well as on teacher, parent and community input.

### **C. Goals, Actions and Measurable Outcomes Aligned with the Eight State Priorities**

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Gateway complies with all requirements pursuant to Education Code Section 47605(b)(5)(A)(ii) including developing annual goals, for all pupils (i.e. schoolwide) and for each subgroup of pupils as identified in Education Code Section 52052, for each of the applicable eight (8) state priorities identified in Education Code Section 52060(d).

Gateway also complies with all elements of the Local Control and Accountability Plan pursuant to regulations and templates adopted by the State Board of Education and reserves the right to establish additional, school-specific goals and corresponding assessments throughout the duration of the charter.

Gateway has clearly defined school-wide outcome goals in compliance with Education Code Sections 47605(b)(5)(B) and 52060(d).

Gateway pursues school-wide and subgroup outcome goals, as measured by multiple and varied benchmark assessments that are aligned to standards and reflect proficiency measures required by the CAASPP, as well as applicable state priorities detailed in Education Code Section 52060(d) that apply for the grade levels served, or the nature of the program operated, by the Charter School. For purposes of measuring achievement of these goals, a numerically significant pupil subgroup will be defined as one that meets both of the following criteria:

- (i) The subgroup consists of at least 30 pupils, each of whom has a valid test score.
- (ii) For a subgroup of pupils who are foster youth or homeless youth, a numerically significant pupil subgroup is one that consists of at least 15 pupils. (Education Code 47607(a)(3)(B) and 52052(a)(3)).

**See Appendix E** for the Gateway 2018-19 LCAP that includes school-wide and subgroup outcome goals and performance targets aligned to the eight state priorities that apply for the

grade levels served, or the nature of the program operated, by the Charter School, and methods for measuring progress and the individual(s) with primary responsibility for each, all aligned with the state's priorities defined in Education Code Section 52060(d). The LCAP shall not be deemed part of the charter, and therefore, annual amendments to the LCAP, in accordance with Education Code Section 47606.5, shall not be considered a "material revision to the charter" as defined in Education Code Section 47607. The Charter School shall submit the LCAP to the District annually on or before July 1, as required by Education Code Section 47604.33. Actions intended to ensure that the Charter School meets these goals and targets are delineated throughout this charter petition.

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

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

### III. METHODS TO ASSESS PROGRESS TOWARD MEETING OUTCOMES

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

Gateway's outcome goals and content standards are part of a comprehensive evaluation process using traditional standardized tests and a variety of informal and formal authentic assessment tools. Assessment of student learning is integrated so that it becomes a part of the learning process.

Gateway High School shall meet all standards and conduct the pupil assessments required pursuant to Education Code Section 60605, and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools.

Gateway High School affirms that it will fully participate in state required assessments, including the CAASPP, CAST, and ELPAC and will submit its data for the California School Dashboard. We look forward to implementing these new and powerful assessment systems with the goal of using them to inform us of programmatic success, as well as individual progress, towards meeting the standards. We will incorporate this data as one tool in our assessment system and integrate this information with internal data to provide a more complete picture of student learning.

#### A. Assessment assumptions

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Our assessment methods are based on the following practices:

1. Assessments take a variety of forms so that the students can accurately demonstrate what they have learned and what they can do. Our assessments include:
  - Performance assessment that allow students apply knowledge and skills to real-world contexts and scenarios
  - Portfolio assessment in which students analyze their growth over time
  - Exhibitions that include presenting knowledge and skills to an authentic community audience
  - Exit tickets and other formative assessments that drive the differentiation process
  - Student self-assessment of academic skills and content, as well as noncognitive skills (called "Process of Learning")
  - Collaborative group projects
  - Oral proficiency exams, particularly in world language courses
  - Lab reports, particularly in science courses
  - Timed and process writing assignments, particularly in humanities courses
  - More traditional assessments such as tests and quizzes
  - The CAASPP, CAST, ELPAC, Physical Fitness Test (PFT) and other mandated exams
  - Family, community and employer evaluations/observations
  - Tracking of community service hours through VolunteerMatch

2. Multiple forms of assessment are necessary and important to ensure assessments best match and capture standards and skills being measured. Additionally, to the extent possible, students are offered opportunities to review, retake and learn from assessments.
3. Assessment procedures and content are designed to meet individual student needs. Some individual accommodations include:
  - Identifying individual learning style strengths and designing assessments to elicit a variety of thinking and application skills
  - Including an authentic audience in the assessment process whenever possible (e.g. family, employers, other professionals, etc.) in the assessment process
  - Utilizing technology for presentation of assessment and student response
  - Allowing flexibility in the time and scheduling of assessments
  - Allowing for a variety of assessments environments. Consider the purpose of the assessment and the student's unique needs and choose the environment that fits best
4. Assessments include reflection and self-evaluation by the student, teacher, advisor and parents/guardians. This is achieved only through a collaborative effort and mutual respect among students, teachers and advisors.
5. Assessments guide the planning process for teachers, make learning expectations clear to students, and provide important feedback on the effectiveness of teaching practices and curriculum decisions. Assessment information is meaningful both to measure student progress toward outcomes and to inform instruction, guide programmatic growth, and ensure equity.
6. Gateway High School affirms that its methods for measuring pupil outcomes for State Priorities, as described above, shall be consistent with the way information is reported on a School Accountability Report Card as required by Education Code Section 47605(b)(5)(C).

## B. Assessment Tools

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1. **Report card:** All Gateway students are assessed four times per year on our school-wide report card, which include grades, information about progress toward process of learning standards, and narrative comments for students who are struggling. Specifically, the "POL" or Process of Learning grade reflects students' progress on our School-wide Learning Outcomes of Self Advocates, Models of Integrity, Community Advocates, Respect for Differences; the overall grade includes students' mastery of course skills and content, which ties to our SLO of Critical and Creative Thinkers. In this way, we consistently assess students in all classes on their progress towards our content standards and our SLOs.
2. **Proficiency-Based Assessment Plans:** Each subject area and course has created proficiency-based assessment plans that outline the formative and summative assessments that each course will use to measure progress on the standards. These are based on the Common Core standards-- with a focus on Gateway's Key Cross-Curricular Common Core standards-- the Next Generation Science Standards, the American Council on Foreign Language Teaching standards, and the remaining applicable state standards. Gateway uses a

proficiency-based grading system to assess students on individual standards within larger assessments, so that progress on the standards is more visible to students and families.

3. **End-of-Year Portfolios:** In Humanities, students complete end-of-year portfolios in which they demonstrate their progress towards mastery of the standards and reflect on their growth in process of learning. The creation of these portfolios and the subsequent defense of the work within it in front of a panel are academic accountability events in which students must show that they have mastered standards.
4. **Standardized Tests:** Students at Gateway participate in all state-mandated standardized assessments, including the CAASPP, CAST, ELPAC, and PFT. These tests provide additional information about the extent to which students are mastering key concepts and skills as reflected in the standards. In addition to offering information about students' progress, these tests give us information about the Charter School's effectiveness with our population as a whole and with numerically significant student sub-groups. We analyze this data annually in order to review our success and make adjustments to our program.
5. **Senior Exhibitions:** As part of the Civics/Economics course, students are required to present a senior exhibition to demonstrate their mastery of the skills and knowledge required for graduation, as well as their in-depth expertise in an area of their choice. This project, which focuses on social justice issues in our community and beyond, requires that students demonstrate proficiency in key academic skills and their progress toward the Models of Integrity SLO. Through the content of these exhibitions, students show their progress toward all of our SLOs: Models of Integrity, Self Advocates, Community Advocates, Respectful of Differences and Critical and Creative Thinkers.
6. **Community Service Requirement:** Gateway students are required to fulfill 25 hours of community service per year. Through this requirement and the accompanying documentation, we measure their progress towards our SLO: Community Advocates.

***Please see Appendix F for examples of assessment rubrics.***

Students' performance data is analyzed systematically by Gateway's Response to Intervention (RTI) team, which meets regularly to identify and support students who are struggling. The team reviews the following forms of student data: attendance, behavioral issues, grades and progress to graduation, tutoring participation, and social-emotional challenges. In addition, Gateway's Leadership Team-- comprised of administration, teacher leaders, and the directors of counseling, college counseling, mental health services, and the Learning Center-- regularly reviews the following data, both to assess individual progress, sub-group performance, and school-wide trends: grade point average, graduation progress and UC/CSU eligibility, attendance, access to and success in AP and honors courses, and CAASPP scores. This information is shared with faculty and used to guide staff decision-making.

Gateway's Board of Trustees analyzes school-wide performance data and progress toward Charter School goals annually.

Over the course of any year, Gateway will collect data on the following:

- Student demographics (including but not limited to: ethnicity, gender, home language, free/reduced lunch qualification, nationality, home zip code). Citizenship data will not be collected. (on-going)
- Student attendance (eight times each year)
- Student Support Team referrals (four times each year)
- Student grades (four times each year)
- Honor roll eligibility (two times per year)
- Students earning less than 2.0 GPA (two times per year)
- Student promotion (annually)
- Progress on school-wide Process of Learning standards (annually)
- Graduation rate (annually)
- Drop-out rate (annually)
- Retention rate (annually)
- Participation in extracurricular activities, including sports, clubs, ambassador program, student government (annually)
- Participation in the Tutoring Program (two times per year)
- Completion of community service requirement (annually)
- Suspension rates (two times per year)
- PSAT and SAT scores (annually)
- College application rates (annually)
- College acceptance rates (annually)
- ELPAC (annually)
- Advanced Placement tests (annually)
- CAASPP (annually)
- Physical Fitness Test (annually)
- CSU Early Assessment Program (annually)
- California School Dashboard (annually)

In order to make data analysis more efficient, streamlined, and accessible to staff, Gateway created a Data Manager position in 2018. Gateway also instituted the use of Illuminate's Data and Analysis platform to house longitudinal data to better track achievement. This database system supports our ongoing work to use data to inform Charter School goals and practices.

### **C. Local Control and Accountability Plan**

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Pursuant to Education Code Section 47606.5, on or before July 1 each year, Gateway High School will produce a Local Control and Accountability Plan, which shall update the goals and annual actions to achieve the goals identified in Element II of this charter regarding the State Priorities, using the LCAP template adopted by the State Board of Education. Gateway High School shall submit the LCAP to the District annually on or before July 1, as required by Education Code Section 47604.33.

## IV. GOVERNANCE STRUCTURE

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

### Legal Status:

Gateway High School is a directly funded independent public charter school operated by a duly constituted California Nonprofit Public Benefit Corporation, Gateway Public Schools, which has 501(c)(3) tax exempt status and is governed in accordance with applicable California and federal law. This nonprofit corporation also governs Gateway Middle School, a California public charter school serving students in grades 6-8 that opened in 2011. Gateway Public Schools will continue its existence notwithstanding any withdrawal of charter status.

Gateway High School operates autonomously from the District with the exception of the supervisory oversight as required by statute and other contracted services as negotiated between the District and the School. Pursuant to California Education Code Section 47604(c), the District shall not be liable for the debts and obligations of the Charter School, operated by a California non-profit benefit corporation, or for claims arising from the performance of acts, errors, or omissions by Gateway High School as long as the District has complied with all oversight responsibilities required by law.

Attached, as **Appendix G**, please find the Gateway Public Schools Articles of Incorporation, and Corporate Bylaws.

Gateway is non-sectarian in its programs, enrollment policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate on the basis of any characteristic described in Education Code Section 220, including immigration status.

Gateway complies with all applicable federal, state and local laws. It retains its own legal counsel when necessary, and maintains a sufficient annual budget for legal services. It also purchases and maintains general liability, automotive liability, errors and omissions, property, workers compensation and unemployment insurance policies at its own expense and names the District as an additional insured.

The San Francisco Board of Education and District staff shall be responsible for implementing the Charter Schools Act of 1992 and any other applicable laws in a good faith manner and to cooperatively pursue any necessary waivers or approvals (e.g., any State Board of Education requirements or Gateway grant applications needing a Local Educational Agency signature) required to implement the charter or seek appropriate funding.

SFUSD shall serve as the granting authority for Gateway High School, and Gateway will report attendance, achievement, and financial information to the District. The legal, programmatic, and fiscal relationship between the school and the District will be further laid out in the annual MOU.

## **Board of Directors:**

Gateway Public Schools is governed by its Board of Directors (hereafter referred to as "Board of Trustees" or "Board") whose members have a legal and fiduciary responsibility for the wellbeing of the organization.

This Board of Trustees is composed of a broad cross-section of the Charter School community and community-at-large, including parents, teachers, administrators, professionals and community leaders, and is reflective of the ethnic diversity of the community. Broad community involvement makes sense for democratic and educational reasons: it enables voices to be heard, provides invaluable opportunities for learning, and makes it more likely that decisions will be fair, wise and supported.

The number of trustees shall be not less than three (3) nor more than thirty (30) with the exact number of trustees to be fixed, within the limits specified, by a resolution adopted by the Board of Trustees. Four (4) members of the Board of Trustees shall be Gateway faculty members, selected by the Gateway faculty and staff: two (2) faculty members will be elected from Gateway High School, and two will be elected from Gateway Middle School. In addition, the Executive Director, a parent representative of the Gateway Middle School Parents' Association, and a parent representative of the Gateway High School Parents' Association sit on the Board of Trustees. In accordance with Education Code Section 47604(b), the District may appoint a representative to sit on the Board of Trustees. If the District chooses to do so, the Charter School may appoint an additional member to ensure that the Board is maintained with an odd number of directors. All trustees shall have full voting rights, including any representative appointed by the charter authorizer. All trustees, except for the representative designated by the charter authorizer and faculty member representatives, shall be appointed by the existing Board of Directors. A list of our current Board of Trustees, including their background and experience, is available on the Gateway Public Schools website at: <https://www.gatewaypublicschools.org/board-trustees>

Except as noted below, the terms of office for members of the Board of Trustees shall be three (3) years. No Board member may serve more than two (2) consecutive three-year terms, with the following exceptions: 1) Founding Board members and former Chairs and/or Co-Chairs of the Board may serve an unlimited number of terms; and 2) At the discretion of the Board of Trustees, up to (5) trustees may serve two (2) additional three-year terms. This process shall be overseen by the Trustees Committee.

The Board of Trustees is responsible for:

- The general policies of the Charter School;
- Approving and monitoring of the Charter School's annual budget;
- Receipt of funds for the operation of the Charter School in accordance with the charter school laws;
- Solicitation and receipt of grants and donations consistent with the mission of the Charter School;
- Hiring and evaluating the Executive Director of Gateway Public Schools;
- Approving the Charter School's personnel policies and monitoring the implementation of these policies by the Principal and/or duly constituted committees; and



- Any other responsibilities provided for in the Corporations Code, the Articles of Incorporation, Bylaws, or this charter necessary to ensure the proper operation of the Charter School.

The Board of Trustees reserves the right at its sole discretion to establish subcommittees. As of the time of the renewal of this charter those committees are: Audit Committee, Strategic Initiatives - College and Community Committee, Facilities Committee, Faculty Affairs Committee, Finance Committee, Hospitality Committee, Investment Committee, Major Donors Committee, and Committee on Trustees.

To the extent allowable by law, the Board of Trustees may delegate the implementation of its duties to the Executive Director, Principal, employees of the Charter School or other responsible parties. Day-to-day administration of Gateway High School will be managed by the Principal (who will report to the Executive Director), and to the extent practical, teams of students, parents, teachers and administrators.

The Board may initiate and carry on any program or activity or may otherwise act in a manner which is not in conflict with or inconsistent with or preempted by any law and which are not in conflict with the purposes for which charter schools are established. Gateway Public Schools and the Charter School shall comply with the Brown Act.

### **Parental Involvement:**

In addition to the president of the Gateway High School Parents' Association sitting on the Board of Trustees, Gateway makes every effort to reach out to parents/guardians and involve them in their child's education. Research has shown that parental involvement is the single most important ingredient to student success after socioeconomic status (Mayberry, 1990); and therefore Gateway takes the following steps to support parent involvement:

1. The Charter School has a standing parent association, the Gateway High School Parent's Association, that meets monthly
2. Each student has a faculty advisor who serves as the liaison between families and the Charter School
3. ParentSquare school-home communication platform allows for announcements via email/text between staff and community members and vice versa
4. A Back to School Night event when parents/guardians have the opportunity to meet each of their student's teachers and learn about the curriculum for each course
5. A 9th Grade Parent/Guardian orientation that introduces incoming parents/guardians to Gateway, and gives them access to tools for communication and partnership
6. Two Family Conference nights when families meet with their student's teachers to learn more about their student's progress
7. Parent/Guardian education workshops on parenting topics of interest
8. Financial Aid night when families learn about college scholarships and the Free Application for Federal Student Aid (FAFSA) and get assistance from college counselors
9. Humanities exhibitions when families are invited to learn from and with their student
10. Parent/guardian surveys on specific issues as well as their broader experience at Gateway
11. An electronic biweekly newsletter, The Communicator
12. A quarterly newsletter, The Gate
13. Phone outreach to invite families to Back to School Night and Family Conferences

14. A robocall/text system that alerts parents/guardians if their student misses school or has excessive tardies
15. Parent/guardian inclusion in the administrator hiring process

## V. QUALIFICATIONS OF EMPLOYEES

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

Gateway High School is committed to hiring and retaining well qualified candidates that fit the needs of our diverse students and our unique program. As stated in Section VI under “Health and Safety,” all employees shall meet the requirements of Education Code Section 44237 (fingerprinting and background clearance) prior to employment and tuberculosis risk assessment and examination in accordance with Education Code Section 49406.

**A. Administrator Qualifications:** Administrators at Gateway High School possess leadership abilities, a comprehensive educational vision that is consistent with the Charter School's mission and educational program, a global frame of reference, skill in hiring and supervising excellent teachers, technological and data-analysis experience, and, if possible, business and legal experience. The criteria for administrative candidates include, but are not limited to:

1. Having a B.A. degree or its equivalent;
2. Evidence of educational experience after college, if applicable (e.g. fellowships, graduate work, etc.);
3. Ideally, prior administrative experience;
4. Positive references from the most recent place of employment, college or graduate school;
5. A coherent, high quality response to our mission statement; and
6. Administrative certification is preferred.

**B. Teacher Qualifications:** Gateway High School hires the finest teachers available. The qualifications for teachers include, but are not limited to:

1. A stated commitment to the Charter School's mission;
2. A deep and abiding caring about students;
3. Subject matter expertise;
4. A demonstrable effectiveness in teaching; A willingness to take responsibility and exercise leadership for the whole Charter School;
5. A willingness to individualize teaching methods and evaluation to meet the needs of students, and
6. A commitment to continuing professional development in teaching and learning.

Although we expect our teachers to have additional qualifications, the minimum criteria for consideration include:

1. B.A. degree or its equivalent, preferably in a school subject area (e.g. mathematics, literature, history, etc.);
2. a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold;
3. Evidence of successful classroom teaching experience, if applicable;
4. Positive references from the most recent place of employment, college or graduate school

5. Documentation ensuring compliance with state fingerprinting and TB risk assessment requirements as defined by the Education Code.

As our administrators and teachers must fill many roles, our staff has a wide range of skills and qualities, teaching and administration experience, and cultural, racial and ethnic backgrounds and experiences. Other relevant qualifications include evidence of the exercise of leadership, an ability to work effectively as part of a team, familiarity with different instructional approaches, interest or expertise in technology, strong writing and verbal communication skills, experience in peer mediation and alternative dispute resolution techniques, administrative skills, and an interest in seeking out productive collegial interaction and professional growth opportunities for themselves.

As permitted by Education Code Section 47605(l), Gateway High School shall be given flexibility with regard to teacher certifications for noncore, noncollege preparatory courses. All teacher certification documents shall be maintained on file at the Charter School and are subject to periodic inspection by the District.

### **Non-Instructional Staff**

All Gateway non-instructional employees shall meet the following qualification requirements for hire:

1. Having a B.A. degree or its equivalent, a Master's degree is preferred for senior level positions;
2. Demonstrated work experience and/or expertise in related field or similar role;
3. Positive references from the most recent place of employment, college or graduate school;
4. A coherent, high quality response to our mission statement; and
5. Prior work experience for a school or a non-profit organization is preferred.

## VI. HEALTH AND SAFETY PROCEDURES

*Governing Law: The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237. Education Code Section 47605(b)(5)(F).*

The health, safety and welfare of Gateway students, staff, and families is of pre-eminent importance to the Charter School. The Charter School implements full health and safety procedures and risk management policies at its school site in consultation with its insurance carriers and risk management experts. These policies will be reviewed on an ongoing basis by the School Director and Board of Trustees. The Charter School shall ensure that staff are trained annually on the health and safety policies.

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

### **Procedures for Background Checks:**

Employees and contractors of the Charter School will be required to submit to a criminal background check and to furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. Applicants for employment must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Charter School shall not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law, pursuant to Education Code Sections 44830.1 and 45122.1. The Principal of shall monitor compliance with this policy and report to the Gateway Board of Trustees on a regular basis. The Board President shall monitor the fingerprinting and background clearance of the Principal. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

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

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

### **Immunizations:**

All enrolled students who receive classroom-based instruction are required to provide records documenting immunizations as Is required at public schools pursuant to Health and Safety Code Section 120325-120375, and Title 17, California Code of Regulations Section 6000-6075. Records are maintained in the office.

**Medication in School:**

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

**Drug-, Alcohol-, and Smoke-Free School:**

Gateway High School shall work closely with SFPD officers assigned to schools by developing educational programs for students and by following up on incidents that warrant the involvement of police officers. Additionally, Gateway will work closely with outside community organizations to provide students the support they need for any kind of drug or alcohol related addiction or dependency.

Gateway High School shall function as a drug-, alcohol-, and smoke-free workplace.

**Vision, Hearing, and Scoliosis:**

Students are screened for vision, hearing and scoliosis. Gateway High School adheres to Education Code Section 49450, *et seq.*, as applicable to the grade levels served by the Charter School.

**School Safety:**

Gateway staff are charged with maintaining school security during the school day. All visitors are required to sign in at the school office, and no unauthorized visitor is allowed in the building. Gateway staff shall respond to any situation that threatens, or possibly threatens, the health and safety of its community members. Gateway practices close communication with parents, such as calling home when a student is late for school or calling to make sure a parent is available when a student is sick, to ensure the health and safety of each student.

**Suicide Prevention Policy:**

The Charter School maintains a policy on student suicide prevention in accordance with Education Code Section 215.

**Feminine Hygiene Products:**

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

**Role of Staff as Mandated Child Abuse Reporters:**

Gateway faculty and staff acknowledge that they are “child care custodians” subject to, and will comply with, all of the legal requirements of the Child Abuse and Neglect Reporting Act, Education Code Section 49406. Gateway faculty and staff are trained about these requirements annually and must verify, in writing, that they will comply with the law. The Charter School shall provide mandated reporter training to all employees annually in accordance with Education Code Section 44691.

**Blood borne Pathogens:**

Gateway meets state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. The Board has established a written infectious control plan designed to protect employees and students from possible infection due to contact with blood borne viruses, including human immunodeficiency virus ("HIV") and hepatitis B virus ("HBV").

Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

**Facility Safety:**

Gateway High School complies with Education Code Section 47610 by utilizing facilities that are compliant with either the Field Act or the California Building Standards Code. Gateway tests sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times, and conducts fire drills as required under Education Code Section 32001 and in conjunction with the District (if at District facilities).

**Comprehensive Discrimination and Harassment Policies and Procedures:**

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

**Emergency Preparedness:**

Gateway maintains an up-to-date and comprehensive emergency plan, drafted specifically to the needs of the facility in conjunction with law enforcement and the Fire Marshal, that includes protocols for preparedness and reacting to all types of emergencies, including: earthquakes and other natural disasters, chemical and biological material emergencies, and violence and threats. All staff are briefed on emergency procedures at the beginning of the school year. Monthly Charter School emergency drills are conducted throughout the year in conjunction with the SFFD fire safety officer. The building fire alarm system and other emergency equipment are serviced yearly, or as needed. Material safety data sheets are maintained on all chemicals used in the building, all electrical closets are kept empty, and major furniture/shelving is all bolted in place.

***See Appendix H for the Gateway Emergency Plan.***

## VII. MEANS TO ACHIEVE RACIAL AND ETHNIC BALANCE

*Governing Law: The means by which the charter school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the district to which the charter petition is submitted. Education Code Section 47605(b)(5)(G).*

Gateway High School is committed to maintaining a diverse student body. In order to attain our goal of a racially, economically and geographically diverse student population that includes a significant percentage of students with learning disabilities, we have developed an enrollment process designed to reach out to all neighborhoods in the City. Gateway's student body represents a wide ethnic, racial and cultural diversity due to our extensive recruitment efforts.

Gateway employs a full-time Enrollment Director whose job is to manage the enrollment process. This includes the following:

- Outreach to middle school counselors and visits to middle schools, often bringing former students and/or parents from those schools as ambassadors, especially targeting the Western Addition, Bayview/Hunters Point, and the Mission;
- Hosting three enrollment open houses in which families and students learn about our Charter School;
- Coordinating "shadow days" for individual 8th graders or tours for middle school groups, enabling them to experience our Charter School first-hand. We specifically reserve spots in our shadow program for students from schools serving a diverse student population;
- Collaborating with community based organizations whose mission it is to help underrepresented and/or underserved students achieve educational success at the secondary and post-secondary level. We work closely with SMART, Boys and Girls Club of San Francisco, Breakthrough Collaborative, First Graduate and more throughout the enrollment process;
- Outreach at school fairs within SFUSD and other organizations;
- Distribution of marketing, application and enrollment materials in multiple languages;
- Providing simultaneous translation at open houses and other enrollment events.

Consistent with current state law, Gateway uses a random lottery to determine admission in the event that it receives more applications than it has capacity. Given that, our allocation of resources to our outreach effort underscores our commitment to serving students from neighborhoods that have a disproportionate percentage of disadvantaged students.



## VIII. Admission Policies and Procedures

*Governing Law: Admission policies and procedures, consistent with [Education Code Section 47605] subdivision (d).. Education Code Section 47605(b)(5)(H).*

"An understanding of and respect for diversity should be absorbed into the fabric of each high school. Students representing a wide array of talents and perspectives strengthen a school."

"Breaking Ranks: Changing an American Institution"  
NASSP, in partnership with the Carnegie Foundation

Gateway High School will be a free public school that is open to all residents of the State of California. Gateway will not discriminate on the basis of race, religion, gender, national origin, disability of students, parents or guardians, or any of the characteristics listed in Education Code Section 220.

In an effort to make school choice options as transparent as possible to families, Gateway High School will adhere to general enrollment timelines as established by SFUSD and other San Francisco schools to the extent possible.

**Our application and enrollment timeline is described below.**

**October 1:** Applications for the following academic school year available by October 1<sup>st</sup> in the Gateway High School main office and online on Gateway High School's website ([www.gatewayhigh.org](http://www.gatewayhigh.org)).

**Early-Mid January (aligned with SFUSD):** Application window to be included in lottery closes.

**Early March:** Public random lottery conducted.

**Mid-March (aligned with SFUSD):** Admission notification and enrollment packets distributed to families whose children have been drawn in the public random drawing.

**Early April (aligned with SFUSD):** Completed enrollment packets due back to Gateway High School for all first round lottery offers.

It is the policy of Gateway High School to admit all students who wish to attend the Charter School. No test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School. Gateway will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Gateway shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. Gateway shall not charge tuition.

Consistent with Education Code Section 47605(d), in the event that number of applications exceed capacity, a public random drawing will be held to determine admission. (existing students do not have to participate). During this public random drawing, enrollment preferences will be as follows:

1. Siblings of current students who reside within the District and children of employees who reside within the District
2. Students who are currently enrolled at Gateway Middle School and reside within the District
3. Students who are eligible for free and reduced price meals ("FRPM") and reside within the District
4. Students who are not eligible for FRPM and reside within the District
5. Siblings of current students who reside outside the District and children of employees who reside outside the District
6. Students who are currently enrolled at Gateway Middle School and reside outside the District
7. Students who are eligible for FRPM and reside outside the District

If additional spaces remain in any grade after all such interested students have been enrolled, the balance will be filled by any other interested students. If more students apply than the number of available spaces allow, a waiting pool will be kept for each grade in the event that additional spaces become available. This wait pool will allow students the option of enrollment in the case of an opening during the current school year. In no circumstance will a waitlist carry over to the following school year.

## IX. Independent Financial Audit

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

An annual independent financial audit of the books and records of the Charter School will be conducted as required by Education Code Sections 47605(b)(5)(I) and 47605(m). The books and records of the Charter School will be kept in accordance with generally accepted accounting principles. Gateway will, at its own expense and through a request for proposal format, contract for the services of an independent certified public accountant on the approved list of educational auditors by the State Controller to conduct an annual financial audit which will be conducted in accordance with Generally Accepted Accounting Principles and per applicable provisions within the California Code of Regulations governing audits of charter school as published in the State Controller's K12 audit guide. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

Gateway's annual audit consists of three major components:

- 1) Audit of financial policies and procedures and accounting practices.
- 2) Audit of reported Average Daily Attendance, and of attendance systems and procedures.
- 3) Audit of financial results and financial position, including: Analysis and testing of accounts payable, accounts receivable, journal entries, bank deposits, monthly bank reconciliations, fixed assets, accrued liabilities, general ledger, trial balances, etc.

The annual audit will be completed following the reconciliation with the District for the prior fiscal year and forwarded to the District, the State Controller, and the California Department of Education by December 15 of each year. Should an audit exception be noted, the Gateway Audit Committee is directed to determine the scope of the exception, to establish the steps necessary to correct the exception to the satisfaction of the District, to take any necessary actions, and report on those actions to the Board and to the auditors. The Board will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District along with an anticipated timeline for the same. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel ("EAAP") in accordance with applicable law.

The independent financial audit of Gateway is a public record to be provided to the public upon request.

## X. PUPIL SUSPENSION AND EXPULSION

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

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

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

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

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

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

Gateway High School is committed to developing and sustaining meaningful relationships with all community members. In support of this value and in order to provide an opportunity for students to learn from their actions, Gateway has adopted a restorative approach to discipline. When possible, restorative practices are used to repair the harm to relationships and to recognize the impact on the school community when students are not upholding our expectations. Parents/guardians and other community members are often included in this process.

Gateway High School is also committed to providing alternatives to suspension, when appropriate. This might include written reflections, community service hours, restorative conferences, counseling, student success team meetings, and/or behavior contracts.

Gateway's rules for student suspension and expulsion will be consistent with applicable state and federal standards to ensure students are afforded due process. Grounds for suspension and expulsion and all rights afforded in that process are included in the Gateway "Suspension/Expulsion Policy" and in the *Gateway Student Handbook*.

Gateway's discipline procedures for students with disabilities will comply with all applicable federal and state regulations and procedures that are specific to students with disabilities.

If a student commits an offense that has been predetermined by Gateway to necessitate a recommendation for expulsion from the Charter School, Gateway will use the following suspension and expulsion procedures.

**Gateway Suspension/Expulsion Policy:**

The Gateway Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students. In creating this policy, Gateway has reviewed Education Code Section 48900 *et seq.* which describes the noncharter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* Gateway is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as Gateway's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements.

Staff shall enforce disciplinary rules and procedures fairly and consistently amongst all students. This Policy and its Administrative Procedures will be printed and distributed as part of the Gateway *Parent/Student Handbook* and will clearly describe discipline expectations.

Disciplinary action includes but is not limited to advising and counseling students, conferring with parents/guardians, detention during and after school hours, the use of alternative educational environments, community service, suspension, and expulsion.

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

The Principal or her/his designee shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline and involuntary disenrollment policies and procedures. The notice shall state that this Policy and Administrative Procedures are available on request at the Principal's office.

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

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

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less

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

### Administrative Procedures For Pupil Suspension And Expulsion

#### **A. Definitions (as used in this policy)**

1. "Board" means Board of Trustees of Gateway Public Schools.
2. "Expulsion" means disenrollment from Gateway High School.
3. "Schoolday" means a day upon which Gateway High School is in session or weekdays during the summer recess.
4. "Suspension" means removal of a pupil from ongoing instruction for adjustment purposes. However, "suspension" does not mean the following:
  - a. Reassignment to another education program or class at the Charter School where the pupil will receive continuing instruction for the length of day prescribed by the Board for pupils of the same grade level.
  - b. Referral to a certificated employee designated by the Principal to advise pupils.
  - c. Removal from the class but without reassignment to another class for the remainder of the class period without sending the pupil to the Principal or designee.
5. "Pupil" includes a pupil's parent or guardian or legal counsel or other representative.
6. "School" means the Charter School, Gateway High School.

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

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

#### **C. Enumerated Offenses**

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

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



including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
  - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
  - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
  - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2) "Electronic Act" means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
  - i. A message, text, sound, video, or image.
  - ii. A post on a social network Internet Web site including, but not limited to:
    - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
    - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
    - c. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
  - iii. An act of cyber sexual bullying.
    - a. For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs 1 to 4, inclusive, of paragraph a). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

- b. For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
  - 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- u) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
  - v) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee’s concurrence.
- 2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:
  - a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee’s concurrence.
  - b) Brandishing a knife at another person.
  - c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, *et seq.*
  - d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n)
- 3. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:
  - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
  - b) Possession of any knife or other dangerous object of no reasonable use to the pupil.
  - c) Willfully used force or violence upon the person of another, except self-defense.
  - d) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
  - e) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or

intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.

- f) Committed or attempted to commit robbery or extortion.
- g) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
- h) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- i) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- j) Committed an obscene act or engaged in habitual profanity or vulgarity.
- k) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- l) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- q) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral,

by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - i. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
    - 1. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.

2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
  3. Causing a reasonable student to experience substantial interference with his or her academic performance.
  4. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- ii. “Electronic Act” means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
1. A message, text, sound, video, or image.
  2. A post on a social network Internet Web site including, but not limited to:
    - A. Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
    - B. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
    - C. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
  3. An act of cyber sexual bullying.
    - A. For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs 1 to 4, inclusive, of paragraph a). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
    - B. For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- iii. Notwithstanding subparagraphs (i) and (ii) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

- v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).
  - w) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.
4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:
- 1) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal.
  - 2) Brandishing a knife at another person.
  - 3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
  - 4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.

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

The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device.

The term "destructive device" means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses.

#### **D. Suspension Procedure**

Suspensions shall be initiated according to the following procedures.

1. Conference:

Suspension shall be preceded, if possible, by a conference conducted by the Principal or her/his designee with the student and his or her parent/guardian and, whenever practicable, the teacher, supervisor or school employee who referred the student to the Principal or her designee.

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

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense, in accordance with Education Code Section 47605(b)(5)(j)(i).

This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason, including, but not limited to incarceration or hospitalization.

No penalties may be imposed on a pupil for failure of the pupil’s parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil’s parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of the suspension, a School employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If Charter School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion shall not exceed five (5) consecutive school days per suspension.

Upon a recommendation of expulsion by the Principal, the pupil and the pupil’s parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Principal upon either of the following determinations: 1) the pupil’s presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil’s suspension will be extended pending the results

of an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

#### **E. Authority to Expel**

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

A student may be expelled either by the neutral and impartial Board following a hearing before it or by the Board upon the recommendation of a neutral and impartial Charter Schools Administrative Panel established by participating San Francisco charter schools. The Charter Schools Administrative Panel shall consist of at least three certificated persons, none of whom is a member of the Board or a teacher of the pupil when it is a Gateway student facing expulsion. Each entity shall be presided over by a designated neutral hearing chairperson. The Charter Schools Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board shall make the final determination.

#### **F. Expulsion Procedures**

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Principal or designee determines that the Pupil has committed an expellable offense.

The expulsion hearing will be presided over by the Board President (if the hearing is held by the Board) or by the chair of the Charter Schools Administrative Panel (if the hearing is held by a Panel). In the event the Charter Schools Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the pupil makes a written request for a public hearing in open session at least three (3) days prior to the date of the scheduled hearing.

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

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of the Charter School's disciplinary rules which relate to the alleged violation;
4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student and/or the student's parent/guardian to appear in person or to employ and be represented by counsel or an advocate;



6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

## **G. Record of Hearing**

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

## **H. Presentation of Evidence**

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

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

It is the policy of the Charter School not to issue subpoenas in the student expulsion process.

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

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

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

## **I. Written Notice to Expel**

The Principal or designee following a decision of the Board to expel shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall include the following:

1. Notice of the specific offense committed by the student.

2. Notice of the student's or parent/guardian's obligation to inform any new district or school in which the student seeks to enroll of the student's status with the Charter School.

The Principal or designee shall send written notice of the decision to expel to the District. This notice shall include the following:

1. The student's name
2. The specific expellable offense(s) committed by the student.

#### **J. Disciplinary Records**

The Charter School shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available for the District's review upon request.

#### **K. Expelled Pupils/Alternative Education**

Parents/guardians of pupils who are expelled shall be responsible for seeking alternative education programs including but not limited to programs within the their school district of residence. If a student is expelled from Gateway High School, Gateway will contact SFUSD Pupil Services to inform them of the expulsion, the reason for the expulsion, and to forward the student's records, including the documentation related to the expulsion from Gateway, within one week of the expulsion to ensure proper school placement for that student. If the student is subsequently enrolled at another SFUSD Charter School, Gateway will provide the receiving charter school with all appropriate student records as provided in the Education Code.

Once a student is expelled from Gateway, the District may place that student in accordance with its policies and procedures.

#### **L. Rehabilitation Plans**

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

#### **M. Readmission**

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Principal and the pupil and parent/guardian or representative, to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Principal shall make a recommendation to the Board following the meeting regarding her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission or admission.

## **N. No Right to Appeal**

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

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of entity conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding entity finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to

remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are not alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

**P. Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities**

1. Notification of District  
The Charter School shall immediately notify the District and coordinate the procedures in this policy with the District the discipline of any student with a disability or student who the Charter School or District would be deemed to have knowledge that the student had a disability
2. Services During Suspension  
Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting (which could constitute a change of placement and the student's IEP would reflect this change), and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.
3. Procedural Safeguards/Manifestation Determination  
  
Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Charter School, the parent, and relevant members of the IEP/504 Team shall review all

relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

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

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

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

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

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

#### 4. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

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

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

in injury to the child or to others, the parent/guardian or Charter School may request a hearing.

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

5. Special Circumstances

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

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

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

6. Interim Alternative Educational Setting

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

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

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

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

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

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

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

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

## **XI. Retirement Plans**

*Governing Law: The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security. Education Code Section 47605(b)(5)(K).*

Gateway High School participates in the federal Social Security system and the State Teachers' Retirement System ("STRS") for eligible employees. SFUSD will cooperate as needed to facilitate participation in the STRS system in accordance with Education Code Section 47611.3. Additionally, all employees have access to a TIAA-CREF 403(b) retirement plan, which has a matching component for eligible employees who do not qualify for STRS.

Certificated, non-certificated and other staff members at Gateway shall retain all previously vested rights in their respective retirement systems, including STRS, Social Security, and other school sponsored retirement plans. The Executive Director of Gateway Public Schools is responsible for ensuring that appropriate arrangements for retirement coverage for all employees has been made.



## **XII. Public School ATTENDANCE ALTERNATIVES**

*Governing Law: The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools. Education Code Section 47605(b)(5)(L).*

No student may be required to attend Gateway High School. Students who reside within the District who choose not to attend Gateway High School may attend school within the District subject to the District's placement policies and procedures, or at another school district or school within that district through the District's intra and inter-district transfer policies. Parents and guardians of each student enrolled in Gateway High School will be informed on admissions forms that students have no right to admission in a particular school of a local education agency as a consequence of enrollment in Gateway High School, except to the extent that such a right is extended by the local education agency.

### **XIII. RETURN RIGHTS OF EMPLOYEES**

*Governing Law: The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school. Education Code Section 47605(b)(5)(M).*

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

Vacation time/sick leave accrued at Gateway or SFUSD shall not transfer to the other entity unless otherwise agreed upon by the employer. Employment by Gateway High School provides no rights of employment at any other entity, including any rights in the case of closure of Gateway High School.

## XIV. Dispute Resolution Process

*Governing Law: The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter. Education Code Section 47605(b)(5)(N).*

Any complaints/concerns (including, but not limited to, complaints filed with OCR, FEHA, and EEOC) received by the District about any aspect of the operation of Gateway High School or about Gateway shall be promptly forwarded by the District to Gateway. To the extent that such concerns/complaints may involve issues related to possible revocation or non-renewal of the charter, the District may request that Gateway inform the District of how such concerns/complaints are being addressed. Gateway agrees to provide such information. The parties recognize that Gateway shall not be obligated to release information that is determined to be confidential in nature and not subject to public release.

### **Disputes Between Gateway and the District:**

Gateway High School and the District will be encouraged to attempt to resolve any disputes amicably and reasonably without resorting to formal procedures.

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

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

If this joint meeting fails to resolve the dispute, the Superintendent and the Executive Director, or their respective designees, shall meet to jointly identify a neutral third party mediator to engage the Parties in a mediation session designed to facilitate resolution of the dispute. The format of the mediation session shall be developed jointly by the Superintendent and the Principal, or their respective designees. Mediation shall be held within sixty (60) business days of receipt of the dispute statement. The costs of the mediator shall be split equally between the District and Gateway High School. If mediation does not resolve the dispute either party may pursue any other remedy

available under the law. All timelines and procedures in this section may be revised upon mutual written agreement of the District and Gateway High School.

**Disputes Between Gateway and Parent/Guardian or Employee or Members of the Public:**

The Charter School shall have an internal dispute resolution process to be used for all internal disputes related to the Charter School's operations. The Charter School shall also maintain a Uniform Complaint Policy and Procedures as required by state law. Parents, students, Board members, volunteers, and staff at the Charter School shall be provided with a copy of the Charter School's policies and internal dispute resolution process. The District shall promptly refer all disputes not related to a possible violation of the charter or law to the Charter School.

All disputes between Gateway High School and a parent/guardian, or its employees will be handled internally in accordance with the Bylaws, policies and procedures of Gateway High School. SFUSD will not be involved in such disputes unless it deems it necessary as relating to a cause for revocation under Education Code Section 47607.

## XV. Closure Procedures

*Governing Law: The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records. Education Code Section 47605(b)(5)(O).*

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

Closure of Gateway High School will be documented by official action of the Board of Trustees. The action will identify the reason for closure. The official action will also identify an entity responsible for closure-related activities.

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

The Charter School will ensure that the notification to the parents and students of the Charter School of the closure provides information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly following the Board's decision to close the Charter School.

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

As applicable, the Charter School will provide parents, students and the District with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. The Charter School will ask the District to store original records of Charter School students. All records of the Charter School shall be transferred to the District upon Charter School closure.

All state assessment results, special education records, and personnel records will be transferred and maintained in accordance with applicable law.

As soon as reasonably practical, the Charter School will prepare final financial records. The Charter School will also have an independent audit completed within six months after closure. The Charter School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the Charter School and will be provided to the District promptly upon its completion. The final audit will include an accounting of all financial assets, including cash and

accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to the Charter School.

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

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

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

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

As specified by the Budget in **Appendix I**, Gateway High School's reserve fund shall be utilized to pay for the closure procedures described herein.

## XVI. DISTRICT IMPACT STATEMENT

Gateway High School aims to enroll approximately 480 students each year. Based on current estimates, close to 90% of these students will come from within San Francisco, hence the in-District enrollment is expected to be approximately 423 students.

The MOU between Gateway High School and the District lays out the process for policies between the two organizations, including but not limited to the process, activities and associated fees for oversight of the charter; content, processes, timeline, and evaluation criteria for annual review and site visits; regular, ongoing fiscal and programmatic performance monitoring and reporting; content, process, timelines and evaluation criteria for charter renewal; and a reasonable opportunity for Gateway to correct deficiencies in charter performance. As detailed in the MOU, Gateway pays a 1% oversight fee on our revenue in accordance with Education Code Section 47613(a). In return the District meets the requirements of Education Code Section 47604.32 including oversight of Gateway's financial reporting and serves as a "pass-through" for State and local funding apportionments.

In addition, through the SELPA, the District provides Gateway with Special Education services and support in accordance with Education Code Section 47646. Gateway High School shall owe SFUSD its pro-rata share of the annual special education general fund. This amount will be identified each year as part of the MOU process.

### Potential Civil Liability Effects

<i>Governing Law: Potential civil liability effects, if any, upon the charter school and upon the school district. Education Code Section 47605(g).</i>
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Gateway High School is operated by a California nonprofit public benefit corporation. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701(d).

Pursuant to Education Code Section 47604(c), an entity that grants a charter to a charter school operated by a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or omissions by the charter school if the authority has complied with all oversight responsibilities required by law. Gateway shall work diligently to assist the District in meeting any and all oversight obligations under the law, to ensure the District shall not be liable for the operation of the Charter School.

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

The corporate Bylaws of Gateway Public Schools provide for indemnification of the Board, officers, agents, and employees, and Gateway purchases and maintains general liability insurance, Board Members and Officers insurance, and fidelity bonding to secure against financial risks. Insurance

amounts are determined by recommendation of the District and Gateway High School's insurance company for schools of similar size, location, and student population. The District is named an additional insured on the general liability insurance of Gateway High School.

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



## XVII. Miscellaneous Charter Provisions

**Term of Charter:** The term of this charter shall be from July 1, 2019 to June 30, 2024.

**Material Revision of Charter:** Any material revisions to this charter must be approved by the Board of Trustees and the San Francisco Board of Education in accordance with Education Code Sections 47607 and 47605.

**Revocation of Charter:** This charter may only be revoked for the reasons specified in Education Code Section 47607(c). If grounds for revocation are alleged, the District shall adhere to the revocation process and requirements as set forth in Education Code Sections 47607(c)-(e) and the California Code of Regulations, Title 5, Sections 11965 and 11968.5.2.

### **Facility:**

*Governing Law: The facilities to be utilized by the charter school. The description of the facilities to be used by the charter school shall specify where the charter school intends to locate. Education Code Section 47605(g).*

Gateway High School is located at 1430 Scott Street in accordance with a Facilities Use Agreement ("FUA") with the District. Gateway seeks to work in partnership with the District to secure 1430 Scott Street as a long term solution to its facilities needs consistent with the terms of Proposition 39 and all other appropriate state or federal laws and regulations. Currently the Charter School retains its own custodial services and covers the cost of custodial supplies, trash and recycling. Additional negotiated costs associated with the Charter School's facility are specified in the FUA.

### **Administrative Services:**

*Governing Law: The manner in which administrative services of the charter school are to be provided. Education Code Section 47605(g).*

Gateway High School provides or procures most of its own administrative services including, but not limited to, financial management, accounts payable/receivable, payroll, human resources, and instructional program development either through its own staff or through an appropriately qualified third-party contractor.

### **State Apportionment:**

Gateway High School receives funding in accordance with Education Code Section 47600 *et seq.*, the "Charter Schools Act of 1992" and its successors. Gateway High School and SFUSD have developed and annually agree to a mutually agreeable MOU that provides for the apportionments due to the Charter School pursuant to Education Code Section 47600 *et seq.* and its successors.

## **Budget and Financial Statements:**

*Governing Law: The petitioner or petitioners also shall be required to provide financial statements that include a proposed first year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation. Education Code Section 47605(g).*

***Attached as Appendix I, please find Gateway's five-year budget projections and cash flow, as well as the most recent audited financials for Gateway Public Schools (Appendix J).***

## **Financial Oversight:**

Gateway High School develops and implements sound budgetary monitoring and financial overview processes, including:

- 1) It is required that the Board approve a balanced budget prior to each fiscal year.
- 2) Gateway keeps a separate bank account with a balance equal to at least three months of operating cash or cash equivalents available at all times.
- 3) The Finance Committee meets each month to monitor and analyze Gateway's financial condition, and provides financial reporting to the Board each board meeting.
- 4) Gateway High School maintains long-term financial plans and cash utilization forecasts for fiscal planning and scenario analyses.

Additionally, Gateway's overall financial position is very strong. Through sound fiscal management and private fundraising, Gateway has been able to increase its net assets substantially over the years. The result is that Gateway now has cash and investment reserves of over \$5 Million (which includes the 3 months of operating reserve). Gateway's investment accounts are managed by Gateway's Investment Committee, which includes four committee members who are professional money managers.

The ability for Gateway to grow its financial assets, in addition to a tight control of expenses, has been due to strong and consistent fundraising. The support for Gateway comes from a broad and diversified network of foundations, individuals and corporations. For example, 10 different foundations donated to Gateway last year alone. Similarly, Gateway's individual donor base and annual fundraising events have provided consistent and growing levels of support. Looking towards the future, while Gateway appreciates its long-term donors, efforts are made each year to continue to grow the donor base, and we are confident that with a twenty year proven track record of fundraising success, we will continue to raise the necessary funds to support the model academic program at Gateway.

Gateway High School shall provide reports to the District as follows as required by Education Code Section 47604.33, and may provide additional fiscal reports as requested by the District:

1. By July 1, a preliminary budget for the current fiscal year.
2. By July 1, an annual update to the local control and accountability plan required pursuant to Education Code Section 47606.5.

3. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, and California Department of Education.
4. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
5. By September 15, a final unaudited report for the full prior year. The report submitted to the District shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.

The Charter School shall provide reporting to the District as required by law and as requested by the District including, but not limited to, the following: California Basic Educational Data System (CBEDS), actual Average Daily Attendance reports, all financial reports required by Education Code Sections 47604.33 and 47605(m), the SARC, and the LCAP.

The Charter School agrees to and submits to the right of the District to make random visits and inspections in order to carry out its statutorily required oversight in accordance with Education Code Sections 47604.32 and 47607.

Pursuant to Education Code Section 47604.3, the Charter School shall promptly respond to all reasonable inquiries including, but not limited to, inquiries regarding its financial records from the District.

*"The future belongs to those who believe in the beauty of their dreams."*

- Eleanor Roosevelt