

**Application for an Open-Enrollment Charter School – Ninth Generation
Coversheet, page 1 of 2**

Date of Submission: March 27th, 2003

Name of Proposed School: DRAW Academy

Grade Levels to be served:
Year 1 through 5 pre-kinder-8th

Maximum Estimated Enrollment:
Year 1 through 5 _____ 250

Name of Sponsoring Entity: The DRAW Academy Incorporated
The name is exactly as it appears in the articles of incorporation filed with the Texas Secretary of State.

CHECK ONE: <input checked="" type="checkbox"/> 501(c)(3) nonprofit org. <input type="checkbox"/> Governmental Entity <input type="checkbox"/> College or University	PLEASE PROVIDE THE FOLLOWING INFORMATION: State Board of Education District #: District 4 Education Service Center #: Region IV Proposed Opening Date of School: Aug 09 th , 2004
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Chairperson of Board of Sponsoring Entity: Mary Champion Closner

Chief Executive Officer of Sponsoring Entity: Fernando Donatti

Chief Executive Officer of Proposed Charter School: Fernando Donatti

Applicant Mailing Address: 3920 Stoney Brook Dr., Houston, Texas 77063

Physical Address of Proposed Administrative Offices: same

Contact Name: Fernando Donatti
Contact Phone: # 713-706-3729 **Fax:** # 713-706-3711
Contact Email Address: fdonatti@yahoo.com

List below the physical address of the main school campus and any proposed satellite campus: Main Campus: 3920 Stoney Brook Dr. Houston, Texas 77063

Satellite Campus: NONE

Staff Qualifications

Will the school require all teachers to be certified by State Board for Educator Certification (SBEC)? **YES, all core academic subjects**

Will the school require that all teachers hold at least a bachelor's degree? **YES, all core academic subjects**

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Will the school require the business manager to be certified? **NO**

If yes, indicate the type(s) of certification that will be required:

Will the school require the accounting and/or business office personnel to hold at least a bachelor's degree? **YES**

TEC 12.120 states, "A person may not serve as a member of the governing body of a charter holder, as a member of the governing body of an open-enrollment charter school, or as an officer or employee of an open-enrollment charter school if the person has been convicted of a felony or a misdemeanor involving moral turpitude..."

IS THERE ANY INDIVIDUAL IDENTIFIED IN TEC 12.120 WHO HAS:

NO been convicted of a felony?

NO been convicted of a misdemeanor involving moral turpitude?

Has the sponsoring entity been involved in:

NO litigation? NO sanctions from any state regulatory agency?

If YES, explain completely as required in other portions of the application.

IS THERE ANY INDIVIDUAL IDENTIFIED IN TEC 12.120 WHO HAS:

NO been involved in bankruptcy? **If YES, explain completely as required in other portions of the application.**

The sponsoring entity already holds a **Houston Independent School District Contract Campus Charter**. This charter has been timely and accurate in reporting.

YES PEIMS information? **YES** annual audits? **YES** participating in required annual evaluations?

I certify that I have the authority as the Chief Executive Officer of the sponsoring entity designated above to make application for an open-enrollment charter school. I further certify all information contained in this application is complete and accurate, realizing that any misrepresentation could result in disqualification from the charter application process or revocation after award. I authorize the Texas Education Agency to investigate the references listed in this application. I understand that INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED.

March 27th 2003

Fernando Donatti - Signature of Chief Executive Officer Of Sponsoring Entity/Date

3920 Stoney Brook Dr. Houston, TX 77063

Ph. 713-706-3729 - Fax (713) 706-3711

Email: draw@drawacademy.org - Web. <http://drawacademy.org>

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1- STATEMENT OF NEED

The DRAW Academy Incorporated is completing its second year as a small, non-profit community based organization receiving its public charter school status through a contract with the Houston Independent School District, as a Chapter 12. The DRAW Academy Incorporated holds a 501(c)3 non-profit status, is tax exempted from the State of Texas, and has an established Board of Directors.

Evidence of need and demand for the type of school and educational program:

In 2001, AED Center for Youth Development and Policy Research, Washington, D.C. reported that many young people attending large schools in mid-size and large urban communities all over the United States, expressed feeling anonymous, unsafe, unchallenged, disengaged, and opinions of receiving substandard quality throughout most of their education. The study determined that such students were on average two grade levels behind in math and reading skills when they chose to enter a non-profit community based organization school. The research also concluded that non-profit community based organization schools demonstrated the ability to reengage these young people in education and help all succeed by integrating positive youth development principles with effective educational practices that support mastery and proficiency.

During the 2001-2002 school year, The DRAW Academy Incorporated served 180 Pre-Kindergarten to 6th grade students, 72% passed TAAS (Texas Assessment of Academic Skills) 97% were promoted, and 93% attended school on a regular basis. Resulting in a TEA Rating of ACCEPTABLE for The DRAW Academy Incorporated first year, thus demonstrating the ability to support the educational needs of the community.

At the opening of the 2002 school year, a waiting list lottery had to be performed to determine student seats in the pre-kinder, kindergarten and fifth grade class. Also, in the 2003 school term the curriculum focus was improved to better serve the needs of the students, as suggested by disaggregated testing data, portfolio assessments, parent and teacher meetings, and Board discussion culminating in the School Improvement Plan (SIP). The SIP specifically addresses, the Two-Way BE/ESL 50/50 Immersion program was expanded to include pre-kindergarten through third grade and the ESL program through the remaining grades, which provides for equal instructional time in English Language Arts with ESL modifications and Spanish Language Arts with ESL modifications. In addition, an extensive technology infrastructure was incorporated into the educational process through an integrated, comprehensive framework to ensure that all students will have the opportunity to develop the learning skills necessary to be productive citizens in information driven global society. Finally, the interactive, experimental curriculum pedagogy teacher professional development increased and monthly field lesson units became the norm in the curriculum at all grade levels.

Demonstrates how charter school model is appropriate to address the need:

The 1990 US Census reports that 21% of Houston's population lives below the poverty line. This figure jumps to 24% for families with children under 18 years old and 35% when the head of the household is a single mother. Accordingly to the census report, the percentage of Hispanics, especially the adult age group, with Limited English Proficiency (LEP) is steadily increasing. Of the residents in Houston, 37% are Hispanic and 55% has less than a high school diploma. The overwhelming majority of the families residing in the area served by The DRAW Academy Incorporated fit into all these grim statistics. It is our opinion that these conditions leave the community at an economic, social, and educational disadvantage. Struggling to survive and to make ends meet, many in the community cannot obtain the skills, time, or money necessary to adequately equip themselves to successfully function in a 21st century technological market due to their Limited English Proficiency, limited finances directed toward education, and mislaid fears of utilizing local resources. These adults inevitably encounter problems and barriers such as lack of employment, minimum wage and oftentimes below minimum wage jobs, limited housing opportunities, and other results of daily poverty.

The DRAW Academy Incorporated Charter School model has proven to be the appropriate vehicle to address the needs of our population for the two school years of its existence indicated by an increase in student population and an overwhelmingly positive parent survey results. Opening with 93 students in August 2001, the enrollment increased to 126 in the first semester due to word of mouth referrals from satisfied parents. According to the end of school year survey, parents exercised their freedom of choice, left their respective zone public schools, attracted to The DRAW Academy Incorporated small size, whole family focus, and specifically our technology and multi-language classes.

Current 2002-2003 school year data show 210 total student enrollment consists of 62% Hispanic, 27% African-American, 8% Asian, and 3% White students. A total of 16% of the student population consist of refugee children from various parts of the world. With 92% of students receiving free-reduced lunch and most students being classified as English as Second Language (ESL) learners, our student population equal to economic disadvantage.

The students The DRAW Academy Incorporated serves fit the profile of students who are at great risk of not fulfilling their full potential to become healthy, economically self-sufficient, and fulfilled adults who contribute positively to their communities. The DRAW Academy Incorporated fulfills our community needs of quality technological and multiple language focused education for all students and members of the family. The DRAW Academy Incorporated model utilizes the powerful alliance between school, families and the community to full advantage by redefining the definition and expectation that constitute school involvement. The DRAW Academy Incorporated operates extended school hours to support wage earner's long working hours, entire families' educational needs, and validation of the significant accomplishment of being multi-lingual and multi-cultural. This need can best be accomplished through a small, inclusive school, which serves the students, their families, and community's collective academic and social needs simultaneously from pre-kindergarten through secondary.

2- VISION OF THE SCHOOL

Long-range Plan: The DRAW Academy Incorporated is dedicated to the purpose of actualizing a comprehensive, high quality, seamless age three to 8th Grade and beyond as neighborhood school over the next five years. At The DRAW Academy Incorporated sibling groups and friends learn together they become partners in their own growth academically, socially, and economically in their community and the greater world. It is the contention of the Board that all children can obtain the knowledge and skills necessary to define and guide their own paths to success. It is the duty of the school to provide a personalized, supportive, and engaging school environment by addressing the specific academic needs of students.

Educational Philosophy and Pedagogy:

The DRAW Academy Incorporated School Mission

Strategic Intent: To produce a school that adequately supports students in their journey to become healthy, economically self-sufficient, and fulfilled adults who contribute positively to their communities.

Mission Statement: The DRAW Academy Incorporated will provide all students with a personalized, supportive, and engaging school environment where they can obtain the knowledge and skills necessary to find success as individuals and as members of their communities. The focus of the curriculum will incorporate active, project-based learning, which connects learning across academic disciplines and by addressing the specific academic needs of students. The daily curriculum will actively engage students in multiple language development and utilize current technology tools. The school will celebrate student diversity, as an important contribution to the greater society. The collaboration with universities, corporations, businesses, and the community at large will provide a transitional bridge from the academic programs of The DRAW Academy Incorporated and to steady employment and further education through real world application of learning.

Core Beliefs:

1. That every child deserves to feel known and valued.
2. That education must be experiential and must provide applicable real-world opportunities.
3. That education must empower the child with many options.
4. That educators must be child advocates.
5. That education should be experienced beyond the school walls.
6. That all children must be treated with fundamental respect.
7. That the school, the student, community and the parents are partners in the educational process.
8. That the community at large is a valuable and essential resource.
9. That the students' right to choose is a fundamental part of the educational process.
10. That career practitioners are valuable resources that must be used.
11. That education is a series of experiences and responses to those experiences.

12. Students, parents, teachers, and representative members of the community must have a voice in the decision-making processes of The DRAW Academy Incorporated.
13. That all children must graduate.
14. In the quality and content of the Texas Essential Knowledge and Skills measurement of student achievement.

Student Learning Based on Texas Essential Knowledge and Skills (TEKS):

The essence of what makes The DRAW Academy Incorporated educational curricula program unique in fitting to the need of individuals is utilization of the solid road map of developmental skills; laid out by Texas Essential Knowledge and Skills. The DRAW Academy Incorporated Board finds the link between what needs to be taught and how it should be taught unbreakable and indicates this in the mission. Also clearly stated in The DRAW Academy Incorporated Core Beliefs is the affirmation "In the quality and content of the Texas Essential Knowledge and Skills measurement of student achievement." TEKS provides the step ladder to accumulated skill development in all academic areas, and with the small class sizes, continuous progress loops, and cohort of learners the structure will allow teachers to meet the students at their point of need.

TEKS will be used as the basis for planning instruction and will focus on age appropriate affective, linguistic, and cognitive needs of individual students organized in academic studies which include language arts, mathematics, fine arts, health, science and social studies.

Innovations of Educational Distinction: Programs for Mission Achievement:

Provide a technology rich education Pre-K - 8th Grade:

Technology is as important to this and future generations as reading and writing were to students of the first schools. It is not only the tool of communication but also the means of gathering and dispensing information. Technologically handicapped job seekers will find that they have limited options. Moreover, technology allows instruction to be stretched much further and made more individual. As a result, our curriculum will make technology a core curriculum subject. The DRAW Academy Incorporated technology curriculum will use the TEKS objectives to clearly define what must be taught. Furthermore, the students' projects will have specific technological components that will be developed and incorporated into the syllabus by the teachers and the technology specialist.

The National Science Foundation recommends that science, math, and technology should be taught together. Similarly our program is designed to promote the integration of the three subjects. In accordance with the Breaking Ranks recommendation that "...high schools must develop a long-term plan for using computers, CD-ROM's, videodisks, and other technologies in all aspects of learning...(that) the curriculum should be conveyed through technology and teaching strategies should employ technology whenever appropriate." Our technology curriculum will use all available technology in every subject

The DRAW Academy Incorporated will improve the academic achievement, including technology literacy, of all students and to improve the capacity of all teachers to integrate technology effectively into curriculum and instruction by building off the technology infrastructure established through the already awarded Schools and Libraries Division E-Rate Grant, partnerships with other educational, and community based institutions.

Teaching and learning goes beyond four walls, six periods, or the covers of a textbook. The DRAW Academy Incorporated believes that it is essential to the educational well being of our students that technology be a part of every learning environment. The DRAW Academy Incorporated will provide access to an array of information and instructional technology devices and instructional resources for every learner and staff member in every teaching and learning environment. The DRAW Academy Incorporated is near the completion of our program development through the application of our current E-Rate funds, partnership with The Baylor College of Education, National Council of La Raza Charter School Grant, and The DRAW Academy Incorporated Charter mission to grow our technology program. The technology program plan contains eight (8) configurations as follows:

- 1) Technology Lab for access to centralized tools.
- 2) Classrooms that facilitate learning, exploring, and experimenting.
- 3) Teacher's Desk for classroom management, administrative applications, and instructional planning.
- 4) Staff Productivity Center.
- 5) Cafeteria/Multi-Purpose Room for audience-centered activities.
- 6) Administrative Center.
- 7) Virtual Education Program
- 8) Laptop Program

DRAW Academy assures that the technology used will meet the accessibility standards required by the IDEA, Sections 504 and 508 of the Rehabilitation Act of 1973, and Title II of the ADA.

What's Up @ DRAW Newspaper? A student generated and maintained web monthly newspaper, developed by the current sixth grade students. This venture is a living organization and the expectations of growth are assured. www.drawacademy.org - newspaper.

Diversity, Roots and Wings News Station: A student generated and maintained internet weekly news broadcast that is delivered directly to the classroom computers and accessible through the website. This venture is a multiage, multigrade project. Telemundo Channel 47, Houston, Texas, sponsors the news broadcast. The students receive hands-on training at the Hispanic based news station in all aspects of running, producing, and marketing the news.

Fundraising Athletic Events: The administrators, teachers, staff, parents and students regularly participate in walk-a-thons, races, educational fundraising sponsorship, and other major community events together. Examples of past participation are *Race for the Human Race*, and *Saint Jude's Hospital Bicycle and Tricycle Safety*.

Two-Way BE/ESL Immersion Program: English/Spanish Language Mastery Program

In 1995, Dr. Virginia Collier, a researcher and professor at George Mason University in Northern Virginia, presented results from her longitudinal research in four large school districts using 6-10 years of achievement data. She focused primarily on the length of time needed by LEP students to be academically successful in a second language. The study included over 24,000 LEP students per school year. The conclusion of the study stated that students, entering school at Grade K, in any form of Language Other than English (LOTE) program prove to be more successful than those students that are not part of LOTE programs. The studied LOTE programs focused on developing English language acquisition without delaying academic skill development. Dr. Collier's research sighted that the LOTE programs varied and as a broad category proved beneficial compared to no program. Detailed in Dr. Collier's study were results that groups of students in Two-Way programs maintained grade level skills in the first language throughout their schooling and reached the 50% percentile in the second language after 4-5 years in the program. They also sustained the gains when they reached secondary. Therefore, it is the judgment and decision of the DRAW Board to implement a Two-Way BE/ESL 50/50 Immersion Program.

The students at The DRAW Academy Incorporated will begin their Two-Way BE/ESL 50/50 Immersion Program that provides for equal instructional time in English Language Arts with ESL modifications and Spanish Language Arts with ESL modification at the Pre-Kindergarten level and will continue through 8th Grade. The goal of the program is to promote bilingualism and biliteracy in the languages of Spanish/English. Features of the program include a K-12 BE/ESL program model whereby a combination of LEP and FEP (Fluent English Proficiency) students are team taught together for a minimum of 1 hour daily of Spanish Language Arts and Reading, by a Texas certified bilingual or ESL teacher, and a minimum of 1 hour daily of English Language Arts and Reading, by a Texas certified teacher. Students in the Two-Way BE/ESL 50/50 Immersion Program at the Pre-Kindergarten level are team-taught together one day in Spanish Language Arts, by a Texas certified bilingual teacher, and the next day in English by a Texas certified teacher.

In keeping with Texas state mandates, the principal of The DRAW Academy Incorporated will ensure that all LEP Spanish-speaking students are offered a BE/ESL program that will address their linguistic, cognitive and affective needs. Assignment to a BE/ESL program is contingent upon parent approval. All LEP non-Spanish speaking students will be offered a language support program. For non-Spanish speaking LEP students, bilingual education programs in non-Spanish languages may be offered if resources are available. If resources are not available, upon parent approval, the students will be placed in the Two-Way BE/ESL 50/50 Immersion Program at the Pre-Kindergarten level and will continue through 8th Grade. English Second Language Modifications will be used and documented in lesson plans by all teachers instructing LEP and FEP non-Spanish speaking students.

The identification process of entry-level LEP students begins with the completion of the Home Language Survey by the parent (TEC Chapter 89: Subchapter BB: 89.1225). The Language Proficiency Assessment Committee (LPAC), operating in adherence to TEC 29.063/Chapter 89, reviews the language assessment results of the student and recommends academic placement. As stipulated in TEC 89.1240, parents have the right to approve or deny

their child's assignment into a BE/ESL program, but they must make informed decisions and document those decisions in writing by signing a Notification of Enrollment in a Bilingual Education form.

Student identification process testing for LEP entry-level and or evaluation will consist of the following: Oral Language Proficiency Testing (LAS), Written English Proficiency Testing (CAT), Texas Assessment of Knowledge (TAKS), High Frequency Word Evaluation (HFWE), Reading Proficiency Test in English (RPTE), Stanford, and Aprenda. Exceptions to testing evaluation will occur when student(s) special education ARD so designates.

The DRAW Academy Incorporated will provide summer school programs for LEP students to provide special instruction to prepare them to be successful in K and 1st grade, in accordance with TEC 29.060. Instruction will focus on age appropriate TEKS in the affective, linguistic, and cognitive needs of the LEP student in accordance with TEC 89.1210. Screening students using an oral language proficiency assessment shall determine student's LEP status. Enrollment is voluntary. The program shall operate for a minimum of 120 hours of instruction. The summer program will be open to all students of the school, regardless of LEP status. The student to teacher ratio shall not exceed 22:1.

The DRAW Academy Incorporated shall establish and operate an LPAC committee, in accordance with TEC 29.063/Chapter 89: Subchapter BB: 89.1220), the relation of the LPAC to the ARD/IEP Committee (89.1220g4) as outlined in the Child Study and Special Education Guidelines will be followed when any LEP student is referred for special education. The relation of the LPAC to the Gifted and Talented Program (89.1220g4) will foster the participation of qualified LEP students to participate in both required BE/ESL and gifted and talented programs.

In addition, all students have well attended after school multiple language programs that provide an additional 6 weekly hours of Spanish, French, German or Arabic language and cultural instruction.

Summer Program for All: The DRAW Academy Incorporated will provide summer school programs for LEP students to prove special instruction and special education students recommended by the ARD, and all eligible students in grades prekindergarten through twelfth grade will also be served by Title 1, Part A, Extended-Year Summer Program. Based on the past two-year's data, The DRAW Academy Incorporated will continue to be eligible for provisions under Title 1. The summer school program will run the entire month of June and July, from 8:00 AM to 1:00 PM. Students will be served free breakfast and lunch, and the program will be free to all students. The instructional days and hours meet the requirements under Title 1.

3- STUDENT GOALS / SIP

Diversity, Roots, and Wings Academy – School Improvement Plan (SIP)

Note: The School Improvement Plan (SIP) is presented annually to the students, parents, and the public. The SIP is developed using the testing data and other formal and informal data gathered by the Shared Decision Making Committee, the Principal, the Business Manager and the Superintendent, and is presented to the Board for approval. Contained in the SIP are the expectations and prescribed path for student academic improvement through the school organizational improvement for the upcoming school year. The SIP indicates the measurable objectives for each academic goal as defined by TEKS, indicates the appropriate method for measuring progress of goals and objectives, and clearly defines the initiatives invested to obtain each improvement. The Diversity, Roots and Wings Board Policy require the SIP process annually.

Based on analysis of data and need assessment the academy, T E.A. Rating of Acceptable in the school year 2002, the disaggregated data indicated need of overall student improvement in English Language Arts, and Math subject areas, and specific improvement needs in fourth grade English writing.

The student population needs the support of an extended morning and evening program because the majority of our parents work until 5:00 - 6:00 p.m. Most parents cannot afford childcare services for their children between school dismissal and the time they arrive home.

The academy will continue to operate, free of charge, the before and after school program designed to provide safe, supervised, structured programming to more students and prevent many students from remaining latchkey children. In addition, the before and after school program will help to preserve the native language and culture of students, teach English and U.S. citizenship, and other foreign languages. The after-school program is designed to compliment our regular academic day and to help students improve their overall school performance and conduct.

Reporting Annual Progress Results to Students, Parents, and the Public

The SIP is a public document and will be available on demand at the front office. The academic, such as TAKS, Drop Out, and other essential statistical data used by T.E.A. to determine district accountability rating levels, will be mailed to students, parents and guardians, published in the local newspaper of general circulation, and posted on the DRAW web site.

School Goals to Support Student Learning

School Improvement Goals for Student Learning in the First Five Years:

Based on the new T.E.A. promotion standards, the following areas will be targeted.

- Improve Student Achievement
- Improve Management Systems
- Improve Public Support and Confidence
- Create a Positive School Culture
- Increase Violence Prevention and Intervention on the Campus

School Performance Academic Indicators

Year One: increase achievement significantly in all goal areas

Year Two: increase achievement significantly in all goal areas

Year Three: increase achievement significantly in all goal areas

Year Four: increase achievement significantly in all goal areas

Year Five: increase achievement significantly in all goal areas

Goals by Measurable Objective

Goal 1: To Increase Student Achievement

- 1.1 Attendance: Student Attendance (ADA) will be 96% overall Pre-K – 8th (respectively with each grade level increase over then next five years).
- 1.2 English and Spanish TAKS: Students in PK – 8, including LEP, and Special Education will increase to meet the 80% Goal, English and Spanish TAKS, Reading, Math, Writing, Language Arts, Social Studies, and Science Subtest.
- 1.3 Special Education and LEP: Pre-K, K-3 students, inclusive of Special Education and LEP, will be assessed in the area of math. Eighty (80%) of the students will show at least two developmental stages of growth on the Pre-K and Primary Progress Report assessment tool.
- 1.4 Math: On the Spring 2004 TAKS math test, the percent of all students in grades 3-8, inclusive of Special Education and LEP, passing will be 90%.
- 1.5 Math Stanford/Aprenda: During the 2003-04, the total math median grade equivalent score on the Stanford 9/Aprenda Test, 70% of all students in grades K-8 will show at least one year of growth (+1.0) when compared to the 2003-04 total math median grade equivalent score.
- 1.6 Reading: Students in grades Pre-K, K-3, inclusive of Special Education and LEP, will be assessed in the area of reading. 80% of all students will show at least two developmental stages of growth on the Pre-K and Primary Progress Report assessment tool.
- 1.7 High Frequency Word Evaluation: All (100%) students in grades 1 & 2, inclusive of Special Education and LEP, will pass the High Frequency Word Evaluation Assessment

- 1.8 Reading Grades 3-8: On the Spring 2004 English TAKS reading test, the percent of all students in grades 3-8, inclusive of Special Education, and LEP, passing will be 90%.
- 1.9 Reading Stanford 9/Aprenda: During the 2003-2004, the total reading median grade equivalent score on the Stanford 9/Aprenda Test, for all students in grades 1-8, will show at least one year of growth (+1.0) when compared to the 2002-2003 total median grade equivalent score.
- 1.10 Writing: During the 2003-2004 school year, 80% of all students in grades Pre-K, K-1, inclusive of Special Education and LEP, will show at least two developmental stages of growth, in the area of writing, on the Primary Progress Report & Pre-K assessment tool.
- 1.11 Writing TAKS: On the 2004 English TAKS writing test, the percent of all 4th grade students, inclusive of Special Education and LEP, passing will be 100%.
- 1.12 Language Arts: During the 2003-2004, the total language and spelling median grade equivalent score on the Stanford 9/Aprenda Test, for all students in grades 1-8, will show at least one year of growth (+1.0) when compared to the 2002-03 total median grade equivalent score.
- 1.13 Listening: During the 2003-2004, the total listening median grade equivalent score on the Stanford 9/Aprenda Test, for all students in grades 1-8, will show at least one year of growth (+1.0) when compared to the 2002-03 total median grade equivalent score.
- 1.14 Science: On the Spring 2004 Stanford 9 Test, 85% of all student in grades 1-8, inclusive of Special Education and LEP, will show at least one year of growth (+1.0) in science when compared to the 2002-03 test results.
- 1.15 State-Developed Alternative Assessment (SDAA/LDAA): Identify mastery level for students with disabilities in compliance with student's IEP.
- 1.16 Special Education Population: To maintain low percentage of student ethnic/racial groups receiving special education services closer to the state percentages of those groups.
- 1.17 Special Education Population: Students for whom the ARD committee determines that the TAKS or SDAA/LDAA are not appropriate, an appropriate LDAA will be chosen.
- 1.18 Reading-LEP: To improve LEP, migrant, and immigrant students' performance on the reading proficiency test in English (RPTE) to meet the 80% Goal.

Goal 2: To Increase Management Efficiency:

100% of all federal, state and local regulations will be in compliance as measured by audits of the programs.

Goal 3: To Implement the School Technology Plan.

Continue to precede with timeline of implementation of school technology plan.

Goal 4: To Maintain a Positive School Culture.

Continue to implement the school code of conduct: Discipline with Dignity.

Goal 5: To Increase Violence Prevention and Intervention.

3920 Stoney Brook Dr. Houston, TX 77063

Ph. 713-706-3729 - Fax (713) 706-3711

Email: draw@drawacademy.org - Web: <http://drawacademy.org>

The number of incident reports will decrease by 5% during the 2003-2004 school year as compared with 2002-2003.

The DRAW Academy Incorporated School Improvement Plan 2002–2003

School Improvement Plan 2003–2004

School: DRAW Academy

Goal 1

To increase student achievement

Measurable Objectives

1.1 Reading	All Students and all student groups, Gr. 3-6	TAKS Eng/Span	Percent of students passing will increase from 71 % to 80 %.
1.1	Afr. Am. Students Gr. 3-6	TAKS English	Percent of students passing will increase from 50 % to 80 %.
1.1	Hispanic Students Gr. 3-6	TAKS Eng/Span	Percent of students passing will increase from 76 % to 80 %.
1.1	Econ. Disadv. Students Gr. 3-6	TAKS Eng/Span	Percent of students passing will increase from 66 % to 80 %.
1.1	ELL (LEP) Students Gr. 3-6	TAKS Spanish	Percent of students passing will increase from 100 % to 100 %.
1.1	Bilingual Students Gr. 3-6	TAKS Eng/Span	Percent of students passing will increase from 64 % to 80 %.
1.1	ESL Students Gr. 3-6	TAKS English	Percent of students passing will increase from 72 % to 80 %.

1.1	At-Risk Students Gr. 3-6	TAKS Eng/Span	Percent of students passing will increase from 52 % to 80 %.
1.2 Math	All Students and all student groups, Gr. 3-6	TAKS Eng/Span	Percent of students passing will increase from 39 % to 80 %.
1.2	Afr. Am. Students Gr. 3-6	TAKS English	Percent of students passing will increase from 11 % to 80 %.
1.2	Hispanic Students Gr. 3-6	TAKS Eng/Span	Percent of students passing will increase from 45 % to 80 %.
1.2	Econ. Disadv. Students Gr. 3-6	TAKS Eng/Span	Percent of students passing will increase from 47 % to 80 %.
1.2	ELL (LEP) Students Gr. 3-6	TAKS Spanish	Percent of students passing will increase from 20 % to 80 %.
1.2	ESL Students Gr. 3-6	TAKS English	Percent of students passing will increase from 57 % to 80 %.
1.2	At-Risk Students Gr. 3-6	TAKS Eng/Span	Percent of students passing will increase from 38 % to 80 %.
1.3 Writing	All Students and all student groups Gr. 4	TAKS Eng	Percent of students passing will increase from 43 % to 80 %.
1.3	Hispanic Students Gr. 4	TAKS Eng	Percent of students passing will increase from 50 % to 80 %.
1.3	Econ. Disadv. Students Gr. 4	TAKS Eng	Percent of students passing will increase from 43 % to 80 %.
1.4 Science	All Students and student groups Gr. 5	TAKS Eng	Percent of students passing will increase from 21 % to 80 %.
1.4	Hispanic Students Gr. 5	TAKS Eng	Percent of students passing will increase from 20 % to 80 %.
1.4	Econ. Disadv. Students Gr. 5	TAKS Eng	Percent of students passing will increase from 25 % to 80 %.

1.4	ESL Students Gr. 5	TAKS English	Percent of students passing will increase from 29 % to 80 %.
1.4	At-Risk Students Gr. 5	TAKS Eng	Percent of students passing will increase from 18 % to 80 %.
1.4	G/T Students Gr. 5	TAKS English	Percent of students passing will increase from % to %.

Summative Evaluation	TAKS test results from scoring company will be reviewed along with disaggregated TAKS results provided by the central office to determine if objectives were met.
Formative Evaluation including incremental dates or frequency	Benchmark test results posted on PASS will be reviewed and analyzed to determine problem areas and students in need of additional assistance.
Person responsible for formative evaluation	Lisa A. Newton, DRAW Principal

School: DRAW Academy

1.5	All Students designated by ARD	SDAA/LDAA	All students will met ARD expectation standard(s) set in individual IEP.
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Summative Evaluation	Results of the SDAA/LDAA tests will be reviewed to determine if the objective was met.
Formative Evaluation including incremental dates or frequency	Each grading period, students' progress on TEKS will be reviewed
Person responsible for formative evaluation	Lisa A. Newton, DRAW Principal

School: DRAW Academy

1.6 Reading Total	Grades 1-6 in English Reading	Stanford 9	The percentage of students scoring at or above the 50 th national percentile will increase from 9 % to 80 %.
1.6 Math Total	Grades 1-6 in English Reading	Stanford 9	The percentage of students scoring at or above the 50 th national percentile will increase from 33 % to 80 %.
1.6 Reading Total	Grades 1-6 in Spanish Reading	Apr enda	The percentage of students scoring at or above the 50 th national percentile will increase from 50 % to 80 %.
1.6 Math Total	Grades 1-6 in Spanish	Apr enda	The percentage of students scoring at or above the 50 th national percentile will increase from 25% to 80 %.

Summative Evaluation	Results of the Stanford9/Apr enda tests will be reviewed to determine if the objective was met.
Formative Evaluation including incremental dates or frequency	In December and March, teachers will administer benchmark tests focused on Stanford9 and Apr enda. Results will be reviewed for students' progress.
Person responsible for formative evaluation	Lisa A. Newton, DRAW Principal

School: DRAW Academy

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
All Groups and All Subjects				
1. Highly qualified teachers <ul style="list-style-type: none"> DRAW teachers will continue to attend Baylor College of Medicine Science Training DRAW Administration will continue to seek highly qualified teachers from ACP sources. 	Lisa A. Newton Fernando Donatti	Title II funds DRAW Model Teacher Training Region IV ESC Training ACP Programs: DRAW, Region IV ESC	Percentage of teachers in the core academic areas that are highly qualified will increase from 90% to 100% August 2003 – August 2004	Certification Records
2. Federal, state and local regulations <ul style="list-style-type: none"> DRAW faculty and staff will continue to attend data quality trainings. DRAW Academy will audit all records monthly. 	Lisa A. Newton Fernando Donatti	DRAW Central DRAW Alternative District Audits and Trainings,	All regulations will be in 100% compliance. August 2003 – August 2004	Audits

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
<p>3. Parent involvement</p> <ul style="list-style-type: none"> Teachers and Admin will continue to make themselves available for morning and afternoon family conferences. DRAW will continue to offer free ESL and GED courses of parents. DRAW will continue to do beginning of school home visits. DRAW will continue the two annual plays. 	Lisa A. Newton Teachers and Staff	Title II funds Title I funds Teacher and Administrative parent involvement program compliance.	Parent participation on a daily based teacher/administrative contact will increase from 72% to 80% August 2003 – August 2004	Parent Register Log
<p>4. District Culture</p> <ul style="list-style-type: none"> Teachers will attend Alternative District trainings Teachers will attend Central Office events. Administration will incorporate DRAW schedule of cultural event themes in the school environment. 	Lisa A. Newton Teachers and Staff	DRAW Alternative District DRAW Central Cultural Events Newsletters and Media Releases	DRAW Academy teachers/admin/staff will increase attendance by 50% August 2003 – August 2004	Teacher/Admin Conference Log Attendance logs

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
5. Tobacco, alcohol, and other drug use or possession <ul style="list-style-type: none"> • DRAW K – 6 students will attend drug prevention puppet show. • DRAW K – 6 students will participate in drug awareness and prevention campaign during the month of October. 	Lisa A. Newton Teacher and Staff	Title I funds DRAW Central DRAW Alternative District Program Training and Assistance.	Discipline referrals for drugs, alcohol, and tobacco will remain at 0. August 2003 – August 2004	Discipline referrals for tobacco, alcohol, and other drug use or possession
6. Violence/ Safety <ul style="list-style-type: none"> • Teachers and Administration will be in serviced in prevention methods. • Teachers and Administration will be certified in CPR and First Aide. 	Lisa A. Newton Teachers and Staff	Title I funds DRAW Central DRAW Alternative District Program Training and Assistance	The Level 1 discipline referrals will decrease from 55 to 25. August 2003 – August 2004	Discipline Referrals
Reading				

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
1. Teacher training in foundations.	Lisa A. Newton	TEKS Region IV ESC Nihausa	August 2003 August 2004	TAKS/Aprendra/Tejas LEE/TPRI results.
2. Leapfrog Program enrichment curriculum PreK - 4	Lisa A. Newton	DRAW Region IV ESC	August 2003 August 2004	TAKS/Aprendra/Tejas LEE/TPRI results.
3. After school tutorials K – 6.	Elisabet Kuzek	Leapfrog TEKS Nihausa	August 2003 – May 2004	TAKS/Aprendra/Tejas LEE/TPRI results.
Math				
1. Teacher training in foundations.	Lisa A. Newton	TEKS Region IV ESC	August 2003 August 2004	TAKS/Aprendra results.
2. Leapfrog Program enrichment curriculum PreK - 4	Lisa A. Newton	DRAW Region IV ESC	August 2003 August 2004	TAKS/Aprendra results.

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
3. After school tutorials K – 6.	Elisabet Kuzek	Leapfrog TEKS Nihausa	August 2003 – May 2004	TAKS/Aprendizaje results.
4. Accelerated Math 4-6	Fernando Donatti	Renaissance Learning System	August 2003 – May 2004	TAKS/Aprendizaje results.
Writing				
1. Teacher training in foundations.	Lisa A. Newton	TEKS Region IV ESC Nihausa	August 2003 August 2004	TAKS/Aprendizaje/Tej as LEE/TPRI results.
2. Leapfrog Program enrichment curriculum PreK - 4	Lisa A. Newton	DRAW Region IV ESC	August 2003 August 2004	TAKS/Aprendizaje/Tej as LEE/TPRI results.
3. After school tutorials K – 6.	Elisabet Kuzek	Leapfrog TEKS Nihausa	August 2003 – May 2004	TAKS/Aprendizaje/Tej as LEE/TPRI results.

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Social Studies				
1. Teacher training in foundations.	Lisa A. Newton	TEKS Region IV ESC	August 2003 August 2004	TAKS/Aprendra/Tej as LEE/TPRI results.
2. Academic program enrichment curriculum PreK - 4	Lisa A. Newton	DRAW Region IV ESC Leapfrog GeoSafari	August 2003 August 2004	TAKS/Aprendra/Tej as LEE/TPRI results.
3. After school tutorials K – 6.	Elisabet Kuzek	Leapfrog TEKS	August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI results.

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Special Education Students				
1. Pull out tutorials	Sherry Davis	Region IV ESC Diagnostic training Dyslexia training Leapfrog	Twice a week for 1 hour August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
2. After school tutorials K – 6.	Elisabet Kuzek	Leapfrog TEKS	August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
3. Individual Education Plan and Modification Implementation	Lisa A. Newton Teachers	Region IV Special Education Services	August 2003 August 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
Targeted Students				

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
1. Pull out tutorials	Sherry Davis	Region IV ESC Diagnostic training Dyslexia training Leapfrog	Twice a week for 1 hour August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
2. After school tutorials K – 6.	Elisabet Kuzek	Leapfrog Project Clear	August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
3. Individual Education Plan and Modification Implementation	Lisa A. Newton Teachers	Special Education Services	August 2003 August 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
African American Students				

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
1. Pull out tutorials	Sherry Davis	Region IV ESC Diagnostic training Dyslexia training Leapfrog	Twice a week for 1 hour August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
2. After school tutorials K – 6.	Elisabet Kuzek	Leapfrog TEKS	August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
3. Individual Education Plan and Modification Implementation	Lisa A. Newton Teachers	Special Education Services	August 2003 August 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Hispanic Students				
1. Pull out tutorials	Sherry Davis	Region IV ESC Diagnostic training Dyslexia training Leapfrog	Twice a week for 1 hour August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
2. After school tutorials K – 6.	Elisabet Kuzek	Leapfrog TEKS	August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
3. Individual Education Plan and Modification Implementation	Lisa A. Newton Teachers	Special Education Services	August 2003 August 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
LEP Students (Bilingual/ESL)				

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
1. Pull out tutorials	Sherry Davis	Region IV ESC Diagnostic training Dyslexia training Leapfrog	Twice a week for 1 hour August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
2. After school tutorials K – 6.	Elisabet Kuzek	Leapfrog TEKS	August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
3. Individual Education Plan and Modification Implementation	Lisa A. Newton Teachers	Special Education Services	August 2003 August 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
Migrant Students				

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
1. Pull out tutorials	Sherry Davis	Region IV ESC Diagnostic training Dyslexia training Leapfrog	Twice a week for 1 hour August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
2. After school tutorials K – 6.	Elisabet Kuzek	Leapfrog TEKS	August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
3. Individual Education Plan and Modification Implementation	Lisa A. Newton Teachers	Special Education Services	August 2003 August 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Immigrant Students				
1. Pull out tutorials	Sherry Davis	Region IV ESC Diagnostic training Dyslexia training Leapfrog	Twice a week for 1 hour August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
2. After school tutorials K – 6.	Elisabet Kuzek	Leapfrog TEKS	August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
3. Individual Education Plan and Modification Implementation	Lisa A. Newton Teachers	Region IV Special Education Services	August 2003 August 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
White/Other Students				

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
1. Pull out tutorials	Sherry Davis	Region IV ESC Diagnostic training Dyslexia training Leapfrog	Twice a week for 1 hour August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
2. After school tutorials K – 6.	Elisabet Kuzek	Leapfrog TEKS	August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
3. Individual Education Plan and Modification Implementation	Lisa A. Newton Teachers	Region IV Special Education Services	August 2003 August 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
Economically Disadvantaged Students				

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
1. Pull out tutorials	Sherry Davis	Region IV ESC Diagnostic training Dyslexia training Leapfrog	Twice a week for 1 hour August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
2. After school tutorials K – 6.	Elisabet Kuzek	Leapfrog TEKS	August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
3. Individual Education Plan and Modification Implementation	Lisa A. Newton Teachers	Region IV Special Education Services	August 2003 August 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
At-Risk Students				
1. Pull out tutorials	Sherry Davis	Region IV ESC Diagnostic training Dyslexia training Leapfrog	Twice a week for 1 hour August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
2. After school tutorials K – 6.	Elisabet Kuzek	Leapfrog TEKS	August 2003 – May 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.
3. Individual Education Plan and Modification Implementation	Lisa A. Newton Teachers	Region IV Special Education Services	August 2003 August 2004	TAKS/Aprendra/Tej as LEE/TPRI/SDAA/LDAA/ARD Evaluation results.

School: DRAW Academy

Goal 1

To increase student achievement

Measurable Objective

1.7 Attendance	All Students Gr. PK-6	ADA for 2003-04	The annual student attendance will increase from 95% to 98 %.
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Summative Evaluation	The year-end ADA will be reviewed and analyzed to determine if the annual attendance objective was met.
Formative Evaluation including incremental dates or frequency	The SASI coordinator will run monthly attendance rates by grade level and total school. A list of students with more than _2_ days of absences for the month will be produced and reviewed.
Person responsible for formative evaluation	Ivonne Santos, School Secretary Lisa A. Newton, DRAW Principal

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
1. Teachers will do initial school home visits.	Teachers	N/A	August 2003	Home visit log reports

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
2. Two clerks will be assigned daily duties to follow-up on all absences PreK – 6	Janice Eggerding Lucilly Garcia	ADA Title I	August 2003 – May 2004	End of year attendance rate percentage per grade level.
3. Teachers will implement classroom attendance incentive program.	Teachers	\$50.00 per teacher per year.	August 2003 – May 2004	End of year attendance rate percentage per grade level.

School: DRAW Academy

Goal 1

To increase student achievement

Measurable Objective

1.8 Dropout		Dropout for 2001-2002	
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Summative Evaluation	The 2001-2002 Dropout rate will be reviewed.
Formative Evaluation including incremental dates or frequency	Prepare a list of students who check out of school and review each grading period. The school will follow up on the reasons that students left.
Person responsible for formative evaluation	Ivonne Santos, School Secretary Lisa A. Newton, DRAW Principal

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementin g strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
1. Teachers will do initial school home visits.	Teachers	N/A	August 2003	Home visit log reports

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
2. Two clerks will be assigned daily duties to follow-up on all absences PreK – 6	Janice Eggerding Lucilly Garcia	ADA Title I	August 2003 – May 2004	End of year attendance rate percentage per grade level.
3. Teachers will implement classroom attendance incentive program.	Teachers	\$50.00 per teacher per year.	August 2003 – May 2004	End of year attendance rate percentage per grade level.
4. After school tutorials K – 6.	Elisabet Kuzek	Leapfrog TEKS	August 2003 – May 2004	TAKS/Aprenda/Tej as LEE/TPRI results.
5. DRAW will continue to offer free ESL and GED courses of parents.	Lisa A. Newton Teachers and Staff	Title II funds Title I funds Teacher and Administrative parent involvement program compliance.	August 2003 – May 2004	Parent Register Log

School: DRAW Academy

Goal 2

To increase management efficiency

Measurable Objective

2.1 Federal, state and local regulations	School staff	Audits	All regulations will be in 100% compliance.
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Summative Evaluation	At the end of the school year, an audit of all DEC indicators will be performed to determine compliance.
Formative Evaluation including incremental dates or frequency	In December and March, selected DEC indicators will be audited for compliance.
Person responsible for formative evaluation	Lisa A. Newton, DRAW Principal Elisabet Kuszek, Administrative Assistant

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
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Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
1. DRAW faculty and staff will continue to attend data quality trainings.	Lisa A. Newton Fernando Donatti	D Central DRAW Alternative District Audits and Trainings,	All regulations will be in 100% compliance. August 2003 – August 2004	Audits
2. DRAW Academy will audit all records monthly.	Lisa A. Newton Fernando Donatti	D Central DRAW Alternative District Audits and Trainings,	All regulations will be in 100% compliance. August 2003 – August 2004	Audits

School: DRAW Academy

Goal 3

To improve public support and confidence in schools

Measurable Objective

3.1 Parent involvement	Parents	Weekly Audit	Parent participation on a daily based teacher/administrative contact.
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Summative Evaluation	Parent participation on a daily based teacher/administrative contact will increase from 72% to 80%		
Formative Evaluation including incremental dates or frequency	Weekly Parent Register Log Weekly Teacher/Admin Conference Log		
Person responsible for formative evaluation	Ivonne Santos, School Secretary Lisa A. Newton, DRAW Principal		

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
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Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
1. Teachers and Admin will continue to make themselves available for morning and afternoon family conferences.	Lisa A. Newton Teachers and Staff	Title II funds Title I funds Teacher and Administrative parent involvement program compliance.	Parent participation on a daily based teacher/administrative contact will increase from 72% to 80% August 2003 – August 2004	Parent Register Log
2. DRAW will continue to offer free ESL and GED courses of parents.	Lisa A. Newton Teachers and Staff	Title II funds Title I funds Teacher and Administrative parent involvement program compliance.	Parent participation on a daily based teacher/administrative contact will increase from 72% to 80% August 2003 – August 2004	Parent Register Log

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
3. DRAW will continue to do beginning of school home visits.	Lisa A. Newton Teachers and Staff	Title II funds Title I funds Teacher and Administrative parent involvement program compliance.	Parent participation on a daily based teacher/administrative contact will increase from 72% to 80% August 2003 – August 2004	Parent Register Log
4. DRAW will continue the two annual plays.	Lisa A. Newton Teachers and Staff	Title II funds Title I funds Teacher and Administrative parent involvement program compliance.	Parent participation on a daily based teacher/administrative contact will increase from 72% to 80% August 2003 – August 2004	Parent Register Log

School: DRAW Academy

Goal 4

To create a positive district culture

Measurable Objective

4.1 District Culture	All school staff	Attendance logs	DRAW Academy teachers/admin/staff will increase attendance at DRAW Central and Alternative District cultural events.
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Summative Evaluation	DRAW Academy teachers/admin/staff will increase attendance by 50% at DRAW Central and Alternative District cultural events.		
Formative Evaluation including incremental dates or frequency	9 week attendance log audits		
Person responsible for formative evaluation	Lisa A. Newton, DRAW Principal Teachers and Staff		

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
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Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
Teachers will attend Alternative District trainings	Lisa A. Newton Teachers and Staff	DRAW Alternative District DRAW Central Cultural Events Newletters and Media Releases	DRAW Academy teachers/ad min/staff will increase attendance by 50% August 2003 – August 2004	Teacher/Admin Conference Log Attendance logs
2. Teachers will attend Central Office events.	Lisa A. Newton Teachers and Staff	DRAW Alternative District DRAW Central Cultural Events Newletters and Media Releases	DRAW Academy teachers/ad min/staff will increase attendance by 50% August 2003 – August 2004	Teacher/Admin Conference Log Attendance logs

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
3. Administration will incorporate DRAW schedule of cultural event themes in the school environment.	Lisa A. Newton Teachers and Staff	DRAW Alternative District DRAW Central Cultural Events Newletters and Media Releases	DRAW Academy teachers/ad min/staff will increase attendance by 50% August 2003 – August 2004	Teacher/Admin Conference Log Attendance logs

T h e D R A W A c a d e m y I n c o r p o r a t e d

T.E.A. Charter school application - Ninth Generation

School: DRAW Academy

Goal 5

To increase violence prevention and intervention

Measurable Objective

5.1 Tobacco, alcohol, and other drug use or possession	All Students Gr. PreK-6	Discipline referrals for tobacco, alcohol, and other drug use or possession	Discipline referrals for drugs, alcohol, and tobacco will remain at 0.
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Summative Evaluation	At the end of the school year, the discipline referrals will be reviewed to determine the number of referrals for tobacco, alcohol, and other drug use or possession.		
Formative Evaluation including incremental dates or frequency	Each grading period, the discipline referrals will be reviewed to determine the number of referrals for tobacco, alcohol, and other drug use or possession.		
Person responsible for formative evaluation	Lisa A. Newton, DRAW Principal Teachers and Staff		

5.2 Violence/ Safety	All Students Gr. PreK-6	Discipline Referrals	The Level 1 discipline referrals will decrease from 55 to 25.
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Summative Evaluation	At the end of the school year, the discipline referrals will be reviewed to determine the number of referrals for Level 1 offenses.		
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T h e D R A W A c a d e m y I n c o r p o r a t e d

T.E.A. Charter school application - Ninth Generation

Formative Evaluation including incremental dates or frequency	Each grading period, the discipline referrals will be reviewed to determine the number of referrals for PreK – 6th
Person responsible for formative evaluation	Lisa A. Newton, DRAW Principal

Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
1. K – 6 students will attend drug prevention puppet show. DRAW K – 6 students will participate in drug awareness and prevention campaign during the month of October.	Lisa A. Newton Teacher and Staff	Title I funds DRAW Central DRAW Alternative District Program Training and Assistance.	Discipline referrals for drugs, alcohol, and tobacco will remain at 0. August 2003 – August 2004	Discipline referrals for tobacco, alcohol, and other drug use or possession

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Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
2. DRAW K – 6 students will participate in drug awareness and prevention campaign during the month of October.	Lisa A. Newton Teacher and Staff	Title I funds DRAW Central DRAW Alternative District Program Training and Assistance.	Discipline referrals for drugs, alcohol, and tobacco will remain at 0. August 2003 – August 2004	Discipline referrals for tobacco, alcohol, and other drug use or possession
3. Teachers and Administration will be in serviced in prevention methods.	Lisa A. Newton Teachers and Staff	Title I funds DRAW Central DRAW Alternative District Program Training and Assistance	The Level 1 discipline referrals will decrease from 55 to 25. August 2003 – August 2004	Discipline Referrals

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Initiatives/Strategies/Activities	Staff responsible for ensuring strategy/ activity is accomplished and evaluated	Resources	Specific Time period for implementing strategy/ activity	Evaluation of strategy/ activity and specific time periods for evaluating strategy/ activity
4. Teachers and Administration will be certified in CPR and First Aide.	Lisa A. Newton Teachers and Staff	Title I funds DRAW Central DRAW Alternative District Program Training and Assistance	The Level 1 discipline referrals will decrease from 55 to 25. August 2003 – August 2004	Discipline Referrals

4- EDUCATIONAL PLAN

Meeting State Curriculum Requirements: grade level, graduation, and enhanced curriculum

The DRAW Academy Incorporated Organizational Structure:

The school year shall consist of 180 T.E.A. ADA instructional days.

The length of the T.E.A. ADA funded instructional day for students shall not be less than seven hours including intermissions and recesses. Teacher's daily schedules funded by T.E.A. ADA will be no longer than seven-hours and forty-five-minutes. When there is an approved early dismissal day as part of a waiver, there shall be at least four hours of instructional time for students in grades K through 8 and at least two hours instructional time for each pre kindergarten student to be considered present for ADA attendance funding.

Official Average Daily Attendance (ADA) will be taken two hours and thirty minutes after the beginning of the instructional day. This exact time will be posted in all classrooms and in the front office.

Prekindergarten morning and afternoon session students will be provided with a school lunch schedule. In addition, the school will serve breakfast, lunch and after school snacks. Breakfast will be served from 7:00 a.m. to 7:30 a.m. Lunch will be served between 11:00 a.m. to 1:00 p.m.

The length of the instructional day for students is as follows:

Prekindergarten	Students	7:30 a.m.	-	11:15a.m.	Morning
	Students	12:15a.m.	-	3:15 a.m.	Afternoon
	Teacher	7:15 a.m.	-	3:45 p.m.	Daily
Kinder - 8th	Students	7:30 a.m.	-	3:15 p.m.	Daily
	Teacher	7:15 a.m.	-	3:45 p.m.	Daily

The DRAW Academy Incorporated After School Program

Kinder – 6th

Hours of Operation

3:15 p.m.

-

6:00 p.m.

Incorporation of the Texas Essential Knowledge and Skills (TEKS) Curriculum:

With the collective back ground of the Board of Directors and the current Superintendent and Business Manager in Texas State public education, in conjunction with the experience of two-years as an DRAW charter school, The DRAW Academy Incorporated finds the link between what needs to be taught and how it should be taught unbreakable and indicates this in our mission. In The DRAW Academy Incorporated School Mission it states clearly the essence of what makes The DRAW Academy Incorporated school positively unique in fitting to the need of the people it serves through the utilization of the solid road map of developmental skills laid out by TEKS, and the manner in which they are taught at the school.

“The DRAW Academy Incorporated will provide all students with a personalized, supportive, and engaging school environment where they can obtain the knowledge and skills necessary to find success as individuals and as members of their communities. The focus of the curriculum will incorporate active, project-based learning, which connects learning across academic disciplines and by addressing the specific academic needs of students. The daily curriculum will actively engage students in multiple language development and utilize current technology tools. The school will celebrate student diversity, as an important contribution to the greater society. The collaboration with universities, corporations, businesses, and the community at large will provide a transitional bridge from the academic programs of The DRAW Academy Incorporated and to steady employment and further education through real world application of learning.”

Also clearly stated in The DRAW Academy Incorporated Core Beliefs is the affirmation “In the quality and content of the Texas Essential Knowledge and Skills measurement of student achievement.” TEKS provides the step ladder to accumulated skill development in all academic areas, and with the small class sizes, continuous progress loops, and cohort of learners the structure will allow teachers to meet the students at their point of need.

Teacher Lesson Plans:

All teacher lesson plans will sight the TEKS reference number being addressed daily in every subject. The principal on a weekly basis will monitor these lesson plans and professional observations will be conducted to monitor for compliance and quality of instruction. Lesson plans and classroom observations will monitor for demonstrated compliance of TEKS Goals, TEKS Objectives in each content area, per grade level.

Texas State Approved Textbooks:

The DRAW Academy Incorporated will align curriculum with TEKS through use of state approved textbook selections. The superintendent will be trained thoroughly by the current principal and become familiar with the textbook adoption process, and with quota and eligibility requirements. In addition, the superintendent will comply with textbook laws and rules referenced in Chapter 31, Texas Code and Chapter 66, Texas Administrative Code. The DRAW Academy Incorporated Board will make the final decision textbook selections.

Meeting T.E.A. Requirements for Elementary Schedule by Grade:

Prekindergarten classes are offered on a half-day basis of no less than three hours. The program is for limited English proficient students or students who qualify for free and reduced lunch. Prekindergarten is a half-day program that is organized around themes which include language arts, mathematics, fine arts, health, science and social studies integrated thorough the day. TEKS will be used as the basis for planning instruction. The class ratio will not exceed 22:1. Enrollment in pre-kindergarten requires full compliance in attendance rules and regulations.

Kindergarten is a full-day program that is organized around which include language arts, mathematics, fine arts, health, science and social studies integrated thorough the day. TEKS will be used as the basis for planning instruction. The class ratio will not exceed 22:1. Enrollment in kindergarten required full compliance in attendance rules and regulations. Kindergarten will have 90 minutes in ELA (English Language Arts including 30 minutes of Reading) and 90 minutes of SLA (Spanish Language Arts including 30 minutes of Reading).

Grades One – Five TEKS shall be used as the basis for planning instruction. Reading and Language Arts in ELA and SLA will occur 90 minutes each, daily. Mathematics and physical education will be in accordance to state law (30 minutes daily or 135 minutes weekly). Mathematics instruction shall be 60 minutes daily. The class ratio will not exceed 22:1 in grades One –Five.

Grades Six – Eighth TEKS shall be used as the basis for planning instruction. Reading and Language Arts in ELA and SLA will occur 90 minutes each, daily. Mathematics and physical education will be in accordance to state law (30 minutes daily or 135 minutes weekly). Mathematics instruction shall be 60 minutes daily. The class ratio will not exceed 22:1 in grades Six – Eight.

Special Initiatives Focus

Reading:

The goal of The DRAW Academy Incorporated is for all students to read at least on or above grade level by the end of the third grade, and to continually read on grade level throughout their academic careers and lives. The reading program is implemented during the ELA and SLA 90 minute daily time period, and contains phonological awareness, print awareness, alphabetic and orthographic awareness, comprehension strategies, and reading practice. A parental involvement component has been developed through a partnership with Alar Institute, in which parent receive two hours of ELA instruction designed to teach the parents and family members English and skills on how to aide their student(s) in their ELA based homework. Extended day instruction, summer school, instructional technology and tutorials support the classroom instruction of the reading program.

Mathematics:

Mathematics shall be taught in English using second language teaching strategies for 60 minutes daily.

Primary mathematics as defined by the TEKS directs a development of a solid understanding of important mathematical concepts, especially number concepts. Students build on an extensive use of patterns and representatives with concrete objects to make generalizations that lead to the understanding of number and operation. Emphasis is placed on students becoming comfortable with different names for numbers, with ordering numbers, and with the underlying meaning of basic operations, especially addition and subtraction. An important emphasis is on students shifting from the use of informal language to describe mathematics in their world. Early development of geometry, measurement, gathering and representing data help students answer questions in mathematics, science, social studies and other disciplines.

Intermediate mathematics as defined by the TEKS directs a developing of a broad understanding of mathematics, within which students develop proficiency in the basic algorithms of arithmetic for whole numbers. Emphasis is on solid understanding of the meaning and uses of whole numbers and the meaning and applications of the basic operations. Students are to develop computational skills within a variety of contexts and use daily problems are to use tools such as manipulatives and calculators to solve a variety of problems and develop concepts. The study of geometry, measurement, probability and statistics is undertaken to enable students to solve problems.

Science:

An allocation of funds will be made yearly to purchase equipment and instruments specified by the TEKS, and for the purpose of field lessons and school wide science projects.

Science shall be taught in English using second language teaching strategies a minimum of 45 minutes daily.

Elementary and middle science curriculum will focus on concepts and scientific principals taught through inquiry-base, hands-on, real-word, and problem solving approaches. The curriculum will use appropriate technology and instructional strategies and models for teaching science that require students to actively participate in manipulating objects, making discoveries, and describing and discussing findings using process and inquiry skills such as observing, classifying, measuring, collecting and interpreting data, inferring, proposing hypotheses, identifying variables and drawing conclusions.

Social Studies:

Social Studies will be taught in English using second language teaching strategies a minimum of 45 minutes daily.

Social Studies is the integrated study of the social sciences to promote civic responsibility. Within the school program, social studies provide coordinated, systematic study of history, geography, economic, government, citizenship, culture, science, technology, and critical thinking skills. Its purpose is to help young people develop the ability to make informed reasoned decisions as citizens in a culturally diverse, democratic society and an interdependent world.

Fine Arts:

The TEKS for fine arts are mandated by TEA as part of the enrichment curriculum. At the Pre-kindergarten through sixth grade level sufficient time is to provided for fine arts instruction in the curriculum, to provide students with in-depth experiences with arts through instruction and specialist whenever possible or by the teacher.

Fine Arts curriculum will begin in the sixth grade and continue through the twelfth grade and will be specific to the sequence of credit based courses.

Physical Education:

In accordance with state regulations, all students will participate, at the elementary level, in a minimum of either 30 minutes daily or 135 minutes weekly under the following conditions:

- Participation must be in a TEKS based physical education class or TEKS based structured activity
- School district procedures for providing the required physical activity must consider the health-related education needs of the student and the recommendations of the local health advisory council.

Physical education at the elementary level must focus on physical fitness, skill development, and maximum participation. The PE program must be designed to promote self-reliance, interpersonal skills, and positive attitudes toward active/social lifestyles, body awareness, conditioning, movement, games, sports, rhythms, dance, tumbling, and gymnastic activities. Instructional activities should incorporate life skills such as: fair play, cooperation, citizenship, leadership, sportsmanship, and teamwork.

Physical Education curriculum will begin in the sixth grade and continue through the eighth grade and will be specific to the sequence of credit based courses.

Two-Way BE/ESL 50/50 Immersion Program

The students at The DRAW Academy Incorporated will begin their Two-Way BE/ESL 50/50 Immersion Program, which provides for equal instructional time in English Language Arts with ESL modifications and Spanish Language Arts with ESL modification at the Pre-Kindergarten level and will continue through 8th Grade. The goal of the program is to promote bilingualism and bi-literacy in the languages of Spanish/English. Features of the program include a K-12 BE/ESL program model whereby a combination of LEP and FEP (Fluent English Proficiency) students are team taught together for a minimum of 1 hour daily of Spanish Language Arts and Reading, by a Texas certified bilingual teacher, and a minimum of 1 hour daily of English Language Arts and Reading, by a Texas certified teacher. Students in the Two-Way BE/ESL 50/50 Immersion Program at the Pre-Kindergarten level are team-taught together one day in Spanish Language Arts, by a Texas certified (bilingual teacher, and the next day in English by a Texas certified teacher.

In keeping with Texas state mandates, the principal of The DRAW Academy Incorporated will ensure that all LEP Spanish-speaking students are offered a BE/ESL program that will address their linguistic, cognitive and affective needs. Assignment to a BE/ESL program is contingent upon parent approval. All LEP non-Spanish speaking students will be offered a language support program. For non-Spanish speaking LEP students, bilingual education programs in non-Spanish languages may be offered if resources are available. If resources are not available, upon parent approval, the students will be placed in the Two-Way BE/ESL 50/50 Immersion Program which provides for equal instructional time in English Language Arts with ESL modifications and Spanish Language Arts with ESL modification at the Pre-Kindergarten level and will

continue through 8th Grade. English Second Language Modifications will be used and documented in lesson plans by all teachers instructing LEP and LEP non-Spanish speaking students.

Home Language Survey.

(a) DRAW Academy conducts only one home language survey of each student. The home language survey shall be administered to all students new to the school and to students who were not surveyed before. DRAW Academy requires that the survey is signed by the student's parent or guardian for students in grades prekindergarten through Grade 8. The original copy of the survey shall be kept in the student's permanent record.

(b) The home language survey shall be administered in English and Spanish; for students of other language groups, the home language survey shall be translated into the home language whenever possible. The home language survey shall contain the following questions.

(1) "What language is spoken in your home most of the time?"

(2) "What language does your child (do you) speak most of the time?"

(c) Additional information may be collected by the district and recorded on the home language survey.

(d) The home language survey shall be used to establish the student's language classification for determining whether the district is required to provide a bilingual education or English as a second language program. If the response on the home language survey indicates that a language other than English is used, the student shall be tested in accordance with §89.1225 of this title (relating to Testing and Classification of Students). Source: The provisions of this §89.1215 adopted to be effective September 1, 1996, 21 TexReg 5700.

Student identification process testing for LEP entry-level and or evaluation will consist of the following: Oral Language Proficiency Testing (LAS), Written English Proficiency Testing (CAT), Texas Assessment of Knowledge (TAKS), High Frequency Word Evaluation (HFWE), Reading Proficiency Test in English (RPTE), Stanford, and Aprenda. Exceptions to testing evaluation will occur when student(s) special education ARD so designates.

Daily

	<u>Kindergarten</u>	<u>First Grade</u>	<u>Second Grade</u>
Instruction Time:			
90 minutes	ELA	ELA	ELA
90 minutes	SLA	SLA	SLA
30 minutes	P.E.	P.E.	P.E.
45 minutes	Math	Math	Math

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45 minutes	Science	Science	Science
45 minutes	Social Studies	Social Studies	Social Studies
30 minutes	Fine Art	Fine Art	Fine Art

Daily

	<u>Third Grade</u>	<u>Fourth Grade</u>	<u>Fifth Grade</u>
Instruction Time:			
90 minutes	ELA	ELA	ELA
90 minutes	SLA	SLA	SLA
30 minutes	P.E.	P.E.	P.E.
60 minutes	Math	Math	Math
60 minutes	Science	Science	Science
45 minutes	Social St.	Social Studies	Social Studies

Summer Academic Program for All Students

The DRAW Academy Incorporated will provide summer school programs for LEP students to provide special instruction to prepare them to be successful in K and 1st grade, in accordance with TEC 29.060. Instruction will focus on age appropriate TEKS in the affective, linguistic, and cognitive needs of the LEP student in accordance with TEC 89.1210. Screening students using an oral language proficiency assessment shall determine student's LEP status. Enrollment is voluntary. The program shall operate for a minimum of 120 hours of instruction. The summer program will be open to all students of the school, regardless of LEP or FEP status. The student to teacher ratio shall not exceed 22:1.

Creative and Innovative Experiences Beyond Traditional Education:

Videos and Clip Links: www.drawacademy.org school in action

Community Outreach: Retirement Home Monday Visits

Thanks to our friends at Bayou Manor nursing home The DRAW Academy Incorporated Kinder through 8th grade students experience a great partnership that allows the children to expand their horizons while developing a much-needed caring attitude. Classes rotate so that an entire class visits Bayou Manor Nursing Home every Monday, year round. To the delight of the students, the mobile residents visit The DRAW Academy Incorporated on occasion. The relationships that build between the children and the residents are clearly the benefit of an extended family. The students gain grandparents and the

residents gain grandchildren. The students gain wisdom and life perspectives, and the elderly residents experience regular visits. A week is never missed.

Comprehensive Technology Curriculum

The TEKS in 19 TAC Chapter 126 clearly define four strands for all grade levels: foundations; information acquisition; work in solving problems; and communication. The TEC Technology Applications TEKS are divided into grade clusters in Kinder through 8th. The technology curriculum and its implementation in the classroom instruction will assure that students with special needs will have specific matters addressed so that all students with disabilities have equal access. In align with “No Child Left Behind”, the TEKS and Diversity, Roots and Wings goals are technology literate students by the eight grade. According to the results of TEA S.T.A.R. information survey, The DRAW Academy Incorporated is up-to-date on the latest technology resources and applications.

The DRAW Academy Incorporated technology curriculum will use the TEKS objectives to clearly define what must be taught. Furthermore, the students’ projects will have specific technological components that will be developed and incorporated into the syllabus by the teachers and the technology specialist.

Our technology curriculum will use all available technology in every subject. The DRAW Academy Incorporated will improve the academic achievement, including technology literacy, of all students and to improve the capacity of all teachers to integrate technology effectively into curriculum and instruction by building off the technology infrastructure established through the already awarded Schools and Libraries Division E-Rate Grant, partnerships with other educational, and community based institutions. Teaching and learning goes beyond four walls, six periods, or the covers of a textbook. The DRAW Academy Incorporated believes that it is essential to the educational well being of our students that technology be a part of every learning environment. The DRAW Academy Incorporated will provide access to an array of information and instructional technology devices and instructional resources for every learner and staff member in every teaching and learning environment. The most innovate of the technology developments is the utilization of web cams, the media broadcasting lab, student generated newspaper and news broadcast on line, and multiage – multigrade projects.

The web cams will be utilized for the following purposes:

- Safety and discipline purposes: There are seven cameras located in the halls, which permits the monitoring of the students from the front office 100% of the time they spend in school assuring their safety.
- Administrative purposes, teaching monitoring: The Superintendent has the opportunity to monitor classroom activity and teacher’s interaction with students in a non-invasive mode at any time during the day.

- Parental Involvement: Some of the web cams will be broadcasting the signal to the Internet allowing parents to monitor their children. The access will be limited to those who will be provided with a password in order to deny the access to the general public. Parents will have access to on-line information regarding school activities, students' assignments, and homework.
- Academic purpose, distant education: Teachers will be able to model lessons and activities for the whole school through the utilization of the local broadcast system.
- Exchange: At present the DRAW Academy has established links with schools around the world. These links are mainly used for the students to exchange information and writing with another students. Broadcasting live class audio and video will enhanced the overall value of these activities.

The DRAW Academy Incorporated is currently creating through our current E-Rate funds, Partnership with The University of Monterrey (Tecnologico de Monterrey – TEC.com), National Council of La Raza Charter School Grant, and The DRAW Academy Incorporated Charter mission to grow our technology program.

The partnership with Tecnologico provides an avenue for offering technology applications courses through distance learning for our Spanish-speaking students, family and greater community.

Pre-Kinder through 8th Grade Spanish/English Language Arts for All Students
Two-Way BE/ESL Immersion Program: English/Spanish Language Mastery Program

In 1995, Dr. Virginia Collier, a researcher and professor at George Mason University in Northern Virginia, presented results from her longitudinal research in four large school districts using 6-10 years of achievement data. She focused primarily on the length of time needed by LEP students to be academically successful in a second language. The study included over 24,000 LEP students per school year. The conclusion of the study stated that students, entering school at Grade K, in any form of Language Other than English (LOTE) program prove to be more successful than those students that are not part of LOTE programs. The studied LOTE programs focused on developing English language acquisition without delaying academic skill development. Dr. Collier's research sighted that the LOTE programs varied and as a broad category proved beneficial compared to no program. Detailed in Dr. Collier's study were results that groups of students in Two-Way programs maintained grade level skills in the first language throughout their schooling and reached the 50% percentile in the second language after 4-5 years in the program. They also sustained the gains when they reached secondary. Therefore, it is the judgment and decision of the DRAW Board to implement a Two-Way BE/ESL 50/50 Immersion Program.

The students at The DRAW Academy Incorporated will begin their Two-Way BE/ESL 50/50 Immersion Program that provides for equal instructional time in English Language Arts with ESL modifications and Spanish Language Arts with ESL modification at the Pre-Kindergarten level and will continue through 8th Grade. The goal of the program is to promote bilingualism and biliteracy in the languages of Spanish/English. Features of the program include a K-8 BE/ESL program model whereby a combination of LEP and FEP (Fluent English Proficiency) students are team taught together for a minimum of 1 hour daily of Spanish Language Arts and Reading, by a Texas certified bilingual or ESL teacher, and a minimum of 1 hour daily of English Language Arts and Reading, by a Texas certified teacher. Students in the Two-Way BE/ESL 50/50 Immersion Program at the Pre-Kindergarten level are team-taught together one day in Spanish Language Arts, by a Texas certified bilingual teacher, and the next day in English by a Texas certified teacher.

In keeping with Texas state mandates, the principal of The DRAW Academy Incorporated will ensure that all LEP Spanish-speaking students are offered a BE/ESL program that will address their linguistic, cognitive and affective needs. Assignment to a BE/ESL program is contingent upon parent approval. All LEP non-Spanish speaking students will be offered a language support program. For non-Spanish speaking LEP students, bilingual education programs in non-Spanish languages may be offered if resources are available. If resources are not available, upon parent approval, the students will be placed in the Two-Way BE/ESL 50/50 Immersion Program at the Pre-Kindergarten level and will continue through 8th Grade. English Second Language Modifications will be used and documented in lesson plans by all teachers instructing LEP and FEP non-Spanish speaking students.

The DRAW Academy Incorporated will provide summer school programs for LEP students to provide special instruction to prepare them to be successful in K and 1st grade, in accordance with TEC 29.060. Instruction will focus on age appropriate TEKS in the affective, linguistic, and cognitive needs of the LEP student in accordance with TEC 89.1210. Screening students using an oral language proficiency assessment shall determine student's LEP status. Enrollment is voluntary. The program shall operate for a minimum of 120 hours of instruction. The summer program will be open to all students of the school, regardless of LEP status. The student to teacher ratio shall not exceed 22:1.

The DRAW Academy Incorporated shall establish and operate an LPAC committee, in accordance with TEC 29.063/Chapter 89: Subchapter BB: 89.1220), the relation of the LPAC to the ARD/IEP Committee (89.1220g4) as outlined in the Child Study and Special Education Guidelines will be followed when any LEP student is referred for special education. The relation of the LPAC to the Gifted and Talented Program (89.1220g4) will foster the participation of qualified LEP students to participate in both required BE/ESL and gifted and talented programs.

In addition, all students have well attended after school multiple language programs that provide an additional 6 weekly hours of Spanish, French, German or Arabic language and cultural instruction.

Two-Way BE/ESL *Reading Across The Grades* Program

The goal of this program is to develop both student skills and desire in reading for pleasure.

In keeping with Texas state mandates, the principal of The DRAW Academy Incorporated will ensure that all LEP Spanish-speaking students are offered a BE/ESL program that will address their linguistic, cognitive and affective needs. Also aligning with "No Child Left Behind" literacy campaign the Diversity, Roots and Wings Two-Way BE/ESL 50/50 Immersion Program focuses on reading literacy by the third grade in both English and Spanish.

Assignment to a BE/ESL program is contingent upon parent approval. All LEP non-Spanish speaking students will be offered a language support program. For non-Spanish speaking LEP students, bilingual education programs in non-Spanish languages may be offered if resources are available. If resources are not available, upon parent approval, the students will be placed in the Two-Way BE/ESL 50/50 Immersion Program at the Pre-Kindergarten level and will continue through 8th Grade. English Second Language Modifications will be used and documented in lesson plans by all teachers instructing LEP and FEP non-Spanish speaking students.

In conjunction with the one-hour minimum of ELA and SLA in Kinder through 8th grade, there will be a minimum of thirty additional minutes dedicated to reading. The 4th through 8th grade will read the daily newspaper. Pre-Kinder and Kinder will have story circle lead by the teacher reading aloud from a big book. First through Third, will have class sets of student selected high interest books with teacher reading aloud and class discussions. This additional thirty minutes of reading will be conducted in either English or Spanish, depending on student(s) preference. Finally, each classroom has a mini computer lab that holds interactive reading programs that will also be used by Kinder through 3rd grade. In-class Spanish and English libraries will allow students to check preferred reading materials out for home use. The books will range in genre and difficulty. A school contracted reading specialist teacher will continue to work one-on-one with struggling readers in first, second, and third grade for twenty minutes a day.

Meeting T.E.A. Graduation Requirement Credit Schedule by Grade: (CR = Credit)

6th Grade Courses

ELA English
SLA Spanish
Math
P.E.
Science
Newspaper Journalism
Social Studies

7th Grade Courses

ELA English 1 CR
SLA Spanish 1CR
Pre-Algebra
Environment
World Geography CR
Physical Education
Communication Appl. CR

8th Grade Courses

ELA English 2 CR
SLA Spanish 2 CR
Algebra 1 CR
Biology CR
World History CR
Physical Education
Video Technology CR

Fine Art CR

Telecom and Networking CR
Appl CR

Business Image Management

Indep. Study Tech

and Multimedia CR

Instructional Methods Support Enhance Student Learning

Teaching Pedagogy Enhances Student Academic Opportunity

To accomplish the school mission, The DRAW Academy Incorporated has five basic learning objectives conveyed through a distinguishing pedagogy: 1) maintain a learning environments that breeds a culture of high and comprehensive standards in all areas of student growth and development. 2) focus the curriculum on relevant and diverse learning opportunities that build strong connections between academic learning and students' reality and future. 3) increase individualized student attention, instruction, and support by personalized and flexible learning cohorts in a low student to teacher ratio. 4) utilize the powerful alliance between school, family and the community by providing support and educational services to the entire family and community. 5) provide multiple opportunities for all students to engage in meaningful service and work experience thus becoming contributing members of the school and communities.

1) High and Comprehensive Standards in Student Growth and Development.

Goal: The DRAW Academy Incorporated will provide a learning environment by establishing a culture of high expectations and by holding students to high standards in all areas of growth and development.

Strategy: Engage students by bringing academic and whole person development together.

Curriculum Focus:

- Students will demonstrate knowledge integration by apply academic skills to personal daily life management, including health, consumer issues, personal finance, employment, household planning and management.
- Student will demonstrate the development of a personal value system by identifying their personal values and their source, and consideration of the values and needs of others.
- Students will demonstrate the development of a personal value system by identifying constructive ways of dealing with anger and change.
- Students will demonstrate the development of a personal value system by identifying skills to take a critical stance on controversial issues and make it public.
- Students will develop citizenship skills through the development of an awareness of the interrelationship of the individual, society, and the environment. Use this awareness to enrich and protect all three.
- Students will develop citizenship skills through the application of civic, historical, geographical, and cultural knowledge and appreciation.
- Students will develop interpersonal competence through participation as members of learning cohorts, exercise of leadership and teaching others.
- Students will develop interpersonal competence through participation with cultural diversity.

2) Strong Connections between Academic Learning and Students' Reality and Future.

Goal: The DRAW Academy Incorporated will provide a team of educators whose pedagogy will make education relevant by building strong connections between academic learning and issues pertinent to students' realities and futures.

Strategy: Teachers will respond to students' diverse learning styles by providing a variety of opportunities to gain and use knowledge and skills inside and outside the classroom.

Pedagogy/Curriculum Focus:

The continuous progress loops are designed to allow students to develop a continuous relationship with the teachers and students in their cohort. This will lend itself to a closer bond among, the groups, the school, and the families. The students who were invited to speak at the Fall 2000 Carnegie and the Spring 2001 planning Symposium stated that they often felt that their teachers did not know them. Some

pointed to the relationship they had with a particular teacher as their most rewarding experience in school. The small class sizes, continuous progress loops, and cohort of learners will foster this feeling of belonging.

The structure will allow teachers to meet the students at their point of need. Outside resources, such as older students, interns, university volunteers, and career practitioners can be brought in to challenge the students while those who need more time to understand a concept will have as the vision states "...by making time the variable, The DRAW Academy Incorporated will accommodate the needs of individual students."

- Teachers will "knock down the walls" of the classroom and engage the students in learning inside and outside the classroom.
- Teachers will be involved with the issues affecting the histories and lives of their students and connect these issues to academics in the classroom.
- Teachers will provide students with ample opportunities to apply their academic skills to learning situations outside the classroom within the school government, their own neighborhood, and the greater Houston community.
- Teachers will address the diverse ways student learn by incorporating active, project-based learning, which connects learning across academic disciplines and by addressing the specific academic needs of students.
- Teachers will facilitate the students' application of knowledge and skills gain through real-world field lessons through portfolio development and presentation. Students are participants in the portfolio assessment process through reflection, self-evaluation of skill gains, and presentation or defense of portfolio indications.

3) Individualized Student Attention, Instruction, and Support.

Goal: The DRAW Academy Incorporated will provide personal and flexible learning environments that implement high and comprehensive standards, relevant and diverse learning, opportunities, supports and services for effective learning and opportunities to make a contribution to the greater society.

Strategy:

- The administrators will make a philosophical commitment to providing students with diverse and relevant learning experiences and opportunities and empower teachers to be creative and responsive so that schedules and procedures can be adjusted to different learning experiences.
- The administrators will practice and adhere to policies that make for personalized and flexible learning environments, which they believe are a fundamental prerequisite to the support of individual quality education.
- The administrators and teachers will develop and maintain significant, positive, and caring relationships between students, teachers, school staff, administrators, parents and community stakeholders.

Pedagogy/Curriculum Focus:

Effective teacher and student relationships are actualized in our school structure through student cohorts and teacher looping. In this structure the creation of effective teacher/student relationships are accomplished so that each adult is responsible not only for developing a family bond with all the families in his/her cohort of learners, but also for report back to the appropriate administrator. To the extent that individual families allow us into their homes, The DRAW Academy Incorporated celebrates their joys and support them in times of need. These family links, and the cohort structure, develop an atmosphere of partnership and shared goals. This is a meta-value of the school, which the students will encounter as they progress from Pre-k to 8th grade graduation and into the Senior Academy: Career and Technology Education.

- Students will learn to resolve their own conflicts and develop the ability to reach consensus by working in groups.
- Students will participate in learning cohorts with the same set of teachers and will provide stability by establishing continuous progress loops. Thus, the continuous progress loop removes the stigma of retention.
- Teachers will create a unique climate of personal adult/student relationships, which will promote students to feel and be treated as individuals with individual needs. This will be fostered not only by the smaller class sizes but also by the continuous progress loops, the cohort of learners, and the active family involvement.
- Students will have a student portfolio, which he/she will monitor and update during his/her entire educational career.

4) Support and Educational Services.

Goal: The DRAW Academy Incorporated will provide comprehensive support or make direct referrals to services and resources that fill a variety of students' and their families' needs. The teachers and administrators will produce a support network that fosters positive, caring relationships that recognize the individual student in the greater whole.

Strategy:

- The school will provide subsidized day care that corresponds to the individual families income and needs for all students enrolled.
- The school will provide an extended day for students in the form of an academic after-school program that consist of small learning environments with project-based learning, with a curriculum of Spanish, English and other languages.
- The school will provide links to public mental and physical health care.
- The school will provide continued education opportunities for all family and community members on campus, so that the day care can support whole family learning.

- The teachers, administrators, and staff will address issues affective student attendance and emphasize the importance of regular attendance habits to future job success.
- The administrators will support and the teachers will implement in-house academic resources for students with special needs and integrate these services into the daily classroom work. The student population will be completely inclusive.
- Parents and adult family members will be requested to sign their student(s) in and out of school daily. During these brief periods opportunity for classroom visits, brief conference with teachers and administrators will be encouraged.
- Teachers and administrators will secure visits to students' homes when concerns or invitations for celebration opportunities arise.
- The DRAW Academy Incorporated will provide the community with an academic center for parent continued education in the areas of teaching children at home, English as a second language, family health, home economics and financial issues, and computer applications, and through a partnership with The University of Monterrey Tecnológico secondary, Alar Institute Incorporated, and college credit programs.

5) Meaningful Service and Work Experience.

Goal: To ensure that all students' educational experience at The DRAW Academy Incorporated prepares them to transition to postsecondary education, training, employment, and family and community life. To ensure students possess the skills and abilities necessary to succeed in a variety of career paths, value the usefulness of knowledge, understand the nature of mankind, possess an appreciation of beauty, and esteem the wisdom of the past.

Strategy:

- To provide each student with intensive and targeted supports from the time they enter DRAW through high school graduation, and beyond to postsecondary, training, employment, and family and community life.
- To maintain high and comprehensive expectations of all students.
- To provide educational and character development opportunities for students to become active participants, valuable resources in their communities, and capable leaders.
- To provide a supportive school environment that encourages all students to nurture their strengths and talents, leading them to inside and outside of the classroom activities allowing them to contribute their ideas, skills, talents, and energy to shape their own learning.

Pedagogy/Curriculum Focus:

The book, Other Peoples' Children: Cultural Conflict in the Classroom, by Lisa Delpit sought to answer the question posed by the author: "Why do we have such a hard time making school a happy place for poor children and children of color?" Her research

and discussions pinpoint two major issues, failure to acknowledge cultural differences of the students and failure to acknowledge cultural differences of the teachers.

- The teachers and administrators will provide daily opportunities, through real-life experiences, to facilitate the development of a rational mind and to produce citizens who are likely to continue intellectual growth after graduation.
- The teachers and administrators will provide daily opportunities for students to contribute to their own and each other's education through project-based learning, cooperative learning, and teamwork.
- The administrators will support and the teachers will work together to provide multi-age, multi-grade interactive project-based school wide learning opportunities.

Professional Development Opportunities Aligned with Mission

REGION IV ESC:

The DRAW Academy Incorporated professional development budget on teacher certification programs, multi-cultural, bilingual/esl, science-technology training and the incorporation of TEKS through Region IV and other appropriate resources are designated in the yearly budget for board members, administrators, teachers, teacher aides, and other staff as guided by the School Improvement Plan (SIP).

TEA PDAS INSTRUMENT:

Teachers are given specific and mandatory training coursework that align with the educational philosophy, purpose, and mission of the school. Also teachers are encouraged and supported to seek professional training in deficient areas of their instructional knowledge. Teachers are partners in deciding their direction of professional education. Based on year-end PDAS evaluation and non-formal assessment, the teacher and principal will develop a sequence and calendar together. Individual teacher professional development needs will be considered in the whole improvement needs of the school. When professional development can be covered with a whole school in-service, then individual teacher improvement will become secondary.

FLEXIBLE SUPPORT SCHEDULE:

Staff is encouraged through promotion opportunities and by flexible work schedules to continue their secondary and formal education. Incentives, such as annual salary increases, are used to encourage continued education for all employees. In addition, DRAW Daycare provides free daycare to all teachers and staff to promote continued education opportunities.

BE/ESL PROFESSIONAL DEVELOPMENT

The DRAW Academy Incorporated curriculum focus is technology and BE/ESL education from PreKinder through eighth, therefore the professional development plans for the next five years are designed to meet the goal of expectations.

Region IV and other appropriate resources are used to send all teachers to professional development courses on multi-sensory reading, multi-cultural education, and other bilingual education courses.

BE/ESL teacher certification and bilingual teacher aide education is the focus of individual professional development. In our contract, it stipulates that all teachers must have the proper BE/ESL certification, or be enrolled in a bilingual or ESL certification deficiency plan, and be fully certified by the end of the second year of employment to remain under contract. An increase in annual salary upon certification is given as an incentive. Also, the Board of The DRAW Academy Incorporated Inc. actively seeks out qualified bilingual applicants and currently sponsors five HB1 Visas for five teachers enrolled in alternative certification programs in Saint Thomas University and University of Houston.

TECHNOLOGY PROFESSIONAL DEVELOPMENT SCHEDULE:

The DRAW Academy Incorporated will coordinate activities funded through the E Tech Program with technology-related activities supported with funds from the school budget, National Council of La Raza Grant, E-Rate Grant, and any future grants to sustain and continually update the school technology plan and teacher professional development in technology application in the curriculum. Presently, technology training is happening at a campus level utilizing the technology coordinator. E Tech Program funding will expand the educational technology opportunities to include Alar Institute, T.E.A. Region IV, National Council of La Raza, and The University of Monterrey Tecnologico. The National Council of La Raza Grant provides for a minimum amount of professional development that enhances the school budgeted amount of professional development.

YEAR ONE

To be determined	Alar Institute Training
To be determined	National Council of La Raza National Convention & Youth Summit
To be determined	University of Monterrey Tecnologico Administrator and Teacher Virtual School Training
To be determined	T.E.A. Region IV Teacher and Teacher Aide Training
To be determined	Alar Institute Student Training, Parent and Community Training

YEAR TWO

To be determined	University of Monterrey Tecnologico Administrator and Teacher Virtual School Training
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To be determined T.E.A. Region IV Teacher and Teacher Aide Training
To be determined T.E.A. Region IV Teacher and Teacher Aide Training
To be determined Alar Institute Student Training, Parent and Community Training

YEAR THREE

To be determined University of Monterrey Tecnologico Administrator and Teacher Virtual School Training
To be determined T.E.A. Region IV Teacher and Teacher Aide Training
To be determined T.E.A. Region IV Teacher and Teacher Aide Training
To be determined Alar Institute Student Training, Parent and Community Training

YEAR FOUR

To be determined University of Monterrey Tecnologico Administrator and Teacher Virtual School Training
To be determined T.E.A. Region IV Teacher and Teacher Aide Training
To be determined T.E.A. Region IV Teacher and Teacher Aide Training
To be determined Alar Institute Student Training, Parent and Community Training

YEAR FIVE

To be determined University of Monterrey Tecnologico Administrator and Teacher Virtual School Training
To be determined T.E.A. Region IV Teacher and Teacher Aide Training
To be determined T.E.A. Region IV Teacher and Teacher Aide Training
To be determined Alar Institute Student Training, Parent and Community Training

The Technology Coordinator will be responsible for the proper design, implementation, and management of the technology components of the project. Specifically, the Technology Coordinator provides professional development expedites the use of technology by teachers and students in the curriculum.

Assessment and Evaluation

The DRAW Academy Incorporated TEKS Curriculum and TAKS Evaluation:

T.E.A. Student Assessment Division developed a program to measure student progress toward achieving academic excellence, now known as the TAKS test or Texas Academic Knowledge and Skills Test. The purpose of TAKS is to provide an accurate measure of student achievement in the areas of reading, writing, mathematics, social studies, and science as scoped and sequenced by the TEKS comprehensive curriculum scaffold, prekindergarten through twelfth grade. The test results are used as a gauge for institutional

accountability. Texas Essential Knowledge and Skills (TEKS) is a statewide curriculum that is assessed using the TAKS test and end-of-course examinations by grade level and subject area. As stated in The DRAW Academy Incorporated Core Beliefs is the affirmation “**In the quality and content of the Texas Essential Knowledge and Skills measurement of student achievement.**” TEKS provides the step ladder to accumulated skill development in all academic areas, and with the small class sizes, continuous progress loops, and cohort of learners the structure will allow teachers to meet the students at their point of need.

The DRAW Academy Incorporated will align classroom instruction with the Texas curriculum, TEKS, and will indicate the direct connection in all lesson plans prekindergarten through eighth grade.

Assessment of individual student performance:

Baseline Levels for Student Achievement:

The DRAW Academy Incorporated will use the criteria set forth by TEA Accountability Rating System as the standard of measurement for student achievement on all standardized test results.

Academic Assessment of Individual Student Performance and How Data is Utilized:

DRAW Academy student assessment program provides for individual students to demonstrate their skills and knowledge on many different instrument that are used to evaluate student performance and to determine eligibility for certain special programs. The assessments and the corresponding data utilization are outlined below.

Norm-reference Testing: English – Stanford 10, Spanish –Aprenda

This test will be utilized to identify gifted and talent students. The test will be given at the end of September to Kindergarten and Fifth grade students. Students who qualify for exemptions due to limited English proficiency as determined by the LPAC committee, or students with disabilities who ARD Committee determines if the test is an inappropriate measure of the student's academic progress. This test evaluates students' nonverbal reasoning and general problem-solving ability, regardless of language spoken and the educational or cultural background of the student. The norm-referenced tests are given early in the second semester to kindergarten students for identification of students who qualify for the gifted and talented program.

Students in First through Fifth grade will take the norm-reference test in English or Spanish, based on their dominate language determined by the school's LPAC for each student. Once it is determined by the LPAC that a student is to take the test in English the student will continue to take the test in English for the rest of their academic career. The norm-reference tests compare students' scores on a widely representative set of question in the major academic skills areas to the scores of the nationally representative sample of similar students on the same questions. Such tests produce scores and reports that are essential in determining the students' achievement as individuals and as a school unit. The results of these scores will be utilized in the following manners:

1. communication comparative student achievement to parents and school staffs
2. placing students in specific programs, measuring year-to-year growth or students, and evaluating program effects on a wide range of students
3. feedback to teachers on; how ell students perform on the concepts and skills measured by the test
4. comparing students to a national sample or measuring the generalized effect of instructions

Texas Academic Knowledge and Skills Test – TAKS

TAKS will be administered to all students' grades three to eight. The TAKS tests are assessments of the foundation areas and are administered in reading, English language arts, writing, mathematics, social studies, and science. All students in the eligible grades are required to take the appropriate TAKS testing. The TAKS test is given in both English and Spanish. Students who qualify for exemptions due to limited English proficiency as determined by the LPAC committee, or students with disabilities who ARD Committee determines TAKS is an inappropriate measure of the student's academic progress. This academic progress requirement must be outlined in the student's Individualized Education Plan (IEP).

According to TAC 101.1007, the LPAC shall determine in which language the student's TAKS test should be taken. This decision is based on the current program of instruction and prior exemptions and or administrations.

In accordance with the 76th Legislature Student Success Initiative, third grade students will have to Pass the state assessment in reading to be promoted without the consultation of the Grade Placement Committee.

State Developed Alternative Assessment (SDAA/LDAA)

The SDAA/LDAA assesses special education students in grades 3-8 who are receiving instruction in the TEKS but for whom TAKS is an inappropriate measure of their academic progress. This test assesses the foundation areas of reading, writing, and mathematics. Students will be assessed at their appropriate instructional levels, as determined by their Admissions, Review and Dismissal committee (ARD), rather than at their assigned grade level. The SDAA/LDAA is administered on the same schedule as the TAKS, and like the TAKS is a measurement of the student's annual growth based on appropriate expectations for each student as determined by the ARD committee.

Alternative Assessment

Exempt students for whom the TAKS and SDAA/LDAA is not considered to be the most appropriate assessment will be administered an alternative assessment which will be selected by the ARD committee.

Reading Proficiency Test in English (RPTE)

RPTE is a statewide assessment program designed to test the growth of LEP students in English proficiency in grades 3 through 8. The RPTE will be administered to all LEP students except those who scored at the Advanced Proficiency level on the previous year RPTE administration. All LEP students without exception will take the RPTE until they score Advance Proficiency, at which time they will be exited automatically from the LEP program and become Non-LEP. Students who reach the status of Non-LEP through this program will be monitored for progress and will receive mandatory ESL modifications during classroom instruction.

Credit by Exam (CBE)

According to TEC Section 28.023, The DRAW Academy Incorporated, upon receiving the designation of TEA Charter School, will be given the ability to develop and implement CBE procedures for each primary school grade and specific secondary school academic subjects. These exams will thoroughly test the TEKS, must be a criterion-reference test, and must be approved by the Board. CBE results may be used to advance a student in grade levels, and for students who are enrolling from home schools, unaccredited private schools, or foreign schools and student for whom no records are available, including Kindergarten students.

CBE testing periods will be three (3) days in August, three (3) days in December, and three (3) days in May.

Students eligible to take CBE must be currently enrolled in the school, and have formal or informal student achievement indicators that CBE is an appropriate course of action.

All students wishing to take a CBE must receive prior approval of the principal or principal's designee.

CBE Kindergarten Acceleration

CBE may be requested for an enrolled Kindergarten student who meets the eligibility age to attend school. The application for CBE must be for acceleration to first grade from kindergarten, and such application must be made within the first three weeks the student enrolls in kindergarten.

CBE for Kindergarten will be an in school portfolio assessment that considers measuring TEKS skills, assessing social, emotional, physical, and cognitive readiness for first grade.

Placement in first grade, from kindergarten, must be approved in writing by the principal or principal's designee and the student's parent or legal guardian.

CBE 1-5 Acceleration with or without Prior Instruction

A student in grades 1-5 with or without prior instruction in the grade level to be tested may be placed in an advanced grade using CBE through meeting all under the following criteria:

1. the student scores a minimum of 90 percent on a criterion-referenced test in which the foundation subjects are measures, and are aligned with the TEKS, in either English or Spanish depending on student's dominate language as indicated through LPAC.
2. the principal or principal's designee recommend that the student advance in writing.
3. the student's parent or guardian given written approval for acceleration.
4. there is no conflict with a student's IEP, if applicable.

Recording of Grade as a Result of Affirmative CBE Acceleration

The student's placement and/or credit earned on the criterion-referenced test will be placed on the student's permanent record if the student meets the criteria for advancement. The parent's or guardian in writing prior to the eleventh day after written confirmation by the principal can decline the placement.

Kinder – 2 Testing for Early Reading Assessment- TPRI/Tejas LEE

Early identification of reading skills and comprehension development of kinder – second students along a continuum of growth, outlined in TEKS, provides all stakeholders in the child's/children's education with useful information in planning reading instruction. TEC 28.006 requires that an instrument, which measures student reading skills and comprehension development, be administered to all kinder through second graders. All kinder and first grade students will take TPRI/Tejas LEE without exception.

The Texas Primary Reading Inventory and Tejas LEE are the English and Spanish instruments developed by TEA for diagnosing reading skills and comprehension development. The DRAW Academy Incorporated will use these tests, two times a year to determine individual student's reading achievement skills and comprehension. The test(s) will be given in September and in May. The language of the test shall be in the dominant language of the student, as determined by LPAC. Since The DRAW Academy Incorporated is a 50/50 English and Spanish language arts instruction curriculum from prekindergarten through twelfth grade, once a student has achieved the exist level in their dominate language they will test in the opposite language test until they achieve exit in that language as well.

Region IV ESC: Reading Academy K-2 and Dyslexia Teacher Training:

The DRAW Academy Incorporated has two train dyslexia and reading teachers. Professional Development plans designate the time and funds to send the Reading and Language Arts Teacher for K-2 for 2003-2004 (and the foreseeable future) to the Region IV Reading Academy to complete the reading and dyslexia training. This teacher will serve as the teacher for all K-2 students and will have a daily period to work with older students as a dyslexia and reading support teacher.

Student Portfolios

Student portfolios begin at the pre-kinder level, or at date of enrollment, and continue to grow until graduation, or the date of un-enrollment. Portfolios are used as instructional tools and as assessment tools. Portfolio assessment requires students to collect and reflect upon their work, providing both an instructional component to the curriculum and offering the opportunity for authentic assessment. The intention of the portfolios is to identify the incremental skill developing between formal testing evaluations of individual students. Portfolios capture the growth over time so that students can become informed and thoughtful assessors of their own histories as learners. Portfolios create and opportunity for students, as learners, to become meta-cognitive of their own learning processes and products.

A committee, composed of the student, teacher, and parent or legal guardian, to determine weighted grades in appropriate subjects, will conduct portfolio assessments.

Appropriate Uses for Scores and Reports: Student Evaluation and Program Evaluation:

TEA has specifically designed reports based on student performance data that records the progress of students in a data collection, time specific snapshot(s), and the scores from these assessment instruments are used in an appropriate manner to provide valid indicator of student performance. The results of these reports in addition to all other forms of assessment results must be examined and communicated properly to promote effective use of the data for instructional program improvement. This information may be utilized as follows:

- Reporting results to parents of individual students, so that parents have the opportunity to understand the progress of their student achievement relative to several standards of measure.
- Reporting results to the local school board, school professionals, and the community, so that aggregated data that is legally open to the public may be published for scrutiny.
- Evaluating student scores for the use in grade placement decisions, as it relates to remedial instruction, placement, reading improvement program placement, placement in gifted and talented, exit from BE/ESL program, or other relevant data driven assessments regarding students academic progress.
- Evaluating programs, resources, and staffing patterns to make relevant improvements to increase access to resources for at-risk or other subgroups of students requiring additional supports not currently in place.
- Evaluation of The DRAW Academy Incorporated curriculum and instruction is the essential purpose of utilizing the aggregated and disaggregated plethora of data. Since the tests are designed to measure the essential elements of the foundation subjects by finite objectives, then the global information or generalized information gain can be widely applied to whole school curriculum and instruction improvement applications. The creation of the School Improvement Plan will set the direction of the entire school. Therefore, it is the individual assessments and careful assessment of as many evaluations as possible that provides for individual student curriculum and instructional improvement – developing a plan to meet the student at their point of need.

Methods Used to Identify the Educational Strengths and Needs of a Student:

In accordance with Senate Bill 1 and TEC 28.022, the parents or legal guardians must be notified at least once every 12 weeks of unsatisfactory grades. This notice must be provided for the signature of the parent or legal guardian and should be returned to the school. The DRAW Academy Incorporated has a periodic assessment plan that is based on the six week ADA cycle dates as follows: Pre-Kindergarten receives three grading periods of 12 weeks; K –8 receives four grading periods of nine weeks each; and intermittent progress reports for K –8 between report card dates.

Criteria established for evaluating student progress based on the TEKS are gathered using the following indicators:

- Report Cards
- Student Attendance
- Portfolio(s) of Student
- Results of Alternative Assessments
- Performance on state assessments of the TEKS
- Teacher evaluation of student performance through anecdotal records/written notes
- Results of CBE or other evaluative progress of foundation academic subjects exam results

A review of each student's progress will occur at each grading report period. Teachers, LPAC, ARD Committee, and other such academic advisory entities, will identify all students whose progress falls below expected range on the established criteria. The student's teacher and relevant additional advisory entities will make a recommendation in a meeting with parent or legal guardian and principal or principal's designee of a course of remediation. The DRAW Academy Incorporated will develop individual plans to meet the need of the child with intervention strategies for students at risk of not meeting promotion standards, and thus being retained. The remediation plan options may include the following:

- After School and/or Saturday Tutorials
- Participation in an extended year program
- Participation in an extended day program
- Instructional modifications that accelerate progress
- Services of Reading and Dyslexia Teacher
- Private Language Arts Tutorials during after school program
- Private Language Arts Tutorials for Parents, Guardians and/or Family Members
- Special program assignment development interventions designed by the school that provide for maximum instructional progress by the student

In addition, The DRAW Academy Incorporated Board will hold accountable the Superintendent and Principal to the overall results of school and student progress. To the same end, the Superintendent and Principal will hold the teachers accountable for significant standardized testing indicators of growth in each student under their direction. Failure to show favorable results and or reach the SIP goal will be one of the considerations for non-renewal of employment.

Annual Progress Report Results in Meeting Objectives:

School data related to overall school academic results of standardized measure goals or as required by T.E.A. will be issued to students, parents, and the public on a yearly basis through school-wide meetings, newsletter mailings, and press releases to local newspapers and television stations. In addition, the results will be published on the Internet web site of the school.

Student Activities: Extracurricular Activities

Extracurricular activities provide a living classroom for the students; these opportunities provide The DRAW Academy Incorporated students with an engaging school environment where they can obtain the knowledge and skills necessary to find success as individuals and as members of their communities. These opportunities focus of the curriculum will incorporate active, project-based learning, which connects learning across academic disciplines and by addressing the specific academic needs of students. The actualized curriculum will actively engage students in multiple language development and utilize current technology tools. The collaboration activities will provide a transitional bridge from the academic programs of The DRAW Academy Incorporated and to steady employment and further education through real world application of learning.

Bayou Manor: Thanks to our friends at Bayou Manor nursing home (located 10 miles from the school) The DRAW Academy Incorporated Kinder through 8th grade students experience a great partnership that allows the children to expand their horizons while developing a much-needed caring attitude. Classes rotate so that an entire class visits Bayou Manor Nursing Home every Monday, year round. To the delight of the students, the mobile residents visit The DRAW Academy Incorporated on occasion. The relationships that build between the children and the residents are clearly the benefit of an extended family. The students gain grandparents and the residents gain grandchildren. The students gain wisdom and life perspectives, and the elderly residents experience regular visits. A week is never missed.

What's Up @ DRAW Newspaper: A student generated and maintained web monthly newspaper, developed by the current sixth grade students. This venture is a living organization and the expectations of growth are assured. www.drawacademy.org -

newspaper. The newspaper is partially sponsored by TK's Printing and Typesetting, this partnership allows the students to visit the print shop and witness the process of printing the newspaper.

Diversity, Roots and Wings News Station: A student generated and maintained internet weekly news broadcast that is delivered directly to the classroom computers and accessible through the website. This venture is a multiage, multigrade project. Telemundo Channel 47, Houston, Texas, sponsors the news broadcast. The students receive hands-on training at the Hispanic based news station in all aspects of running, producing, and marketing the news.

School Festivals: The winter and spring festivals feature all students, by classroom, grade and or after school class. The program features demonstrations of academic achievements in various languages as well as the incorporation of world cultural studies. These festivals are captured on video and placed on the website.

Video Yearbook: The video year book falls on the responsibility of the webmaster who accumulates video clips, digital pictures, and other visual presentations then puts them together in a ten to twelve minute music video. The video yearbook usually has two or three movies, and is available free of charge on the website.

5-GOVERNANCE STRUCTURE AND PROCESSES

Continuity in the Future:

The insurance of the founding board's vision and school mission being maintained and true are secured by the Bylaws of The DRAW Academy Incorporated Sections 5.03 – 5.07. Contained in these sections are the qualifications – general characteristics of members, training required, scope of board rules and responsibilities, and the details of vacancies and tenure of board members. The bylaws act as an instrument of guidance and stability for the decision-making entity to function in accordance to the laws of the state, federal agencies, and the intent of the founding board member's vision. The bylaws are a direct result of the founding board members core beliefs and purpose of the corporation and the development of the academy.

General Characteristics:

In order to apply or to be invited to join the Board, any person has to be actively interested in the daily business of our school or volunteering for a minimum of one year in various activities including fund-raising and general representation of the school in public functions.

The criteria for selection include professional experience, community involvement, and leadership potential. The Board composition has to be diverse in terms of age, gender, ethnicity, professional occupation, with the final composition as a reflection of our student diverse population.

Training Required:

The existing Board members, the Business Manager, and the Superintendent deliver a member orientation program for new members, including instruction and information in the areas of responsibilities, expectations, and job description.

The DRAW Academy Incorporated existing Board members, the Business Manager, and the Superintendent will develop a Board manual which will contain not only school's crucial information but also about the functions of the different school officers and organizational chart.

The DRAW Academy Incorporated Board members are requested to secure training offered by the Region IV. This training prepares potential candidates for positions on Charter Schools Boards.

The Board training will comply with Texas Educational Code 12.123 and with §100.1102, Training for Members of Governing Bodies of Charter Holder, ESC Region IV training modules, or any other system or course approved by them will be utilized in order to assure compliance.

Clarity of Roles and Responsibilities of Sponsoring Entity and Board:

The DRAW Academy Incorporated has only one board. Upon the granting of a T.E.A. Generation 9 Charter: There are no other private entity, including any management company, other nonprofit group, other governmental agency and/or any other educational organization involved in the operation of The DRAW Academy Incorporated Charter School.

Members of the Corporation:

Membership in the Corporation consists of the following persons: parent(s) of students enrolled in the Elementary, and Middle levels of the Academy. The term parent(s) also includes legal guardian(s) as the adult(s) with legal custody of a minor.

Result: The parents and guardians of the students at The DRAW Academy Incorporated hold accountable the Board of Directors and are empowered by the power of procedures and voting detailed in the Bylaws.

Board of Directors:

The Board of Directors is the group of persons vested with the management of the affairs of the corporation.

Result: The Board is ultimately responsible for the school's compliance with the charter.

Bylaw Article V Board of Directors:

Article V defines the general powers of the Board of Directors as the managers of the affairs of the corporation. The Board of Directors are appointed or elected in accordance with the Bylaws, and constitute a whole Board with nine (9) members with a minimum number not less than five (5). General characteristics of Board member qualification require that they are actively interested in the daily business of the school, volunteering for a minimum of one year in various activities including fund-raising and general representation of the school in public functions. Other qualifications include professional experience, community involvement, and leadership potential. The Board has to be diverse in terms of age, gender, ethnicity, professional occupation, with the final composition as a reflection of the student diverse population.

Result: The Board's role is knowledgeable and aligned with the needs of the corporation.

Article IV, Section 5:05 – Scope of Board Roles and Responsibilities:

Scope of Board Roles and Responsibilities:

- 1- Time Commitment: Minimum of a quarterly meeting, nevertheless extensive participation is required to help in developing the school program and to seek funding to support for our daily operations.
- 2- Budget: The final budget approval is the charter holder board's responsibility. Article 11:02 of the bylaws assigns to the Business Manager the duty of the budget development. Article 5:05, Scope of Board Roles and Responsibilities, point 2 (Governance) establishes the Board's responsibility for "budgeting and financial management." And finally, Article 5:08, Annual Meeting, states as one of the main purposes of the meeting is the approval of the school-year budget by the Board.
- 3- Governance: Participation on the strategic and long range planning, budgeting, and financial management.
- 4- Communications: Marketing the school, public relations, public representation and speaking, community liaison.
- 5- Human Resources: Provide support with personnel policies, volunteer and staff management, and performance evaluations
- 6- General: Volunteer for fund raising activities, promote the school in different circles, and provide support and assistance to the different school operations.

The board is legally protected by a Director's Liability Insurance.

Appropriate Complaint Management Procedures:

General Provisions

The following procedures apply to student grievance resolution:

1. **Authority.** If a grievance arises that is not under the jurisdiction of the Principal, the grievance shall be transmitted in writing directly to the Charter Board. Grievances initiated in this fashion shall begin at Step 3 of the formal process.
2. **Meetings.** All meetings concerning grievances will take place at reasonable hours. Students who must be absent from class will be excused providing they have confirmation from their teacher that no examinations will be missed. If a grievance hearing is scheduled during the regular school day, all staff participants in the investigation and processing of the grievance shall be released from regular duties and shall suffer no loss of pay or other benefits. Reasonable notice of scheduled hearings shall be given to all participants.
3. **Records of Meetings.** All documents, communications, and records dealing with a grievance shall be filed separately from the student's transcript, and no notation of such grievance shall appear in the file of the aggrieved unless so requested by the aggrieved. All matters pertaining to a grievance shall be treated as confidential material and shall not be considered in the evaluation of the student.
4. **Time Limits.** The number of days indicated at each level of the resolution procedures shall be a maximum. Time limits specified may be extended in any specific instance by agreement of both parties.
5. **Withdrawal.** A grievance may be withdrawn at any step and cannot be reopened.
6. **Reprisals.** No reprisals of any kind shall be taken by or against any student in the grievance procedure by reason of such participation; however, the student may be subject to disciplinary action for any subsequent misconduct. Reprisals shall not be taken against any party of interest in the grievance procedure by reason of such participation.
7. **Legal Remedy Rights.** No part of this process shall work in such a way as to deny the complainant the right to pursue legal redress in the courts.
8. **Final Authority:** The final authority for grievance resolution relies on the Board and is non-delegable.

Formal Resolution Process:

The formal procedures for the resolution of student grievances are as follows:

Step 1

The student who is unable to resolve a grievance through the informal process may send

a formal written grievance within 15 days of the alleged circumstances that prompted the complaint to the Manager of Student and Community Services or directly to the Principal. Within five days of the date the grievance is filed, the administrators shall schedule a meeting with the aggrieved and his or her parents, guardian, or designated representative in an attempt to resolve the grievance. The Principal shall indicate their disposition of the grievance in writing within five days of such meeting and shall furnish copies to the aggrieved and his or her representative.

Step 2

If the aggrieved is not satisfied with the disposition of the grievance at Step 1, or if no disposition has been made within the allotted time period, the student may file the grievance up the normal authority chain; the Principal, Superintendent and Charter Board. Within five days, the Principal shall meet with the parties of interest concerning said grievance. The disposition of the grievance shall be indicated in writing within five days of the meeting, and a copy shall be furnished to all parties of interest.

Step 3

If the aggrieved is not satisfied with the disposition of the grievance at Step 2, or if no disposition has been made within five days of the meeting, the student may file the grievance up the normal authority chain by forwarding the grievance to the Charter Board. Within five days of the date the grievance is received, the Charter Board shall meet with the interested parties. The disposition of the grievance shall be indicated in writing within five days of the meeting, with a copy furnished to the aggrieved and all parties of interest. The decision of the Charter Board is final and may not be appealed.

Step 4

If the aggrieved is not satisfied with the disposition of the grievance, or if no disposition has been made at Step 3, the aggrieved may take additional action as provided within the federal or state statutes.

Appropriate Methods to Maintain Productive Relationships Between Administrators and Teachers:

Vertical and Horizontal Communication Actualized:

Administrators and teachers experience both formal vertical communication and informal horizontal as a part of the established organizational structure. Vertical communication is in the form of staff meeting minutes, formal PDAS assessment procedures, and standard business practice communication.

Horizontal communication flow has proven to be the most beneficial to the administrator and teacher ability to achieve desired outcomes. Weekly faculty meetings allow administrators and teachers to sit comfortably at a table where a common agenda is

discussed. These meetings are highly productive and enjoyable, but are also safe times to discuss concerns and ideas for improvement. In these meetings teachers form alliances to join classes in multi-age, multigrade projects; the teachers express needs for resources and support from the administrators; and the administrators can disseminate information and resources in an atmosphere conducive to immediate implementation in the classroom. The final agenda item in the weekly meeting is “for the Good of the Cause”, in this exchange the teachers and administrators tell amusing and often heartwarming stories of events that touched them in school that week.

Teacher to teacher horizontal communication occurs in team meetings, in joint classroom projects, and in the switching of students from one teacher to another in the after school program; allowing the teachers to bond over the common interest in their shared children. Finally, the teachers have an informal mentor system that they utilize to use each other’s experiences to benefit them and to increase their quality of instruction.

Teachers and any employee may make grievances informally to the Principal. If grievance matter is not satisfied the teacher(s) may then ask for an appointment with the Superintendent and/or Business Manager. The Superintendent and/or Business Manager will grant the meeting within three (3) working days. If the grievance matter is not satisfied the teacher(s) may then request in writing an appointment to address the Board at their next meeting. The request will be placed on the Board Agenda. The Board is the final authority to resolve grievances and the last level of appeal.

Parent and Student Roles in Decision –Making:

The Shared Decision-Making Committee (SDMC) is a group of teachers, parents, school staff, administrators, student council members from grades 3 – 8th, community members, or any other recognized person interested in the betterment of the academy. The SDMC is chaired by the principal and is the think tank for recommendations to the Board regarding school based policy setting. Decisions are made and school policy recommendations are based on expressed community needs and guidelines of the Texas Education Agency. Meetings are set for the first Friday of each month during the school year.

We use an open forum format and anyone wishing to bring a concern to the SDMC should submit it in writing to the school at the above address.

The SDMC will attempt to resolve all issues by reaching a consensus. Each member has one vote and members may not vote by proxy. Only SDMC members may vote on issues before the committee. If there is a tie on an issue, the principal will cast the deciding vote. There is an administrative veto.

The final authority and last level of appeal for decision is a non-delegable responsibility of the Board of Directors. The scope of the SDMC's responsibilities is to function only as an advisory committee and to produce recommendations for the Board reviewing the following items:

- Review the School Improvement Plan four times a year
- Review organizational changes, personnel needs, curriculum offerings, budget allocations, staffing patterns, and instructional plans
- Review school policies involving discipline and dress code
- Review school-wide goals and objectives
- Review staff development activities
- Review items to task forces for study and resolution

All community members who wish to attend are welcomed to do so.

Student Council Grades 3 – 8:

1. Students in grades 3 - 8 will comprise the Student Council of The DRAW Academy Incorporated Charter School.
2. Two (2) representatives will be elected from each grade. Another student or themselves may nominate homeroom elected representatives. The candidates will present a brief campaign speech to their homeroom and elections will take place by secret ballot, with each homeroom's students voting for two (2) representatives in each grade. Candidates will prepare a campaign speech and present it to the student body the following week. Elections will follow, with each student in grades 3 -8 casting ten (10) ballots for the candidates of his/her choice. Once these representatives are elected, the Student Council will meet to elect its officers for the school year. Each representative will be a voting member of the Student Council and will be expected to attend the monthly meetings.
3. The Student Council Advisors will be teachers. The Principal will attend meetings if and when needed.
4. Student Council representatives will elect a President, and a Vice- President, and Secretary/Treasurer from the remaining representatives.
5. Student Council meetings will be held once a month, or more frequently, if necessary.

6. Eligibility Rules will apply to representatives on the Student Council.
7. The agenda for Student Council meetings will be set by the Student Council officers and/or advisors.

6- HUMAN RESOURCES.

Qualifications and Experience of Officers/Administrators

School Officers/Administrators:

Superintendent/Principal: Lisa Anne Newton

Business Manager/CEO: Fernando Donatti

Due to the small size of the school, The DRAW Academy Incorporated Board will limit the school officers/administrators to the positions of Superintendent and Business Manager. Any personnel required to support the officers/administrators will be teacher plus, secretarial, clerk, to personal assistant positions.

Powers and Duties of Each Officer/Administrator

Superintendent / Principal

The Board can expand the scope of functions and responsibilities as the needs of the daily operation so requires.

Instructional staff: The responsibilities of the Superintendent are in general every activity and role of a Dean of Instruction. Includes decision-making authority in the daily operation of, but not limited to, interviewing and recruiting teachers, instructors, and teacher aides. Decides in matters related to professional development, teacher assessment, curriculum, instruction, master schedule, testing, Special Education, ESL, LEP and other duties related to the job. Prepares the agenda and conducts the faculty weekly meeting.

Students: The Superintendent is responsible for monitoring the academic progress of the students. The Superintendent has final decision- making authority and is the final level of appeal in all conflict resolution situations. In situations in which the Superintendent is personally involved, the Board will assume the role of final appeal.

Parents: The Superintendent has also the responsibilities and decision-making authority in the daily operation of student and parent service. These duties include, but are not limited to safety, attendance, free lunch, textbooks, registrar duties, lockers, drills,

discipline, substitutes, volunteers, parent, community, and business relations. He/she is also responsible for the design and implementation of the School Improvement plan.

SUPERINTENDENT agrees to perform the responsibilities of his/her position and to use his/her best efforts in such performance. SUPERINTENDENT also agrees to perform such reasonable duties as may be required for the success of the CORPORATION and to comply with all policies, rules and regulations of the CORPORATION as now exist or as they may hereinafter be amended by The DRAW Academy Incorporated Board. In addition, SUPERINTENDENT agrees to follow all reasonable conduct rules set forth and acknowledges that he/she is accountable to the administrative conduction of the CORPORATION in the form of its director(s).

Superintendent / Principal: Lisa Anne Newton

Ms. Newton is a holder of a B.A. in Sociology, a B.A in English, a Masters in Education in Administration and Leadership, and a Principal's Certification. She also has a Secondary 6th-12th English and Sociology Texas teacher certification with an E.S.L. designation. Ms. Newton has 10 years of experience in education as a teacher and as an administrator. She was a founder and has been in charge and responsible for the academic program of The DRAW Academy Incorporated since August 2001.

Business Manager / CEO

The Board can expand the scope of functions and responsibilities as the needs of the daily operation so requires.

The responsibilities of the Business Manager include but are not limited to; request for proposals and bids, sign contracts for business arrangements, hold the fiduciary responsibilities, matters related to facilities, inventory, free and reduced lunch, machines, clubs, activities funds, technology support, purchasing, interviews and recruits office and technology staff. He/she develops the budget, controls and is responsible for all financial record keeping matters including but not limited to payroll, medical and other insurances, payroll deductions, quarterly and annual reports as required by the Federal Government. He/she represents the Corporation when any other corporation, bank, or organization requires signing documents for business arrangements. Is authorized to borrow, establish credit arrangements with financial institutions, and has check signing authority. The Board can expand the scope of functions and responsibilities as the needs of the daily operation so requires.

BUSINESS MANAGER agrees to perform the responsibilities of his/her position and to use his/her best efforts in such performance. BUSINESS MANAGER also agrees to perform such reasonable duties as may be required for the success of the CORPORATION and to comply with all policies, rules and regulations of the CORPORATION as now exist or as they may hereinafter be amended by The DRAW

Academy Incorporated Board. In addition, BUSINESS MANAGER agrees to follow all reasonable conduct rules set forth and acknowledges that he/she is accountable to the administrative conduction of the CORPORATION in the form of its director(s).

Business Manager / CEO: Fernando Donatti

Mr. Donatti completed the DRAW leadership academy and secondary principal internship acquiring a Masters Degree in Education and a Principal Certification. He started his educational career in 1992 when he acquired a Texas K-6 bilingual teacher certification and a technology endorsement. He also has a Bachelor's Degree in Architecture from University of Buenos Aires, Argentina. He has twelve years of experience in education as a teacher, technology instructor, and administrator. He is a founder and has been responsible for the business operation of The DRAW Academy Incorporated since August 2001.

Resumes:

Lisa Anne Newton

College Degrees:

George Mason University
University of Houston

B.A. Sociology - B.A English
Masters of Education Supervision and Leadership

Certifications:

Educational- Principal
Secondary English
Secondary Sociology
Secondary E.S.L.
Special Education Generalist
TEA P.D.A.S. Certification

Business - Certified Legal Secretary
Certified Real Estate Agent, Virginia

Skills:computer business software applications, printing and graphic design software applications, business and educational office management systems, and Spanish language.

Experiences:

2001-2003	Principal, The DRAW Academy Incorporated
1993-2001	DRAW Secondary Teacher
	Jefferson Davis High School - English Teacher

T h e D R A W A c a d e m y I n c o r p o r a t e d

T.E.A. Charter school application - Ninth Generation

- Cornell University Scholarship Coordinator
- SDMC Member, Secretary
- FAC Member
- Multi-Cultural Committee Member
- 9th Grade House Team Member
- Class of 1998 Sponsor
- 1996, 1997, 1998 Volunteer of the Year

Sharpstown Middle School – Writing Teacher

2000-2001 DRAW Principal Internship at Sharpstown High School

1991-1992 For Love of Children, Volunteer Business Skills Instructor for parents and children retained in D.C.'s foster care system.

1988-1992 Prudential Preferred Properties, Office Manager, Real Estate Agent

Background: Raised on U.S. military bases, real estate sales, marketing, management of real estate office and management of multiple realtor's businesses; volunteer work in D.C. and Houston homeless family shelters, teaching, coordination of scholarship fund and program.

References: Abbey Eller, Cornell University Summer College
Oscar Garza, Jefferson Davis High School
Dr. Carol Wichmann, Principal of Sharpstown Senior High School
Dr. Hooker, University of Houston

Personal Narrative:

I grew up in the protected streets and self-contained world of U.S. military bases and forts. I grew up surrounded by formal traditions, world cultures and religions, and a host of international playmates. Although I had to endure the challenges of moving every two to four years, I was blessed with this childhood because it was an enlightened atmosphere free from most human prejudices and full team pride. It is an atmosphere I wish for the students of The DRAW Academy Incorporated to experience daily.

My father's final station was with the Pentagon, Washington D.C. I finished up high school in the affluent and highly academically competitive Fairfax County Public School District. It was the first time that I struggled in school, both academically and socially. I had not been schooled in the traditional literary cannon and my math skills lacked years behind my peers. Although eventually I managed to pull up my academic grades and found a circle of new kids, like me, to hang around with by the end of the first

quarter. This particular move was by far the most difficult, and it is this particular experience that upon reflection helped me relate to new students better as a teacher. As a director in The DRAW Academy Incorporated I will do everything I possibly can to insure students feel welcomed, and that the student body possess the strength of character to be welcoming towards new students.

I struggled through the first year of college, not with academics, but with the problems associated with thinking one is an adult and not comprehending the consequences of acting without abandon. At the end of the first year I had renewed focus thrust upon me in the form of an academic suspension. I was embarrassed, humbled, and furious with myself. The lesson learned served me well, and I have gone on to excel in my education to the point that it is intimately tied to my personal pride. At The DRAW Academy Incorporated, I wish for all the students to find a source of pride in their ability to conduct their own educational course.

I was in the middle of a ropes course, deep in the mountains of West Virginia, when I realized that I was being called by God to be a teacher. It was part of my camp counselor training for the children of the D.C. Foster Care System, and when I looked down at the dried riverbed I knew that what was making me hang from these two cables was my desire to work with the children. I graduated from George Mason University and traveled down to Houston, Texas where I had heard on N.P.R. that they were in need of teachers. With the exception of the first ten days, I loved every day I was a secondary English teacher. As a director of The DRAW Academy Incorporated, I will be sure to only surround the children with teachers who demonstrate they love being teachers.

Fernando Donatti - Architect - Educator

Educational philosophy: When provided with a free and safe environment, children construct knowledge at their own pace, discover their inner drive, explore, and take risks. By gaining ownership and enjoyment in their educational experiences they become life long learners.

Educational background

1999 - 2002 DRAW – leadership academy – secondary principal internship.

University of Houston – college of education

Masters degree in education – principal certification

1992 - 1998 Texas educational agency – Excet test - technology endorsement.

1993 k-6 bilingual teacher - Alternative certification program cycle xiii - DRAW – T.S.U.

1980 - 1987 Bachelor on Architecture school of architecture and urbanism,

University of Buenos Aires, Argentina

Courses: C.H.E.M. Chemistry Health Environment and Me. Baylor, 1994

Eisenhower workshop. Problem solving 3-5 grades. 1994

Math and science leadership workshop - Baylor-Rice University 1994

Hands-on science and mathematics. Rice University. 1993

Brain link. Neuroscience elementary education. Baylor 1993.

Jason v project. Nasa 1993

Work Experience:

2002-2003 President of Parkglen West Homeowners Association.

2001 - Today Houston Independent School District The DRAW Academy Incorporated
Charter School - Founder and Business - Technology Director.

2000 - 2001 HISD Sam Houston High School- Principal Intern

1998 - 2000 HISD Jaime Davila Elementary School.

3-5 gr. and School Faculty Technology Instructor.

School network administrator. 100(+) computers installed and networked

1997 - 1998 Museum of Natural Science. Science, lego-logo, and web page writing
instructor.

1994 - 1998 HISD the Rice School - La Escuela Rice intermediate 3-4-5 multiage,
technology, and dual language teacher.

1997 Coordinator of Washington D.C. field trip (4 days - 95 students. + \$ 40,000
raised)

1995 - 1996 intermediate cluster team leader

Coordinator of San Antonio Austin field trip (2 days - 120 students. + \$ 10,000 raised)

1995 - 1998 Baylor College of Medicine- S.S.T.M.. Summer Science Technology And
Mathematics. Leader for the technology team, instructed more than 320 teachers.

1995 - 1996 Baylor College of Medicine Technology Instructor.

1997 - 1999 Baylor College of Medicine computer lab instructor and technology
coordinator. (1999 Hu-Linc)

1995 - 1998 Rice University - Galveston Bay Project - Computer lab instructor.

1994 Instructor for the HISD alternative certification program (ACP) interns.

1992 - 1994 HISD Jaime Davila Elementary school. Third grade bilingual teacher

Third grade level team leader (1993-1994)

Shared Decision-Making Team Chairperson (1993-1994)

Non-educational work experience

1999 Owner and co-founder of Alar institute. Private school for adult education
instructing English, G.E.D. test preparation, computer education, and citizenship
I.N.S. test preparation. See: <http://alarnet.org>

1990 - 1994 Louis Gutierrez, architect. MEP and project design on computer aided
design programs (AutoCAD). Ninfas and Atchafalayas restaurants, apartment
complexes, etc.

1991 - 1993 Gerald Cruz associates. Architects - Mechanical engineering plumbing and
project design on AutoCAD. Food courts at terminal "C" Houston intercontinental
airport

Educational and Business Skills

Vast experience in software and hardware installation, windows networking and hardware troubleshooting. Computer networking, cabling, software and hardware setting.

Personal: I was born in Buenos Aires, Argentina in 1960. I have lived in the U.S. since 1990 with my wife, Patricia, and our two sons, Gustavo (25) and Mauro (14). I enjoy traveling, camping, and outdoor life in general. Technology and running marathons are my main hobbies.

References available upon request.

Personal Narrative:

Fernando Donatti was born in 1960 in Buenos Aires, Argentina. He was educated in a challenging and advanced elementary school, which as far back as 1966 was instructing their students in binary language.

At a very early age due to personal circumstances he ended up having to support himself while completing his formal education. This experience forged his character very strongly. His main working experience was first as an employee, later as an associate, with a custom broker agency with whom he gained a vast experience in foreign commercial procedures and in conducting business with several government organizations with several employees under his care.

At age twenty-seven he acquired a bachelor's degree in Architecture from the University of Buenos Aires, Argentina.

At that age, married and a father of two, he moved to the southern area of Argentina where he worked for a bank who lent money for construction. His main responsibilities included the quality control on the work site and the approval of payment for the construction companies.

He also partnered with another architect with whom he designed and managed the construction of several individual residences, an apartment complex, and a church for a missionary movement, among other projects. During those years he learned in a direct hands-on experience the details of construction work while building by himself his own house.

Up to that point, he had been involved and curious about computers for several years, but was only then when he started a very satisfactory parallel career in technology, by being the first architect utilizing AutoCAD software to prepare architectural documentation.

At age thirty, after enduring a very devastating economical situation that affected his country with two consecutive hyper-inflation events, he decided to emigrate to the United States in search of a better life for himself and his family. He had to learn a second language and to embrace a new society while leaving behind a full life of friends, family, and his own culture.

He worked for an architectural firm for a period of two years designing and drafting plans for commercial and restaurant sites.

In 1992 he joined the DRAW Alternative Certification program acquiring his certification as a K-6 elementary teacher with a bilingual endorsement in 1993.

After two years of teaching a bilingual third grade class he joined the new Rice K-8 school which was a demanding environment in which technology and dual language was just a component of a multi-age challenging educational setting.

Four years after this experience, in 1998 he transferred to another elementary school in which in his technology instructor capacity he built the whole network and placed the school in the web plus providing training for the whole faculty.

Between the years 1994 and 1999, for six years he worked for Baylor College of Medicine Educational Outreach programs, the Rice Galveston Bay program, and DRAW's HULinc (1999), as a technology coordinator, instructing approximately one hundred and fifty teachers every summer.

In 1999 he founded his own school, Alar Institute, dedicated to instruct Hispanic adults in English, computers, and G.E.D. test preparation. The institute is successfully functioning since then, with an average monthly enrollment of one hundred fifty students, having helped approximately 1,200 Hispanic adults.

Ready for new horizons, he applied and was accepted in the DRAW Leadership Academy which provides training and college coursework to acquire a mid-management certification and a masters degree in education. He is currently performing as a Principal Intern in Sam Houston High School, and is expected to successfully complete the program by August 2001.

His personal strengths include his ability to conduct business in every capacity, his technology knowledge of many applications, and a very positive stubborn mind who will always accomplish the goals he proposes for himself with a "don't give up" attitude.

Furthermore he was raised as a self directed learner in a family environment that promoted and encouraged free thinking but in a society which was dominated by a restrictive military government. These experiences helped him to develop a deep sense of justice and a profound conviction that no matter how big the problem appears to be, the solution is within and depends on oneself.

As a doer from early age and as a marathoner starting at age thirty-five, he understands the need to "keep on going", the absolute idea that hard work pays off, and the ability to see a big picture, as an active designer and responsible of his own destiny.

Required qualifications for charter school officers that have not yet been hired:

Due to the small size of the school, The DRAW Academy Incorporated Board has no need to increase the numbers of officers/administrators beyond the positions of

Superintendent and Business Manager. Any personnel required to support the officers/administrators will be teacher plus, secretarial, clerk, or personal assistant positions.

Required Qualifications for Teachers and other Instructional Staff:

- Core academic teachers will have a bachelor degree and will meet all other requirements under federal and state laws and regulations.
- Elective teachers will not be required to hold a bachelor degree.
- Short-term substitute teachers will be required to have a high school diploma or equivalent.
- Teacher aides will meet all requirements under federal and state laws and regulations.
- Special education and related service and all bilingual education will be provided by personnel who are appropriately certified or licensed in the area of assignment.
- Positive FBI Clearance.

Secretary / Clerk: Minimum High School Diploma or Equivalent. English Language Proficiency. Spanish or language other than English Proficiency. Positive FBI Clearance.

Appropriate method for providing parents and guardians written notification of teacher qualifications:

Parents and guardians of every student not being served by a T.E.A. Certified Teacher will be notified in writing through U.S. mail of the teacher's actual educational and certification status. Every parent and guardian will receive this information at the beginning of the school year in a general meeting and/or in individual class meetings set by the teacher. At such meetings an administrator will be present to address any concerns. Teachers' certification and educational backgrounds will be published in the school newspaper and posted in the school's web page under the "About Us" section.

A copy of the notification will be placed in each appropriate student's office file.

Appropriate salary structure for level of experience and number of students:

Salary ranges and benefits for teachers and employees:

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T.E.A. Charter school application - Ninth Generation

Regardless of years of experience, all teachers and employees receive a base salary the first year they are employed, indicated below, and receive changes in salary as they increase certification or professional skills. Raises in salary are not automatic; rather they are determined by the Superintendent and Business Manager and approved by the Board, based on overall performance evaluation. All teachers and employees are eligible for stipends and bonuses at the discretion of the Superintendent and Business Manager, not to exceed 10% of annual salary in a one year period of time, without Board approval.

Teacher,	\$28,000.00
(Non-certified enrolled in Deficiency Plan or Alternative Certification plan.)	
Teacher, T.E.A. Emergency Permit	\$32,000.00
Teacher, T.E.A. Certified	\$34,000.00
Teacher, Bilingual / E.S.L. T.E.A. Certified	\$35,500.00
Teacher Plus, T.E.A. Certified	\$35,500.00
Teacher Plus, Special Education T.E.A. Certified	\$35,500.00
Long-Term Bilingual Substitute	\$32,000.00
Technology ancillary instructor / network administrator	\$32,000.00
Ancillary teacher / part time position	\$16,000.00
Teacher Aide or Day Care Instructor, full time	\$19,000.00

Benefits: Medical and Dental insurance will be offered to all employees. The DRAW Academy Incorporated will contribute with 50% of the employee's cost for Medical Insurance.

Salary Range and benefits for Administrative staff:

All administrators and administrator staff receive a base salary the first year they are employed, indicated below, and receive changes in salary as they increase professional skills and receive favorable evaluations. Raises in salary are not automatic; they are determined by the Board or Superintendent and Business Manager according to the organizational chart of hierarchy and approved by the Board. All administrators and administrative staff are eligible for stipends and bonuses at the discretion of the Board

or Superintendent and Business Manager respectively, not to exceed 10% of annual salary in a one-year period of time, without Board approval.

Superintendent	\$55,000.00
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Business Manager	\$55,000.00
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Clerk or Personal Assistant	\$19,000.00
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School Secretary (Registrar, Attendance)	\$22,000.00
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NOTE: Board Directors of the Corporation do not receive any remuneration.

Benefits: Medical and Dental insurance will be offered to all employees. The DRAW Academy Incorporated will contribute with 50% of the employee's cost of medical insurance unless otherwise stated by contract only approved by the Board.

Evaluation Methods for Teachers, Officers/Administrators, and staff

Superintendent and Business Manager conduct formal and informal evaluations of teachers, other instructional staff, and employees. Superintendent and Business Manager use these evaluations to determine issues of employment and salary, in accordance to their contract and adherence of the DRAW Teacher's Manual and the requirements specified under the Texas Educational Agency Professional Development Assessment System (P.D.A.S.)

Teachers: Texas Educational Agency P.D.A.S., informal daily classroom visits, actualization of The DRAW Academy Incorporated Mission and Core Beliefs as demonstrated in individual student achievement.

Teacher Aide: Modified P.D.A.S. as appropriate, informal observation, and quality of overall job performance.

Administrative Staff: Informal observation and quality of overall job performance.

Superintendent and Business Manager: The Board of Directors conducts the evaluations of the Superintendent and Business Manager per the requirements of their contractual arrangement.

Teacher Retirement System (TRS): Every eligible employee will be enrolled in the Teacher Retirement System



The DRAW (Diversity Roots and Wings) Academy Incorporated.

Teachers' MANUAL

This manual is an outline of the various responsibilities and activities in which you will be involved when you join our team. Our goal is to offer the members of our team a positive working atmosphere and environment to nurture their professional growth as you provide for our children the best possible educational opportunity.

In 2001, AED Center for Youth Development and Policy Research, Washington, D.C. concluded that many young people attending large schools in mid-size and large urban communities all over the United States, repeatedly reported feeling anonymous, unsafe, unchallenged, disengaged, and substandard quality throughout most of their education. The study concluded that such students were usually at least two grade levels behind in math and reading skills when they chose to enter a non-profit community based organization school. The research also concluded that non-profit community based organization schools demonstrated the ability to reengage these young people in education and help them succeed by integrating positive youth development principles with effective educational practices that support mastery and proficiency for all.

The students The DRAW Academy Incorporated serves fit the profile of students who are at great risk of not fulfilling their full potential to become healthy, economically self-sufficient, and fulfilled adults who will contribute positively to their communities fulfilling these needs for quality technological and multiple language focused education for all students and members of the family.

The DRAW Academy Incorporated utilizes the powerful alliance between school, family, and the community to full advantage, by redefining the meanings and expectations of school involvement. For this purpose that DR.A.W. Academy operates extended school hours to support wage earner's long working hours, entire family's educational needs, and validation of the significant accomplishment of being multi-lingual and multi-cultural. These needs can only be accomplished through a small, inclusive school, which serves the students, their families, and community's collective academic and social needs, simultaneously, from pre-kindergarten through secondary.

NOTICE OF NON-DISCRIMINATORY POLICY AS TO STUDENTS AND EMPLOYEES:

The DRAW Academy Incorporated in accordance with TEC 12.111(6), do not discriminate on the basis of sex, national origin, ethnicity, religion, disability, academic, artistic, or athletic ability, or the district the child would otherwise attend in administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs. The same policy applies to all employees.

The demographics of the school population parallel the surrounding urban community as a whole, with the majority being Hispanic or African-American and from low-income families. The student population ethnicity is 62% Hispanic, 27% African-American, 8% Asian, and 3% White. In the 2002-2003 school year, 92% of the students qualified for the National Lunch Program and the Home Language Survey reflected 86% of the students with home languages other than English.

The last US Census reported that 21% of Houston's population lives below the poverty line. This figure jumps to 24% for families with children under 18 years old and 35% when the head of the household is a single mother. These conditions obviously leave the community at an economic, social, and education disadvantage. Struggling to survive and to make ends meet, many in the community cannot obtain the skills, time, or money necessary to adequately equip them to successfully function in this technologically driven market. Of the residents in Houston, 37% are Hispanic and 55% has less than a high school diploma. Accordingly to the census report, the percentage of Hispanics, especially the adult age group, with Limited English Proficiency (LEP) is steadily increasing. Due to their Limited English Proficiency, these adults inevitably encounter problems and barriers such as lack of employment, minimum wage, oftentimes below minimum wage jobs, limited housing opportunities, and poverty.

The DRAW Academy Incorporated is completing its second year as a small, non-profit community based organization receiving its public charter school status through a contract to with the Houston Independent School District. The DRAW Academy Incorporated holds a 501(c)3 non-profit status, is independently operated.

During the 2001-2002 school year, D.R.A.W. served 180 Pre-Kindergarten to 6th grade students, 72% passed TAAS (Texas Assessment of Academic Skills) 97% were promoted, and 93% attended school on a regular basis. At the present school year, 2002-2003, our 210 total student enrollment consists of 62% Hispanics, 27% African-American, 8% Asians, and 3% White students, a total of 16% of the student population consist of refugee children from various parts of the world. With 87% of students receiving free-reduced lunch and most students being classified as English as Second Language (ESL) learners, our student population qualifies as economically disadvantaged.

The DRAW Academy Incorporated Charter School model has proven to be the appropriate vehicle to address the needs of our population for the two school years of its existence. Opening with 93 students in August 2001, the enrollment increased to 126 in the first semester due to word of mouth referrals from satisfied parents. Parents, attracted to our charter's small size, whole family focus, and specifically our technology and multi-language classes, left their zoned public schools to enroll their children at the Academy. At the opening of the 2002-2003 school year, a waiting list lottery had to be performed to determine student seats in the pre-kinder, kindergarten and fifth grade classes. Also, in the 2003 school term the curriculum focus was improved to better serve the needs of the students, based on disaggregated testing data, portfolio assessments, parent and teacher meetings, and Board discussion. Specifically, the Two-Way Bilingual 50/50 Immersion program was expanded to include pre-kindergarten through third grade and the ESL program through the remaining grades. In addition, an extensive technology infrastructure was incorporated into the educational process through an integrated, comprehensive framework to ensure that all students will have the opportunity to develop the learning skills necessary to be productive citizens in information driven global society. Finally, the interactive, experimental curriculum pedagogy teacher professional development increased and monthly field lesson units became the norm in the curriculum at all grade levels.

VISION OF SCHOOL

The DRAW Academy Incorporated School Mission:

Strategic Intent: To produce a school that adequately supports students in their journey to become healthy, economically self-sufficient, and fulfilled adults who contribute positively to their communities.

Mission Statement:

The DRAW Academy Incorporated will provide all students with a personalized, supportive, and engaging school environment where they can obtain the knowledge and skills necessary to find success as individuals and as members of their communities. The focus of the curriculum will incorporate active, project-based learning, which connects learning across academic disciplines and by addressing the specific academic needs of students. The daily curriculum will actively engage students in multiple language development and utilize current technology tools. The school will celebrate student diversity, as an important contribution to the greater society. The collaboration with universities, corporations, businesses, and the community at large will provide a transitional bridge from the academic programs of The DRAW Academy Incorporated and to steady employment and further education through real world application of learning.

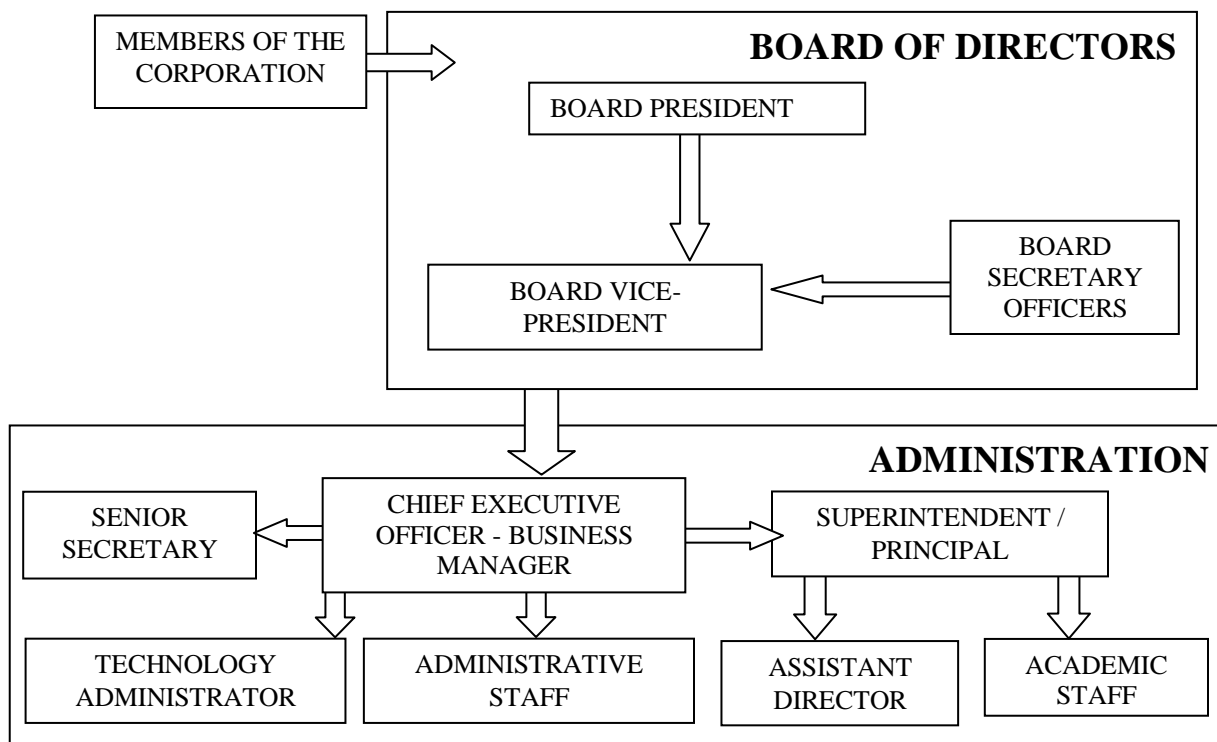
Core Beliefs:

T h e D R A W A c a d e m y I n c o r p o r a t e d

T.E.A. Charter school application - Ninth Generation

- That every child deserves to feel known and valued.
- That education must be experiential and must provide applicable real-world opportunities.
- That education must empower the child with many options.
- That educators must be child advocates.
- That education should be experienced beyond the school walls.
- That all children must be treated with fundamental respect.
- That the school, the student, community and the parents are partners in the educational process.
- That the community at large is a valuable and essential resource.
- That the students' right to choose is a fundamental part of the educational process.
- That career practitioners are valuable resources that must be used.
- That education is a series of experiences and responses to those experiences.
- Students, parents, teachers, and representative members of the community must have a voice in the decision-making processes of The DRAW Academy Incorporated.
- That all children must graduate.
- In the quality and content of the Texas Essential Knowledge and Skills measurement of student achievement.

For a complete description of the school, please check our web page at <http://drawacademy.org>



3920 Stoney Brook Dr. - Houston, TX. 77063

Ph- (713) 706-DRAW (3729) - Fax (713) 706-3711

e-mail draw@drawacademy.org - web <http://drawacademy.org>

TEACHER'S AGREEMENT:

The following is extracted from the schoolteacher agreement. The teacher will receive a copy of the complete agreement signed by the Superintendent, the Business Manager and the Board.

- 1. Term.** The term of this agreement shall be for one School year commencing August 1st 20__, and terminating July 31st., 20__. This agreement shall expire upon its terms and neither party shall have any obligation to the other to renew this agreement upon expiration of said term. The contract may be renewed as agreed by parties.
- 2. Salary.** The SCHOOL shall pay Teacher and Teacher agrees to accept from School in full payment for Teachers services, a salary of \$ _____ dollars per year, in 26 paychecks. Social Security, Medicaid, and applicable federal income tax deductions will be made from Teachers' salary at the rate provided by law.
- 3. Vacation.** Teacher will be granted 15 (fifteen) days of paid vacation to be taken during the month of July. This can be changed as approved by the superintendent. Unused days from the period of May 31 to August 15 can be added to the sick days as established on article 11 of this Agreement.
- 4. Assignment.** SCHOOL hereby hires Teacher for the school year stated on this contract, to teach _____ subject(s) for the _____ grade(s), and Teacher hereby accepts and agrees to serve the School in this position during the regular operation hours of the School. SCHOOL reserves the right to reassign a Teacher to another position if The DRAW Academy Incorporated superintendent determines a reassignment is necessary. The regular operation hours of the School refers to the number of hours in the School schedule as mandated by the Texas Educational Agency for each particular grade level.
- 5. Job Description.** Teacher agrees to perform the responsibilities of his/her position and to use his/her best efforts in such performance.

Teacher also agrees to perform such reasonable duties as may be required for the success of the School and to comply with all policies, rules and regulations of the School as now exist or as they may hereinafter be amended by The DRAW Academy Incorporated Board and/or the superintendent. In addition, Teacher agrees to follow all reasonable conduct rules set forth and acknowledges that he/she is accountable to the administrative conduction of the School in the form of its superintendent and Business Manager

6. Additional Duties.

- a. Teacher agrees to serve as an after School instructor for a period of one and a half (1-1/2) hour after the regular School schedule according to the designed after school program schedule.
- b. Teacher agrees to organize and chaperone a minimum of three field trips during the school year. These field trips must be aligned with the current curriculum, TEKS and the Texas Educational Agency T.E.K.S.

7. Administrative Duties:

- a. Teacher agrees to the following administrative duties:
- b. To provide lesson plans on every Friday prior to the week of their application to the superintendent. These lesson plans must be aligned with the current curriculum, TEKS and the Texas Educational Agency T.E.K.S. and any other curriculum related policy as designed by the superintendent.
- c. To keep accurate records of student's academic, discipline, attendance, and progress in the form of:
 - i. Lesson plan book containing all lesson plans and classroom activities explanation as required by the superintendent.
 - ii. Grade book reflecting a minimum of two grades or entry notes per week per subject.
 - iii. Portfolios must contain proof of student progress in all subjects under the Teacher's responsibility. Entries must have a sequence to provide evidence of student progress and must be decided conjunctly between the Teacher and the student.
 - iv. Attendance and/or absences must be recorded on the grade book. This record must be current and ready for the

attendance clerk for comparison with her/his own records and for the preparation of reports as needed.

- v. Discipline records should contain information regarding the details of the occurrence, consequences, and any other pertinent information. Notes of student, administration, and parent conferences must also be kept as part of the cumulative record folder.
- vi. To maintain an effective and active oral and written parent communication and keep accurate records of such communications. A minimum of three parent conferences per year, on the months of August, December, and May, are required.

8. Eligibility.

- a. Teacher acknowledges that employment with the School is contingent upon his/her eligibility for employment following a criminal background inquiry.
 - i. Teacher agrees to complete the applicant release and Order Form and to submit it to our School, which will conduct the inquiry as soon as practicable. Information responsive to the background inquiry will be provided to the School who will confirm the Teachers eligibility for employment. If the Teacher is not eligible for employment the School will not validate the Teacher's employment and this assignment will be voided with no further obligations from either part.
 - ii. Teacher agrees to notify the School within 30 days should he/she be charged with, convicted of, granted deferred adjudication, or any misdemeanor involving moral turpitude. This notification must be made in writing. Failure to make such notification must result in termination of employment.
- b. Eligibility is also contingent to the following provisions:
 - i. Teacher is a certified teacher in the State of Texas or;
 - ii. Teacher is enrolled in a certification program approved by the Texas Educational Agency, or;
 - iii. Teacher has a deficiency plan approved by a recognized University.

9. Meetings.

Teacher agrees to attend all mandatory weekly after school faculty meetings, special in-service meetings scheduled by the School, and any function of the School as expected or reasonably requested by the School's administration and superintendent.

10. Absence from duty.

- a. Teachers will be allowed ten (10) days personal illness for the term of this AGREEMENT without reduction in his/she salary.**
- b. Three (3) of these days may be used for personal reasons with the prior approval of the SCHOOL which reserves the right to deny permission if the Teacher's absence conflicts with the normal operation of the school. Personal absences must be announced at least three days in advance to the superintendent in the form and time as explained in the Teacher's handbook.**
- c. After the allowance explained above is utilized the Teacher's salary will be deducted at a rate of \$ 150 per day.**
- d. Teacher and School agree in general to utilize common sense and their commitment to the cause of the school when potentially conflicting situations arise.**

11. Extended absenteeism. If a Teacher is absent for medical reasons for a period up to three weeks his position will be held until his/her return. If this period exceeds three weeks his/her position will be reassigned and this contract will be terminated.

12. Tardiness: The school schedule as designed at the beginning of the school year must be respected unless unexpected situations arise. In the event of an expected tardy Teacher must inform the school as early as possible in the form and time as explained in the Teacher's handbook. Three or more tardies of more than ten (10) minutes per quarter will be considered one (1) absence and will be counted towards the total allowance as explained in article 10) above.

13. Early departure: Early departures must be cleared with the superintendent at least three days in advance unless it is needed due an unforeseen emergency. No more than three per semester will be granted.

14. **Procedures.** Teacher will abide with all of the procedures and rules stated in the Teacher's section of The DRAW Academy Incorporated Handbook.
15. **Performance:** Teacher is required to perform his/her duties to the best of his/her abilities. The administration of The DRAW Academy Incorporated, specially the superintendent will be the authorities who will evaluate and assess the required and expected work quality.
16. **Assessment:** Teacher's performance will be assessed in the following manner:
 - a. The P.D.A.S. is the main assessment tool utilized by The DRAW Academy Incorporated Administration as established by the Texas Educational Agency.
 - i. After the evaluation the Teacher can expect a formal meeting to discuss areas of weakness and strengths.
 - b. Informal evaluations will also be conducted in the form of walk-thru visitations to the classroom.
 - i. After the informal evaluation an informal conference may take place. These small conferences will be conducted for the purpose of making available for the TEACER valuable information to improve his/her quality and to enhance his/her performance.
 - c. The above mentioned tools composed the formal assessment process. Nevertheless informal daily observations of the Teacher's interaction with students, faculty, administration, and parents, as well as compliance with rules and regulations, will be utilized for the purpose of reviewing, evaluating, and appraising the Teacher's performance.
 - d. The authorities responsible for the Teacher's appraisals are The DRAW Academy Incorporated administrators, and specifically the superintendent. These authorities may from time to time consider necessary for a Teacher to visit or be visited by colleagues who will assist in his/her professional development.
17. **Breach.** In the event Teacher breaches any of these terms, the School may, at its option, terminate this AGREEMENT by giving written notice of termination to Teacher without prejudice to any other

remedy to which the SCHOOL may be entitled either by law, in equity, or under this agreement.

III. MUTUAL OBLIGATIONS.

- 18. Entire Agreement.** This AGREEMENT represents the entire AGREEMENT between Teacher and the SCHOOL. This AGREEMENT supersedes all prior agreements, understandings, negotiations, and discussions, written or oral. Teacher acknowledges that he/she has not received any representations by anyone that would in any way alter the terms of this AGREEMENT. This AGREEMENT may only be modified by a separate, written document signed by the Teacher and the SCHOOL.
- 19. Interpretation of the AGREEMENT.** The SCHOOL and the Teacher agree that any misunderstandings regarding the terms of this AGREEMENT shall be resolved according to the process described in the Conflict Resolution section of the Teacher's handbook and the decision shall be final and bindings on both parties. However the non-renewal of this employment relationship shall not be subject to any grievance procedure, arbitration, or review.
- 20. Non-Renewal of employment.** This AGREEMENT shall not be automatically renewed. There is no express or implied representation and/or expectation that the Teacher will be rehired at the end term of this AGREEMENT.

IV. TERMINATION

- 21. Mutual Consent.** This AGREEMENT may be terminated at any time by the mutual consent of both parties.
- 22. Termination for Cause.** In addition to the grounds for discharge within the policies of The DRAW Academy Incorporated, the following shall constitute sufficient and just cause for immediate discharge with cause:

- a. Immorality, insubordination, intemperance, mental incapacity, violation of law involving moral turpitude, unprofessional conduct reflecting discredit on the Teacher or the SCHOOL, or conduct seriously impairing the continued usefulness or ability of the Teacher to function as a Teacher.
 - b. Any personal conduct or lifestyle that would be at variance with or contrary to the policies of The DRAW Academy Incorporated.
 - c. A misrepresentation on Teacher's application.
23. **Payment on Termination for Cause.** If terminated for cause, the SCHOOL has no further obligation other than the payment of any back salary, which may be due as of the date of termination. Teacher shall not be paid for severance, unused sick leave, accrued vacation or unused personal days.

V. MISCELLANEOUS

24. **Applicable Law.** This AGREEMENT shall be governed by and construed under the laws of the State of Texas.
25. **Understanding the AGREEMENT.** Teacher acknowledges that he/she has read this AGREEMENT in its entirety and Teacher fully understands this AGREEMENT prior to signing it. Teacher also understands that the terms are contractual and not mere recitals. Teacher understands that the SCHOOL is relying upon the truthfulness of the representations made by Teacher herein and in his/her application.
26. **Effective Date.** This AGREEMENT does not become effective until signed by the Teacher and the members of The DRAW Academy Incorporated Board.

Punctuality:

- 1- You are instructed to arrive on time everyday. If there is any particular situation that impedes you to be here on time, please call in advance. If there is an impediment that would not allowed you to be on time daily, please discuss a possible schedule change.

- 2- You must sign in and out daily, upon arrival and before leaving. It is mandatory to keep these records for insurance purposes.

After school program:

The after school program runs from 3:45 to 5:15 p.m.

- 1- This period is the LOTE (Language other than English) class.
- 2- It is an opportunity to enjoy your teaching away from the restrictions of the system making this after school an attractive and fun class. Have fun and assure your students are having a great time. Prepare your class in a manner that will assure their desire for participation.
- 3- It is also crucial to take attendance. The attendance list is placed in your mail box at the beginning of each month.

Extended after school program:

The extended after school program, runs from 5:15 to 6:30.

- 1- It is funded by the Harris County CASE (Cooperative for After School Enrichment)
- 2- It is different from what you are doing from 3:45 to 5:15
- 3- Design a class of your preference. It must be something attractive for the kids and that you will enjoy teaching.
- 4- It will not be restricted to the students you have from 3:45 to 5:15. You will have a new group of students. It will be offered to the parents on a first come-first serve basis.
- 5- You don't have to limit your course only to those days in which you are teaching the mandatory after school program. If you wish, you may offer your program the five days of the week. (Friday's meeting is normally over by 5:15)
- 6- You will receive a stipend calculated based on the available funding.
- 7- A minimum of 10 students is required to make a class. The maximum number is 20.

Committees.

Teachers are required to serve in at least one committee as appropriate to their respective scope of responsibilities in servicing the students. Its members can develop rules and responsibilities for committees other than the legally required ones.

- 1- E.S.L. – L.P.A.C.
- 2- Promotion and Retention.

- 3- Grade Placement**
- 4- Testing**
- 5- Fund raising**
- 6- Safety patrol**
- 7- School beautification.**
- 8- Parent liaison**
- 9- Student affairs**

Parent relations

At The DRAW Academy Incorporated we encourage and welcome parent participation as one of the most important tenants of our mission.

The need for communication is important at all times of the year. Therefore teachers will contact parents through monthly phone calls and brief informal conferences keeping an accumulative call/conference log to be kept with the weekly lesson plans.

The teacher's classroom time is extremely important and our teachers cannot stop paying attention to the rest of their classroom duties to conference on demand. Therefore, our teachers' conference time is on the brief period before and after school, on scheduled parent nights, or by phone, any other time is by appointment.

Please call to schedule the day and time for your conference.

Discipline procedures are found in the Student Code of Conduct. All discipline forms, required documentation and all related procedure are to be adhered to with full compliance.

Discipline code

Teacher documentation.

Office referrals.

Forms:

Field trip money collection form. To be delivered with student names every time you collect funding for field trips.

All forms can be found on line: <http://drawacademy.org> follow the link to the teachers' page.

Employee Reporting Time

Teachers are encouraged to report to work at least 10 minutes before students to prepare for the day.

Policy regarding absences to duty.

When school personnel is going to be absent from duty they should observe the following procedure:

Predicted absences: Under this category they are included personal reasons, doctor's appointments, and other needs which are not considered emergencies. In this cases it is recommendable that the employee informs his/her direct supervisor with enough time in advance for effective measures to be taken; such as calling a substitute teacher or re-arranging the classes.

Emergencies: The employee affected by an emergency should call his/her direct supervisor the night before or on the morning when the absence is going to occur. If the direct supervisor is unavailable, he/she should phone call his/her contact person following the emergency fan-out as explained in the emergency procedures inservice.

Under no circumstances the employee should rely on the e-mail system as the only way to inform an emergency absence.

Technology:

Our school has a strong technology program. Teachers are required to utilize technology on a daily basis. The technology component of every lesson must be clearly stated on the lesson plan.

E-mail:

Our school is moving rapidly to a paperless communication. The forms used on a daily basis are hosted and accessible from our servers.

Student Safety

Contents:

a- Emergency Procedures

- 1- Fire drill**
- 2- Emergency evacuation**
- 3- Inclement weather**
- 4- Shelter in place.**

b- Emergency phone fan-out

c- Fire exits and extinguishers floor plan:

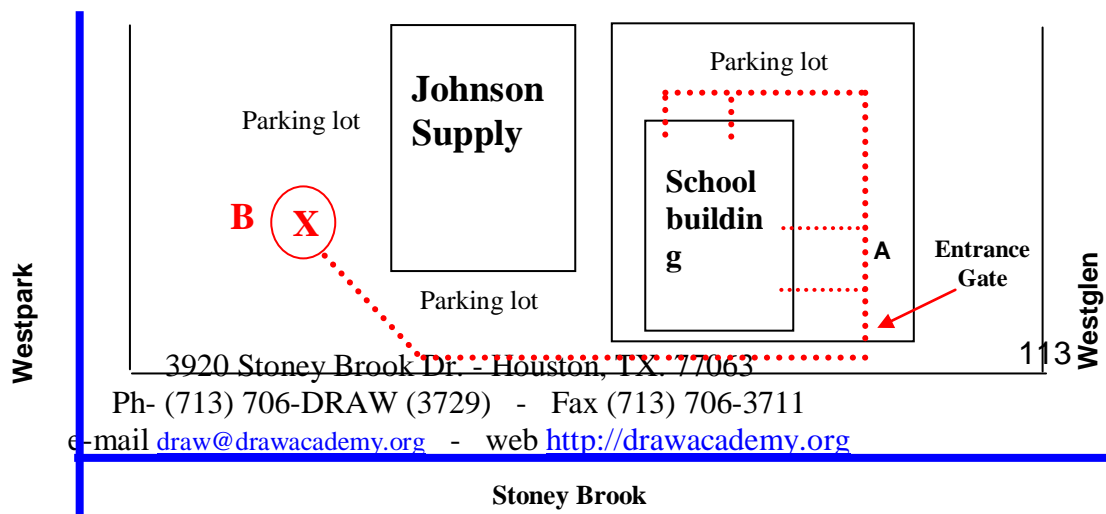
a- Emergency Procedures

The following outlines the procedures for different emergencies that might require evacuation of personnel and students. Please be familiar with these procedures in order to assure the safety of the students under your care.

1- Fire Drill Procedure:

Every month a fire drill must be conducted according to Fire Marshall regulations. It is extremely important to memorize your escape route and to train your students by instructing them on the appropriate behavior during the drills. The procedure is outlined below:

- a- The alarm will go off.
 - b- Line up your students. Make prior arrangements for a front and back of the line monitor.
 - c- Collect your grade book and lesson plans.
 - d- Follow the outline primary path of exit. If obstructed follow the secondary path.
 - e- Instruct the back of the line monitor to turn off the lights and to close the door.
 - f- Count your students to assure everybody is present
 - g- When outside direct your students to the farthest area away from the building against the fence.
 - h- Ms. Ivonne Santos will assist teachers and students on the front of the building.
 - i- Ms. Newton will assist teachers and students on the back of the building.
 - j- Mr. Donatti and Ms. Eggerding will check the building and time the drill for the Fire Marshal record.
 - k- Unless instructed otherwise, wait for the alarm to stop and/or Mr. Donatti/Ms. Newton to instruct you before you redirect your students back to the classroom.
- 2- Emergency evacuation:** In case of a real emergency you are instructed to exit the building following the directives described above and to exit the premises conducting your students to the site indicated with an X on the following sketch.



A- Primary Assembly Area

B- Alternate Assembly Area

3 - Inclement Weather

The Superintendent of Schools will decide whether to close the school district, and then make an official announcement based on one of two emergency plans:

- Under Plan A, all schools and administrative offices are closed.
- Under Plan B, all schools are closed, but administrative offices remain open. In the event of inclement weather, employees, students, and parents should listen to radio and television announcements for information about the closing of schools and offices.

In case of closing the school due inclement weather, you will receive a phone call following the fan-out attached to this page. If for any reason you cannot reach the person you are supposed to call, please skip that person and call the following person down the line. Later on keep on trying to contact the person you were supposed to contact originally.

You also have to call your “Family Advocate Group” to inform them.

Employees, students, and parents who miss the media announcements can call the DRAW Inclement Weather Hotline 713-267-1704 for any schedule changes that may occur because of the weather.

4- Shelter in place: Please see safety manual.

Emergency phone fan-out

In case of an emergency you will receive and make a phone call from and to the person as arranged on the attached list. Please relay the message as fast and accurate as possible. If you don't find the person to whom you are assigned to call, please call the next person on the list. Don't forget to keep attempting to call your assigned person.

Be familiar with the operation and location of fire extinguishers around the building. Memorize and train your students to recognize the closest way out of the building.

The floor plan illustrates a school building layout with the following rooms and features:

- Rooms:** classroom, classroom, conference room, office, office, lobby, Computer Lab, Library, Science lab, classrooms, classrooms, deposit, restrooms, cafeteria multi-purpose room, kitchen, classroom, classroom, classroom.
- Exits:** Four exits are marked with red dots and labeled "EXIT" in red text boxes.
- Access Points:** Red dotted lines indicate access points or barriers between different sections of the building.

Appropriate School Officer Accountability to PEIMS Reporting Requirements:

PEIMS reporting - Required qualifications for PEIMS Coordinator.

The DRAW Academy Incorporated will report financial data through PEIMS as required by TEA. The business manager will secure software used to gather and report financial data that is compatible with the PEIMS, as discussed in the Financial Accountability System Resource Guide and the Special Supplement to Financial Accounting and Reporting.

The DRAW Academy Incorporated administrators and school secretary have been extensively trained and utilize daily the Houston ISD PEIMS support software known as SASI and also PEIMS. Utilizing the EDIT+ system, which provides authorized users with the ability to search the Personal Identification Database (PID) for student and teacher demographic information, the appropriate individuals will monitor for accuracy of data.

The DRAW Business Manager will establish a solid relationship with the software vendor and TEA Region IV Education Service Center (ESC) PEIMS Coordinator for training and PEIMS data reporting. Safety guards for the electronic data and paper trail data are in place and will be maintained. The superintendent/business manager is held accountable for all PEIMS data. A contract will be established with an outside consultant to audit PEIMS reporting and do onsite monitoring for compliance, prior to submission to Region ESC IV editing prior to submission to TEA.

The DRAW Academy Incorporated will follow the instructions regarding the submission of PEIMS data from the campus to TEA using the PEIMS DATA STANDARDS. The STUDENT ATTENDANCE ACCOUNTING HANDBOOK will be used with Foundation School Program (FSP) to determine eligibility requirements of all students and the minimum requirements of all student attendance accounting systems.

7- SCHOOL OFFICER ACCOUNTABILITY

Appropriate school officer accountability for student and school performance:

Superintendent/Principal

The Board can expand the scope of functions and responsibilities as the needs of the daily operation so requires.

Summary Accountability School Performance:

The responsibilities of the Superintendent are in general every activity and role of a Dean of Instruction. Includes decision-making authority in the daily operation of, but not limited to, interviewing and recruiting teachers, instructors, and teacher aides. Decides in matters related to professional development, teacher assessment, curriculum, instruction, and master schedule, testing, Special Education, ESL, LEP and other duties related to the job. Prepares the agenda and conducts the faculty weekly meeting.

Summary Contractual Commitment: SUPERINTENDENT agrees to perform the responsibilities of his/her position and to use his/her best efforts in such performance. SUPERINTENDENT also agrees to perform such reasonable duties as may be required for the success of the CORPORATION and to comply with all policies, rules and regulations of the CORPORATION as now exist or as they may hereinafter be amended by The DRAW Academy Incorporated Board. In addition, SUPERINTENDENT agrees to follow all reasonable conduct rules set forth and acknowledges that he/she is accountable to the administrative conduction of the CORPORATION in the form of its director(s).

Summary Accountability Student Performance:

The Superintendent is responsible for monitoring the academic progress of the students. The Superintendent has final decision- making authority and is the final level of appeal in all conflict resolution situations. In situations in which the Superintendent is personally involved, the Board will assume the role of final appeal. The Superintendent has also the responsibilities and decision-making authority in the daily operation of student and parent service. These duties include, but are not limited to safety, attendance, free lunch, textbooks, registrar duties, lockers, drills, discipline, substitutes, volunteers, parent, community, and business relations. He/she is also responsible for the design and implementation of the School Improvement plan.

Superintendent Specific Administrative Accountability: Student and School Performance, Management and Administrative Practices

The Superintendent/Principal is the educational leader of the school and will ensure that The DRAW Academy Incorporated Vision, Mission and Core Beliefs and curricula are implemented in order to maximize student-learning experiences. The Superintendent

reports directly to the Board, and is responsible for the supervision of all academic employees within the school, and the orderly operation of the school.

Accountability Standards: Management and Administrative Practices:

1. the ability to articulate and support the philosophy and direction of the academy;
2. the ability to implement Program initiatives through appropriate professional development for staff;
3. the ability to lead effectively within a team environment;
4. the ability to communicate effectively with staff, students, parents, community, private partners and outside agencies to better meet the needs of the students in the school;
5. the ability to use appropriate communication tools, especially current technologies;
6. exhibits and promotes multicultural awareness, gender sensitivity and racial and ethnic appreciation;
7. the ability to establish a method for shared decision making process agreed upon by all stakeholders;
8. the ability to establish a framework for collaborative action and involve the school community in developing and supporting shared beliefs, values, mission and goals for the school;
9. the ability to make informed, objective judgments;
10. the ability to work with all staff to create an effective staff development plan for all employees in the school;
11. ability to maintain and promote confidentiality as the norm under which the school operates;
12. the desire and ability to engage in continuing education and skills upgrading.

Superintendent Specific Administrative Accountability: Student and School Performance:

The Superintendent/Principal shall perform such tasks as are assigned by The DRAW Academy Incorporated Board and is required to undertake some or all of the tasks enumerated below. These tasks may vary from time to time with the evolution of the organization and may include but not be limited to the following:

1. take all reasonable steps to create and maintain a safe, orderly, positive and effective learning environment;
2. take all reasonable steps to annually evaluate the performance of all school-based staff;
3. take all reasonable steps to employ and monitor acceptable accounting procedures in the maintenance of all fiscal records;
4. take all reasonable steps to coordinate the formation, and operation of, a school advisory council;
5. take all reasonable steps to create and maintain a climate of respect and fairness for all staff and students.
6. take all reasonable steps to secure full and regular attendance at school of the students enrolled in the school in accordance with policies established by the school board;
7. complete and submit required documents as requested by the school board and/or the Texas Education Agency;
8. identify the staffing needs of the school and assist with the selection of staff of the school;
9. maintain up-to-date financial records in partnership with Business Manager;
10. ensure that appropriate evaluation techniques are used for both students and staff;
11. establish and maintain a system to handle organizational tasks such as student records, teacher records, attendance, purchasing, budgets, and timetables;
12. hire substitute teachers as required;
13. ensure the security of the school building;
14. interact effectively with media and promote positive public relations.

Business Manager/Chief Executive Officer

The Board can expand the scope of functions and responsibilities as the needs of the daily operation so requires.

Summary Accountability to School:

The responsibilities of the Business Manager include but are not limited to; request for proposals and bids, sign contracts for business arrangements, hold the fiduciary responsibilities, matters related to facilities, inventory, free and reduced lunch, machines, clubs, activities funds, technology support, purchasing, interviews and recruits office and technology staff. He/she develops the budget with final approval by the Board, controls and is responsible for all financial record keeping matters including but not limited to payroll, medical and other insurances, payroll deductions, quarterly and annual reports as required by the Federal Government. He/she represents the Corporation when any other corporation, bank, or organization requires signing documents for business arrangements. Is authorized to borrow, establish credit arrangements with financial institutions, and has check signing authority. The Board can expand the scope of functions and responsibilities as the needs of the daily operation so requires.

Summary Contractual Commitment: Business Manager agrees to perform the responsibilities of his/her position and to use his/her best efforts in such performance. Business Manager also agrees to perform such reasonable duties as may be required for the success of the CORPORATION and to comply with all policies, rules and regulations of the CORPORATION as now exist or as they may hereinafter be amended by The DRAW Academy Incorporated Board. In addition, Business Manager agrees to follow all reasonable conduct rules set forth and acknowledges that he/she is accountable to the administrative conduction of the CORPORATION in the form of its director(s).

Business Manager Specific Administrative Accountability: Student and School Performance:

Business Manager directs and manages the operation of all financial and business affairs of the district including accounting, purchasing, data processing, tax collection, food, maintenance, and transportation. Provide managerial direction and coordination under Board Policy guidelines for the district. Serve as the chief financial adviser to the superintendent and board of directors.

Student and School Performance Accountability Standards:

Ensure that business operations are supportive of The DRAW Academy Incorporated Vision, Mission and Core Beliefs and curricula are implemented in order to maximize student-learning experiences. Ensures that the Business Plan, Technology Plan, and other objectives and policies of the Board regarding management are actualized.

Management and Administration Performance Accountability Duties:

1. Keep the superintendent informed on the business affairs of the school and is effective in providing leadership and management for: Purchase order management processing, Activities, Clubs, Accounting, Data Processing, Payroll, Fixed Asset Records, Debt Management, Capitol Improvement Management/Planning, and Internal Services.
2. Compile district, campus and program budgets and cost estimates; prepares and submits financial report.
3. Maintain responsible fiscal control over program budgets in accordance with generally established accounting standards.
4. Responsible for and manage all school fund investments.
5. Responsible for the maintenance and accuracy of information regarding inventory of fixed assets.
6. Demonstrate support for the district's student management system and Management expected student behavior related to financial operational aspects of the academy (transportation, food services, classroom facilities, etc.).
7. Use information provided through assessment instruments and the growth and district appraisal process to improve performance.
8. Seek, accept and respond to valued feedback from the other administrators to improve performance.
9. Take the initiative to become more effective in the management of the business operations.
10. Actively seek out professional development activities designed to improve performance in identified areas of need.

11. Actively participate in professional organizations; takes the initiative to provide leadership in addressing the challenges facing the profession.
12. Observe professional ethical standards in accordance with generally accepted community standards and the Texas Education Agency code of ethics.
13. Successfully interact with district employees, parents, students, and district patrons. Establish and maintain public relations efforts designed to enhance the image of the position.
14. Supervise and evaluate the performance of assigned personnel: business office staff, and accounting staff.
15. Define job performance expectations of subordinate staff, evaluates job management performance - conducts conferences and develops training options and/or improvement plans to ensure the best operation of the academy.
16. Is effective in the development of staff.

Other Responsibilities and Duties of Officers/Administrators:

Salary ranges and benefits for teachers and employees:

Regardless of years of experience, all teachers and employees receive a base salary the first year they are employed, indicated below, and receive changes in salary as they increase certification or professional skills. Raises in salary are not automatic; rather they are determined by the Superintendent and Business Manager and approved by the Board, based on overall performance evaluation. All teachers and employees are eligible for stipends and bonuses at the discretion of the Superintendent and Business Manager, not to exceed 10% of annual salary in a one year.

Salary Range and benefits for Administrative staff:

All administrators and administrator staff receive a base salary the first year they are employed, indicated below, and receive changes in salary as they increase professional skills and receive favorable evaluations. Raises in salary are not automatic; they are determined by the Board or Superintendent and Business Manager according to the organizational chart of hierarchy and approved by the Board. All administrators and

administrative staff are eligible for stipends and bonuses at the discretion of the Board or Superintendent and Business Manager respectively, not to exceed 10% of annual salary in a one-year period of time, without Board approval.

Evaluation Methods: Teachers, Other Instructional Staff, Administrative Staff, and Officers/Administrators:

Superintendent and Business Manager conduct formal and informal evaluations of teachers, other instructional staff, and employees. Superintendent and Business Manager use these evaluations to determine issues of employment and salary, in accordance to their contract and adherence of the DRAW Teacher's Manual and the requirements specified under the Texas Educational Agency Professional Development Assessment System (P.D.A.S.)

Teachers: Texas Educational Agency P.D.A.S., informal daily classroom visits, actualization of The DRAW Academy Incorporated Mission and Core Beliefs as demonstrated in individual student achievement.

Teacher Aide: Modified P.D.A.S. as appropriate, informal observation, and quality of overall job performance.

Administrative Staff: Informal observation and quality of overall job performance.

Appropriate School Officer Accountability for Financial Accounting Reporting:

To assure financial compliance the Business Manager is responsible of preparing the monthly report to be submitted to The DRAW Academy Incorporated Board. He is responsible for maintaining records for preparation of the Purchasing report, Profit and Loss, Cash flow statement, Balance Sheet, Payroll Records, Tax records, Fixed Asset Records and Exhibit. These reports must be prepared on time manner for the Annual Financial and compliance report. Finally is responsible for the selection of an Audit Firm who will conduct an independent audit as required.

Appropriate School Officer Accountability to PEIMS Reporting Requirements:

The DRAW Academy Incorporated will report financial data through PEIMS as required by TEA. The business manager will secure software used to gather and report financial data that is compatible with the PEIMS, as discussed in the Financial Accountability System Resource Guide and the Special Supplement to Financial Accounting and Reporting.

The DRAW Academy Incorporated administrators and school secretary have been extensively trained and utilize daily the Houston ISD PEIMS support software known as SASI and also PEIMS. Utilizing the EDIT+ system, which provides authorized users with the ability to search the Personal Identification Database (PID) for student and teacher demographic information, the appropriate individuals will monitor for accuracy of data.

The DRAW Business Manager will establish a solid relationship with the software vendor and TEA Region IV Education Service Center (ESC) PEIMS Coordinator for training and PEIMS data reporting. Safety guards for the electronic data and paper trail data are in place and will be maintained. The superintendent/business manager is held accountable for all PEIMS data. A contract will be established with an outside consultant to audit PEIMS reporting and do onsite monitoring for compliance, prior to submission to Region ESC IV editing prior to submission to TEA.

The DRAW Academy Incorporated will follow the instructions regarding the submission of PEIMS data from the campus to TEA using the PEIMS DATA STANDARDS. The STUDENT ATTENDANCE ACCOUNTING HANDBOOK will be used with Foundation School Program (FSP) to determine eligibility requirements of all students and the minimum requirements of all student attendance accounting systems.

8- EVIDENCE OF ELIGIBILITY OF SPONSORING ENTITY

Description and history of the sponsoring entity:

Fulfilling the Hispanic Family and Greater Community Educational Need:

In 2001, AED Center for Youth Development and Policy Research, Washington, D.C. concluded that many young people attending large schools in mid-size and large urban communities all over the United States, repeatedly reported feeling anonymous, unsafe, unchallenged, disengaged, and subjected to substandard quality throughout most of their education. The study concluded that these students were in average two grade levels behind in math and reading skills when they chose to enter a non-profit community based organization school. The research also concluded that non-profit community based organization schools demonstrated the ability to reengage these young people in education and help them succeed by integrating positive youth development principles with effective educational practices that support mastery and proficiency for all.

The 1990 US Census reported that 21% of Houston's population lives below the poverty line. This figure jumps to 24% for families with children under 18 years old and 35% when the head of the household is a single mother. These conditions obviously leave the community at an economic, social, and educational disadvantage. Struggling to survive and to make ends meet, many in the community cannot obtain the skills, time, or money necessary to adequately equip them to successfully function in the 21st century technological market. Of the Houston residents, 37% are Hispanic and 55% has less than a high school diploma. Accordingly to the census report, the percentage of Hispanics, especially the adult age group, with Limited English Proficiency (LEP) is steadily increasing. Due to their Limited English Proficiency, these adults inevitably encounter problems and barriers such as lack of employment, minimum wage, oftentimes below minimum wage jobs, limited housing opportunities, and poverty.

The DRAW Academy Incorporated holds a 501(c)3 non-profit status, is independently operated and is completing its second year as a small, non-profit community based organization receiving its public charter school status through a contract with the Houston Independent School District.

The DRAW Academy Incorporated (The DRAW Academy Incorporated) fulfills our community needs of quality technological and multiple language focused education not only for all students but also for other members of the family utilizing the powerful alliance between school, family, and community to full advantage, by redefining the meaning and expectation of school involvement. The Academy operates extended school hours to support wage earner's long working hours, entire family's educational needs, and validation of the significant accomplishment of being multi-lingual and multi-cultural. This can only be accomplished through a small, inclusive school, which serves the students, their families, and community's collective academic and social needs simultaneously from pre-kindergarten through secondary.

During our first year of operation, the 2001-2002 school year, D.R.A.W. served 180 Pre-Kindergarten to 6th grade students, 72% Passed TAAS (Texas Assessment of Academic Skills) 97% were promoted, and 93% attended school on a regular basis. The student population fits the profile of students who are at great risk of not fulfilling their full potential to become healthy, economically self-sufficient, and fulfilled adults who can provide a positive contribution to their communities.

At the present school year, 2002-2003, our population raised to 210 students with demographics that parallel the surrounding urban community as a whole, with a majority of Hispanic and African-American low-income families. The student's ethnicity is 62% Hispanic, 27% African-American, 8% Asian, and 3% White, 92% of the students qualify for the National Breakfast and Lunch Program, and the Home Language Survey

reflected 86% of the students with home languages other than English. In summary, the vast majority of our student population qualifies as economically disadvantaged.

The DRAW Academy Incorporated Charter School model has proven to be the appropriate vehicle to address the needs of our population for the two school years of its existence. Opening with 93 students in August 2001, the enrollment increased to 126 in the first semester due to word of mouth referrals from satisfied parents. Parents, attracted to our charter's small size, whole family focus, and specifically our technology and multi-language classes, left their zoned public schools. At the opening of the 2002 school year, a waiting list lottery had to be performed to determine student seats in the pre-kinder, kindergarten and fifth grade class. Also, in the 2003 school term the curriculum focus was improved to better serve the needs of the students. Differing dramatically from the local public schools, D.R.A.W.'s Two-Way Bilingual/ESL 50/50 Immersion program was expanded to include pre-kindergarten through third grade and the ESL program was offered through the remaining grades. In addition, an extensive technology infrastructure was incorporated into the educational process through an integrated, comprehensive framework to ensure that all students will have the opportunity to develop the learning skills necessary to be productive citizens in information driven global society. Finally, the interactive, experimental curriculum pedagogy teacher professional development increased, and monthly field lesson units became the norm in the curriculum at all grade levels.

Vision of The DRAW Academy Incorporated

The DRAW Academy Incorporated School Mission:

a- Strategic Intent: To produce a school that adequately supports students in their journey to become healthy, economically self-sufficient, and fulfilled adults who contribute positively to their communities.

Mission Statement:

The DRAW Academy Incorporated will provide all students with a personalized, supportive, and engaging school environment where they can obtain the knowledge and skills necessary to find success as individuals and as members of their communities. The focus of the curriculum will incorporate active, project-based learning, which connects learning across academic disciplines and by addressing the specific academic needs of students. The daily curriculum will actively engage students in multiple language development and utilize current technology tools. The school will celebrate student diversity, as an important contribution to the greater society. The collaboration with universities, corporations, businesses, and the community at large will provide a transitional bridge from the academic programs of The DRAW Academy Incorporated and to steady employment and further education through real world application of learning.

To accomplish the school mission, The DRAW Academy Incorporated has five basic long-range objectives:

- 1) Maintain a learning environment that breeds a culture of high and comprehensive standards in all areas of student growth and development.
- 2) Focus the curriculum on relevant and diverse learning opportunities that build strong connections between academic learning and students' reality and future.
- 3) Increase individualized student attention, instruction, and support by personalized and flexible learning cohorts in a low student to teacher ratio.
- 4) Utilize the powerful alliance between school, family and the community by providing support and educational services to the entire family and community.
- 5) Provide multiple opportunities for all students to engage in meaningful service and work experience thus becoming contributing members of the school and communities.

Teaching and learning goes beyond the classroom four walls, six periods' schedules, or the covers of a textbook. It is essential to the educational well being of our students for technology to be a part of every learning environment. We provide access to an array of information and instructional technology devices and resources for every learner and staff member across the whole school environment.

DRAW has already introduced numerous educational, social, and economic benefits of 21st century technology via meaningful and practical community-based services. Using our existing facility, an expanded computer lab, upgraded network infrastructure (including filtered access to the Internet), and distance learning methodologies, The DRAW Academy Incorporated blends state-of-the-art technology education with desired and needed community services.

The DRAW Academy Incorporated Community Partnerships and Funding Sources:

- U.S. Department of Education E-Rate Granted to The DRAW Academy Incorporated Inc. – installation cost and services of the computer and technological infrastructure needed to support the virtual school components.
- Texas Education Agency START-UP Charter School Granted to The DRAW Academy Incorporated, DRAW Charter School – the computer hardware need to support the virtual school.
- National Council of La Raza: Two years of financial support.
- City of Houston, After School Achievement Program, funding for our after school program.

T h e D R A W A c a d e m y I n c o r p o r a t e d

T.E.A. Charter school application - Ninth Generation

- Harris County. C.A.S.E. Community After School Enrichment. Also provides funding for the extended day classes.
- Telemundo Channel 47,(ex channel 48) , Houston's major Latino television station is located across from The DRAW Academy Incorporated. Mr. Marcello Marini, one of the founders of the station, is member of our school Board and an in-kind sponsor of our school who continues to provide extraordinary educational opportunities and support for all our students.

Attachments:

- o 501 (c) 3 determination letter from IRS – Attachment four
- o Articles of incorporation of sponsoring entity. – Attachment five
- o Bylaws of sponsoring entity – Attachment six
- o Certificate of Incorporation - Attachment seven

Financial history of sponsoring entity:

The DRAW Academy Incorporated is a fairly young corporation. The Academy got its charter from the Secretary of the State Texas on May 11, 2001, obtained the IRS 501(c)3 status in September 19, 2001, the Sales Tax Exempt permit on March 26, 2002 (retroactive to May 2001), and finally the Business Property Tax exemption on February 21, 2003.

As a new corporation has already secured credit from the Houston Small Business Development Corporation and Wells Fargo Bank. Furthermore it has been granted credit for the numerous needs of the daily business operations by several commercial companies in the area of Houston such as Office Depot, Home Depot, and Sam's Club. Nevertheless at present time the level of debt is very low and all obligations are paid promptly. The credit report does not show many of the credit lines opened by The DRAW Academy Incorporated. Upon consultation with Business USA, Business Credit Report Company, we were informed that the lack of information was due to the age of the corporation, nevertheless, there are no negative entries.

The DRAW Academy Incorporated Inc. has no lien and has no statement from any State Regulatory Agency.

Attachments:

- o Credit report. – Attachment eight
- o IRS Filing - Form 990 years 2001-2002 – Attachment nine

9- GOVERNANCE

Sponsoring Entity:

The founders and current administration team:

Business Manager/CEO: Fernando Donatti.

Mr. Donatti completed the DRAW leadership academy and secondary principal internship acquiring a Masters degree in education and a principal certification. He started his educational career in 1992 when he acquired a Texas k-6 bilingual teacher certification and a technology endorsement. He also has a Bachelor's degree in Architecture from University of Buenos Aires, Argentina. He has twelve years of experience in education as a teacher, technology instructor, and administrator. He is a founder and has been responsible for the business operation of The DRAW Academy Incorporated since August 2001.

Superintendent/Principal: Lisa Anne Newton

Ms. Newton is a holder of a B.A. in Sociology, a B.A in English, a Masters in Education, and a Principal's Certification. She also has a Secondary English and Sociology Texas teacher certification. Ms. Newton has 10 years of experience in education as a teacher and as an administrator. She was a founder and has been in charge and responsible for the academic program of The DRAW Academy Incorporated since August 2001.

The formation of The DRAW Academy Incorporated Inc. Board: Resignation of Founders.

In the annual meeting of Board of Directors of the corporation, on February 18th 2003, Ms. Lisa Newton was offered and accepted the position of Superintendent and Fernando Donatti was offered and accepted the position of Business Manager (CEO). Fernando Donatti and Lisa Newton who at the same meeting resigned as members of the Board of Directors.
(Attachment Six – Bylaws)

Board of Director – The DRAW Academy Incorporated Inc.

Officers: The officers of the Corporation shall be a President, Vice-President, Treasurer, Secretary and such other officers as may be elected in accordance with the provisions of this article. Officers shall be elected from the Directors of the Corporation. The Board may elect or appoint such other officers as it shall deem desirable, such officers to have the authority and perform the duties prescribed, from time to time, by the Board. The

same person, except the offices of President and Secretary, may hold any two or more offices.

Manner in which members of governing body are selected and removed from office.

Election and Term of Office. The officers of the Corporation shall be elected annually by the Board at the annual meeting of the Board; provided, however, that the office of the President and Vice President of the Corporation shall be elected at such annual meeting of the Board in the manner set forth in Sections 4.05 and 4.10 below, respectively. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently as possible. New offices may be created and filled at any meeting of the Board. Each officer shall hold office until his successor shall have been duly elected and qualified.

Removal. The Directors may at any regular meeting, or at any special meeting called for the purpose, by an affirmative vote of three- fourths (3/4) Directors appointed and in office remove a Director. A Director and/or Officer may also be removed by the procedure explained in 3:19.

Vacancies. A vacancy occurring in any office due to death, resignation, removal, disqualification, or other cause, may be filled by the Board for the unexpired portion of the term of office left vacant.

Manner in which governing body serves.

President. The President shall be the principal executive officer of the Corporation and shall, in general, supervise the affairs of the Corporation. He or she shall preside at all meetings of the Board. He or she may sign with any other proper officer of the Corporation authorized by the Board to so act, any deeds, mortgages, bonds, contracts, or other instruments that the Board has authorized, generally or specifically, to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board, by these Bylaws, or by statute to some other officer or agent of the Corporation; and, in general, he or she shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board from time to time. The initial President of the Corporation shall be designated by the Directors and shall hold office subject to the terms of these Bylaws. In the event that a President were to die, resign, be removed, be disqualified or otherwise vacate such office then the Directors that had previously designated such office of the President shall fill such vacancy by electing a new president among the remaining Board members.

Secretary. The Secretary shall attend all meetings of the Board and record all proceedings of the meetings in a minute book to be kept for that purpose and shall perform like duties for any committees thereof when required. The Secretary shall give, or cause to be given, notice of all meetings of the Board, and shall perform such other duties as may be prescribed by the President, under whose supervision the Secretary shall serve.

Assistant Secretaries. Each Assistant Secretary shall have the usual powers and duties pertaining to such office, together with such other powers and duties as designated in these Bylaws and as from time to time may be assigned to each Assistant Secretary by the Board, the President or the Secretary. The Assistant Secretaries shall exercise the powers of the Secretary during that officer's absence or inability or refusal to act.

Vice President. The Vice President shall preside at meetings of the Board in the absence of the President. He or she shall have such other duties as may be prescribed by the Board from time to time. In the event that a President were to die, resign, be removed, be disqualified or otherwise vacate such office then the Vice-President shall fill such vacancy for the unexpired portion of the term.

Business Manager/CEO. Pursuant to the OPERATIONAL MANAGEMENT, Section 11.01 – General of the bylaws, for the operation and management of the daily business of the Corporation, for all purposes established in ARTICLE III, the Board will contract a Business Manager/CEO and a Superintendent/Principal.

Superintendent/Principal. The Board will hire a Superintendent and a Business Manager to conduct the daily business of the corporation. At present time the Board has offered the position of Superintendent to Lisa Anne Newton and the Business Manager position to Fernando Donatti.

Plans for further recruitment of founders or organizers of the school.

There are no further recruitment efforts toward founders or organizers.

Board nominations sought.

In order to apply or to be invited to join the Board, any person has to be actively interested in the daily business of our school or volunteering for a minimum of one year in various activities including fund-raising and general representation of the school in public functions.

The criteria for selection include professional experience, community involvement, and leadership potential. The Board composition has to be diverse in terms of age, gender, ethnicity, professional occupation, with the final composition as a reflection of our student diverse population.

The terms in which the members of the governing body serve.

Bylaw Article V Board of Directors:

Article V defines the general powers of the Board of Directors as the managers of the affairs of the corporation. The Board of Directors are appointed or elected in accordance with the Bylaws, and constitute a whole Board with nine (9) members with a minimum number not less than five (5). General characteristics of Board member qualification require that they are actively interested in the daily business of the school, volunteering for a minimum of one year in various activities including fund-raising and general representation of the school in public functions. Other qualifications include professional experience, community involvement, and leadership potential. The Board has to be diverse in terms of age, gender, ethnicity, professional occupation, with the final composition as a reflection of the student diverse population.

Result: The Board's role is knowledgeable and aligned with the needs of the corporation.

The scope of the Board's responsibilities will include the following:

- Review the School Improvement Plan four times a year
- Approve organizational changes, personnel needs, curriculum offerings, budget allocations, staffing patterns, and instructional plans
- Approve school policies involving discipline and dress code
- Approve school-wide goals and objectives
- Approve staff development activities
- Refer items to task forces for study and resolution
- The Board is governed by the Texas Open Meetings Act.

The Board will retain the powers and duties described in 19 TAC § 100.1033 (c) (6) (C) and will not delegate to any other person the following powers:

(i) final authority to hear or decide employee grievances, citizen complaints, or parental concerns; (ii) final authority to adopt or amend the budget of the charter holder

or the charter school, or to authorize the expenditure or obligation of state funds or the use of public property; (iii) final authority to direct the disposition or safekeeping of public records; except that the governing body may delegate this function to any person, subject to the governing body's superior right of immediate access to, control over, and possession of such records; (iv) final authority to adopt policies governing charter school operations; (v) final authority to approve audit reports under TEC, §44.008(d); or (vi) initial or final authority to select, employ, direct, evaluate, renew, non-renew, terminate, or set compensation for a chief executive officer.

Manner in which text books selection will be conducted.

The DRAW Academy Incorporated will align curriculum with TEKS through use of state approved textbook selections. The superintendent will be trained thoroughly to become familiar with the textbook adoption process, and with quota and eligibility requirements. The Shared Decision Making Committee is the committee who will study and evaluate the variety of materials and who will prepare a report for the Superintendent. This report will be finally present it to the Board who has the final decision. The selection process and final decision will comply with textbook laws and rules referenced in Chapter 31, Texas Code and Chapter 66, Texas Administrative Code.

The School Management Board is the same as the Sponsoring Entity Board.

10- COMMUNITY SUPPORT

Manner in which community groups are involved in the charter school planning process:

The DRAW Academy Incorporated has been able to acquire a strong community support by working close with other small businesses surrounding the area. A sample of this cooperation and collaboration is reflected by the English as a Second Language and GED classes offered by our school partner Alar Institute, a family based private school. Another clear token of this community participation is the school weekly trip to the Bayou Manor Nursing Home, where our children from Kinder up interrelate with the residents of the nursing home every Monday.

It is also remarkable the parent participation in our Extended day classes in which parents volunteer their time to support the after school program, our Beautification

Saturdays in which parents and students had helped to paint the building, replace carpet and tile, and install vinyl panels on the halls and public spaces walls.

Parents who enroll their children in a Charter school are concern parents who look for a different option for their children. Therefore they are involved in their children's education from the day one. Moreover The DRAW Academy Incorporated has redefined the concept of parental involvement by utilizing simple measures throughout the daily operation of the school. One of those measures is that we do not allow students to leave the school by themselves at dismissal time. Parents are requested to drop and pick up their children inside the school where they are requested to sign in and out daily. This allows us a daily contact with parents thus the development of a close relationship that is key to our success as true partners in their children's education. The other vital strategy to increase this parent contact and relation is the signature of a "Parent contract" as a component of the enrollment package. This participation is also reflected by the highly above average parent attendance in every Fundraiser festival, Friday movies activities and any other school function.

While they are required to meet state education standards, charter schools are largely free to design and deliver their own education programs. Charter schools are started by parents, teachers, community groups, and businesses and take a major step toward providing parents and students with real choices in education. Charter schools give parents and students the power to choose schools and provide them with meaningful alternatives. Because charter schools are funded by the state on the basis of their enrollment, they are forced to attract and satisfy the education consumer and, in so doing, they are introducing meaningful competition.

Parent and Student Roles in Decision –Making:

The Shared Decision-Making Committee (SDMC) is a group of teachers, parents, school staff, administrators, student council members from grades 3 – 8th, community members, or any other recognized person interested in the betterment of the academy.

The SDMC is chaired by the principal and is the think tank for recommendations to the Board regarding school policy and procedures. Their recommendations are based on expressed community needs and guidelines of the Texas Education Agency. The final authority and last level of appeal for decision is a non-delegable responsibility of the Board of Directors. The scope of the SDMC's responsibilities is to function only as an advisory committee and to produce recommendations for the Board. Meetings are set for the first Friday of each month during the school year.

An open forum format is used for and anyone wishing to bring a concern to the SDMC. This concern, matter, or suggestion should be submitted in writing to the school's address.

The SDMC will attempt to resolve all issues by reaching a consensus. Each member has one vote and members may not vote by proxy. Only SDMC members may vote on issues before the committee. If there is a tie on an issue, the superintendent/principal will cast the deciding vote. There is an administrative veto.

Student Council Grades 3 – 8:

1. Students in grades 3 - 8 will comprise the Student Council of The DRAW Academy Incorporated Charter School.
2. Two (2) representatives will be elected from each grade. Another student or themselves may nominate homeroom elected representatives. The candidates will present a brief campaign speech to their homeroom and elections will take place by secret ballot, with each homeroom's students voting for two (2) representatives in each grade. Candidates will prepare a campaign speech and present it to the student body the following week. Elections will follow, with each student in grades 3 -8 casting ten (10) ballots for the candidates of his/her choice. Once these representatives are elected, the Student Council will meet to elect its officers for the school year. Each representative will be a voting member of the Student Council and will be expected to attend the monthly meetings.
3. The Student Council Advisors will be teachers. The Principal will attend meetings if and when needed.
4. Student Council representatives will elect a President, and a Vice- President, and Secretary/Treasurer from the remaining representatives.
5. Student Council meetings will be held once a month, or more frequently, if necessary.
6. Eligibility Rules will apply to representatives on the Student Council.
7. The agenda for Student Council meetings will be set by the Student Council officers and/or advisors.

The following are the committees DRAW proposes to further parent participation.

These committees are composed by parent, teachers, and students of The DRAW Academy Incorporated.

Community Partnerships Committee: This committee establishes partnerships with community groups, such as local volunteer organizations, community associations, and arts and theater groups.

Development (Fundraising) Committee: This committee helps secure the funds needed to manage DRAW by planning various community events.

Diversity Committee This committee leads the effort to celebrate the rich diversity found in our community. They also develop initiatives to recognize, reach out to, and respond to our diverse school community.

Facilities Committee This committee is responsible for the maintenance and further renovations of DRAW building.

Fine Arts Committee: This committee is responsible for cultivating and nurturing all artistic programs.

Grounds Committee: This committee is responsible for developing the landscape architecture for the entire school site. With the playground being the most important project, this committee plans on implementing various site elements such as the Nature walk and Education Gardens. Volunteers should be willing to get dirty.

Library Committee: This committee plays a key role in the selection of materials available for the Neighborhood Charter School Media Center.

Parent & Family Involvement Committee: This committee encourages the active participation of parents and families of DRAW children. In an effort to involve all the DRAW community in the education and development of our kids, their focus ranges from informative monthly meetings to sponsoring picnics & community activities.

Special Events Committee: This committee is responsible for the planning and implementation of special events such as bake sales, carnivals, ice cream socials.

Student Learning Committee: This committee is responsible for planning activities to support and enhance the existing curriculum, researches additional programs and materials for new curricula, and recommend programs that support staff development.

Technology Committee: This committee seeks to provide technology that will facilitate meaningful learning. They also keep the school network operational, provide instruction

to teachers and office staff, and seek financial support for ongoing expenses related to technology.

Attachment Ten

- Information about the proposed Charter school was published in the Houston Chronicle on Wednesday, March 12, 2003 – Copy of the newspaper clip.

Attachment Eleven.

- Proof of mailing to City council and Commissioner Court members.

Attachment Twelve

- Notice of the Public Hearing about the proposed Charter school was published in the Houston Chronicle on Wednesday, March 12, 2003 – Copy of the newspaper clip.

Attachment Thirteen

- Registration logs.

Attachment Fourteen

- Synopsis of the public Hearing

Business arrangements or partnerships:

Higher Educational Programs: Baylor College of Medicine, Outreach Programs

Community Business:

Alar Institute – private adult Spanish/English and vocational training.
Martinez and Associates – Public Accountants

Community Non-profit organizations.

Channel 47 Telemundo – Major Hispanic Television Station.
Harris County- C.A.S.E. – Houston City Government After School Grant

Attachment Fifteen:

- Letters of business arrangement

Statement:

- 1- Ms. Marcello Marini is a founder and currently employed by Channel 47, Telemundo and serves in the school Board.

- 2- There are no individuals who are affiliated with any of the other Charter-related organizations and are employed by the school

11- SCHOOL DEMOGRAPHICS

School Demographics and Projections in the First Five Years:

School enrollment projections for the first five years, maximum enrollment goal, grades to be served, number of students expected in each grade or grouping, maximum class size.

School's Maximum Enrollment Goals:

- 2004 - 2009 PreKinder through 8th ADA FTE = 250

*FTE = full time equivalent ADA student.

School year	P-K	K	1	2	3	4	5	6	7	8	TOTAL FTE
2004-2009	60	44	22	22	22	22	22	22	22	22	250

Grade
Levels by

Grade and Maximum Class Size:

FTE Students are counted as FTE, therefore pre-kindergarten students are counted as half.

Maximum class size: Pre-kindergarten to eighth grade: 22 (twenty-two) students.

Coordinators: Special Education Coordinator with the special education certificate will provide the special education services required in the IEPs, with in the limits of the certification. All other services will be provided by professionals appropriately certified and licensed in the area of assignment, who will be contracted on an as need bases.

BE/ESL Certified Teacher will serve as BE/ESL Coordinator and will coordinate the LPAC, LEP and all campus testing under the supervision of the Superintendent.

Describe the community or region where the school will be located. Rationale for selection:

The school is located in the middle of the low-income wage earners job opportunities of Houston's south and southwestern areas. The demographics of the school population parallel the diverse surrounding urban community as a whole. The building is located in the center of an area surrounded by highly populated schools that are traditionally capped. The present location fills the gap needed to provide for parents who are concerned about the overcrowded neighborhood schools.

It is also located very close to main avenues (Westpark, which will in a near future contain the Commuter light-metro rail connecting the suburbs with downtown Houston) and freeways (59 and Loop 610). Even though it is located in the middle of all these high trafficked roads, the building is in a very quiet sector of the industrial park, thus, it provides a great location to support the need of the surrounding community.

Selection of Community, Region or Location Explanation:

The current campus location and building of The DRAW Academy Incorporated has been chosen by the DRAW Board to be the continual site of the charter school. The building is approved to be a school by the City of Houston, meets the current relevant safety codes. The E-Rate, financially substantial, technology infrastructure is in place, thus the latest in computer networking cabling has been installed in the walls of every classroom, office, and general student area. The charter school is part of the established local community. The school's current major business partners are located in the same location, and the school building host a public, Spanish language virtual community center, free to the general public on a specific schedule. The location and building were also chosen due to equipment installed for the satellite connection to obtain access to the TEC continuing higher education courses provided through contract with DRAW. Finally, the current campus site can support the full school enrollment at PreKinder through 8th grade.

12- ADMISSION POLICY

Timeline Admission, Application Deadline, Admission Lottery Policy:

Currently enrolled students receive a Notice of Intent to Return form on April 15th. This form asks student to state whether they intend to return the following school year and to identify any of their siblings who wish to attend the school the following school year. The form must be returned by May 15th to the school registrar. Currently enrolled students expressing a desire to return are automatically enrolled for the following school year upon timely receipt of the Notice of Intent to Return

form. Vacancies in each class are then determined, and the siblings of returning students are given priority in admission.

Applications from new students are accepted from May 15th through June 15th. If the number of eligible applicants does not exceed the number of vacancies, then all applicants who timely applied are offered admission. If there are more eligible applicants than available spaces in a class, then a lottery will be conducted on Monday following June 15th. A name is drawn for each vacancy that exists, and each applicant whose name is drawn is offered admission. The remaining names are then drawn and then placed on a waiting list in the order they were drawn. If a vacancy arises before the commencement of the school year or during the school year, the individual on the waiting list with the lowest number assignment will be offered admission and then removed from the waiting list. If an application is received after the application period has passed, the applicant's name is added to the waiting list behind the names of the applicants who timely applied.

Applicants are not required to provide copies of transcripts or other academic records prior to enrollment. In addition, a student will not be precluded from enrolling due to DRAW Academy Charter School's failure to receive the information required for enrollment from the student's parent and/or previous school.

DRAW Academy Charter School does not discriminate in admission based on gender, national origin, ethnicity, religion, disability, academic, artistic, or athletic ability or the district the child would otherwise attend.

DRAW Academy Charter School will deny admission to students with documented histories of a criminal offense, juvenile court adjudication, or discipline problems under TEC Chapter 37, Subchapter A.

NOTICE OF NON-DISCRIMINATORY POLICY AS TO STUDENTS AND EMPLOYEES:

The DRAW Academy Incorporated in accordance with TEC 12.111(6), do not discriminate on the basis of sex, national origin, ethnicity, religion, disability, academic, artistic, or athletic ability, or the district the child would otherwise attend in administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs. The same policy applies to all employees.

The demographics of the school population parallel the surrounding urban community as a whole, with the majority being Hispanic or African-American and from low-income families. The student population ethnicity is 62% Hispanic, 27% African-American, 8% Asian, and 3% White. In the 2002-2003 school year, 92% of the students qualified for the National Lunch Program and the Home Language Survey reflected 86% of the students with home languages other than English.

The last US Census reported that 21% of Houston's population lives below the poverty line. This figure jumps to 24% for families with children under 18 years old and 35% when the head of the household is a single mother. These conditions obviously leave the community at an economic, social, and education disadvantage. Struggling to survive and to make ends meet, many in the community cannot obtain the skills, time, or money necessary to adequately equip them to successfully function in this technologically driven market. Of the residents in Houston, 37% are Hispanic and 55% has less than a high school diploma. Accordingly to the census report, the percentage of Hispanics, especially the adult age group, with Limited English Proficiency (LEP) is steadily increasing. Due to their Limited English Proficiency, these adults inevitably encounter problems and barriers such as lack of employment, minimum wage, oftentimes below minimum wage jobs, limited housing opportunities, and poverty.

13- STUDENT CODE OF CONDUCT HANDBOOK - PROACTIVE DISCIPLINE

DISCIPLINE PHILOSOPHY OVERVIEW

Discipline policies focus on prevention of undesirable, disruptive, dangerous behavior, and promotion of an environment of acceptance that supports health, safety, civil rights, gender equity, cultural sensitivity, language, ethnicity and family composition. Discipline enforcement is the responsibility of all teachers, counselors, directors, principal, and other adults as assigned by the Charter Board in a partnership with parents. Discipline will be dispensed in a dignified manner, free from mental and physical abuse. All acts of physical violence will result in immediate suspension of student's classroom activities pending an investigation. Severe discipline infractions will be recorded in the student's permanent school file. An evaluation of each student's discipline will be part of the student's permanent school file.

A school wide reward and consequence system will be designed and maintained by each teacher to reward good behavior in the areas of attendance, peer interactions, student – adult interactions, and formal interactions. In addition, the individual teachers may design a complimentary award and consequence system in their classroom.

All discipline infractions will be handled according to the number of accumulated infractions. All discipline infractions must be tracked on the student's Behavior Infractions Sheet. This tracking sheet must be presented with the student at all disciplinary conference(s). All discipline conferences must involve timely parent contact and parent input of discipline actions taken as a corrective measure. DRAW believes that the school acts as a partner with the parent(s) in discipline and requires that all parents are in agreement and sign all rules and regulation contracts.

It is the role of the Director of Student and Community Services, as the Principal's designee, to administer age appropriate prevention, intervention, and support programs for children at-risk of dropping out of school, as part of the Proactive Discipline approach. At-risk is defined as students at educational risk, including pregnant and parenting teens, youth who have come in contact with the juvenile justice system, youth at least one year behind their expected grade level, migrant youth, immigrant youth, students with limited English, and gang members. Support services will be provided to make sure that neglected and/or delinquent children are given the same school content and performance standards that all children in the school are expected to meet. The DRAW Academy Incorporated will provide a dropout prevention program for at-risk youth returning from institutions to ensure their continued education or employment. Furthermore, services relating to day care, drug and alcohol counseling, career and technology education, special education, career counseling, and assistance in securing student loans or grants will be established and provided as required. The Director of Student and Community Services will work with parents, business, and the surrounding community to create programs/activities for "safe zones of passage" for students that are free from violence, tobacco, and drug use/abuse. The DRAW Academy Incorporated Charter Board and faculty will incorporate a clear message of "no use" into the regular curriculum.

OVER VIEW OF INFRACTIONS:

LEVEL ONE DISCIPLINE AREAS	# of OFFENSES PER YEAR	DISCIPLINARIAN
1. Unexcused Absence	all	Mgr. of Students
2. Verbal Abuse	1 - beyond	Mgr. of Students
3. Physical Violence	1 – beyond	Mgr. of Students
4. Peer Interactions (disrespectful)	1 – 5 6 – 8	Teacher Mgr. of Students

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	9 – beyond	The Principal
5.	Student – Adult Interactions (Disrespectful conduct)	1 - 2 3 4 Teacher Mgr. of Students The Principal
6.	Formal Behavior Violations	1 – 5 6 – 8 9 – beyond Teacher Mgr. of Students The Principal

BEHAVIOR INFRACTIONS SHEET

School _____

Year: _____

Date turned in: _____

Student Name: _____

<u>OFFENSE AREAS</u>	<u># of OFFENSES PER YEAR</u>	<u>DISCIPLINARIAN</u>
1.Unexcused Absences	all	Teacher
2.Verbal Abuse	1 - beyond	Teacher
3.Physical Violence	1 – beyond	J Eggerding
4.Peer Interactions (disrespectful)	1 – 5	Teacher
	6 – 8	J. Eggerding
	9 – beyond	Principal
5.Student – Adult Interactions (Disrespectful conduct)	1 - 2	Teacher
	3	J Eggerding
	4 – beyond	Principal
6.Formal Behavior Violations	1 – 5	Teacher
	6 – 8	J Eggerding
	9 – beyond	Principal

Description of Event: _____ (attach additional information if necessary)

Parent Contact: _____ Date: _____

Time: _____ Phone: _____

Name of Parent(s) Spoken To: _____

Summary of Discussion:

Circle One: Phone Conference Teacher Conference J Eggerding
Conference Principal Conference

Offense Area: _____

Offense #: _____

Signature of Disciplinarian: _____

Agreed Discipline Action to Be Enacted: _____

Progress Notification Date: _____

The disciplinarian will contact the parent on or about the above date to provide progress feedback on the student's behavior in relationship to this discipline matter.

PARENT CONTRACT (not required)

School Year: _____

Name of Parent(s): _____

Name of Student(s): _____

Address: _____

_____ ZIP _____

Free and Reduced Lunch Form: _____

Home Phone: _____

Work Phone: _____

Phone: _____

DIRECTIONS FOR EMERGENCIES:

LEP _____ SPE _____ ESL _____

Medical Conditions?

Medications?

_____ I/We agree that our student(s) will attend school daily, and I/We will call the attendance office before 9:00 AM on any day that my student(s) is/are absent or will be leaving early from regular school hours or activities.

_____ I/We agree to provide transportation, bring and pickup our student(s) on time to school and to all school events. Transportation will be provided in accordance to a student's IEP (students with disabilities).

_____ I/We agree to read to or sit with our student(s) as they read a minimum of 30 minutes each day.

_____ I/We agree to participate in all teacher, or director conferences either by phone or in person.

_____ I/We agree to volunteer at least one day this year to work with the Director of Student and Parent Services to provide support at the school.

_____ I/We agree to participate in at least three Parent Teacher Organization meetings this year.

_____ I/We agree to check our student's (s') homework assignment notebooks nightly.

_____ I/We agree to chaperone at least one weekend, before school, or after school event this year.

_____ I/We agree to voice any concerns or comments about our student(s) to the teacher, Principal, Directors, counselor, or go directly to the Charter Board, regarding our student(s) well being and education.

_____ I/We agree to listen to concerns or comments about our student(s) well being and education from the teachers, Principal, directors, counselors, or directly from the Charter Board members.

T h e D R A W A c a d e m y I n c o r p o r a t e d

T.E.A. Charter school application - Ninth Generation

_____ I/We agree to allow our student(s) to participate in all posted, parent notified, school approved fieldtrips.

_____ I/We agree to allow our student(s) to access the internet as established in the appropriate use policy of The DRAW Academy Incorporated under adult supervision.

_____ I/We agree to allow our student(s) to participate in multi-cultural celebrations.

_____ Initial(s) Signature: _____
Printed Name: _____
Relationship to Student(s) _____

_____ Initial(s) Signature: _____
Printed Name: _____
Relationship to Student(s) _____

Volunteer Sign Up Sheet (not required)

Year

Name of Student(s): _____

Parent/Guardian Volunteer: _____ Month _____

I would like to volunteer for the day as

- ☐ Clerical Assistant
- ☐ School Displays and Decorating
- ☐ Celebration Host/Hostess
- ☐ Hall & Lunch Monitor
- ☐ Teacher's Aide
- ☐ Language Other Than English Instructor
- ☐ Culture Other Than U.S.A. Instructor
- ☐ Playground Monitor
- ☐ School Improvement Project Worker
- ☐ Yard – Garden Work
- ☐ Translator
- ☐ Attendance Phone Calls
- ☐ Pick Up and Drop Off Safety Monitor
- ☐ Librarian Assistant
- ☐ Receptionist
- ☐ Fieldtrip Parent
- ☐ Special Events Safety Monitor
- ☐ Guest Speaker – Subject: _____
- ☐ Breakfast and Afternoon Discovery Aide Monitor
- ☐ Child Advocate – provide extra (food or clothing) for a child in need.
- ☐ _____ (Other special talents you can offer).

What is the best month for you to work?

What is the best day for you to work?

What is the best time for you to work? _____ a.m. _____ p.m.

Would you like a reminder note or call? _____ Phone: _____

Please turn this form to your student's teacher or the front office. Thank you for making a difference!

DRESS CODE POLICIES

Student Uniform Dress Code:

- 1.) All students must wear school shirt or black or white shirts, sweaters, sweatshirts, and t-shirts with sleeves, free from designs of any kind, depending on the weather.
- 2.) All students have the option of wearing solid black, white, or khaki colored over-shirts or jackets.
- 3.) Female have the option of wearing solid black, white, or khaki long skirts and long dresses.
- 4.) On special occasion days, and other pre-announced occasions students have permission to dress in formal, semi-formal, native country, historical, or themed appropriate clothing.
- 5.) Students are required to wear sweatpants or shorts, t-shirts, and athletic shoes during all physical education events.
- 6.) Students are required to wear and adhere to all science safety lab-clothing regulations.
- 7.) Students may not wear open toed shoes or shoes that do not fit around the heel.
- 8.) Dress code is optional for Pre-Kindergarten students.

Teacher and Staff Dress Code:

- 1.) Teachers are required to dress in business casual or business attire, unless duties preclude the wearing of such attire.
- 2.) Teachers are permitted to participate in special dress days.
- 3.) Teachers may not wear advertising clothing.
- 4.) Teachers may not wear overly revealing clothing, as determined by Principal.
- 5.) Teachers who participate in physical education events must dress in appropriate athletic clothing.
- 6.) Teachers have the option to wear student uniform.
- 7.) Teachers may not wear open toed shoes or shoes that do not fit around the heel.

Violation of Dress Code Policy:

Problems related to dress code must be referred to the Principal during one first hour of instruction. This offense is not considered a disciplinary offense for students.

Student:

1st Offense = Call home for proper clothing.

2nd Offense = Parent – Director of Student and Community Services Conference.

Continued Dress Code Violations will be reported to the Disciplinarian and at his option may convene a session of peer mediation or direct the matter to the Principal for sanctions. All peer mediation decisions are reviewed and approved or vetoed by the Principal.

Teacher and Staff Dress Code:

- 1st Offense = Conference with the Principal
- 2nd Offense = Conference with the Principal
- 3rd Offense = Disciplinary action in the form of conference for the record, which may result in termination.

THE DRAW ACADEMY INCORPORATED

BEHAVIOR EXPECTATIONS FOR ALL MEMBERS OF THE SCHOOL:

- 1.) The Code of Student Conduct of The DRAW Academy Incorporated.
- 2.) Open tolerance and celebration of multi-cultural diversity.
- 3.) Open tolerance and celebration of multi-language diversity.
- 4.) Be kind to yourself and others.
- 5.) Never use vulgar language or gestures.
- 6.) Show respect for personal and public property.
- 7.) Behave safely and responsibly with regard for safety of yourself and others.
- 8.) Strive daily towards high academic and personal expectations.
- 9.) Follow all safety rules and master schedule.

**SCHOOLCLUSTER TEAM RULES AND BEHAVIOR NORMS
ARE ESTABLISHED BY TEACHERS OF THE TEAM:**

- 1.) Teachers of each cluster family determine their joint student rules and behavioral norms through consensus.
- 2.) All rules and behaviors must be in line with the rules and behavior expectations set for the school by the Charter Board.
- 3.) The Charter Board requires the family teachers to consult with students and parents before, during, and after this process. The Charter Board requires the signatures of all students and/or parents in agreement to uphold these rules and behavioral norms, in the student's permanent record.
- 4.) The rules and behavioral norms set by the cluster family must fulfill the requirement of active, positive reinforcement of good behavior, and be free from punitive consequences. For example, all teachers could

establish a list of teacher helping jobs and insure that each student has the opportunity to rotate into a minimum of four jobs per school year.

ACADEMIC DISHONESTY:

Students found to have engaged in academic dishonesty shall be subject to disciplinary penalties and grade penalties on assignments or tests. Academic dishonesty includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination. The determination that a student has engaged in academic dishonesty shall be based on the judgment of the classroom teacher or other supervising adult, taking into consideration written materials, observation, or information from the student(s). Academic dishonesty will be reported to the Director of Student Service and at his option may convene a session of peer mediation or direct the matter to the Principal for sanctions. All peer mediation decisions are reviewed and approved or vetoed by the Principal.

ATTENDANCE POLICY:

School attendance is essential for student success. Texas law requires students to attend 90 percent of the days in a semester. Excessive truancy, of three (3) or more unexcused absences, will be handled as a discipline problem or forwarded to the Justice of the Peace in accordance with Texas statutes. Students who attend less than 90 percent of the days in a semester will lose credit regardless of the grade earned unless extenuating circumstances exist.

To receive credit in a class, a student must attend at least 90% of the days the class meets and have no more than two (2) unexcused absences. When a student has accumulated the third unexcused absence in a class, credit is denied for that course; however, students with passing grades in the course may appeal to the Grade Placement Committee.

The acceptable excuses for absences are as follows:

- 1.) Illness of student.
- 2.) Illness of death in the family.
- 3.) Participation in educational activities with approval of Charter Board.
- 4.) Hospital confinement.
- 5.) Medical/dental appointments.
- 6.) Emergencies or extenuating circumstances recognized by as valid by the Grade Placement Committee.

All students are required to bring a note from the parent/guardian the first day they return to school from an absence. The note should be given to the school secretary in the front office. Teachers or the front office will call an absent student's parent the day of an absence to verify absence. Upon notice of prolonged or excessive absence, the teacher and front office will contact the parent or guardian and

arrange a conference with the Principal. At that conference, the Principal will review the attendance policy and present the parent or guardian with a letter of concern with a mutually created attendance improvement plan. The teacher will make arrangements to assist the student in obtaining make-up schoolwork. Parents are encouraged to contact the homeroom teacher or the front office prior to all absences.

The Grade Placement Committee will meet as needed to hear appeals. The committee may require students and parents to appear in person to explain excessive absences. If the parent(s) is not satisfied with the results of the hearing they may appeal to the Principal. All decisions made by the Principal are final.

The DRAW Student Conduct

The following Student Code of Conduct is not unilaterally applied to students with disabilities. The ARD committee will address the behavioral needs for students with disabilities for whom the Code is inappropriate or for whom the behaviors are a manifestation of the student's disability. Discipline for students eligible for special education services is consistent with 300.121 (d); 300.522; and 37.004.

(Levels of Student Misconduct and Disciplinary Options)

Level I: Violation of Classroom or Transportation Rules

- Level I Acts of Misconduct May Include Such Behavior as:
- Violations of rules or procedures established by the teacher
- Any act which disrupts the classroom or interrupts the normal operation of the class
- Failure to deliver or return written communications between home and school
- Disruptive or noncompliant behavior on a school bus
- Failure to protect individual computer account passwords from disclosure

Disciplinary Options/Responses:

- Teacher-student conference
- Parent contact: note and telephone call to parent
- Appropriate in-class disciplinary actions
- Restriction of school bus privileges by the bus operator

Procedures:

1. Any staff member who observes a student violating rules may escort the student to the office of the Director of Students and or the main office, where they will fill out a report sheet before returning to their normal duties.

2. A record of the offenses and disciplinary actions should be maintained by the teacher on the appropriate form, as part of the student's portfolio.
3. The teacher must discuss the misbehavior with the parent and the student within 24 hours and document the conference on the discipline sheet.
4. The Director of Students will notify teacher and parent of any sanctions resulting from student's transgression of the school rules.

Level I behavior violations and Discipline Options/Responses are not limited to those provided. Serious or repeated violations may result in a more severe response or referral to Level II.

Level II: Administrator Intervention

Some infractions will result in a referral to The Director of Student and Community Services. The disciplinary response depends on the offense, previous actions, and the seriousness of the misbehavior. Level II Acts of Misconduct include those student acts, which interfere with the orderly educational process in the classroom or in the school. A teacher who observes a student engaged in Level II or higher misconduct will fill out a discipline/referral form to submit with the child.

Level II Acts of Misconduct Include Such Behavior as:

- Repeated violation of classroom rules or transportation under Level I
- Leaving the classroom or school grounds without the permission of school personnel
- Possession of matches or other flammable materials
- Inappropriate display of affection
- Any verbal abuse of others, including name-calling or derogatory statements
- Posting or distributing unauthorized materials on school grounds
- Failure to abide by rules and regulations at extracurricular activities or at co-curricular activities such as field trips
- Loitering in unauthorized areas
- Changing school records or documents or signing parent's name on school documents
- Participation in activities by groups such as gangs and cults
- Wearing dress or attire signifying gang affiliations
- Possession of beepers, cellular telephones, electronic pagers, or any other types of communication systems that are not registered and approved by The DRAW Academy Incorporated Director of Students.
- Cafeteria disturbance

- Disruptive behavior on a school bus
- Any other acts which interfere with the orderly educational process in the classroom or the school
- Accessing materials and sites on the Internet that are deemed to be inappropriate by The DRAW Academy Incorporated
- Sending or forwarding inappropriate e-mail, including e-mail containing offensive language or content, and untruthful statements.
- Logging on to a computer, sending e-mail, or accessing the Internet using a name or password other than the student's own.
- Posting unauthorized Web pages, graphic images, or offensive language or comments on a The DRAW Academy Incorporated server, Web page, or guest book.

Disciplinary Options/Responses:

- Parental contact by phone and written notification to parent or guardian within 24 hours
- Required administrator/student/parental conference
- Removal of school transportation privileges
- "Behavior," "Behavioral," and/or "Conduct" contracts
- Teacher removal of the student from the classroom
- Suspension of transportation privileges
- Any other appropriate disciplinary actions determined by the administration

Procedures:

1. Referral to administrator
2. Administrator confers with student, teacher and parent to establish appropriate action
3. Written notification is sent to parent within 24 hours of report. Notification is sent to the teacher indicating action taken.
4. The teacher must discuss the misbehavior with the parent and the student within 24 hours and document the conference on the discipline sheet.
5. The Director of Students will notify teacher and parent of any sanctions resulting from student's transgression of the school rules.

Level II behavior violations and Discipline Options/Responses are not limited to those provided.

Repeated violations shall result in a more severe response and/or referral to Level III.

The DRAW Academy Incorporated does not condone corporal punishment, will not tolerate corporal punishment, and will not tolerate it being administered in or

on campus grounds. Certain physical acts against a student by school personnel (such as, but not limited to, choking, kicking, punching, pinching, hitting with an inappropriate object, etc.) are not authorized and will be considered as a violation of the corporal-punishment policies.

Level III: Suspension

Level III acts include conduct for which an administrator may suspend the student, or place the student into in-school suspension. In-school suspension at DRAW is held and run on the campus by the Director of Student, Parent and Community Services. The period of the suspension is limited to three days per occurrence and is authorized for conduct listed below. The option of Saturday detention and or silent lunch may be given as a sanction by the Director of Student, Parent and Community Services. A decision to suspend a student may be appealed to the Charter Board. The decision of the Charter Board may be appealed to the Principal whose decision is final and may not be appealed.

A student may be suspended or removed from the regular classroom and placed in a campus alternative education program for engaging in the following conduct:

- Chronic or repeated disciplinary infractions of Level I and/or Level II offenses
- Fighting
- Gambling
- Misdemeanor stealing/theft of property, including computers and related equipment, in an amount under \$750
- Cutting class or other forms of truancy
- Possession of a knife with a blade of less more than three inches is reasonably determined not to have been possessed as a weapon
- Continuous disruptive behavior on school bus
- Smoking, using, or possessing tobacco and tobacco products
- Interfering with school authorities
- Aggressive, disruptive individual action or aggressive, disruptive group demonstration that substantially disrupts or materially interferes with school activities.
- Failure to comply with reasonable requests of school personnel and/or defiance of the authority of school personnel
- Failure to adhere to terms of behavior contracts
- Indecent/unsolicited sexual proposal/sexual harassment
- Selling or soliciting for sale any merchandise on school campus without the authorization of the building directors
- Profanity, vulgar language, or obscene gestures

- Possession or use of fireworks, "poppers," smoke or stink bombs, or any other pyrotechnic device that may be used to disrupt the educational process
- Possession of laser pens or laser pointers
- Possession of live ammunition or bullets
- Any ethnic, religious or racial slurs.
- Engaging in threats or other acts of intimidation that interfere with another student's desire or willingness to participate in the educational process
- Misdemeanor criminal mischief (i.e., vandalism) resulting in the destruction or defacing of any property, including computers and related equipment, in an amount greater than \$20 but less than \$1,500. This includes rendering computers or related equipment inoperable or damaging them by erasing data with magnets, intentionally introducing viruses, worms, or tampering with programs or other data without authority.
- "Hacking" or other use of computers to gain unauthorized access to data bases, including student, faculty, or data files without permission. In addition to any criminal penalties, students may have their computer privileges suspended.
- Use of school computers, facsimile equipment, or other electronic devices to transmit, receive, view, or display obscene, vulgar, sexually explicit, or racist media; or to display information that advocates unlawful activities or provides guidance on the construction or production of weapons, illegal devices, or controlled substances
- Use of the school computer network with the intent to incite violence or aggressive and/or disruptive action on the part of the student body, use of slanderous language, or use of language that promotes racial disorder or sexual harassment and is disruptive to the school environment
- Use of the school computer network for soliciting or purchasing commercial materials and/or services of any kind
- Use of the school computer network to engage in participation in hate groups
- Misdemeanor extortion, which is defined as obtaining money or information from another by coercion or intimidation of a value less than \$1,500
- Possession or use of any prescription or nonprescription drug, medicine, vitamins, or other chemical in violation of the Guidelines for Dispensing Medications at School
- Refusal to cooperate in, or interfering with, a random metal-detector safety search
- Any other acts of serious misconduct that disrupt the school environment in the classroom and/or school
- Hazing, which means any intentional, knowing, or reckless act directed against a student by one person alone or acting with others that endangers

the mental or physical health or the safety of a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any organization or general classification of students whose members are or include other students

- Assisting (directly or indirectly) with the promotion of any behavior prohibited by this Code of Student Conduct and The DRAW Academy Incorporated Proactive Discipline Approach and any other established DRAW rules and regulations.

Disciplinary Options/Responses:

- Required Director of Student and Community Services /student/parental conference
- Restitution or restoration, as applicable, for vandalism to property
- Exclusion from extracurricular activities including, but not limited to, field trips, commencement exercises, and award ceremonies
- Recommendation to Charter Board of placement into long-term in-school suspension in the campus alternative education program.
- Suspension for three school days per occurrence.
- Removal of transportation services for up to one year
- Any other appropriate disciplinary actions determined by the Director of Student and Community Services

Procedures:

1. Referral to the Director of Student and Community Services with a conference with a parent within 24 hours
2. Director of Student and Community Services confers with student and parent about the misconduct. The student is given an opportunity to explain the incident
3. Director of Student and Community Services decides whether to suspend student for three or refer him or her to the Principal to determine a long-term suspension or placement in in-school suspension more than one to three days. Written notice of the offenses and the action taken are given to the parent and teacher. If the student is referred to the Principal for a long-term placement in in-school suspension for more than one to three days, the parent shall be given a letter stating the reasons for the removal and setting the term. The letter placing the student should state the term of placement in a specific number of days of successful attendance. Students under the age of 6 may not be placed in-school suspension.
5. The teacher must discuss the misbehavior with the parent and the student with in 24 hours and document the conference on the discipline sheet.

4. The Director of Students will notify teacher and parent of any sanctions resulting from student's transgression of the school rules.

Repeated violations shall result in a more severe response and/or referral to Level IV.

Level IV and V: Required Withdrawal from The DRAW Academy Incorporated and/or Referral to a Campus Alternative Education Program (AEP):

Zero Tolerance/Pursuit of Criminal Charges

- The Charter Board, in accordance with its major system priorities, believes the school environment should be safe for all students and free of disruptions that interfere with the education process. In response to this belief, the Board has developed a policy of zero tolerance. This policy shall apply to elementary and middle students.
- All students who unlawfully possess a firearm, illegal knife as defined by state law, explosive, or any other dangerous object or weapon on The DRAW Academy Incorporated property, on school buses, and/or in attendance at school-related activities shall be recommended for expulsion to the Principal. The decision of the Principal may be appealed to the Charter Board. The Charter Board shall schedule a hearing within three days and hold the hearing within seven days unless agreement with the parent or guardian or circumstances require a delay, in which case the hearing shall be scheduled within a reasonable time. Students with disabilities may be subject to the "stay-put" requirements of 34 C.F.R. 300.514. The procedures relating to the discipline of students with should be followed. The decision of the Board will be final. The Code of Student Conduct and The DRAW Academy Incorporated Proactive Discipline Approach will be strictly applied.
- Reports to Local Law Enforcement
- The DRAW Academy Incorporated administrators and the Charter Board has an obligation under the law to notify the police department and the local police department if any administrator has reasonable grounds to believe that any of the following offenses has occurred in school, on school property, or at a school-sponsored or school-related activity on or off school property:
 - Murder; capital murder
 - Aggravated kidnapping
 - Aggravated assault
 - Injury to a child or an elderly individual

- Sexual assault; aggravated sexual assault
- Arson
- Robbery; aggravated robbery; burglary
- Manufacture or delivery of a controlled substance, manufacture, delivery, or possession of a miscellaneous illegal substance, or delivery of marijuana within 1,000 feet of a school or playground
- Deadly conduct, as described by Section 22.05, Penal Code, which includes, but is not limited to, recklessly engaging in conduct that places another person in imminent danger of serious bodily injury or knowingly discharging a firearm in the direction of an individual, home, or occupied vehicle
- Terrorist threat, which generally involves the threat of a violent act that places a person in fear of serious bodily injury or is designed to incite panic; cause disruption to the use of a public building or space; interrupt the use of public communications, transportation, the water, gas, or power supply or another public service; or cause an emergency response as more specifically described by Section 22.07, Penal Code
- Use, sale, or possession of a controlled substance, drug paraphernalia, or marijuana, as defined by Chapter 481, Health and Safety Code
- Possession of a club, explosive weapon, firearm, firearm silencer, handgun, illegal knife, knife, brass knuckles, machine gun, short-barrel firearm, switchblade knife, armor-piercing ammunition, hoax bomb, chemical dispensing device, or zip gun, as listed in Sections 46.01(1)–(14) or Section 46.01(16) of the Penal Code
- Organized criminal activity, which includes commission of murder, capital murder, arson, aggravated robbery, robbery, burglary, theft, aggravated kidnapping, kidnapping, aggravated assault, aggravated sexual assault, sexual assault, forgery, deadly conduct, burglary of a motor vehicle, unauthorized use of a motor vehicle, a gambling offense, or other criminal activity if it is done with the intent to establish or maintain or participate in a collaboration of three or more persons or participate in the profits of such a combination in carrying on criminal activity as further defined under Section 71.02 of the Penal Code.

The Charter Board notifies local law enforcement of these offenses shall notify each instructional or support staff member who has regular contact with the student who has committed the offenses.

Court Involvement

- If a student is found to have committed an offense under Level IV or V of this Code the county may decide whether the student is in need of supervision,

whether the student has engaged in delinquent conduct, or whether the student should be referred to an appropriate state agency.

- The Director of Student and Community Services may recommend the immediate expulsion of a student from the school when the administrators reasonably believe that the action is necessary to protect persons or property from imminent harm. The Charter Board shall schedule a hearing within three days and hold the hearing within seven days unless agreement with the parent or guardian or circumstances require a delay, in which case the hearing shall be scheduled within a reasonable time. Students with disabilities may be subject to the "stay-put" requirements of 34 C.F.R. 300.514. The procedures relating to the discipline of students with should be followed.

Student Misconduct

The Code of Student Conduct and The DRAW Academy Incorporated Proactive Discipline Approach provide a description of a broad range of behavior considered to be student misconduct. The behavior described should be viewed as representative of the misconduct, which most frequently causes a disruption to the orderly educational process. Discipline enforcement is the responsibility of all teachers, counselors, directors, principal, and other adults as assigned by the Charter Board in a partnership with parents. Discipline will be dispensed in a dignified manner, free from mental and physical abuse

When and Where These Rules Apply

The policies and administrative procedures concerning student conduct apply to actions of students on school property and school buses and, in some cases, for conduct occurring off of school property or within 300 feet of school property. Additionally, the rules apply to actions of students at all school-sponsored or school-related activities or events, such as field trips, sporting events, stadium assemblies, fairs, or evening school-related activities. Students should be aware that the commission of any felony offense, whether at school or away from school, may result in expulsion or withdrawal from The DRAW Academy Incorporated. Finally, students should be aware that administrators who are made aware of criminal activity whether on or off of campus will make a report to appropriate law enforcement agencies and that, in addition to these administrative rules, students may be subject to criminal charges for violations of the law.

General Discipline Guidelines for Assessing Penalties

When administering discipline, personnel shall adhere to the following general guidelines:

- Discipline shall be administered when necessary to protect students, school employees, or property and to maintain essential order and discipline.
- Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstances of each case and may include such factors as:
 - seriousness of the offense;
 - student's age;
 - frequency of misconduct;
 - student's attitude;
 - potential effect of the misconduct on the school environment; and
 - state law requirements for certain disciplinary consequences.
 - Levels of Offenses

Acts of misconduct are categorized into the following five levels of offenses:

- Level I—Violation of Classroom Rules:
 - Offenses which generally occur in the classroom and can be corrected by the teacher.
- Level II—Administrative Intervention:
 - Offenses which are more serious in nature or a continuance of Level I misconduct.
- Level III—Suspension and/or Optional Removal to a Disciplinary Alternative Education Program:
 - Offenses which seriously disrupt the educational process in the classroom, the school, and/or at school related activities, or a continuance of repeated Level I, II, or III misconduct.
- Level IV—Required Withdrawal or Placement in a Campus Alternative Education Program:
Criminal offenses as defined in Level IV. This may include any felony, whether school-related or not, unless it is one for which expulsion is required.
- Level V—Expulsion and Withdrawal for Serious Offenses:
Offenses which include those for which a student may or shall be expelled under state law. They include continued serious or persistent misbehavior which violates the Code of Student Conduct by a student while placed in the campus alternative education program.

Staff Members will use their professional judgment to determine the most effective way to correct student misconduct. Disciplinary actions apply equally to all students, except as provided under the direction of the Principal or the final of the decision of the Charter Board.

General Procedures for Resolving School Problems:

School problems can best be resolved at the campus level, where problems start. In order to resolve problems, parents, guardians, and/or students can meet with a teacher at appropriate times to discuss existing problems. If the parents, guardians, or students are dissatisfied with the teacher's decision or explanation, they can meet with the Director of Student and Community Services to review the area of concern. If further assistance is needed, then parents, guardians, or students can meet with the Principal. Parents, guardians, and students who wish to appeal placement in the DAEP that extends beyond the next grading period, or who wish to appeal an expulsion or withdrawal, should request a meeting with the Charter Board.

In limited scope a student peer mediation may be the appropriate avenue for conflict resolution or related low offense student discipline related concerns.

Procedures for Referral of a Student to an external Alternative Education Program:

It is the policy of The DRAW Academy Incorporated not to refer students to an AEP. The DRAW Academy Incorporated will comply and support police and county official efforts in regard to AEP matters relation to current or former students enrolled at the campus.

Procedures for Continuation of AEP Placement after Receipt of Notice Under Article 1527(g)

The Charter Board shall review the placement of a student in an external alternative education program (AEP) upon receipt of notice under Article 1527(g), Code of *Criminal Procedure*:

- that the prosecution of the case was refused for lack of prosecutorial merit or insufficient evidence and no formal proceedings, deferred adjudication, or deferred prosecution will be initiated; or
- that the court or jury found the student not guilty or made a finding the child did not engage in delinquent conduct or conduct indicating a need for supervision and the case was dismissed with prejudice.

On receipt of a notice under this article, the Principal or his or her designee shall review the student's placement in the AEP. The student may not be returned to

the regular classroom pending the review. The Principal or Director of Student and Community Services shall schedule a review of the student's placement with the student's parent or guardian not later than the third class day after the school receives notice from the office or official designated by the court. After reviewing the notice and receiving information from the student's parent or guardian, the directors or his or her designee may continue the student's placement in the AEP if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers.

The student or the student's parent or guardian may appeal the Principal's decision to the Charter Board who may consider additional matters. The student may not be returned to the regular classroom pending the appeal. The student, parent, or guardian may not appeal the decision of the Charter Board.

On receipt of a notice under this article, the Principal shall review the student's placement in the AEP. The student may not be returned to the regular classroom pending the review. The Principal shall schedule a review of the student's placement with the student's parent or guardian not later than the third class day after the directors receives notice from the office or official designated by the court. After reviewing the notice and receiving information from the student's parent or guardian, the Principal may continue the student's placement in the campus alternative education program if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers.

The student or the student's parent or guardian may appeal the Principal's decision to the Charter Board who may consider additional matters. The student may not be returned to the regular classroom pending the appeal. The student, parent, or guardian may not appeal the decision of the Charter Board.

General Provisions

The following procedures apply to student grievance resolution:

9. Authority. If a grievance arises that is not under the jurisdiction of the Principal, the grievance shall be transmitted in writing directly to the Charter Board. Grievances initiated in this fashion shall begin at Step 3 of the formal process. The Board has final authority in the decision-making process and cannot be appealed.
10. Meetings. All meetings concerning grievances will take place at reasonable hours. Students who must be absent from class will be excused providing they have confirmation from their teacher that no examinations will be missed. If a grievance hearing is scheduled during the regular school day, all staff participants in the investigation and processing of the grievance shall be released from regular duties and shall suffer no

- loss of pay or other benefits. Reasonable notice of scheduled hearings shall be given to all participants.
11. Records of Meetings. All documents, communications, and records dealing with a grievance shall be filed separately from the student's transcript, and no notation of such grievance shall appear in the file of the aggrieved unless so requested by the aggrieved. All matters pertaining to a grievance shall be treated as confidential material and shall not be considered in the evaluation of the student.
 12. Time Limits. The number of days indicated at each level of the resolution procedures shall be a maximum. Time limits specified may be extended in any specific instance by agreement of both parties.
 13. Withdrawal. A grievance may be withdrawn at any step and cannot be reopened.
 14. Reprisals. No reprisals of any kind shall be taken by or against any student in the grievance procedure by reason of such participation; however, the student may be subject to disciplinary action for any subsequent misconduct. Reprisals shall not be taken against any party of interest in the grievance procedure by reason of such participation.
 15. Legal Remedy Rights. No part of this process shall work in such a way as to deny the complainant the right to pursue legal redress in the courts.

Formal Resolution Process:

The formal procedures for the resolution of student grievances are as follows:

Step 1

The student who is unable to resolve a grievance through the informal process may send a formal written grievance within 15 days of the alleged circumstances that prompted the complaint to the Director of Student and Community Services or directly to the Principal. Within five days of the date the grievance is filed, the administrators shall schedule a meeting with the aggrieved and his or her parents, guardian, or designated representative in an attempt to resolve the grievance. The Principal shall indicate their disposition of the grievance in writing within five days of such meeting and shall furnish copies to the aggrieved and his or her representative.

Step 2

If the aggrieved is not satisfied with the disposition of the grievance at Step 1, or if no disposition has been made within the allotted time period, the student may file the grievance up the normal authority chain; the Principal, Superintendent and Charter Board. Within five days, the Principal shall meet with the parties of interest concerning said grievance. The disposition of the grievance shall be

indicated in writing within five days of the meeting, and a copy shall be furnished to all parties of interest.

Step 3

If the aggrieved is not satisfied with the disposition of the grievance at Step 2, or if no disposition has been made within five days of the meeting, the student may file the grievance up the normal authority chain by forwarding the grievance to the Charter Board. Within five days of the date the grievance is received, the Charter Board shall meet with the interested parties. The disposition of the grievance shall be indicated in writing within five days of the meeting, with a copy furnished to the aggrieved and all parties of interest. The decision of the Charter Board is final and may not be appealed.

Step 4

If the aggrieved is not satisfied with the disposition of the grievance, or if no disposition has been made at Step 3, the aggrieved may take additional action as provided within the federal or state statutes.

Procedures to Report and Investigate a Student's Complaint of Sexual Harassment by Another Student

Student misconduct that is alleged to be sexual harassment by one student toward another student should be reported to a campus teacher, counselor, Principal, administrative staff, directors, or other adult staff member. The adult who receives the report of student misconduct shall follow the Code of Student Conduct and The DRAW Academy Incorporated Proactive Discipline Approach for reporting, investigating, and responding to student misconduct. Students found to have committed the misconduct shall be disciplined according to the levels of student misconduct in the Code of Student Conduct and The DRAW Academy Incorporated Proactive Discipline Approach. Students and parents may appeal to the Principal if they are not satisfied with the resolution reached by the Director of Student and Community Services. They may appeal to the Charter Board if they are not satisfied with the decision of Principal.

Procedures to Report and Investigate Alleged Sexual Harassment of a Student by an Adult

1. A student, parent, or individual with knowledge of an alleged act of sexual harassment of a student by an adult is obligated to report it to a teacher, counselor, nurse, school administrator, Principal, or administrative staff.

2. At any time, including at the time of making the initial complaint, the student, parent, or individual with knowledge of the alleged act of sexual harassment may complain directly to the Principal.
3. Whenever a complaint of sexual harassment of a student by an adult is received, the following steps shall be taken:
 - a. Efforts will be made to obtain all of the facts from the student and to verify these facts. Such efforts may include requesting a written statement from the student and verifying these facts. Such efforts may include requesting a written statement from the student's parents or guardian and obtaining names of witnesses of the alleged acts of sexual harassment. The individual receiving the complaint shall complete the Complaint Form.
 - b. If appropriate, Harris County Children's Protective Services and/or a law enforcement agency must be contacted.
 - c. An appropriate investigation must be conducted. The investigation shall begin within five school days of receiving the information from the student, parent, or individual with knowledge of the alleged act of sexual harassment.
 - d. A thorough investigation includes an interview with the individual who allegedly committed the sexual harassment to inform the individual of the specific allegations and to provide an opportunity for a response.
 - e. Upon completion of the investigation, the student and/or parents should be informed of the resolution of the complaint.
 - f. Upon completion of the investigation, the individual who allegedly committed the sexual harassment shall be informed of the resolution of the complaint. A representative of choice to discuss the resolution of the complaint may accompany the individual.
4. Upon completion of the investigation, the Response Form along with the documentation of the complaint, the steps taken to investigate the complaint, and the proposed resolution shall be filed.
5. Any disciplinary action against any The DRAW Academy Incorporated employee shall be determined by the Principal and may be appeal to the Charter Board. The Charter Board's decisions are final and may not be appealed.

Student Publications

The school encourages student participation in the publication of school newspapers, yearbooks, literary magazines, and similar publications as learning and educational experiences. These publications have qualified faculty advisors

and strive to meet high standards of journalism. Opportunities for a broad spectrum of opinions shall be provided.

In addition to school-sponsored publications, students are entitled to express, in writing, their opinions and may distribute handwritten, duplicated, or printed materials on school premises or at school-sponsored activities at other locations in accordance with the following conditions and procedures:

- ❑ A publication is subject to these procedures if it is not school-sponsored or if it is not prepared for the partial fulfillment of a school course. Additionally, these rules apply if it appears more than five copies of the publication may be distributed.
- ❑ Distribution of a publication shall not be prohibited because the publication contains the expression of any idea, popular or unpopular. However, if the publication is libelous or obscene or advocates illegal action or disobedience to published rules on student conduct adopted by the Charter Board, the publication cannot be distributed on school premises. Libelous language is that language for which a civil suit can be maintained in the state courts. A publication is obscene if the language, pictures, or portrayals are described as vulgar, lewd, or indecent according to the community standards of the area surrounding the individual school in which the school's students reside.
- ❑ Distribution on school premises of material consisting wholly or primarily of commercial advertising is prohibited.
- ❑ Distribution of a publication is prohibited if its distribution materially and substantially interferes with normal school operations, or if the building Charter Board, Principal, and/or Directors have reasonable cause to believe that the distribution would cause such a material and substantial interference.
- ❑ The publication cannot be sold on the school premises but may be sold off school premises subject to the provisions of Subsection g.
- ❑ The publication must contain the names of the individual contributors, editors, and publishers.
- ❑ Distribution of printed material off of school premises will be subject to these rules when the manner of distribution is calculated to and in fact does result in possession by students on school premises. This includes the distribution of materials in places adjacent to the school premises in the morning before normal classroom activity has begun. It does not include distribution in places adjacent to school premises in the afternoon after normal classroom activity has ceased for the day.

The following procedures are to be followed in distributing a publication as defined in Subsection a:

1. A copy of the publication must be given to the Principal, who may take up to one working day for the purpose of reviewing the publication before its general distribution on campus. The Principal should determine whether the publication qualifies for distribution. In making this determination, the Principal may consult with other administrators, with the faculty, and with anyone he/she thinks will be of assistance.
2. If the distribution of the publication is approved, the Principal must approve the manner, time, and place of distribution.
3. If the publication is not approved by the Principal, the sponsors of the publication may appeal the decision to the Charter Board, who may take up to one additional working day for the purpose of reviewing the publication and the decisions of the administrators and possibly the attorneys. He/she may either affirm or overrule the decisions of the directors and the attorneys. If the Charter Board overrules the decision of the administrators and the attorneys, the publication may be distributed in a timely manner determined by the Charter Board.

The DRAW Academy Incorporated Transportation Service Safety Guidelines

Students should be aware that all of the rules contained in this Code are applicable to their conduct and actions while riding The DRAW Academy Incorporated provided transportation. Aside from compliance with the rules contained in Levels I through V, students are expected to observe the following rules:

1. Students shall follow the directions of the school-bus operator the first time given.
2. Students should be at the assigned bus stop five minutes before the scheduled departure time.
3. Students shall wait in a safe place, clear of traffic and away from where the school bus stops.
4. Students shall wait in an orderly line and avoid horseplay.
5. Students shall cross the road or street in front of the bus only after the bus has come to a complete stop and upon the direction of the bus driver.
6. A student must go directly to an available seat upon entering the bus, must remain seated, and must keep all aisles and exits clear.
7. Students are expected to exhibit appropriate classroom conduct at all times when riding transportation.
8. A student may carry only objects on the bus that can be held on his or her lap.
9. Students shall refrain from throwing or Passing objects on or from the bus.

10. Food, drinks, animals, hazardous substances, and nuisance items are not permitted on the bus.
11. Students are required to follow all safety instructions and to respect the rights of others.
12. Students are not permitted to leave or board the bus at any location other than the assigned stops at home or school.
13. Extending the head, arms, or other objects out of the windows of the bus as well as hitching a ride via the rear bumper or other parts of the bus are strictly prohibited.

Summary of Related Board and The DRAW Academy Incorporated Discipline Policies:

This Student Code of Conduct and the Proactive Discipline Approach: A Positive, Proactive Approach is drawn from Board Policies and has been altered to align with the mission, goals, and philosophies of The DRAW Academy Incorporated. Copies are available in the front office, through the registration process, and all schools classroom teachers.

Additional Rights of Students With Disabilities

The DRAW Academy Incorporated does not discriminate on the basis of disability and complies with all provisions of Section 504 of the Rehabilitation Act and Title II of the Americans With Disabilities Act.

Student and Parent Acknowledgement

The DRAW Academy Incorporated shall foster a climate of mutual respect for the rights of others. Each student is expected to respect the rights and privileges of other students, teachers, and district personnel. The student's responsibilities for achieving a positive learning environment at school and/or school-related activities shall include the following:

- Attend all classes and each day and be on time
- Prepare for each class with appropriate materials and completed assignments
- Dress according to the dress code adopted by DRAW.
- Know that the possession, use, and/or sale of illegal or unauthorized drugs, alcohol and weapons is unlawful and prohibited
- Show respect toward others
- Conduct oneself in a responsible manner
- Pay required fees and fines
- Know and obey all school rules in the Code of Student Conduct and The DRAW Academy Incorporated Proactive Discipline Approach and the School-Based Discipline Management System
- Cooperate with staff in investigation of disciplinary matters
- Seek changes in school policies and regulations in an orderly and responsible manner, through appropriate channels
- Report threats to the safety of students and staff members as well as misconduct on the part of any other students or staff members to the building directors, a teacher, or another adult
- Use The DRAW Academy Incorporated technology systems for school business purposes only and use school computers and related equipment appropriately
- Abide by the technology security procedures developed by The DRAW Academy Incorporated such as never leaving a terminal or workstation unattended or unsecured while logged on to a host computer or network
- Report all observed or suspected technology security problems immediately to a teacher

The Code of Student Conduct and The DRAW Academy Incorporated Proactive Discipline Approach has been written to help your son or daughter gain the greatest possible benefit from his or her school experience.

The school is in need of your help and cooperation. It is important that every student understands the Code and is expected by his or her parent(s) or guardian(s) to follow the rules and regulations set forth in the Code. Please read and discuss the Code with your child. When you have done so, you and your child must sign this form and return it to the school. Signatures of parents and student acknowledge receipt of a copy of the Code of Student Conduct and The DRAW Academy Incorporated Proactive Discipline Approach and certify that both have read and discussed the Code. It is expected that parents and students will accept their responsibilities as described in the Code of Student Conduct and The DRAW Academy Incorporated Proactive Discipline Approach.

Student Signature

Date

Parent or Guardian Signature

Date

Parent or Guardian Signature

Date

Parent or Guardian Signature

Date

Date

Grade _____ Homeroom _____ School _____

Note: Place original form in student's cumulative folder.

14- SPECIAL NEEDS STUDENTS AND PROGRAMS

Projected Enrollment of Students:

Pre-Kindergarten serving both 3 & 4 year old	60 students
Special Education (IDEA)	10% estimated students
Section 504	10% estimated students
Title One Student Percentage of School	92% 2002-2003

Accommodations for Students with Disabilities in Special Education Programs:

See the attached Charter Holder Special Education Assurances in the paper version of the application.

Special Education Coordinator with the special education certificate will provide the special education services required in the IEPs, with in the limits of the certification. Teachers will be required to participate in special education certification programs, with the goal of having each teacher certified in Special Education. To ensure that appropriate evaluations, related services and a full continuum of placement options are available to meet the needs of a wide variety of disabilities, DRAW will contract the area of assignment if those individuals are not available as staff.

Application of Federal Programs: How Students Qualify, Use of Funds

Title I — Improving The Academic Achievement Of The Disadvantaged

The purpose of this title is to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging Texas state academic achievement standards and Texas state academic assessments.

Diversity, Roots and Wings is to use Title I funds to provide supplemental services designated to improve the educational performance of low-achieving students in high-poverty schools. The amount of money that a district receives is calculated based on the previous year's number of students receiving free and reduced-price lunch by the district. According to the Texas Education Code, Section 29.801, Subchapter 2, school districts are required to evaluate and document the effectiveness of the ways they use this money to enhance the educational experiences of their at-risk students, to reduce the number of dropouts, and to increase student performance.

Subpart 1 — Reading First

Kindergarten through Third Grade receive 1.5 hours in language arts instruction in English and 1.5 hours of Spanish language arts instruction daily. The purpose in establishing a reading program for students in kindergarten through grade 3 is to ensure that every student can read at grade level or above not later than the end of grade 3.

A Region IV TEA Master Reading Teacher will be developed and maintained through Region IV professional development to serve the needs of emergent readers in K – 3, and in other grades as needed. In preparing teachers, including special education teachers, through professional development and other support, so the teachers can identify specific reading barriers facing their students and so the teachers have the tools to effectively help their students learn to read.

The DRAW Academy Incorporated will contract for or train teachers or administrators in the administering screening, diagnostic, classroom-based instructional reading assessments, and in selecting or developing effective instructional materials (including classroom-based materials to assist teachers in implementing the essential components of reading instruction), programs, learning systems, and strategies to implement methods that have been proven to prevent or remediate reading failure.

In a community based strategy to strengthen coordination among schools, early literacy programs, and family literacy programs to improve reading achievement for all children, The DRAW Academy Incorporated has contracted with the Universidad de Monterrey Tecnológico for the implementation of a bilingual virtual community education center.

Part C — Education of Migratory Children

It is the commitment of The DRAW Academy Incorporated to support high-quality and comprehensive educational programs for migratory children to help reduce the educational disruptions and other problems that result from repeated moves; ensure that migratory children who move among the Texas states are not penalized in any manner by disparities among the Texas states in curriculum, graduation requirements, and Texas state academic content and student academic achievement standards; ensure that migratory children are provided with appropriate educational services (including supportive services) that address their special needs in a coordinated and efficient manner; ensure that migratory children receive full and appropriate opportunities to meet the same challenging Texas state academic content and student academic achievement standards that all children are expected to meet; design programs to help migratory children overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit the ability of such children to do well in school, and to prepare such children to make a successful transition to postsecondary education or employment; and ensure that migratory children benefit from Texas state and local systemic reforms.

To this end The DRAW Academy Incorporated provides educational services at the students' point of need, regardless of where that point may lie. The small and diverse nature of our school in general allow for comfortable transitions into the classroom setting, regardless of educational, cultural, or other historical experiences of the learner.

Part D — Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent, or At-Risk

It is the responsibility of The DRAW Academy Incorporated to improve educational services for children and youth in local and Texas state institutions for neglected or delinquent children and youth so that such children and youth have the opportunity to meet the same challenging Texas state academic content standards and challenging Texas state student academic achievement standards that all children in the Texas state are expected to meet; to provide such children and youth with the services needed to make a successful transition from institutionalization to further schooling or employment; and to prevent at-risk youth from dropping out of

school, and to provide dropouts, and children and youth returning from correctional facilities or institutions for neglected or delinquent children and youth, with a support system to ensure their continued education.

However, the extent to which the resources of The DRAW Academy Incorporated can support and actualize such programs is very limited.

Programs in place include but are not limited to Grade Placement Committee, Attendance Committee, programs that support bilingual and ESL students, economically challenged, prekindergarten 3 and 4, and continuing family education through the virtual community center and contracted services.

Title II — Preparing, Training, and Recruiting High Quality Teachers and Principals

PART A — Teacher and Principal Training and Recruiting Fund

Through utilization of TEA Region IV educational services, The DRAW Academy Incorporated provides budgeted funds for teacher and principal training and recruiting. Specific uses in the past and probable future allocations have been for master reading teacher training, dyslexia training, social studies TAKS training, science TAKS training, teacher certification course work, reading institutes, LCD PDAS update course, and other trainings as needed. The purpose of this professional development part is to increase student academic achievement through strategies such as improving teacher and principal quality and increasing the number of highly qualified teachers in the classroom and highly qualified principals and assistant principals/administrators at the school.

Part B — Mathematics and Science Partnerships

The purpose of this part is to improve the academic achievement of students in the areas of mathematics and science by encouraging Texas state educational agencies, institutions of higher education, local educational agencies, elementary schools, and secondary schools to participate in programs that —

- (1) improve and upgrade the status and stature of mathematics and science teaching by encouraging institutions of higher education to assume greater responsibility for improving mathematics and science teacher education through the establishment of a comprehensive, integrated system of recruiting, training, and advising mathematics and science teachers;
- (2) focus on the education of mathematics and science teachers as a career-long process that continuously stimulates teachers' intellectual growth and upgrades teachers' knowledge and skills;

- (3) bring mathematics and science teachers in elementary schools and secondary schools together with scientists, mathematicians, and engineers to increase the subject matter knowledge of mathematics and science teachers and improve such teachers' teaching skills through the use of sophisticated laboratory equipment and work space, computing facilities, libraries, and other resources that institutions of higher education are better able to provide than the elementary schools and secondary schools;
- (4) develop more rigorous mathematics and science curricula that are aligned with challenging Texas state and local academic content standards and with the standards expected for postsecondary study in engineering, mathematics, and science; and
- (5) improve and expand training of mathematics and science teachers, including training such teachers in the effective integration of technology into curricula and instruction.

To this end, The DRAW Academy Incorporated will continue to maintain and further develop the hands-on Science Lab for grades 2 – 12. A weekly lab experience for students provides a valuable extended opportunity for both science and math knowledge acquisition and critical thinking development. In addition, the teachers will continue to receive profession development in math and science and receive respective manipulative and teacher aided instruction materials as they complete each level of professional development.

Part D — ENHANCING EDUCATION THROUGH TECHNOLOGY

Funds gain through the 'Enhancing Education Through Technology Act of 2001 will be put to proper usage through The DRAW Academy Incorporated Technology Plan (detailed under special program). The funds would be for the purpose of implementation and support of a comprehensive system that effectively uses technology in the elementary and secondary: to improve student academic achievement; to encourage the establishment or expansion of initiatives, including initiatives involving public-private partnerships, designed to increase access to technology, particularly in schools served by high-need local educational agencies; to assist in the acquisition, development, interconnection, implementation, improvement, and maintenance of an effective educational technology infrastructure in a manner that expands access to technology for students (particularly for disadvantaged students) and teachers; to promote initiatives that provide school teachers, principals, and administrators with the capacity to integrate technology effectively into curricula and instruction that are aligned with challenging Texas state academic content and student academic achievement standards, through such means as high-quality professional development programs; to support the development and utilization of electronic networks and

other innovative methods, such as distance learning, of delivering specialized or rigorous academic courses and curricula for students in areas that would not otherwise have access to such courses and curricula, particularly in geographically isolated regions; to support the rigorous evaluation of programs funded under this part, particularly regarding the impact of such programs on student academic achievement, and ensure that timely information on the results of such evaluations is widely accessible through electronic means; to support local efforts using technology to promote parent and family involvement in education and communication among students, parents, teachers, principals, and administrators. These will be accomplished through the completion of the already granted E-Rate grant, Tecnolocio de Monterey Virtual Community Center and continuing education courses, and through the overall Diversity, Roots and Wings curricula and pedagogy instruction of the TEKS.

TITLE III — LANGUAGE INSTRUCTION FOR LIMITED ENGLISH PROFICIENT AND IMMIGRANT STUDENTS

PART A — ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND ACADEMIC ACHIEVEMENT ACT

The DRAW Academy Incorporated TWIBP 50/50 BE/ESL Program meets the requirements of the 'English Language Acquisition, Language Enhancement, and Academic Achievement Act'.

The purposes of The DRAW Academy Incorporated BE/ESL program is to help ensure that children who are limited English proficient, including immigrant children and youth, attain English proficiency, develop high levels of academic attainment in English, and meet the same challenging Texas state academic content and student academic achievement standards as all children are expected to meet; to assist all limited English proficient children, including immigrant children and youth, to achieve at high levels in the core academic subjects so that those children can meet the same challenging Texas state academic content and student academic achievement standards as all children are expected to meet, consistent with section 1111(b)(1); to develop high-quality language instruction educational programs designed to assist Texas state educational agencies, local educational agencies, and schools in teaching limited English proficient children and serving immigrant children and youth; to assist Texas state educational agencies and local educational agencies to develop and enhance their capacity to provide high-quality instructional programs designed to prepare limited English proficient children, including immigrant children and youth, to enter all-English instruction settings; to assist Texas state educational agencies, local educational agencies, and schools to build their capacity to establish, implement, and sustain language instruction

educational programs and programs of English language development for limited English proficient children; to promote parental and community participation in language instruction educational programs for the parents and communities of limited English proficient children; to streamline language instruction educational programs into a program carried out through formula grants to Texas state educational agencies and local educational agencies to help limited English proficient children, including immigrant children and youth, develop proficiency in English, while meeting challenging Texas state academic content and student academic achievement standards; to hold Texas state educational agencies, local educational agencies, and schools accountable for increases in English proficiency and core academic content knowledge of limited English proficient children by requiring —

(A) demonstrated improvements in the English proficiency of limited English proficient children each fiscal year; and

(B) adequate yearly progress for limited English proficient children, including immigrant children and youth, as described in section 1111(b)(2)(B); and

(9) to provide Texas state educational agencies and local educational agencies with the flexibility to implement language instruction educational programs, based on scientifically based research on teaching limited English proficient children, that the agencies believe to be the most effective for teaching English.

TITLE IV — 21ST CENTURY SCHOOLS

PART A — SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES

The purpose of the DRAW Code of Student Conduct and its processes and procedures are to support programs that prevent violence in and around schools; that prevent the illegal use of alcohol, tobacco, and drugs that involve parents and communities. The DRAW Academy Incorporated coordinates with other non-profit, related Federal, Texas state, school, and community efforts and resources to foster a safe and drug-free learning environment that supports student academic achievement.

TITLE V — PROMOTING INFORMED PARENTAL CHOICE AND INNOVATIVE PROGRAMS

PART A — INNOVATIVE PROGRAMS

The purposes of this part are the following:

(1) To support local education reform efforts that are consistent with and support Texas statewide education reform efforts.

(2) To provide funding to enable Texas state educational agencies and local educational agencies to implement promising educational reform programs and school improvement programs based on scientifically based research.

(3) To provide a continuing source of innovation and educational improvement, including support programs to provide library services and instructional and media materials.

(4) To meet the educational needs of all students, including at-risk youth.

(5) To develop and implement education programs to improve school, student, and teacher performance, including professional development activities and class size reduction programs.

(b) **TEXAS STATE AND LOCAL RESPONSIBILITY-** The Texas state educational agency shall bear the basic responsibility for the administration of funds made available under this part, but it is the intent of Congress that the responsibility be carried out with a minimum of paperwork and that the responsibility for the design and implementation of programs assisted under this part be mainly that of local educational agencies, school superintendents and principals, and classroom teachers and supporting personnel, because local educational agencies and individuals have the most direct contact with students and are most likely to be able to design programs to meet the educational needs of students in their own school districts.

Title VI — Flexibility and Accountability

Part B — Rural Education Initiative

Subpart 2 — Rural and Low-Income School Program

(a) **LOCAL AWARDS-** Grant funds awarded to local educational agencies under this subpart shall be used for any of the following:

(1) Teacher recruitment and retention, including the use of signing bonuses and other financial incentives.

(2) Teacher professional development, including programs that train teachers to utilize technology to improve teaching and to train special needs teachers.

(3) Educational technology, including software and hardware, as described in part D of title II.

(4) Parental involvement activities.

(5) Activities authorized under the Safe and Drug-Free Schools program under part A of title IV.

(6) Activities authorized under part A of title I.

(7) Activities authorized under title III.

(b) **ADMINISTRATIVE COSTS-** A Texas state educational agency receiving a grant under this subpart may not use more than 5 percent of the amount of the grant for Texas state administrative costs and to provide technical assistance to eligible local educational agencies.

It is the current opinion of The DRAW Academy Incorporated Board that the school will not qualify for this title.

TEXAS STATE PROGRAM COMPLIANCE: Student Qualification and School Usage of Funds:

Gifted and Talented

The DRAW Academy Incorporated Board has declined to provide a separate gifted and talented curriculum program, insisting that the current curriculum and pedagogy provided the educational opportunities for all students regardless of label.

BE/ESL and Optional Extended Year

The DRAW Academy Incorporated will provide summer school programs for LEP students to provide special instruction and special education students recommended by the ARD, and all eligible students in grades prekindergarten through twelfth grade will also be served by Title 1, Part A, Extended-Year Summer Program. Based on the past two-year's data, The DRAW Academy Incorporated will continue to be eligible for provisions under Title 1. The summer school program will run the entire month of June and July, from 8:00 AM to 1:00 PM. Students will be served free breakfast and lunch, and the program will be free to all students. The instructional days and hours meet the requirements under Title 1.

The DRAW Academy Incorporated develops the summer programs to serve those students who attend school in their local community during the regular academic year. The DRAW Academy Incorporated offers a variety of programs to target need areas identified by parents, students, and educators statewide. Parents apply directly to The DRAW Academy Incorporated for summer programs, and there is no cost to the family. Students are selected for a summer program based on their need for the services and programs offered.

The DRAW Academy Incorporated will provide summer school programs for LEP students to provide special instruction to prepare them to be successful in K and 1st grade, in accordance with TEC 29.060. Instruction will focus on age appropriate TEKS in the affective, linguistic, and cognitive needs of the LEP student in accordance with TEC 89.1210. Screening students using an oral language proficiency assessment shall determine student's LEP status. Enrollment is voluntary. The program shall operate for a minimum of 120 hours of instruction. The summer program will be open to all students of the school, regardless of LEP status. The student to teacher ratio shall not exceed 22:1.

Two-Way BE/ESL Immersion Program: English/Spanish Language Mastery Program

The purpose of the Diversity, Roots and Wings program centers in proving student achievement through instruction to LEP student through bilingual education and ESL programs to ensure that students are afforded full opportunity to master the essential skills and knowledge and Pass state assessment requirements. Students will be identified, within the first four weeks from the date of entering the school for participation in the BE/ESL program, designed to develop English language proficiency, as well as academic proficiency in all subject areas. With the parents approval the students will be enrolled in the bilingual or ESL program depending on the grade level and services provided by the school per grade level. At The DRAW Academy Incorporated the BE/ESL program is divided into bilingual Prekindergarten through 5th grade, and esl from 6th grade to 8th grade.

Attention to funding is in place to assure that BE/ESL funds are not combined with other funds. Diversity, Roots and Wings account for these specific funds, even though The DRAW Academy Incorporated has a school wide program. The BE/ESL students are classified as LEP and receive specific and regulated identification and service up to the exit from the program(s) based on testing results, to the monitored status.

The students at The DRAW Academy Incorporated will begin their Two-Way BE/ESL 50/50 Immersion Program, which provides for equal instructional time in English Language Arts with ESL modifications and Spanish Language Arts with ESL modification at the Pre-Kindergarten level and will continue through 8th Grade. The goal of the program is to promote bilingualism and biliteracy in the languages of Spanish/English. Features of the program include a K-12 BE/ESL program model whereby a combination of LEP and FEP (Fluent English Proficiency) students are team taught together for a minimum of 1 hour daily of Spanish Language Arts and Reading, by a Texas certified bilingual or ESL teacher, and a minimum of 1 hour daily of English Language Arts and Reading, by a Texas certified teacher. Students in the Two-Way BE/ESL 50/50 Immersion Program at the Pre-Kindergarten level are team-taught together one day in Spanish Language Arts, by a Texas certified bilingual teacher, and the next day in English by a Texas certified teacher.

In keeping with Texas state mandates, the principal of The DRAW Academy Incorporated will ensure that all LEP Spanish-speaking students are offered a BE/ESL program that will address their linguistic, cognitive and affective needs. Assignment to a BE/ESL program is contingent upon parent approval. All LEP non-Spanish speaking students will be offered a language support program. For non-Spanish speaking LEP students, bilingual education programs in non-Spanish

languages may be offered if resources are available. If resources are not available, upon parent approval, the students will be placed in the Two-Way BE/ESL 50/50 Immersion Program, which provides for equal instructional time in English Language Arts with ESL modifications and Spanish Language Arts with ESL modification at the Pre-Kindergarten level and will continue through 8th Grade. English Second Language Modifications will be used and documented in lesson plans by all teachers instructing LEP and LEP non-Spanish speaking students.

The identification process of entry-level LEP students begins with the completion of the Home Language Survey by the parent (TEC Chapter 89: Subchapter BB: 89.1225). The Language Proficiency Assessment Committee (LPAC), operating in adherence to TEC 29.063/Chapter 89, reviews the language assessment results of the student and recommends academic placement. As stipulated in TEC 89.1240, parents have the right to approve or deny their child's assignment into a BE/ESL program, but they must make informed decisions and document those decisions in writing by signing a Notification of Enrollment in a Bilingual Education form.

Student identification process testing for LEP entry-level and or evaluation will consist of the following: Oral Language Proficiency Testing (LAS), Written English Proficiency Testing (CAT), Texas Assessment of Knowledge (TAKS), High Frequency Word Evaluation (HFWE), Reading Proficiency Test in English (RPTE), Stanford, and Aprenda. Exceptions to testing evaluation will occur when student(s) special education ARD so designates.

DRAW Academy Policy - Two Way BE/ESL 50/50 Immersion Program

Chapter 89. Adaptations for Special Populations

Subchapter BB. Commissioner's Rules Concerning State Plan for Educating Limited English Proficient Students

Statutory Authority: The provisions of this Subchapter BB issued under the Texas Education Code, §§29.051-29.064, unless otherwise noted.

§89.1201. Policy.

Source: The provisions of this §89.1201 adopted to be effective September 1, 1996, 21 TexReg 5700.

DRAW Academy Policy:

(a) It is the policy of DRAW Academy that every student who has a home language other than English and who is identified as limited English proficient shall be

provided a full opportunity to participate in a bilingual education or English as a second language program, as required in the Texas Education Code, Chapter 29, Subchapter B. To ensure equal educational opportunity, as required in the Texas Education Code, §1.002(a), DRAW Academy:

(1) identify limited English proficient students based on criteria established by the state;

(2) provide bilingual education and English as a second language programs, as integral parts of the regular program as described in the Texas Education Code, §4.002;

(3) seek certified teaching personnel to ensure that limited English proficient students are afforded full opportunity to master the essential skills and knowledge required by the state; and

(4) assess achievement for essential skills and knowledge in accordance with the Texas Education Code, Chapter 39, to ensure accountability for limited English proficient students and the schools that serve them.

(b) The goal of bilingual education programs shall be to enable limited English proficient students to become competent in the comprehension, speaking, reading, and composition of the English language through the development of literacy and academic skills in the primary language and English. Such programs shall emphasize the mastery of English language skills, as well as mathematics, science and social studies, as integral parts of the academic goals for all students to enable limited English proficient students to participate equitably in school.

(c) The goal of English as a second language programs shall be to enable limited English proficient students to become competent in the comprehension, speaking, reading, and composition of the English language through the integrated use of second language methods. The English as a second language program shall emphasize the mastery of English language skills, as well as mathematics, science and social studies, as integral parts of the academic goals for all students to enable limited English proficient students to participate equitably in school.

(d) Bilingual education and English as a second language programs shall be integral parts of the total school program. Such programs shall use instructional approaches designed to meet the special needs of limited English proficient students. The basic curriculum content of the programs shall be based on the essential skills and knowledge required by the state.

§89.1205. Required Bilingual Education and English as a Second Language Programs.

DRAW Academy Policy

In the elementary grades PK through 5 is offered a dual language program known as Two Way BE/ESL 50/50 Immersion Program. The goal of the bilingual program is literacy in Spanish and English.

In secondary grades 6 through 8 shall be offered an English as a Second Language Program.

(b) A district shall provide a bilingual education program by offering:

(1) a dual language program in prekindergarten through the elementary grades, as described in §89.1210 of this title (relating to Program Content and Design); or

(2) an approved dual language program which addresses the affective, linguistic, and cognitive needs of the limited English proficient students, and which meets the requirements of the Texas Education Code, §29.055(a), as described in §89.1255 of this title (relating to Local Plan).

DRAW Academy Policy:

(1) In the elementary grades PK through 5 shall be offered a dual language program known as Two Way BE/ESL 50/50 Immersion Program. The goal of the bilingual program is literacy in Spanish and English.

In secondary grades 6 through 8 shall be offered an English as a Second Language Program.

The program is aligned with Chapter 89.1210 (Program Content and Design)

(2) In the elementary grades PK through 5 shall be offered a dual language program known as Two Way BE/ESL 50/50 Immersion Program.

In secondary grades 6 through 8 shall be offered an English as a Second Language Program.

addresses the affective, linguistic, and cognitive needs of the limited English proficient students and meets the requirements of §89.1255 of this title (relating to Local Plan).

(c) Districts are authorized to establish a bilingual education program at grade levels in which the bilingual education program is not required under subsection (a) of this section.

(d) All limited English proficient students for whom a district is not required to offer a bilingual education program shall be provided an English as a second language

program as described in subsection (e) of this section, regardless of the students' grade levels and home language, and regardless of the number of such students.

DRAW Academy Policy:

(c) not applicable

(d) In secondary grades 6 through 8 shall be offered an English as a Second Language Program.

(e) A district shall provide an English as a second language program by offering:

(1) an English as a second language program as described in §89.1210 of this title (relating to Program Content and Design); or

(2) an approved English as a second language program which addresses the affective, linguistic, and cognitive needs of the limited English proficient students and meets the requirements of §89.1255 of this title (relating to Local Plan).

DRAW Academy Policy:

In secondary grades 6 through 8 shall be offered an English as a Second Language Program.

The program addresses the affective, linguistic, and cognitive needs of the limited English proficient students and meets the requirements of §89.1255 of this title (relating to Local Plan; Program Content and Design).

(f) Districts may join with other districts to provide bilingual education or English as a second language programs.

DRAW Academy Policy:

(f) Not applicable.

(g) Districts which are unable to provide a bilingual education program as required by subsection (a) of this section shall request from the commissioner of education an exception to the bilingual education program and approval to offer an alternative program. Approval of exceptions to the bilingual education program shall be negotiated on an individual basis and shall be valid for only the school year for

which it was negotiated. This request will be submitted by a date determined by the commissioner of education and shall include:

- (1) a statement of the reasons the district is unable to offer the bilingual education program with supporting documentation;*
- (2) a description of the proposed alternative modified bilingual education or intensive English as a second language programs to meet the affective, linguistic, and cognitive needs of the limited English proficient students, including the manner in which the students will be given opportunity to master the essential knowledge and skills required by Chapter 74 ~~[75]~~ of this title (relating to Curriculum Requirements);*
- (3) an assurance that certified personnel available in the district will be assigned to grade levels beginning at prekindergarten followed successively by subsequent grade levels to ensure that the linguistic and academic needs of the limited English proficient students with beginning levels of English proficiency are served on a priority basis;*
- (4) a description of the training program which the district will provide to improve the skills of the staff which is assigned to implement the proposed alternative program, and an assurance that at least 10% of the bilingual education allotment shall be used to carry out this training program; and*
- (5) a description of the actions the district will take to ensure that the program required under subsection (a) of this section will be provided the subsequent year, including its plans for recruiting and training an adequate number of teachers to eliminate the need for subsequent exceptions.*

DRAW Academy Policy:

(g) Not applicable, since DRAW Academy offers a dual language program known as Two Way BE/ESL 50/50 Immersion Program.

(h) *Districts which, because of an insufficient number of certified teachers, are unable to provide an English as a second language program as required by subsection (d) of this section shall request from the commissioner of education a waiver of the certification requirements for the teachers who will provide the instruction in English as a second language for the limited English proficient*

students. Approval of waivers of certification requirements shall be negotiated on an individual basis and shall be valid for only the school year for which they were negotiated. This request will be submitted by a date determined by the commissioner of education and shall include:

(1) a statement of the reasons the district is unable to provide a sufficient number of certified teachers to offer the English as a second language program;

(2) a description of the manner in which the teachers in the English as a second language program will meet the affective, linguistic, and cognitive needs of the limited English proficient student, including the manner by which the students will be given opportunity to master the essential knowledge and skills required by Chapter 74 ~~[75]~~ of this title (relating to Curriculum Requirements);

(3) an assurance that certified personnel available in the district will be assigned to grade levels beginning at prekindergarten followed successively by subsequent grade levels in the elementary school campus, and on the basis of need for secondary campuses, to ensure that the linguistic and academic needs of the limited English proficient students with the lower levels of English proficiency are served on a priority basis;

(4) the names of the teachers not on permit who are assigned to implement the English as a second language program and estimated date for the completion of the English as a second language endorsement for each teacher under a waiver;

(5) a description of the training program which the district will provide to improve the skills of the staff which is assigned to implement the proposed English as a second language program, and an assurance that at least 10% of the bilingual education allotment shall be used to carry out this training; and

(6) a description of the actions the district will take to ensure that the program required under subsection (d) of this section will be provided the subsequent year, including its plans for recruiting and training an adequate number of teachers to eliminate the need for subsequent waivers.

DRAW Academy Policy:

(h) Not applicable. DRAW Academy employs properly certified teachers without exception for the dual language program known as Two Way BE/ESL 50/50 Immersion Program, and for the English as a Second Language Program.

§89.1210. Program Content and Design.

DRAW Academy Policy:

The Two-Way BE/ESL 50/50 Immersion Program and English as a Second Language are offered to all students at his/her grade level. LPAC will determine student's level of proficiency for placement. The DRAW Academy will ensure that the limited proficient students have a full opportunity to master the essential knowledge and skills of the required curriculum by modifying the instruction, pacing and materials for each student. Students participating in the bilingual education program demonstrate their mastery of the essential knowledge and skills in either their home language or in English, as determined by LPAC.

(b) The bilingual education program shall be a full-time program of instruction in which both the students' home language and English shall be used for instruction. The amount of instruction in each language shall be commensurate with the students' level of proficiency in both languages and their level of academic achievement. The students' level of language proficiency and academic achievement shall be designated by the language proficiency assessment committee. ~~[Within a year after the adoption of these rules, the]~~ The Texas Education Agency (TEA) shall develop program guidelines to ensure that the programs are developmentally appropriate, that the instruction in each language is appropriate, and that the students are challenged to perform at a level commensurate with their linguistic proficiency and academic potential.

DRAW Academy Policy:

The Two-Way BE/ESL 50/50 Immersion Program and English as a Second Language is a full-time program of instruction in which both the students' home language and English shall be used for instruction. The amount of instruction in each language is commensurate with the students' level of proficiency in both languages and their level of academic achievement. The students' level of language proficiency and academic achievement is designated by the language proficiency assessment committee.

DRAW Academy will utilize the TEA developed program guidelines under Chapter 74.

(c) The bilingual education program shall be an integral part of the regular educational program required under Chapter 74 ~~[75]~~ of this title (relating to Curriculum Requirements). In bilingual education programs using Spanish and English as languages of instruction, districts shall use state-adopted English and Spanish texts and supplementary materials as curriculum tools to enhance the learning process; in addition, districts may use other curriculum adaptations which have been developed. The bilingual education program shall address the affective, linguistic, and cognitive needs of limited English proficient students as follows.

(1) Affective. Limited English proficient students shall be provided instruction in their home language to introduce basic concepts of the school environment, and instruction both in their home language and in English which instills confidence, self-assurance, and a positive identity with their cultural heritages. The program shall address the history and cultural heritage associated with both the students' home language and the United States.

(2) Linguistic. Limited English proficient students shall be provided instruction in the skills of comprehension, speaking, reading, and composition both in their home language and in English. The instruction in both languages shall be structured to ensure that the students master the required essential knowledge and skills and higher order thinking skills in all subjects.

(3) Cognitive. Limited English proficient students shall be provided instruction in mathematics, science, health, and social studies both in their home language and in English. The content area instruction in both languages shall be structured to ensure that the students master the required essential knowledge and skills and higher order thinking skills in all subjects.

DRAW Academy Policy:

The Two-Way BE/ESL 50/50 Immersion Program is an integral part of the regular educational program required under Chapter 74 ~~[75]~~ of this title (relating to Curriculum Requirements). In the Two-Way BE/ESL 50/50 Immersion Program

DRAW Academy uses Spanish and English as languages of instruction. DRAW Academy uses state-adopted English and Spanish texts and supplementary materials as curriculum tools to enhance the learning process; in addition, DRAW Academy uses other curriculum adaptations which have been developed by scientifically based education research. The Two-Way BE/ESL 50/50 Immersion Program addresses the affective, linguistic, and cognitive needs of limited English proficient students as follows.

(1) Affective. Limited English proficient students shall be provided instruction in their home language to introduce basic concepts of the school environment, and instruction both in their home language and in English which instills confidence, self-assurance, and a positive identity with their cultural heritages. The program shall address the history and cultural heritage associated with both the students' home language and the United States.

(2) Linguistic. Limited English proficient students shall be provided instruction in the skills of comprehension, speaking, reading, and composition both in their home language and in English. The instruction in both languages shall be structured to ensure that the students master the required essential knowledge and skills and higher order thinking skills in all subjects.

(3) Cognitive. Limited English proficient students shall be provided instruction in mathematics, science, health, and social studies both in their home language and in English. The content area instruction in both languages shall be structured to ensure that the students master the required essential knowledge and skills and higher order thinking skills in all subjects.

(d) English as a second language programs shall be intensive programs of instruction designed to develop proficiency in the comprehension, speaking, reading, and composition in the English language. The amount of instruction provided in English as a second language shall be commensurate with the student's level of English proficiency and his or her level of academic achievement. The students' level of English proficiency and academic achievement shall be designated by the language proficiency assessment committee. In prekindergarten through the elementary grades, instruction in English as a second language may vary from the amount of time accorded to instruction in English language arts in the regular program for nonlimited English proficient students to total immersion in second language approaches. In Grade 6 or Grades 7-12, instruction in English as

a second language may vary from one-third of the instructional day to total immersion in second language approaches. The language proficiency assessment committee, however, may recommend only one period a day based on the individual needs of the student. Within a year after the adoption of these rules, TEA shall develop program guidelines to ensure that the programs are developmentally appropriate, that the instruction in English as a second language is appropriate, and that the students are challenged to perform at a level commensurate with their linguistic proficiency and academic potential.

DRAW Academy Policy:

English as a second language programs is an intensive program of instruction designed to develop proficiency in the comprehension, speaking, reading, and composition in the English language. The amount of instruction provided in English as a second language is commensurate with the student's level of English proficiency and his or her level of academic achievement. The students' level of English proficiency and academic achievement is designated by the language proficiency assessment committee. Prekindergarten through 5th grade receive instruction in the Two-Way BE/ESL 50/50 Immersion Program. In Grade 6 through Grades 8, instruction in English as a second language is a full immersion second language program. The language proficiency assessment committee, recommends schedules based on the individual needs of the students. The program is developmentally appropriate, the instruction in English as a second language is appropriate, and the students are challenged to perform at a level commensurate with their linguistic proficiency and academic potential.

(e) Except in the courses specified in subsection (f) of this section, English as a second language strategies, which may involve the use of the students' home language, may be provided in any of the courses or electives required for promotion or graduation to assist the limited English proficient students to master the essential knowledge and skills for the required subject(s). The use of English as a second language strategies shall not impede the awarding of credit toward meeting promotion or graduation requirements.

DRAW Academy Policy:

(e) Except in the courses specified in subsection (f) of this section, English as a second language strategies, which may involve the use of the students' home language, may be provided in any of the courses or electives required for promotion or graduation to assist the limited English proficient students to master

the essential knowledge and skills for the required subject(s). The use of English as a second language strategies shall not impede the awarding of credit toward meeting promotion or graduation requirements.

(f) In subjects such as art, music, and physical education, the limited English proficient students shall participate with their English-speaking peers in regular classes provided in the subjects. The district shall ensure that students enrolled in bilingual education and English as a second language programs have a meaningful opportunity to participate with other students in all extracurricular activities.

DRAW Academy Policy:

(f) In subjects such as art, music, and physical education, the limited English proficient students shall participate with their English-speaking peers in regular classes provided in the subjects. DRAW Academy shall ensure that students enrolled in bilingual education and English as a second language programs have a meaningful opportunity to participate with other students in all extracurricular activities.

(g) The required bilingual education or English as a second language programs shall be provided to every limited English proficient student with parental approval until such time that the student meets exit criteria as described in §89.1225(h) of this title (relating to Testing and Classification of Students) or graduates from high school.

DRAW Academy Policy:

(g) The required bilingual education or English as a second language programs are provided to every limited English proficient student with parental approval until such time that the student meets exit criteria as described in §89.1225(h) of this title (relating to Testing and Classification of Students) or graduates from high school.

§89.1215. Home Language Survey.

Source: The provisions of this §89.1215 adopted to be effective September 1, 1996, 21 TexReg 5700.

DRAW Academy Policy:

Home Language Survey.

(a) DRAW Academy conducts only one home language survey of each student. The home language survey shall be administered to all students new to the school and to students who were not surveyed before. DRAW Academy requires that the survey is signed by the student's parent or guardian for students in grades prekindergarten through Grade 8, or by the student in Grades 9-12. The original copy of the survey shall be kept in the student's permanent record.

(b) The home language survey shall be administered in English and Spanish; for students of other language groups, the home language survey shall be translated into the home language whenever possible. The home language survey shall contain the following questions.

(1) "What language is spoken in your home most of the time?"

(2) "What language does your child (do you) speak most of the time?"

(c) Additional information may be collected by the district and recorded on the home language survey.

(d) The home language survey shall be used to establish the student's language classification for determining whether the district is required to provide a bilingual education or English as a second language program. If the response on the home language survey indicates that a language other than English is used, the student shall be tested in accordance with §89.1225 of this title (relating to Testing and Classification of Students).

Source: The provisions of this §89.1215 adopted to be effective September 1, 1996, 21 TexReg 5700.

§89.1220. Language Proficiency Assessment Committee.

DRAW Academy LPAC policy and procedures:

LPAC will consist of:

A campus administrator, an ESL teacher, a bilingual teacher, and a trained parent (or guardian) of a current LEP student.

The parent representative will not be an employee of DRAW Academy.

All members of the LPAC must be trained to perform the duties of the committee according to state guidelines and sign an oath of confidentiality.

Duties of the LPAC:

Source: The provisions of this §89.1220 adopted to be effective September 1, 1996, 21 TexReg 5700; amended to be effective March 5, 1999, 24 TexReg 1383; amended to be effective April 18, 2002, 27 TexReg 3107.

(g) Upon their initial enrollment and at the end of each school year, the language proficiency assessment committee shall review all pertinent information on all limited English proficient students identified in accordance with §89.1225(f) of this title (relating to Testing and Classification of Students), and shall:

- (1) designate the language proficiency level of each limited English proficient student in accordance with the guidelines issued pursuant to §89.1210(b) and (d) of this title (relating to Program Content and Design);*
- (2) designate the level of academic achievement of each limited English proficient student;*
- (3) designate, subject to parental approval, the initial instructional placement of each limited English proficient student in the required program;*
- (4) facilitate the participation of limited English proficient students in other special programs for which they are eligible provided by the district with either state or federal funds; and*
- (5) classify students as English proficient in accordance with the criteria described in §89.1225(h) of this title (relating to Testing and Classification of Students), and recommend their exit from the bilingual education or English as a second language program.*

DRAW Academy Policy:

(g) Upon their initial enrollment and at the end of each school year, the language proficiency assessment committee reviews all pertinent information on all limited English proficient students identified in accordance

with §89.1225(f) of this title (relating to Testing and Classification of Students), and:

(1) designates the language proficiency level of each limited English proficient student in accordance with the guidelines issued pursuant to §89.1210(b) and (d) of this title (relating to Program Content and Design);

(2) designate the level of academic achievement of each limited English proficient student;

(3) designate, subject to parental approval, the initial instructional placement based on established benchmarks for second language growth, of each limited English proficient student in the required program; *preliterate, beginning, intermediate, advanced, monitored.*

(4) facilitate the participation of limited English proficient students in other special programs for which they are eligible provided by the district with either state or federal funds; and

(5) classify students as English proficient in accordance with the criteria described in §89.1225(h) of this title (relating to Testing and Classification of Students), and recommend their exit from the bilingual education or English as a second language program.

(h) Before the administration of the state criterion-referenced test each year, the language proficiency assessment committee shall determine the eligibility of limited English proficient students in Grades 3-8 for one of the following options in accordance with §101.3 of this title (relating to Testing Accommodations and Exemptions [Exceptions]):

(1) exemption from the criterion-referenced test;

(2) administration of the Spanish version criterion-referenced test; or

(3) administration of the English version criterion-referenced test.

DRAW Academy Policy:

(h) Before the administration of the state criterion-referenced test each year, the language proficiency assessment committee determines the eligibility of limited English proficient students in Grades 3-8 for one of the following options in accordance with §101.3 of this title (relating to Testing Accommodations and Exemptions [~~Exceptions~~]):

- (1) exemption from the criterion-referenced test;
- (2) administration of the Spanish version criterion-referenced test; or
- (3) administration of the English version criterion-referenced test.

(i) In making this determination, the Language Proficiency Assessment Committee (LPAC) shall consider the following criteria for each student:

- (1) literacy in English and/or Spanish;*
- (2) oral language proficiency in English and/or Spanish;*
- (3) academic program participation (bilingual education or English as a second language), language of instruction and planned language of assessment;*
- (4) number of years continuously enrolled in school;*
- (5) previous testing history; and*
- (6) level of academic achievement.*

DRAW Academy Policy:

(i) In making this determination, the Language Proficiency Assessment Committee (LPAC) shall consider the following criteria for each student:

- (1) literacy in English and/or Spanish;
- (2) oral language proficiency in English and/or Spanish.

- (3) academic program participation (bilingual education or English as a second language), language of instruction and planned language of assessment;
- (4) number of years continuously enrolled in school;
- (5) previous testing history; and
- (6) level of academic achievement.

(j) For each limited English proficient student determined eligible for the option listed in subsection (h)(1) of this section, the LPAC shall determine the appropriate alternative assessment which shall be administered using the criteria under subsection (i) of this section.

(k) The language proficiency assessment committee shall give written notice to the student's parent advising that the student has been classified as limited English proficient and requesting approval to place the student in the required bilingual education or English as a second language program. The notice shall include information about the benefits of the bilingual education or English as a second language program for which the student has been recommended and that it is an integral part of the school program.

DRAW Academy Policy:

The LPAC gives written notice to the student's parent advising that the student has been classified as limited English proficient and requesting approval to place the student in the required bilingual education or English as a second language program. The notice shall include information about the benefits of the bilingual education or ESL program for which the student has been recommended and that it is an integral part of the school program.

(l) Pending parent approval of a limited English proficient student's entry into the bilingual education or English as a second language program recommended by the language proficiency assessment committee, the district shall place the student in the recommended

program, but may count only limited English proficient students with parental approval for bilingual education allotment.

DRAW Academy Policy:

Pending parent approval of a limited English proficient student's entry into the bilingual education or English as a second language program recommended by the LPAC, DRAW Academy shall place the student in the recommended program, but may count only limited English proficient students with parental approval for bilingual education allotment.

(m) The language proficiency assessment committee shall monitor the academic progress of each student who has exited from a bilingual or English as a second language program within the past two years to determine whether the student is academically successful as defined in §89.1225(k) of this title (relating to Testing and Classification of Students). Those students who are not academically successful shall be classified as limited English proficient, and shall be recommended for participation in a bilingual education, English as a second language, compensatory and accelerated instruction, or other special language program which addresses their needs.

DRAW Academy Policy:

The LPAC shall monitor the academic progress of each student who has exited from a bilingual or English as a second language program within the past two years to determine whether the student is academically successful as defined in §89.1225(j) (relating to Testing and Classification of Students). Those students who are not academically successful due to limited English proficiency shall be reclassified as limited English proficient (LEP), and shall be recommended for participation in a bilingual education or English as a second language program. Students who are not reclassified as LEP may be placed in compensatory and

accelerated instruction or other special language program which addresses their needs.

(n) The student's permanent record shall contain documentation of all actions impacting the limited English proficient student. This documentation shall include:

(1) the identification of the student as limited English proficient;

(2) the designation of the student's level of language proficiency;

(3) the recommendation of program placement;

(4) parental approval of entry or placement into the program;

(5) the dates of entry into, and placement within, the program;

(6) the dates of exemptions from the criterion-referenced test, criteria used for this determination, type of alternative assessment, and results in accordance with §101.3 of this title (relating to Testing Accommodations and Exemptions [~~Exceptions~~]);

(7) the date of exit from the program and parent notification; and

(8) the results of monitoring for academic success, including students formerly classified as limited English proficient, as required under the Texas Education Code, §29.063(c)(4).

DRAW Academy Policy:

(n) The student's permanent record shall contain documentation of all

actions impacting the limited English proficient student. This documentation shall include:

- (1) the identification of the student as limited English proficient;
- (2) the designation of the student's level of language proficiency;
- (3) the recommendation of program placement;
- (4) parental approval of entry or placement into the program;
- (5) the dates of entry into, and placement within, the program;
- (6) the dates of exemptions from the criterion-referenced test, criteria used for this determination, type of alternative assessment, and results in accordance with §101.3 of this title (relating to Testing Accommodations and Exemptions [~~Exceptions~~]);
- (7) the date of exit from the program and parent notification; and
- (8) the results of monitoring for academic success, including students formerly classified as limited English proficient, as required under the Texas Education Code, §29.063(c)(4).

§89.1225. Testing and Classification of Students.

Source: The provisions of this §89.1225 adopted to be effective September 1, 1996, 21 TexReg 5700; amended to be effective April 18, 2002, 27 TexReg 3107.

DRAW Academy Policy:

Testing and Classification of Students.

(a) For identifying limited English proficient students, DRAW Academy shall administer to each student who has a language other than English as identified on the home language survey:

- (1) in prekindergarten through Grade 1, an oral language proficiency test approved by the Texas Education Agency (TEA); and
- (2) in Grades 2-8, a TEA-approved oral language proficiency test and the English reading and English language arts sections from a TEA-approved norm-referenced measure, or another test approved by TEA, unless the norm-referenced measure is not valid in accordance with subsection (f)(2)(C) of this section. The written English test is not administered only if the student is unable to test due to language.

(b) DRAW Academy shall administer an oral language proficiency test in the home language of the students who are eligible for being served in the bilingual education program. If the home language of the students is Spanish, DRAW Academy shall administer the Spanish version of the TEA-approved oral language proficiency test which was administered in English. If the home language of the students is other than Spanish, the district shall determine the students' level of proficiency using informal oral language assessment measures.

(c) All the oral language proficiency testing shall be administered by professionals or paraprofessionals who are proficient in the language of the test and trained in language proficiency testing.

(d) DRAW Academy will identify a student as limited English proficient based on the grade levels and the scores on each test established by TEA.

(e) Students with a language other than English shall be administered the required oral language proficiency test within four weeks of their enrollment. Norm-referenced assessment instruments, however, may be administered within the established norming period.

(f) For entry into a bilingual education or English as a second language program, a student shall be identified as limited English proficient using the following criteria.

(1) At prekindergarten through Grade 1, the score on the English oral language proficiency test is below the level designated for indicating limited English proficiency under subsection (d) of this section.

(2) At Grades 2-8:

(A) the student's score on the English oral language proficiency test is below the level designated for indicating limited English proficiency under subsection (d) of this section;

(B) the student's score on the reading and language arts sections of the TEA-approved norm-referenced measure at his or her grade level is below the 40th percentile; or

(C) the student's ability in English is so limited that the administration, at his or her grade level, of the reading and language arts sections of a TEA-approved norm-referenced assessment instrument or other test approved by TEA is not valid.

(3) In the absence of data required in paragraph (2)(B) of this subsection, evidence that the student is not academically successful as defined in subsection (j) of this section is required.

(g) Within the four weeks of their initial enrollment in DRAW Academy, students shall be identified as limited English proficient and enrolled into the required bilingual education or English as a second language program. Prekindergarten and kindergarten students preregistered in the spring shall be identified as limited English proficient and enrolled in the required bilingual education or English as a

second language program within four weeks of the start of the school year in the fall.

(h) For exit from a bilingual education or English as a second language program, a student may be classified as English proficient at the end of the school year in which a student would be able to participate equally in a regular, all-English, instructional program.

(1) This determination shall be based upon tests that measure the extent to which the student has developed oral and written language proficiency and specific language skills in both the student's primary language (for students enrolled in bilingual education) and English, and one of the following:

(A) meeting state performance standards for the English language criterion-referenced assessment instrument for reading and writing (when available) required in the Texas Education Code (TEC), §39.023, at grade level; or

(B) scoring at or above the 40th percentile on both the English reading and the English language arts sections of a TEA-approved norm-referenced assessment instrument.

(2) In making this determination, DRAW Academy shall also consider other indications of a student's overall progress, including criterion-referenced test scores, subjective teacher evaluation, and parental evaluation.

(i) A student may not be exited from the bilingual education or English as a second language program in prekindergarten through Grade 1. DRAW Academy must ensure that limited English proficient students are prepared to meet academic standards required by TEC, §28.0211.

(j) For determining whether a student who has been exited from a bilingual education or English as a second language program is academically successful, the following criteria shall be used at the end of the school year:

(1) the student meets state performance standards in English of the criterion-referenced assessment instrument required in the Texas Education Code, §39.023, for the grade level as applicable; and

§39.023. Adoption and Administration of Instruments, as amended by House Bill 3459, 78th Texas Legislature, 2003:

(a) The agency shall adopt or develop appropriate criterion-referenced assessment instruments designed to assess essential knowledge and skills in reading, writing, mathematics, social studies and science. All students, except students assessed under Subsection (b) or (l) or exempted under Section 39.027, shall be assessed in:

(1) mathematics, annually in grades three through seven without the aid of technology and in grades eight through 11 with the aid of technology on any assessment instruments that include algebra;

(2) reading, annually in grades three through nine;

(3) writing, including spelling and grammar, in grades four and seven;

- (4) *English language arts, in grade 10;*
- (5) *social studies, in grades eight and 10; and*
- (6) *science, in grades five and 10.*

(b) The agency shall develop or adopt appropriate criterion-referenced assessment instruments to be administered to each student in a special education program under Subchapter A, Chapter 29, who receives instruction in the essential knowledge and skills identified under Section 28.002 but for whom the assessment instruments adopted under Subsection (a), even with allowable modifications, would not provide an appropriate measure of student achievement, as determined by the student's admission, review, and dismissal committee. The assessment instruments required under this subsection must assess essential knowledge and skills and growth in reading, mathematics, and writing. A student's admission, review, and dismissal committee shall determine whether any allowable modification is necessary in administering to the student an assessment instrument required under this subsection. The assessment instruments required under this subsection shall be administered on the same schedule as the assessment instruments administered under Subsection (a).

(c) The agency shall also adopt secondary exit-level assessment instruments designed to be administered to students in grade 11 to assess essential knowledge and skills in mathematics, English language arts, social studies, and science. The mathematics section must include at least Algebra I and geometry with the aid of technology. The English language arts section must include at least English III and must include the assessment of essential knowledge and skills in writing. The social studies section must include early American and United States history. The science section must include at least biology and integrated chemistry and physics. The assessment instruments must be designed to assess a student's mastery of minimum skills necessary for high school graduation and readiness to enroll in an institution of higher education. If a student is in a special education program under Subchapter A, Chapter 29, the student's admission, review, and dismissal committee shall determine whether any allowable modification is necessary in administering to the student an assessment instrument required under this subsection or whether the student should be exempted under Section 39.027(a)(2). The State Board of Education shall administer the assessment instruments. The State Board of Education shall adopt a schedule for the administration of secondary exit-level assessment instruments. Each student who did not perform satisfactorily on any secondary exit-level assessment instrument when initially tested shall be given multiple opportunities to retake that assessment instrument. A student who performs at or above a level established by the Texas Higher

Education Coordinating Board on the secondary exit-level assessment instruments is exempt from the requirements of Section 51.306.

(d) The commissioner may participate in multistate efforts to develop voluntary standardized end-of course assessment instruments. The commissioner by rule may require a school district to administer an end-of-course assessment instrument developed through the multistate efforts. The admission, review, and dismissal committee of a student in a special education program under Subchapter A. Chapter 29, shall determine whether any allowable modification is necessary in administering to the student an end-of-course assessment instrument or whether the student should be exempted under Section 39.027(a)(2).

(e) Under rules adopted by the State Board of Education, every other year, the agency shall release the questions and answer keys to each assessment instrument administered under Subsection (a), (b), (c), (d), or (l) after the last time the instrument is administered for that [a] school year. To ensure a valid bank of questions for use each year, the agency is not required to release a question that is being field-tested and was not used to compute the student's score on the instrument. The agency shall also release, under board rule, each question that is no longer being field-tested and that was not used to compute a student's score.

(f) The assessment instruments shall be designed to include assessment of a student's problem solving ability and complex-thinking skills using a method of assessing those abilities and skills that is demonstrated to be highly reliable.

(g) The State Board of Education may adopt one appropriate, nationally recognized, norm-referenced assessment instrument in reading and mathematics to be administered to a selected sample of students in the spring. If adopted, a norm-referenced assessment instrument must be a secured test. The state may pay the costs of purchasing and scoring the adopted assessment instrument and of distributing the results of the adopted instrument to the school districts. A district that administers the norm-referenced test adopted under this subsection shall report the results to the agency in a manner prescribed by the commissioner.

(h) The agency shall notify school districts and campuses of the results of assessment instruments administered under this section at the earliest possible date determined by the State Board of Education but not later than the beginning of the subsequent school year.

(i) The provisions of this section are subject to modification by rules adopted under Section 39.022. Each assessment instrument adopted under those rules and each assessment instrument required under Subsection (d) must be reliable and valid and must meet any applicable federal requirements for measurement of student progress.

(j) The commissioner shall develop a standardized end-of-course assessment instrument for Algebra I. The commissioner by rule may require a school district to administer an end-of-course assessment instrument in Algebra I. The admission,

review, and dismissal committee of a student in a special education program under Subchapter A, Chapter 29, shall determine whether any allowable modification is necessary in administering to the student an end-of-course assessment instrument or whether the student should be exempted under Section 39.027 (a)(2).

*(k) **[Expires 9/1/2004]** Notwithstanding Subsection (e), the agency shall initially release under Subsection (e) the questions and answer keys to each assessment instrument administered under Subsection (b) during the third school year in which the instrument is administered after the last time the instrument is administered for that school year. This subsection expires September 1, 2004.*

(l) The State Board of Education shall adopt rules for the administration of the assessment instruments adopted under Subsection (a) in Spanish to students in grades three through six who are of limited English proficiency, as defined by Section 29.052, whose primary language is Spanish, and who are not otherwise exempt from the administration of an assessment instrument under Section 39.027(a)(3) or (4). Each student of limited English proficiency whose primary language is Spanish, other than a student to whom Subsection (b) applies, may be assessed using assessment instruments in Spanish under this subsection for up to three years or assessment instruments in English under Subsection (a). The language proficiency assessment committee established under Section 29.063 shall determine which students are administered assessment instruments in Spanish under this subsection.

*(m) **[2 Versions; Added by 77th Leg. Sess., Ch. 8]** The commissioner by rule shall develop procedures under which the language proficiency assessment committee established under Section 29.063 shall determine which students are exempt from the administration of the assessment instruments under Section 39.027 (a)(3) and (4). The rules adopted under this subsection shall ensure that the language proficiency assessment committee provides that the exempted students are administered the assessment instruments under Subsections (a) and (c) at the earliest practical date.*

*(m) **[2 Versions; Added by 77th Leg. Sess., Ch. 834]** This subsection applies only to a student who is determined to have dyslexia or a related disorder and who is an individual with a disability under 29 U.S.C.S. Section 705(20) and its subsequent amendments. The agency shall adopt or develop appropriate criterion-referenced assessment instruments designed to assess the ability of and to be administered to each student to whom this subsection applies for whom the assessment instruments adopted under Subsection (a), even with allowable modifications, would not provide an appropriate measure of student achievement, as determined by the committee established by the board of trustees of the district to determine the placement of students with dyslexia or related disorders. The*

committee shall determine whether any allowable modification is necessary in administering to a student an assessment instrument required under this subsection. The assessment instruments required under this subsection shall be administered on the same schedule as the assessment instruments administered under Subsection (a).

Added by Acts 1995, 74th Leg., Ch. 260, eff. May 30, 1995.

Amended by Acts 1997, 75th Leg., Ch. 767, eff. Sept. 1, 1997; Acts 1999, 76th Leg., Ch. 397, eff. Sept. 1, 1999; Acts

2001, 77th Leg., Ch 8, eff. Apr. 11, 2001; Acts 2001, 77th Leg., Ch 834, eff. Sept. 1, 2001.

(2) the student has passing grades in all subjects and courses taken.

Source: The provisions of this §89.1225 adopted to be effective September 1, 1996, 21 TexReg 5700; amended to be effective April 18, 2002, 27 TexReg 3107.

§89.1230. Eligible Students with Disabilities.

DRAW Academy Policy:

When considering LEP students (or students who have indicated on the home language survey that a language other than English is spoken in the home) for Special Education Services, a member of the Student Support Team (or designee) should complete the Multipurpose LPAC Documentation Form (Purpose: LPAC Documentation for Special Education).

In addition, the Texas Education Code requires districts to ensure that each campus LPAC coordinate with the campus Admissions, Review, and Dismissal (ARD) Committee in determining appropriate placement of LEP students with handicapping conditions. Of critical concern is the individual student whose educational needs may be the responsibility of both committees. A professional member of the LPAC must participate in the ARD meetings when reviewing LEP students.

§89.1233. Participation of Nonlimited English Proficiency Students.

Districts may enroll students who are not limited English proficient in the Bilingual education program in accordance with the Texas Education Code, §29.058.

DRAW Academy Policy:

DRAW Academy may enroll students who are not limited English proficient in the Two-Way BE/ESL 50/50 Immersion Program. Each placement will be documented with parent approval.

§89.1235. Facilities.

Source: The provisions of this §89.1235 adopted to be effective September 1, 1996, 21 TexReg 5700.

DRAW Academy Policy:

Facilities.

Bilingual education and English as a second language programs shall be located in the main building of DRAW Academy rather than in separate facilities.

§89.1240. Parental Authority and Responsibility.

Source: The provisions of this §89.1240 adopted to be effective September 1, 1996, 21 TexReg 5700; amended to be effective April 18, 2002, 27 TexReg 3107.

DRAW Academy Policy:

Parental Authority and Responsibility.

(a) The parents shall be notified that their child has been classified as limited English proficient and recommended for placement in the required bilingual education or English as a second language program. They shall be provided information describing the bilingual education or English as a second language program recommended, its benefits to the student, and its being an integral part of the school program to ensure that the parents understand the purposes and content of the program. The entry or placement of a student in the bilingual education or English as a second language program must be approved in writing by the student's parent. The parent's approval shall be considered valid for the student's continued participation in the required bilingual education or English as a second language program until the student meets the exit criteria described in §89.1225(h) of this title (relating to Testing and Classification of Students), graduates from high school, or the parent requests a change in program placement.

(b) DRAW Academy shall notify the student's parent of the student's reclassification as English proficient and his or her exit from the bilingual education or English as a second language program and acquire approval as required under Texas Education Code, §29.056(a). (a) The parents shall be notified that their

child has been classified as limited English proficient and recommended for placement in the required bilingual education or English as a second language program. They shall be provided information describing the bilingual education or English as a second language program recommended, its benefits to the student, and its being an integral part of the school program to ensure that the parents understand the purposes and content of the program. The entry or placement of a student in the bilingual education or English as a second language program must be approved in writing by the student's parent. The parent's approval shall be considered valid for the student's continued participation in the required bilingual education or English as a second language program until the student meets the exit criteria described in §89.1225(h) of this title (relating to Testing and Classification of Students), graduates from high school, or the parent requests a change in program placement. Students meeting exit requirements may continue in the bilingual education or English as a second language program with parental approval but are not eligible for inclusion in DRAW Academy bilingual education allotment.

(c) The parent of a student enrolled in DRAW Academy which is required to offer bilingual education or English as a second language programs may appeal to the commissioner of education if DRAW Academy fails to comply with the law or the rules. Appeals shall be filed in accordance with Chapter 157 of this title (relating to Hearings and Appeals).

Chapter 157. Hearings and Appeals
Subchapter A. General Provisions for Hearings Before the State Board of Education

Statutory Authority: The provisions of this Subchapter A issued under the Texas Education Code, §§12.028, 12.116, and 31.151; and Texas Government Code, §2001.004, unless otherwise noted.

§157.1. Scope and Purpose.

(a) This subchapter shall govern the proceedings in all contested cases before the State Board of Education (SBOE) where:

- (1) notice and opportunity for hearing is expressly required by other law; and*
- (2) the hearing is not exempted from the provisions of the Administrative Procedure Act (APA) (Texas Government Code, Chapter 2001).*

(b) This subchapter adopts for all purposes the provisions of the APA, the Texas Rules of Civil Evidence, and the Texas Rules of Civil Procedure. The Rules of Civil

Evidence and Civil Procedure will prevail except as modified by the APA and by these rules. The provisions of this subchapter shall govern the procedure for the administration of all contested cases before the SBOE except where modified by a more specific rule relating to specific contested cases before the SBOE.

Source: The provisions of this §157.1 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.2. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Agency - The Texas Education Agency.

(2) Commissioner - The state commissioner of education.

(3) Contested case - A proceeding in which legal rights, duties, or privileges of a party are to be determined by the commissioner after opportunity for an adjudicative hearing.

(4) Disqualification - When an administrative law judge, in his or her discretion, permanently forbids a party representative from any further participation in an adjudicative proceeding.

(5) Exclusion - When an administrative law judge, in his or her discretion, ejects a person temporarily from an adjudicative proceeding.

(6) Administrative law judge - A member or employee of the agency or other individual assigned to issue a proposal for decision, to render a decision, or to make findings of fact or conclusions of law in a case.

(7) Party representative - A lawyer or non-lawyer who acts on behalf of himself or herself, or on behalf of another person during an adjudicative proceeding.

Source: The provisions of this §157.2 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.3. Administrative Law Judge.

(a) The commissioner may designate and appoint an administrative law judge to act on behalf of the State Board of Education in conducting any hearing or proceeding held under this subchapter and to prepare proposals for decision on those hearings.

(b) The administrative law judge has the authority to administer oaths; call and examine witnesses; issue subpoenas; make rulings on motions, admissibility of evidence, and amendments to pleadings; maintain decorum; schedule and recess the proceedings from day to day; and make any other orders as justice requires.

(c) If the administrative law judge is unable to continue presiding over a case at any time before the final decision, another administrative law judge will be appointed who shall perform any remaining function without the necessity of repeating any previous proceedings.

Source: The provisions of this §157.3 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.4. Classification of Parties.

(a) Parties are designated as follows.

(1) Petitioner - the party who seeks State Board of Education (SBOE) action.

(2) Respondent - any party against whom the petitioner seeks SBOE action.

(3) Intervenor - a person who, upon showing a justiciable interest, is permitted to become a party to a proceeding.

(b) Regardless of errors concerning designations in the pleadings, parties shall be accorded their true status in the appeal.

Source: The provisions of this §157.4 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.5. Appearances.

Any party may appear on his or her own behalf. Party representatives are held to the same procedural and substantive standards as attorneys authorized to practice law.

Source: The provisions of this §157.5 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.6. Conduct and Decorum.

(a) Standards of conduct during adjudicative proceedings.

(1) The administrative law judge and the party representative should refer to the Texas Disciplinary Rules of Professional Conduct for guidance, regardless of whether all participants are licensed attorneys (Texas State Bar Rules, Article 10, §9).

(2) Party representatives shall maintain high standards of professionalism during the administrative process and promote an atmosphere of civility and fairness.

(3) A party representative shall use these rules for legitimate purposes and not for dilatory purposes or to harass or intimidate other participants.

(b) Exclusion or disqualification of party representatives.

(1) Contemptuous conduct. An administrative law judge may exclude or disqualify a party representative from participating in a hearing for contemptuous conduct.

The administrative law judge shall warn the party representative prior to exclusion, if possible. Contemptuous conduct includes, but is not limited to:

(A) actual or threatened physical assault of any participant or spectator;

(B) knowingly or recklessly making a false statement of material fact or law to the administrative law judge;

(C) counseling or assisting a witness to testify falsely;

(D) knowingly offering or using false evidence;

(E) filing a frivolous or knowingly false pleading or other document, or filing a frivolous or knowingly false defense. A frivolous filing is one:

*(i) primarily for the purpose of harassing or maliciously injuring another person; or
(ii) for which the party representative is unable to make a good faith argument consistent with existing law, or a good faith argument for an extension, modification, or reversal of existing law;*

(F) paying, offering to pay, or acquiescing in a payment or offer of payment to a witness based on the content of the witness' testimony or the outcome of the proceeding;

(G) continually violating an established rule of agency procedure or of evidence;

(H) raising superfluous objections or otherwise unreasonably delaying the proceeding or increasing the costs or other burdens of the proceeding;

(I) misrepresenting, mischaracterizing, or misquoting facts or law to gain unfair advantage;

(J) except as otherwise permitted by law, communicating or causing someone else to communicate with the administrative law judge without the knowledge and consent of opposing party representatives in order to gain unfair advantage or to influence the proceeding;

(K) using vulgar or abusive language during the proceeding; and

(L) engaging in disruptive conduct.

(2) Conflicts of interest. An administrative law judge may disqualify a party representative from participating in a proceeding if the administrative law judge decides that the party representative has a conflict of interest. Conflicts of interest can be, but are not limited to, the following:

(A) when a party representative who previously acted as a public officer or employee on a matter later attempts to represent a private client on the same matter, unless the appropriate government agency consents;

(B) when a party representative who serves as a public officer or employee on a matter negotiates for private employment with a party or party representative involved in the same matter;

(C) when a party representative who serves as a public officer or employee participates in a matter involving a former private client whom he or she represented on the same matter, unless no one may legally act in the attorney's stead;

(D) when an attorney engages in the practice of law while under suspension or in violation of a disciplinary order or judgment; and

(E) any other conflict of interest that, in the opinion of the administrative law judge, offends the dignity and decorum of the proceeding.

(3) Procedures for excluding or disqualifying a party representative.

(A) Notice. The administrative law judge shall state the specific reason for excluding or disqualifying a party representative on the record or in a written order.

The administrative law judge shall notify the affected party and party representative of the exclusion or disqualification personally or by certified mail.

(B) Reasonable time for substitution. After the administrative law judge has excluded or disqualified a party representative, the affected party or party representative shall have reasonable time to appeal to the commissioner. If the commissioner sustains the exclusion or disqualification, the party shall have a reasonable time to substitute a new representative. In determining a reasonable time, the administrative law judge shall consider the right of opposing parties to have the proceeding resolved without undue delay. The administrative law judge may therefore align the affected party with another party in interest instead of permitting a substitution.

(C) Appeal to the commissioner. A party or party representative may appeal the exclusion (if it is for a period of more than eight hours) or disqualification to the commissioner. The motion shall be filed with the commissioner within two working days after actual notification of the exclusion or disqualification. If the commissioner does not act within two days after the motion is filed, the motion is overruled by operation of law. The commissioner may, however, extend the time for taking action on the motion.

(D) No further participation. After being disqualified from a proceeding, a party representative may not provide further assistance, either directly or indirectly, to any party with regard to the proceeding, except to the extent reasonably necessary to appeal to the commissioner and to complete the withdrawal and substitution of a new party representative.

(E) No recusal. The exclusion or disqualification of a party representative by an administrative law judge is not a ground for recusal of the administrative law judge in the same or any subsequent proceeding.

Source: The provisions of this §157.6 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.7. Classification of Pleadings.

Pleadings filed with the State Board of Education shall include, but not be limited to, petitions, answers, replies, exceptions, and motions. Regardless of any error in its designation, the pleading shall be accorded its true status in the contested case in which it is filed.

Source: The provisions of this §157.7 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.8. Form of Documents.

All pleadings, briefs, and exhibits shall be signed by the party representative and legibly handwritten, typewritten, or printed on paper 8 1/2 inches wide by 11 inches long.

Source: The provisions of this §157.8 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.9. Service of Documents.

(a) Every pleading, plea, or motion, filed with the agency's hearings and appeals division, shall be served by delivering a copy to all party representatives of record either in person or by agent or by courier receipted delivery, to the party's current address of record, or by facsimile to the recipient's current telecopier number of record. All party representatives shall be served by the same method as the document was filed with the agency's hearings and appeals division. Service by facsimile may be substituted for personal service.

(b) All other communications not specified in §157.7 of this title (relating to Classification of Pleadings) filed with the agency's hearings and appeals division may be served by first class mail.

(c) Service by facsimile completed after 5:00 p.m. (Central Time) of the recipient shall be deemed served on the following day.

(d) The party representative shall certify to the administrative law judge compliance with this rule in writing over the signature of the party representative on the filed instrument.

Source: The provisions of this §157.9 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.10. Filing of Documents.

(a) Documents for consideration by the State Board of Education (SBOE) shall be filed with the agency's hearings and appeals division, not directly with the SBOE, any of its members, or the commissioner. Any document shall be deemed filed with the SBOE only when actually received by the designated docket clerk for the hearings and appeals division or the assigned administrative law judge.

(b) Facsimile transmission of pleadings by telecopier to the agency's hearings and appeals division, in proper form, containing a facsimile of the signature of the party representative filing the pleading, constitutes filing. Parties shall not mail a duplicate of the transmitted document. Filing by facsimile completed after 5:00 p.m. (Central Time) shall be deemed filed on the following business day.

(c) The mailbox rule concerning service of pleadings and documents is not applicable in proceedings brought under this subchapter.

Source: The provisions of this §157.10 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.11. Notice of Intent.

(a) If notice and opportunity for hearing is expressly required by other law, the petitioner shall provide written notice to the respondent of his or her intent to seek

State Board of Education (SBOE) action not fewer than 60 days prior to the meeting of the SBOE at which the recommendation is to be considered.

(b) The notice of intent shall clearly specify the following, either in the notice or by reference to other documents included with the notice:

(1) a statement of the time, place, and nature of the hearing, which will be held not fewer than 25 calendar days after the petitioner receives notice of the proposed action;

(2) a statement of the legal authority and jurisdiction under which the hearing will be held;

(3) a reference to the particular sections of the statutes and rules involved; and

(4) a short, plain statement of the matters asserted. If the petitioner is unable to state matters in detail at the time of the notice, the initial notice may be limited to a statement of the issues involved. On the respondent's written application filed at least five days prior to the answer date, a more definite and detailed statement shall be furnished not fewer than two days before the answer date.

(c) The notice of intent shall be served on the respondent by facsimile, personal delivery, or overnight courier service. A certificate evidencing service shall be included in the notice. If the respondent fails to answer or appear at the hearing, the petitioner shall file with the administrative law judge on or before the hearing date evidence showing successful transmission of the facsimile or personal delivery.

(d) The notice of intent shall be filed pursuant to 19 TAC §157.10 of this title (relating to Filing of Documents) and distributed by the agency's hearings and appeals division to the SBOE.

Source: The provisions of this §157.11 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.12. Answer and Request for Hearing.

(a) The respondent may request a hearing within ten calendar days after receiving the notice of intent. The request for a hearing shall be served on the petitioner by facsimile, personal delivery, or overnight courier. If a request for hearing is not filed within ten days, the notice of proposed action shall be submitted to the State Board of Education for action.

(b) The answer shall specifically admit or deny each allegation in the notice of intent and shall set forth all affirmative defenses.

(c) The answer shall contain the name of the respondent or the respondent's party representative, the mailing address, telephone number during business hours, and facsimile number, if any.

(d) All well-pled factual allegations in the notice of intent will be deemed admitted unless the respondent's answer, containing specific denials to each allegation, is filed within the time period prescribed in subsection (a) of this section. A general

denial shall not be sufficient to controvert factual allegations contained in the notice of intent.

Source: The provisions of this §157.12 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.13. Prehearing Conference.

(a) In any contested case, the administrative law judge or a party may move for the setting of a prehearing conference. The administrative law judge shall direct the parties to appear, either in person or by telephone, at a specific time for a conference prior to a hearing on the merits for the purposes of considering any of the following:

- (1) the formulation or simplification of issues;*
 - (2) admission of certain assertions of fact or stipulations;*
 - (3) admission into evidence of documents or other evidence by agreement;*
 - (4) the taking of prefiled written testimony and evidence under the Texas Government Code, §2001.085;*
 - (5) ordering the parties to exchange, by a date certain, all exhibits and lists of fact and expert witnesses that each party may offer at hearing;*
 - (6) ordering the parties to exchange, by a date certain, all documents and other evidence relevant to the issues, even if the party intends to offer the evidence at hearing;*
 - (7) the procedure at the hearing on the merits;*
 - (8) any limitation, where possible, of the number of witnesses; and/or*
 - (9) such other matters as may aid in the simplification of the proceeding or the disposition of matters in controversy, including the settlement of matters in dispute.*
- (b) Action taken at the conference shall be recorded in the manner directed by the administrative law judge.*

Source: The provisions of this §157.13 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.14. Discovery.

An administrative law judge may allow either party to take one or more depositions or to use other means of discovery before the hearing.

Source: The provisions of this §157.14 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.15. Motions for Continuance.

A motion for continuance shall specifically articulate grounds constituting good cause and shall be verified and filed in writing at least three calendar days prior to the date of the hearing affected.

Source: The provisions of this §157.15 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.16. Dismissal Without a Hearing; Nonsuits.

(a) The State Board of Education or the administrative law judge may, sua sponte, or the motion of a party, dismiss an appeal without a hearing for the following reasons: compromise, unnecessary duplication of proceedings, res judicata, withdrawal, mootness, untimely filing, lack of jurisdiction, failure of a party requesting relief to set forth facts in the pleadings that would support a decision in that party's favor, failure to state a claim for which relief can be granted, or failure to prosecute.

(b) The petitioner may nonsuit the appeal at any time.

Source: The provisions of this §157.16 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.17. Order of Procedure at Hearing.

(a) The administrative law judge shall establish reasonable time allotments for the hearing, dividing the time equally between the petitioner and respondent.

(b) The petitioner may state briefly the nature of the claim or defense, what the petitioner expects to prove, and the relief sought. Immediately after, the respondent may make a similar statement, and the intervenors and other parties will be afforded similar rights as determined by the administrative law judge.

(c) Evidence shall then be introduced by the petitioner. The respondent and intervenors shall have the opportunity to cross-examine each of the petitioner's witnesses.

(d) Cross-examination is not limited solely to matters raised on direct examination. Parties are entitled to redirect and recross examination.

(e) Unless the statement has already been made, the respondent may briefly state the nature of the claim or defense, what the respondent expects to prove, and the relief sought.

(f) Evidence, if any, shall be introduced by the respondent. The petitioner and intervenors shall have the opportunity to cross-examine each of the respondent's witnesses.

(g) The intervenor and other parties may make their statement, unless they have already done so, and shall introduce their evidence, if any. The petitioner and respondent shall have the opportunity to cross-examine the intervenor's witnesses.

(h) The petitioner may present rebuttal evidence.

(i) The parties may be allowed closing arguments.

(j) The administrative law judge may permit deviations from this order of procedure in the discretion of the administrative law judge.

(k) Parties shall provide four copies of each exhibit offered.

(l) In any appeal where a party is represented by more than one attorney, a lead attorney must be designated.

Source: The provisions of this §157.17 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.18. Filing of Exceptions and Replies to Proposal for Decision.

(a) A copy of the proposal for decision in a contested case shall be simultaneously delivered by facsimile, personal service, or overnight courier to each party representative of record.

(b) Written exceptions to the proposal for decision shall be filed with the agency's hearings and appeals division on or before the expiration of six calendar days from the date of the proposal for decision. Exceptions shall not be delivered directly to the State Board of Education (SBOE), any of its members, or the commissioner.

(c) Written replies to exceptions shall be filed with the agency's hearings and appeals division on or before the expiration of ten calendar days from the date of the proposal for decision. Replies shall not be delivered directly to the SBOE, any of its members, or the commissioner.

(d) All disagreements with the factual findings of the proposal for decision must be made in the parties' written exceptions to the proposal for decision or be waived.

(e) The exceptions shall be specifically and concisely stated. The evidence relied upon shall be stated with particularity, and any evidence or arguments relied upon shall be grouped under the exceptions to which they relate.

Source: The provisions of this §157.18 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.19. Board Consideration and Adoption of Proposal for Decision.

(a) After the time for filing exceptions and replies to exceptions expires, the State Board of Education (SBOE) shall consider the proposal for decision and any exceptions and replies in public session, and shall enter a written decision adopting or modifying and adopting the proposed decision or remanding the matter to the administrative law judge for further proceedings.

(b) No public testimony shall be heard on the question of adopting, modifying, or remanding the proposal for decision. No information other than the record of the proceedings conducted by the administrative law judge, the proposal for decision, and the exceptions and replies of the parties shall be heard, considered, or discussed by the SBOE concerning the contested case.

(c) All final decisions or orders of the SBOE shall be in writing and signed by the chair, if voting in favor of the decision, or by a member selected by those voting in favor of the decision. A final decision shall include findings of fact and conclusions of law separately stated. Findings of fact, if set forth in statutory language, shall be

accompanied by a concise and explicit statement of the underlying facts supporting the findings.

(d) The decision of the SBOE may incorporate by reference the proposal for decision in whole or in part, and such incorporation by reference may constitute compliance with subsection (c) of this section. If the decision of the SBOE modifies the proposal for decision in any respect, the SBOE shall specify the portions modified and shall set out in full the affected language as modified by the decision of the SBOE.

(e) Party representatives shall be simultaneously notified either personally, by facsimile transmission, or overnight courier of each decision or order. For purposes of §157.20 of this title (relating to Motions for Rehearing), a party present at a meeting of the SBOE at which a public vote is taken shall be deemed notified of the decision or order on the date of the vote.

Source: The provisions of this §157.19 adopted to be effective October 10, 1999, 24 TexReg 8548.

§157.20. Motions for Rehearing.

(a) In the absence of a finding of imminent peril, a motion for rehearing is a prerequisite to a judicial appeal.

(b) Motions for rehearing will be in conformance with the Texas Government Code, §2001.146.

Source: The provisions of this §157.20 adopted to be effective October 10, 1999, 24 TexReg 8548.

§89.1245. Staffing and Staff Development.

DRAW Academy Policy:

(a) DRAW Academy shall take all reasonable affirmative steps to assign appropriately certified teachers to the required bilingual education and English as a second language programs in accordance with the Texas Education Code, §29.061, concerning bilingual education and special language program teachers. If DRAW Academy were unable to secure a sufficient number of certified bilingual education and English as a second language teachers to provide the required programs, shall request emergency teaching permits or special assignment permits, as appropriate, in accordance with Chapter 230 ~~[137]~~, Subchapter Q, of this title (relating to Permits).

DRAW Academy top priority is to staff the appropriate certified teachers.

(b) School districts which are unable to employ a sufficient number of teachers, including part-time teachers, who meet the requirements of subsection (a) of this section for the bilingual education and English as a second language programs shall apply on or before October 1 for an exception to the bilingual education program as provided in §89.1205(g) of this title (relating to Required Bilingual Education and English as a Second Language Programs) or a waiver of the certification requirements in the English as a second language program as provided in §89.1205(h) of this title (relating to Required Bilingual Education and English as a Second Language Programs) as needed.

DRAW Academy Policy:

(b) If DRAW Academy is unable to employ a sufficient number of teachers, including part-time teachers, who meet the requirements of subsection (a) of this section for the bilingual education and English as a second language programs shall apply on or before October 1 for an exception to the bilingual education program as provided in §89.1205(g) of this title (relating to Required Bilingual Education and English as a Second Language Programs) or a waiver of the certification requirements in the English as a second language program as provided in §89.1205(h) of this title (relating to Required Bilingual Education and English as a Second Language Programs) as needed.

DRAW Academy top priority is to staff the appropriate certified teachers.

- (a) Teachers assigned to the bilingual education program and/or English as a second language program may receive salary supplements as authorized by the Texas Education Code, §42.153.*
- (b) Districts may compensate teachers and aides assigned to bilingual education and English as a second language programs for participation in continuing education programs designed to increase their skills or lead to bilingual education or English as a second language certification.*
- (e) Districts which are unable to staff their bilingual education and English as a second language programs with fully certified teachers shall use at least 10% of their bilingual education allotment for preservice and inservice training to improve the skills of the teachers who provide the instruction in the alternative*

bilingual education program, who provide instruction in English as a second language, and/or who provide content area instruction in special classes for limited English proficient students.

DRAW Academy Policy:

(c) Teachers assigned to the bilingual education program and/or English as a second language program may receive salary supplements as authorized by the Texas Education Code, §42.153.

(d) Districts may compensate teachers and aides assigned to bilingual education and English as a second language programs for participation in continuing education programs designed to increase their skills or lead to bilingual education or English as a second language certification.

(e) Districts which are unable to staff their bilingual education and English as a second language programs with fully certified teachers shall use at least 10% of their bilingual education allotment for preservice and inservice training to improve the skills of the teachers who provide the instruction in the alternative bilingual education program, who provide instruction in English as a second language, and/or who provide content area instruction in special classes for limited English proficient students.

(f) *The commissioner of education shall encourage districts to cooperate with colleges and universities to provide training for teachers assigned to the bilingual education and/or English as a second language programs.*

DRAW Academy Policy:

(f) DRAW Academy will cooperate with colleges and universities to provide training for teachers assigned to the bilingual education and/or English as a second language programs.

(g) The Texas Education Agency (TEA) shall develop, in collaboration with Education Service Centers (ESCs), bilingual education training guides for implementing bilingual education and English as a second language training programs. The materials shall provide a framework for:

(1) developmentally appropriate bilingual education programs for early childhood through the elementary grades;

(2) affectively appropriate instruction in bilingual education and English as a second language programs in accordance with §89.1210(c)(1) of this title (relating to Program Content and Design);

(3) linguistically appropriate bilingual education and English as a second language programs in accordance with §89.1210(c)(2) of this title (relating to Program Content and Design);

(4) cognitively appropriate programs for limited English proficient students in accordance with §89.1210(c)(3) of this title (relating to Program Content and Design); and

(5) developmentally appropriate programs for gifted and talented limited English proficient students and limited English proficient students with handicaps.

DRAW Academy Policy:

(g) DRAW Academy will utilize, in collaboration with Education Service Centers (ESCs), bilingual education training guides for implementing bilingual education and English as a second language training programs. The materials shall provide a framework for:

(1) developmentally appropriate bilingual education programs for early childhood through the elementary grades;

(2) affectively appropriate instruction in bilingual education and English as a second language programs in accordance with §89.1210(c)(1) of this title (relating to Program Content and Design);

(3) linguistically appropriate bilingual education and English as a second language programs in accordance with §89.1210(c)(2) of this title (relating to Program Content and Design);

(4) cognitively appropriate programs for limited English proficient students in accordance with §89.1210(c)(3) of this title (relating to Program Content and Design); and

(5) developmentally appropriate programs for gifted and talented limited English proficient students and limited English proficient students with handicaps.

§89.1250. Required Summer School Programs.

Source: The provisions of this §89.1250 adopted to be effective September 1, 1996, 21 TexReg 5700; amended to be effective April 18, 2002, 27 TexReg 3107.

DRAW Academy Policy:

Required Summer School Programs.

Summer school programs that are provided under the Texas Education Code, §29.060, for children of limited English proficiency who will be eligible for admission to kindergarten or first grade at the beginning of the next school year shall be implemented in accordance with this section.

(1) Purpose of summer school programs.

The program shall address the affective, linguistic, and cognitive needs of the limited English proficient students in accordance with §89.1210(c) and §89.1210(e) of this title (relating to Program Content and Design). (c) The bilingual education program shall be an integral part of the regular educational program required under Chapter 74 of this title (relating to Curriculum Requirements). In bilingual education programs using Spanish and English as languages of instruction, districts shall use state-adopted English and Spanish instructional materials and supplementary materials as curriculum tools to enhance the learning process; in addition, districts may use other curriculum adaptations which have been developed. The bilingual education program shall address the affective, linguistic, and cognitive needs of limited English proficient students as follows.

(1) Affective. Limited English proficient students shall be provided instruction in their home language to introduce basic concepts of the school environment, and instruction both in their home language and in English which instills confidence, self-assurance, and a positive identity with their cultural heritages. The program shall address the history and cultural heritage associated with both the students' home language and the United States.

(2) Linguistic. Limited English proficient students shall be provided instruction in the skills of comprehension, speaking, reading, and composition both in their home language and in English. The instruction in both languages shall be structured to

ensure that the students master the required essential knowledge and skills and higher order thinking skills in all subjects.

(3) Cognitive. Limited English proficient students shall be provided instruction in mathematics, science, health, and social studies both in their home language and in English. The content area instruction in both languages shall be structured to ensure that the students master the required essential knowledge and skills and higher order thinking skills in all subjects.

(e) The English as a second language program shall be an integral part of the regular educational program required under Chapter 74 of this title (relating to Curriculum Requirements). Districts shall use state-adopted English as a second language instructional materials and supplementary materials as curriculum tools. In addition, districts may use other curriculum adaptations which have been developed. The district shall provide for ongoing coordination between the English as a second language program and the regular educational program. The English as a second language program shall address the affective, linguistic, and cognitive needs of limited English proficient students as follows.

(1) Affective. Limited English proficient students shall be provided instruction using second language methods in English to introduce basic concepts of the school environment which instills confidence, self-assurance, and a positive identity with their cultural heritages. The program shall address the history and cultural heritage associated with both the students' home language and the United States.

(2) Linguistic. Limited English proficient students shall be provided intensive instruction to develop proficiency in the comprehension, speaking, reading, and composition of the English language. The instruction in academic content areas shall be structured to ensure that the students master the required essential knowledge and skills and higher order thinking skills.

(3) Cognitive. Limited English proficient students shall be provided instruction in English in mathematics, science, health, and social studies using second language methods. The instruction in academic content areas shall be structured to ensure that the students master the required essential knowledge and skills and higher order thinking skills.

(2) Establishment of, and eligibility for, the program.

(A) A bilingual or special language program in accordance with the Texas Education Code, §29.053, shall be offered the summer program. The summer program is for students who will be in bilingual education kindergarten and first grade programs shall be bilingual education.

(B) To be eligible for enrollment, a student must be eligible for admission to kindergarten or to the first grade at the beginning of the next school year and must be limited English proficient.

(C) Limited English proficiency shall be determined by screening students using informal oral language inventories or oral proficiency instruments approved by the commissioner of education, or other appropriate instruments.

(3) Operation of the program.

(A) Enrollment in the program is optional with the parents of the student.

(B) The program shall be operated on a one-half day basis, a minimum of three hours each day, for eight weeks or the equivalent of 120 hours of instruction.

(C) The student/teacher ratio for the program shall not exceed 18 to one.

(D) DRAW Academy is not required to provide transportation for the summer program.

(E) Teachers shall possess certification or endorsement as required in the Texas Education Code, §29.061, and §89.1245 of this title (relating to Staffing and Staff Development).

(F) Reporting of student progress through a summary shall be provided to parents at the conclusion of the program. This summary shall be provided to the student's teacher at the beginning of the next regular school term.

(G) DRAW Academy may join with other districts in cooperative efforts to plan and implement programs.

(H) The summer school program will not substitute for any other program required to be provided during the regular school term, including those required in the Texas Education Code, §29.153.

(v) DRAW Academy shall apply to the commissioner of education for funding of summer school programs operated under this subsection. Applications for funding shall contain the number of students who will participate in the program and other information necessary to assure the commissioner that programs will be operated in accordance with this subsection.

(B) DRAW Academy will maintain records of eligibility, attendance, and progress of students.

§89.1260. Monitoring of Programs and Enforcing Law and Commissioner's Rules.

(a) Texas Education Agency (TEA) staff who are trained in assessing bilingual education and English as a second language programs shall monitor each school district in the state and enforce this subchapter in accordance with the Texas Education Code, §29.062 and §42.153.

(b) To ensure a comprehensive monitoring and assessment effort of each district at least every three years, data reported by the district in the Public Education Information Management System (PEIMS), data required by the commissioner of education, and data gathered through on-site monitoring will be used.

Source: The provisions of this §89.1260 adopted to be effective September 1, 1996, 21 TexReg 5700.

§89.1265. Evaluation.

Source: The provisions of this §89.1265 adopted to be effective September 1, 1996, 21 TexReg 5700; amended to be effective April 18, 2002, 27 TexReg 3107.

DRAW Academy Policy:

Evaluation.

(a) DRAW Academy shall conduct periodic assessment and continuous diagnosis in the languages of instruction to determine program impact and student outcomes in all subject areas.

(c) Annual reports of educational performance shall reflect the academic progress in either language of the limited English proficient students, the extent to which they are becoming proficient in English, the number of students who have been exited from the bilingual education and English as a second language programs, and the number of teachers and aides trained and the frequency, scope, and results of the training. These reports shall be retained at the district level to be made available to monitoring teams according to §89.1260 of this title (relating to Monitoring of Programs and Enforcing Law and Commissioner's Rules).

(c) DRAW Academy shall report to parents the progress of their child as a result of participation in the program offered to limited English proficient students in English and the home language at least annually.

(d) Each school year, the principal of each school campus, with the assistance of the campus level committee, shall develop, review, and revise the campus improvement plan described in the Texas Education Code, §11.253, for the purpose of improving student performance for limited English proficient students.

DRAW Academy Local Plan:

**DRAW ACADEMY TWO-WAY BE/ESL 50/50 IMMERSION
PROGRAM**

Program Design: 2004-2005

Grades: PreK to 5th - Two-Way BE/ESL 50/50 English/Spanish Immersion Model
Grades: 6th to 8th - ESL Program

Goals:

1. To develop fluency in communication and literacy in two languages: Spanish and English.
2. To acquire knowledge in all subject areas as outlined in the state and district guidelines.
3. To develop an understanding and appreciation of other cultures, and to develop positive attitudes among students, their families, and their community.

Program Type: Two-Way BE/ESL 50/50 English/Spanish Immersion Model

- Language Arts Based
- Grades PreK-5

Program Type: ESL Program

- Instruction in English with ESL methods.
- Grades 6 - 8th

Participants:

Limited English Proficient Students
Fluent English Proficient Students

Rationale:

The objective is to graduate bilingual biliterate students at the end of the 5th grade.

Program Description:

The program integrates the strengths of the two previous bilingual strands, with a strong developmental English and Spanish Language Arts component in the primary grades. All other core and ancillary subjects will be taught with English as a Second Language Modifications/Support Strategies for limited English proficient students. The dual language program meets the affective, linguistic and cognitive needs of the limited English proficient students and the fluent English proficient students.

Instructional Designs:

DRAW Academy program is an immersion model, combining English speaking students with native speakers of Spanish.

Two-Way BE/ESL 50/50 English/Spanish Immersion Model

PreKinder through 5th Grade Daily Schedules:

English

Language English instruction

Arts

Spanish Language Arts	Spanish instruction
Math	English/Modifications in English as a Second Language Instruction
Science	English/Modifications in English as a Second Language Instruction
Social Studies	English/Modifications in English as a Second Language Instruction
PE/Health	English/Modifications in English as a Second Language Instruction
Fine Arts	English/Modifications in English as a Second Language Instruction

Participants:

English-speaking students
Limited English-speaking students

Instructional Approaches:

- Reciprocal Interactive model: small group instruction, activity based, using manipulatives, thus aiding in language acquisition and comprehension.
- Cooperative Learning techniques incorporated into daily schedule.
- Sheltered Instruction, relying on concrete examples (visuals, etc.) for concept and language development.
- Thematic units to introduce concepts and maximize vocabulary.
- Student cohort 2 to 3 year looping with teacher.
- Implementation of technology plan.

Staffing and Staff Development:

1. All core subject teachers will be TEA Certified Bilingual/ESL or Bilingual/ESL.
2. School Improvement Plan will reflect staff development opportunities both school wide and individual in the areas inclusive to bilingual education.
3. School budget funds will be set aside for staff development opportunities both school wide and individual in the areas inclusive to bilingual education.

LEP Summer School Program

The DRAW Academy Incorporated will provide summer school programs for LEP students to provide special instruction to prepare them to be successful in K and 1st grade, in accordance with TEC 29.060. Instruction will focus on age

appropriate TEKS in the affective, linguistic, and cognitive needs of the LEP student in accordance with TEC 89.1210. Screening students using an oral language proficiency assessment shall determine student's LEP status. Enrollment is voluntary. The program shall operate for a minimum of 120 hours of instruction. The summer program will be open to all students of the school, regardless of LEP status. The student to teacher ratio shall not exceed 22:1.

The DRAW Academy Incorporated shall establish and operate an LPAC committee, in accordance with TEC 29.063/Chapter 89: Subchapter BB: 89.1220), the relation of the LPAC to the ARD/IEP Committee (89.1220g4) as outlined in the Child Study and Special Education Guidelines will be followed when any LEP student is referred for special education. The relation of the LPAC to the Gifted and Talented Program (89.1220g4) will foster the participation of qualified LEP students to participate in both required BE/ESL and gifted and talented programs.

In addition, all students have well attended after school multiple language programs that provide an additional 6 weekly hours of Spanish, French, German or Arabic language and cultural instruction.

State Compensatory Education

The purpose and intents of the program are to prove and enhance the regular education program for students who are at risk of dropping out of school. (TEC Sec. 42.152C) The students qualifying under this status at The DRAW Academy Incorporated in 2003-2004 was 92%. State Compensatory Funds support the accelerated instruction and support programs for students in at-risk situations, as to assist at-risk students to Pass the state assessments and graduate from high school. (TEC Sec. 29.081) The DRAW Academy Incorporated school curriculum and organizational structure are directly based on proven models of educating at-risk students. In both Breaking Ranks and the AED Center for Youth Development and Policy Research, Washington, D.C. concluded that non-profit community based organization schools demonstrated the ability to reengage these young people in education and help them succeed by integrating positive youth development principles with effective educational practices that support mastery and proficiency for all. Our prekindergarten program, BE/ESL program, prekindergarten extended daycare, accelerated academic after school program, summer program, technology plan, and reduced secondary class student to teacher ratio, and our Saturday tutorials are all examples of innovations that support effective use of State Compensatory Education funding.

Since students who receive targeted assistance from State Compensatory Education programs also met eligibility requirements for federal programs (such as Title I), the federal services supplement the state compensatory services and programs. Therefore The DRAW Academy Incorporated utilizes a school wide

program in which students are identified as being in an at-risk situation, and services are designed to improve and enhance the regular educational program. Since our population is currently 92% at-risk, it is unavoidable, and to the benefit of the remainder students, that they inadvertently benefit from these programs also. Regardless, the State Compensatory expenditures are reported according to requirements of the Financial Accountability System Resources Guide.

Compensatory education funds are allocated to schools based on the number of students identified as economically disadvantaged, defined as eligible for free and reduced-price lunch program. State law requires that compensatory education funds be spent to improve and enhance programs and services funded under the regular education program. Funds for compensatory education are based on an allocation of state and local funds within the State Foundation School Program.

Funds for Title I are based on an allocation from the federal government that flows through TEA. Title I of the Elementary and Secondary Education Act was originally enacted in 1965 and serves as the largest federal aid program for elementary and secondary schools. This initiative funnels approximately \$7 billion to school districts throughout the nation. School districts are to use Title I funds to provide supplemental services designated to improve the educational performance of low-achieving students in high-poverty schools. The amount of money that a district receives is calculated based on the previous year's number of students receiving free and reduced-price lunch by the district. According to the Texas Education Code, Section 29.801, Subchapter 2, school districts are required to evaluate and document the effectiveness of the ways they use this money to enhance the educational experiences of their at-risk students, to reduce the number of dropouts, and to increase student performance.

At-risk students are identified according to TEC Section 29.801: Compensatory and Accelerated Instruction PEIMS At-risk indicator code: Element ID EO919 and Texas Statute: Family Code, Section 51.03a.

Dyslexia and Related Disorders

The DRAW Academy Incorporated has current teachers trained to identify possible students with dyslexia and related disorders, as mandated by TEC 38.003 and TAC 74.28 Chapter 19. Finally 504 of the Rehabilitation Act of 1973 establish assessment and evaluation standards and procedures for students that The DRAW Academy Incorporated is also in compliance. As a guide for all our dyslexia and reading resource program, The DRAW Academy Incorporated follows the revised Procedures Concerning Dyslexia and Related Disorders as provided in the SBOE, The Dyslexia Handbook.

Upon enrolling in The DRAW Academy Incorporated students are assessed for dyslexia and related disorders in the following manner:

- Student file is reviewed for 504 or IEP program indicators along with SASI records.
- Students are evaluated informally and formally by teachers.
- Referral by parent, teacher, or other concerned party for evaluation.
- Student records or current academic performance indicate struggling in one or more reading components, writing and or spelling.
- Student indicates any characteristics commonly associated with dyslexia or other related disorders.

The identified students are placed in the dyslexia and reading resource program based on the affirmative recommendation of the intervention team. This team consists of the parent or guardian of the student, the student's main teacher(s), a certified English teacher or master reading teacher (as trained under Region IV), and the principal or principal's designee. Once the student has been identified as qualifying for the program; the student shall be provided treatment in the following manner:

- The team establishes the instructional decisions on behalf of the student and establishes the means and measure of evaluation.
- The student is provided with specific time periods, specified by the team, with the master reading teacher in the reading program.
- The team will also provide resources and modifications to the student's teacher(s), which will be supervised for implementation by the master reading teacher.

All teachers and if applicable teacher aides will be trained in dyslexia and related disorder identification and instruction. The dyslexia and reading program consist of a resource center, self-directed computer tutorials, direct master teacher instruction on an individual and or small group setting. Regular teacher instruction modification that accommodates evaluation data to support the following curriculum instruction: components phonemic awareness, graphophonemic knowledge, language structure, linguistic patterns, and processes.

15- BUSINESS PLAN

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Appendix One: School Improvement Plan

A- GENERAL

The DRAW (Diversity, Roots, and Wings) Academy Incorporated Charter school business plan is a management tool. It is one of the most effective communication tools used to obtain grants or loans for our charter school whether it comes from traditional lenders or the philanthropic community. It also assists the school in achieving their goals by identifying financial needs and/or problems early in the school planning process. The DRAW Academy Incorporated Charter school business plan reflects the school's developers' ideas clearly and succinctly and/or is a component of a larger school wide strategic plan that addresses the school's short and long-term plans in more detail.

Please see appendix 1 (one), School Improvement Plan for complete details about the school strategic goals, short, and long-term objectives.

B- ABOUT US

1- School description: Fulfilling the Hispanic Family Educational Need:

In 2001, AED Center for Youth Development and Policy Research, Washington, D.C. reported that many young people attending large schools in mid-size and large urban communities all over the United States, expressed feeling anonymous, unsafe, unchallenged, disengaged, and opinions of receiving substandard quality throughout most of their education. The study determined that such students were on average two grade levels behind in math and reading skills when they chose to enter a non-profit community based organization school. The research also concluded that non-profit community based organization schools demonstrated the ability to reengage these young people in education and help all succeed by integrating positive youth development principles with effective educational practices that support mastery and proficiency.

During the 2001-2002 school year, The DRAW Academy Incorporated served 180 Pre-Kindergarten to 6th grade students, 72% passed TAAS (Texas Assessment of Academic Skills) 97% were promoted, and 93% attended school on a regular basis. Resulting in a TEA Rating of ACCEPTABLE for The DRAW Academy Incorporated first year, thus demonstrating the ability to support the educational needs of the community.

At the opening of the 2002 school year, a waiting list lottery had to be performed to determine student seats in the pre-kinder, kindergarten and fifth grade class. Also, in the 2003 school term the curriculum focus was improved to better serve the needs of the students, as suggested by disaggregated testing data, portfolio assessments, parent and teacher meetings, and Board discussion culminating in the School Improvement Plan (SIP). The SIP specifically addresses, the Two-Way BE/ESL 50/50 Immersion program was expanded to include pre-kindergarten through third grade and the ESL program through the remaining grades, which provides for equal instructional time in English Language Arts with ESL modifications and Spanish Language Arts with ESL modifications. In addition, an extensive technology infrastructure was incorporated into the educational process through an integrated, comprehensive framework to ensure that all students will have the opportunity to develop the learning skills necessary to be productive citizens in information driven global society. Finally, the interactive, experimental curriculum pedagogy teacher professional development increased

and monthly field lesson units became the norm in the curriculum at all grade levels.

Vision of The DRAW Academy Incorporated:

The DRAW Academy Incorporated School Mission:

Strategic Intent: To produce a school that adequately supports students in their journey to become healthy, economically self-sufficient, and fulfilled adults who contribute positively to their communities.

Mission Statement:

The DRAW Academy Incorporated will provide all students with a personalized, supportive, and engaging school environment where they can obtain the knowledge and skills necessary to find success as individuals and as members of their communities. The focus of the curriculum will incorporate active, project-based learning, which connects learning across academic disciplines and by addressing the specific academic needs of students. The daily curriculum will actively engage students in multiple language development and utilize current technology tools. The school will celebrate student diversity, as an important contribution to the greater society. The collaboration with universities, corporations, businesses, and the community at large will provide a transitional bridge from the academic programs of The DRAW Academy Incorporated and to steady employment and further education through real world application of learning.

Objectives: To accomplish the school mission, The DRAW Academy Incorporated has five basic long-range objectives:

- 1) Maintain a learning environment that breeds a culture of high and comprehensive standards in all areas of student growth and development.
- 2) Focus the curriculum on relevant and diverse learning opportunities that build strong connections between academic learning and students' reality and future.
- 3) Increase individualized student attention, instruction, and support by personalized and flexible learning cohorts in a low student to teacher ratio.
- 4) Utilize the powerful alliance between school, family and the community by providing support and educational services to the entire family and community.
- 5) Provide multiple opportunities for all students to engage in meaningful service and work experience thus becoming contributing members of the school and communities.

Teaching and learning goes beyond the classroom four walls, six periods' schedules, or the covers of a textbook. It is essential to the educational well being of our students for technology to be a part of every learning environment. We provide access to an array of information and instructional technology devices and

resources for every learner and staff member across the whole school environment.

We have already introduced numerous educational, social, and economic benefits of 21st century technology via meaningful and practical community-based services. Using our existing facility, an expanded computer lab, upgraded network infrastructure (including filtered access to the Internet), and distance learning methodologies, The DRAW Academy Incorporated blends state-of-the-art technology education with desired and needed community services.

2- Organizational Chart: See attachment 2 (two)

3- The Board of Directors

General Characteristics:

In order to apply or to be invited to join the Board, any person has to be actively interested in the daily business of our school or volunteering for a minimum of one year in various activities including fund-raising and general representation of the school in public functions.

The criteria for selection include professional experience, community involvement, and leadership potential. The Board composition has to be diverse in terms of age, gender, ethnicity, professional occupation, with the final composition as a reflection of our student diverse population.

Training Required:

The existing Board members, the Business Manager, and the Superintendent deliver a member orientation program for new members, including instruction and information in the areas of responsibilities, expectations, and job description.

The DRAW Academy Incorporated existing Board members, the Business Manager, and the Superintendent will develop a Board manual which will contain not only school's crucial information but also about the functions of the different school officers and organizational chart.

The DRAW Academy Incorporated Board members are requested to secure training offered by the Region IV. This training prepares potential candidates for positions on Charter Schools Boards.

The Board training will comply with Texas Educational Code 12.123 and with §100.1102, Training for Members of Governing Bodies of Charter Holder, the ESC Region IV training modules, or any other system or course approved by them will be utilized in order to assure compliance.

Scope of Board Roles and Responsibilities:

- 7- Time Commitment: Minimum of a quarterly meeting, nevertheless extensive participation is required to help in developing the school program and to seek funding to support for our daily operations.
- 8- Governance: Participation on the strategic and long range planning, budgeting, and financial management.
- 9- Communications: Marketing the school, public relations, public representation and speaking, community liaison.
- 10- Human Resources: Provide support with personnel policies, volunteer and staff management, and performance evaluations
- 11- General: Volunteer for fund raising activities, promote the school in different circles, and provide support and assistance to the different school operations.

The board is legally protected by a Director's Liability Insurance.

Current Board Membership:

Mary Clossner
mclosner@houstonisd.org 713-908-1444
6000 Reims #2302, Houston, TX 77036

Marcello Marini
villamarini@aol.com 713-974-4848
10903 Paulwood, Houston, TX 77074

Manuel Sosa
maso1@pdq.net 281-589-1252
11807 Warwickshire Ct., Houston TX, 77077

Esther Spindel Benrey
713-498-7082
99 N. Post Oak Apt. 4408, Houston, TX, 77024

Ayanna Marissa Williams
713-426-2491
11755 South Lake Dr. #4206, Houston, TX 77077

Biographical Information is available upon request and can be accessed on line.

4- The founders and current administration team:

Business Manager/CEO: Fernando Donatti.

Mr. Donatti completed the DRAW leadership academy and secondary principal internship acquiring a Masters degree in education and a principal certification. He started his educational career in 1992 when he acquired a Texas k-6 bilingual teacher certification and a technology endorsement. He also has a Bachelor's degree in Architecture from University of Buenos Aires, Argentina. He has twelve years of experience in education as a teacher, technology instructor, and administrator. He is a founder and has been responsible for the business operation of The DRAW Academy Incorporated since August 2001.

Superintendent/Principal: Lisa Anne Newton

Ms. Newton is a holder of a B.A. in Sociology, a B.A in English, a Masters in Education, and a Principal's Certification. She also has a Secondary English and Sociology Texas teacher certification. Ms. Newton has 10 years of experience in education as a teacher and as an administrator. She was a founder and has been in charge and responsible for the academic program of The DRAW Academy Incorporated since August 2001.

Biographical Information is available upon request and can be accessed on line.

5- Faculty and staff:

Present faculty and staff consists of the following number of employees:

Faculty:

Pre-kindergarten teacher:	2 (two)
Pre-kindergarten teacher aide:	1 (one)
Kindergarten to Sixth grade teachers:	8 (seven)

Administrators:

Business Administrator:	1 (one)
Superintendent:	1 (one)
Secretary (A.D.A. Clerk)	1 (one)

Plant Operator / custodial personnel	2 (two)
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- Core academic teachers will have a bachelor degree and will meet all other requirements under federal and state laws and regulations.
- Elective teachers will not be required to hold a bachelor degree.
- Short-term substitute teachers will be required to have a high school diploma or equivalent.
- Teacher aides will meet all requirements under federal and state laws and regulations.

- Special education and related service and all bilingual education will be provided by personnel who are appropriately certified or licensed in the area of assignment.
- Positive FBI Clearance.

Maintenance services, transportation, breakfast and lunch preparation, are services that The DRAW Academy Incorporated subcontracts. There is no intention at present to pursue a different.

6- Facility plan/ planned capital improvements

1. The DRAW Academy Incorporated campus is located at 3920 Stoney Brook Dr. in the Southwest side of Houston and is surrounded by commercial buildings, including television stations, professional offices, and supply companies. With the wide variety of businesses surrounding us we are able to bring in students from all walks of life, thus adding to the diversity of the school.
2. Located within a 5-mile radius are numerous large apartment complexes, which need quality education for their children. The families are very involved with their children's education and more than willing to show their support by volunteering their time and talents to help make the school a strong landmark in the community.
3. The building was previously used as an office space for various small businesses and is currently being used as a school. There are 10 classrooms in use this year and 3 more classrooms ready for expansion.
4. Our 4000 sq. ft. cafeteria in the rear of the building, which is also available to be used as a gymnasium during inclement weather, serves as a multipurpose room and is equipped with a sound and projection system.
5. The building has recently been equipped with network cabling worth over \$220,000 thanks to the E-rate funding which was recently granted. This cabling enables the school to provide access to the network for as many as 16 computers per classroom. It also will allow the installation of a phone line and access to T.V. cable in every single room in the school.
6. A 5000 sq. ft. fenced in playground area is located behind the school with room for a field to be used in conjunction with Physical Education. The area located past the playground is also used as by the Phys. Ed. Department for soccer and other group related activities.
7. We are in the process of building a "Nature Walk" on the property. This walkway will include 2 ponds, a butterfly garden, vegetable gardens,

- numerous types of flower gardens and several different types of trees. There will also be an “outside classroom” included which will be available for different classes to go to on nice days to study with nature.
8. A large covered area is located off of the playground that can presently be used for numerous outdoor activities. This area will serve for the expansion of three more classrooms.
 9. Services at the facility include heating, air conditioning, water and sewer. There are 2 large restrooms centrally located. The building is currently being used as a school and has no need for major renovations.
 10. The facility has passed all city inspections and complies with building codes and with federal, state, and local safety and health regulations.
 11. The following are pictures of the building. Also copies of all permits are attached.
 12. A proposal to acquire the school building has been submitted and is being considered by the National Council of La Raza.
 13. Finally, the Building complies with all regulations of the Individuals with Disabilities Education Act (IDEA) Act and all its areas are fully accessible for people with handicaps. Future construction will follow all regulations to assure full compliance

7- Operating plan/schedule of work for 2003-2004 school year.

School year 2003-2004 Goal 1: To develop and increase enrollment in all programs.

The school year shall consist of 180 T.E.A. ADA instructional days.

The length of the T.E.A. ADA funded instructional day for students shall not be less than seven hours including intermissions and recesses. Teacher's daily schedules funded by T.E.A. ADA will be no longer than seven-hours and forty-five-minutes. When there is an approved early dismissal day as part of a waiver, there shall be at least four hours of instructional time for students in grades K through 8 and at least two hours instructional time for each pre kindergarten student to be considered present for ADA attendance funding.

Official Average Daily Attendance (ADA) will be taken two hours and thirty minutes after the beginning of the instructional day. This exact time will be posted in all classrooms and in the front office.

Prekindergarten morning and afternoon session students will be provided with a school lunch schedule. In addition, the school will serve breakfast, lunch and after school

snacks. Breakfast will be served from 7:00 a.m. to 7:30 a.m. Lunch will be served between 11:00 a.m. to 1:00 p.m.

The length of the instructional day for students is as follows:

Prekindergarten	Students	7:30 a.m.	-	11:15a.m.	Morning
	Students	12:15a.m.	-	3:15 a.m.	Afternoon
	Teacher	7:15 a.m.	-	3:45 p.m.	Daily
Kinder - 8th	Students	7:30 a.m.	-	3:15 p.m.	Daily
	Teacher	7:15 a.m.	-	3:45 p.m.	Daily

C- Market Analysis:

1- Description of the area that the school serves.

The school is located in the middle of the low-income wage earners job opportunities of Houston's south and southwestern areas. The demographics of the school population parallel the diverse surrounding urban community as a whole. The building is located in the center of an area surrounded by highly populated schools that are traditionally capped. The present location fills the gap needed to provide for parents who are concerned about the overcrowded neighborhood schools.

According to the US Census Bureau and Synergos Technologies, Inc, the area is heavily populated with families ages between 25 to 45 with children averaging ages 9 and younger, 50-75% of Hispanic origin, and average of less than 10 years of formal education..

It is also located very close to main avenues (Westpark, which will in a near future contain the Commuter light-metro rail connecting the suburbs with downtown Houston) and freeways (59 and Loop 610). Even though it is located in the middle of all these high trafficked roads, the building is in a very quiet sector of the industrial park, thus, it provides a great location to support the need of the surrounding community.

2- Target market/student population: Area competition

The school will serve student population from pre-kindergarten to 8th grade. There are few schools, none in the area, that propose this holistic approach to serve the student in their whole educational experience. Moreover our school also provides educational opportunities for adults through the Universidad Virtual Empresarial,

Tecnologico of Monterrey and English as a Second Language classes for our student's parents.

3- Overall strategy to admit and recruit students and parents.

On August 2001 the school opened with 93 students. During the 2001-2002 school year the school was able to successfully recruit students thanks to word of mouth of our parents, who extremely satisfied with our program and service, were the key factors to increase our enrollment to 180 students. During the present school year, 2002-2003, this number has increase to 210 students, forcing us to close the enrollment in pre-kindergarten, kindergarten, first, and second grades. We rely in this word of mouth as the main strategy to increase enrollment for next year. To accomplish this goal, the school administration periodically informs parents about the financial status of the school, requesting parents to proactively seek for new students.

The school is an open enrollment school. The school's policy does not restrict admission to any student or group of students. Furthermore it proactively looks for students of diverse ethnicity to support one of the most important tenants of the school's mission statement, diversity.

D- FINANCIAL

1- Financial background of sponsoring entity.

The DRAW Academy Incorporated is a fairly young corporation. The Academy got its charter from the Secretary of the State Texas on May 11, 2001, obtained the IRS 501(c)3 status in September 19, 2001., the Sales Tax Exempt permit on March 26, 2002, and finally the Business Property Tax exemption on February 2, 2003.

Nevertheless, it has been granted credit for the numerous needs of the daily business operations by several commercial companies in the area of Houston such as Office Depot, Home Depot, and Sam's Club.

However even though at present time the level of debt is very low and all obligations are paid promptly, the credit report does not show many of the funding lines available to The DRAW Academy Incorporated. Upon consultation with Business USA, Business Credit Report Company, we were informed that the lack of information was due to the age of the corporation, nevertheless, there are no negative entries

2- Community Partnerships and Funding Sources:

T h e D R A W A c a d e m y I n c o r p o r a t e d

T.E.A. Charter school application - Ninth Generation

*The DRAW Academy Incorporated has the following Community Partners:

- a- Telemundo Channel 47,(ex channel 48) , Houston's major Latino television station is located across from The DRAW Academy Incorporated. Mr. Marcello Marini, one of the founders and anchorman of the station, is member of our school Board and an in-kind sponsor of our school who continues to provide extraordinary educational opportunities and support for all our students.
- b- Alar Institute: Adult E.S.L. and G.E.D. provider of educational services for the parents of the school community.
- c- Baylor College of Medicine, Educational Outreach programs provides training and science materials to support The DRAW Academy Incorporated science program.
- d- Carolina Bio-Tech, science equipment distributor has provided in several occasions surplus equipment for our science lab.
- e- United Way Gulf Coast, business donated furniture distribution and professional development training.

**The DRAW Academy Incorporated has the applied and has been awarded the following grants and has available the following funding sources:

Organization	Purpose	Amount	Period
School and Public Libraries Division E-Rate	Technology infrastructure: Computer servers, cabling, phone and DSL service.	\$ 220,000	School years 2002-2003 and 2003-2004
Texas Education Agency	START-UP Charter School Granted to The DRAW Academy Incorporated as an DRAW Charter School	\$ 100,000	School year 2002-2003
National Council of La Raza	Financial support from their Charter School Department.	\$ 200,000	School years 2001-2002 and 2002-2003

***Sources of financial support:

- a- Wells Fargo Bank.
 - i. \$5,000 Unsecured Credit Card
 - ii. \$10,000 line of credit
 - iii. \$20,000 business credit

- b- The DRAW Academy Incorporated Day care and after school parent contribution: \$ 12,000
- c- The DRAW Academy Incorporated daily fundraiser: \$ 10,800

Letters of Business arrangements are included as attachment 15 (fifteen)
Letters of organizations sources of funding are included as attachment 16 (sixteen)

3- Basic assumptions for income and expenses.

There are few basic assumptions for income and expenses, which are based on the real experience of the school's two first years of operation since the school was opened in August 2001. This information can be accessed via SASI or are part of the 2001-2002 school year information as reported in PEIMS.

Income assumptions:

- i- Number of F.T.E. for year 2004-2005: 229
- ii- Title I/Title III – the school qualified for the 2003-2004 school year as full campus Title I and at 86% for Title III.
- iii- External financial support:
 - a. ASAP (year three): \$ 20,000
 - b. C.A.S.E \$ 140,000
- iv- The following is the enrollment for the first five years:

School year	P-K	K	1	2	3	4	5	6	7	8	TOTAL FTE
2004-2009	60	44	22	22	22	22	22	22	22	22	250

Expense assumptions:

- a. Number of teachers : 12 (twelve)

4. Start up budget:

Included as attachment 17 (Seventeen)

5- Annual Operating Budget and Four Year Projections of income and expenses.

Budget Rationale and Budget for first four years of operation and included as attachment 18 (Eighteen)

6. Financial management policies

For the purposes of the Generation 9 TEA Charter School Application the Business Procedures Manual of Administrative Policies and Procedures has been included as Attachment 19 (Nineteen)

Proposed monthly budget status report: Attachment 20

Student Attendance Accounting

The DRAW Academy Incorporated will follow the instructions regarding the submission of PEIMS data from the campus to TEA using the PEIMS DATA STANDARDS. The STUDENT ATTENDANCE ACCOUNTING HANDBOOK will be used with Foundation School Program (FSP) to determine eligibility requirements of all students and the minimum requirements of all student attendance accounting systems.

Software Choice: SASI with support to PEIMS through Region IV ESC Services.

The length of the T.E.A. ADA funded instructional day for students shall not be less than seven hours including intermissions and recesses. Teacher's daily schedules funded by T.E.A. ADA will be no longer than seven-hours and forty-five-minutes. When there is an approved early dismissal day as part of a waiver, there shall be at least four hours of instructional time for students in grades K through 12 and at least two hours instructional time for each pre-kindergarten student to be considered present for ADA attendance funding.

Official Average Daily Attendance (ADA) will be taken two hours and thirty minutes after the beginning of the instructional day. This exact time will be posted in all classrooms and in the front office.

School Calendar - Attachment 21

Facility Management: Location: 3920 Stoney Brook, Houston Texas 77063:

Building serves present needs and allows room for future growth.

The property's floor plan allows a very clear function packaging. The pre-kinder classes are isolated from the lower and upper elementary areas. The classroom had been remodeled and enlarged to the appropriate size.

The existing floor plan provides for the current academic needs and for the next three years. A minimum investment will be needed to add three more classrooms, which will fulfill the whole proposed academic expansion.

There is no need for immediate remodeling, repairs, or changes other than normal and sometimes unpredictable maintenance. Some cosmetic work is needed which must be performed even if the building is not purchased. As

examples, these improvements include exterior paint and resurfacing the parking lot.

Building Location: Need of Students' Families.

Located in the middle of the low-income wage earners job opportunities of Houston's south and southwestern areas. The demographics of the school population parallel the diverse surrounding urban community as a whole. This population can only be served through a small, inclusive school, in which the students, their families, and community's collective academic and social needs simultaneously from pre-kindergarten through secondary, are respected and met.

Due to the location, families continue to send their students to DRAW even though they average 1 to 2 moves per year. In traditional public schools there is a higher school mobility rate due their change of residence. Our school offers the unique opportunity to serve student regardless of their residence within the Houston Independent School boundaries.

Address and physical facility description:

The DRAW Academy Incorporated campus is located at 3920 Stoney Brook Dr. in the Southwest side of Houston and is surrounded by commercial buildings, including television stations, professional offices, and supply companies. With the wide variety of businesses surrounding us we are able to bring in students from all walks of life, thus adding to the diversity of the school.

Located within a 5-mile radius are numerous large apartment complexes, which need quality education for their children. The families are very involved with their children's education and more than willing to show their support by volunteering their time and talents to help make the school a strong landmark in the community.

Interior Description.

The building was previously used and is currently being used as a school. There are 10 classrooms in use this year and 3 more classrooms ready for expansion.

Our 4000 sq. ft. cafeteria in the rear of the building, which is also available to be used as a gymnasium during inclement weather, serves as a multipurpose room and is equipped with a sound and projection system.

The building has recently been equipped with network cabling worth over \$220,000 thanks to the E-rate funding which was recently granted. This cabling enables the school to provide access to the network for as many as 16 computers per classroom. It also will allow the installation of a phone line and access to T.V. cable in every single room in the school.

Photographs of Building.

A pictorial tour of the inside and outside of the building is found under Virtual Tour on the left side menu of www.drawacademy.org

Also copies of all permits are attached.

IDEA Compliance.

The Building complies with all regulations of the Individuals with Disabilities Education Act (IDEA) Act and all its areas are fully accessible for people with handicaps. Future construction will follow all regulations to assure full compliance.

The facility has passed all city inspections and complies with building codes and with federal, state, and local safety and health regulations.

Attachment Twenty – two - Lease agreement.

Renovations: There is no need for renovations.

Attachment Twenty-three

Certificate of occupancy

Attachment Twenty-four

See attachment 23.

Building Codes and Permits.

Services at the facility include heating, air conditioning, water and sewer. There are 2 large restrooms centrally located. The building is currently being used as a school and has no need for major renovations.

Attachment Twenty-five

Asbestos Management Plan.

Attachment Twenty-six

See attachment 25.

Exterior Description.

A 5000 sq. ft. fenced in playground area is located behind the school with room for a field to be used in conjunction with Physical Education. The area located past the playground is also used as by the Phys. Ed. Department for soccer and other group related activities.

The school is in the process of building a “Nature Walk” on the property. This walkway will include 2 ponds, a butterfly garden, vegetable gardens, numerous types of flower gardens and several different types of trees. There will also be an “outside classroom” included which will be available for different classes to go to on nice days to study with nature.

A large covered area is located off of the playground that can presently be used for numerous outdoor activities. This area will serve for the expansion of three more classrooms.

Transportation

A goal of our school is to assure the transportation of all students to and from school, approved co-curricular and extracurricular activities in a timely, safe and efficient manner.

In accordance with the following guidelines and TEC policies regarding public school transportation, The DRAW Academy Incorporated Board will fully comply with the legally required transportation for certain designated students with special needs (TEC § 28.0211(j)).

The Texas Education Code (TEC) authorizes but does not require each Texas school district to provide transportation between home and school, from school to career and technology training locations, and for co-curricular and extracurricular activities. School districts and charter schools are only legally required to provide transportation to certain designated students with special needs (see, e.g., TEC § 28.0211(j)). However, the Texas Education Code (see TEC § 34.007) authorizes school districts and charter schools to establish and operate (or alternatively contract with a mass transit authority or commercial transportation company in accordance with the provisions of TEC Chapter 34) to provide an economical public school transportation system for regular (non-disabled) students, and they are entitled to receive an allotment of state foundation school program (FSP) funds for providing eligible route services (see TEC § 42.155).

The state reimburses Texas school districts for transporting regular, special education and career and technology program students. The Texas Legislature sets state funding rules and TEA administers the program. School districts receive funding for transporting regular education students living two or more miles from the school they attend. The state does not reimburse districts for transporting students living within the two-mile radius of the school unless hazardous walking conditions exist between the student's home and the school. A school district must use local funds to cover actual costs incurred beyond the reimbursable state allotment.

The state reimburses districts for transportation expenses incurred for regular education students based on linear density, which is the ratio of the average number of regular education students transported daily to the number of miles traveled daily. To establish route mileage and daily ridership figures, TEA requires districts to gather mileage and ridership data on the first Wednesday of each month.

TEA has defined seven linear density groups, and allocates per-mile reimbursements to school districts based on each district's group. School districts receive more in state reimbursements as their linear density increases. The following chart shows the seven categories as defined by TEA.

Categories of State Linear Density Reimbursement for Regular Bus Routes

Category	Linear Density Range	Reimbursement per Mile
1	.000-.399	\$0.68
2	.400-.649	\$0.79
3	.650-.899	\$0.88
4	.900-1.149	\$0.97
5	1.150-1.649	\$1.11
6	1.650-2.399	\$1.25
7	2.400-9.999	\$1.43

Source: TEA.

Reimbursable miles are those miles driven on routes with students on board; deadhead miles or maintenance miles are not reimbursable. TEA evaluates its group assignments every two years by recalculating linear densities.

A school district may receive state funding to transport regular and special program students between home and school, and career and technology students to and from vocational training locations. The state does not reimburse districts for extracurricular transportation, such as trips taken to after-school and weekend events.

All special education transportation, except for certain field trips, is eligible for state reimbursement. The Texas Legislature has capped reimbursement for special program transportation at \$1.08 per mile.

The state reimburses career and technology education transportation costs based on the previous year's actual cost per mile for that type of transportation.

The DRAW Academy Incorporated will provide transportation services for students in accordance with the provisions of TEC Chapter 34)

The DRAW Academy Incorporated will send RFP to invite vendors to apply for contracts according to State and Federal rules and regulations.

FOOD SERVICES

The DRAW Academy Incorporated qualified 78% of the student population for free or reduced lunch in 2001-2002.

The DRAW Academy Incorporated qualified 94% of the student population for free or reduced lunch in 2002-2003 Title, Federal, State, Local Health Compliance.

The DRAW Academy Incorporated provides students with breakfast, lunch and snacks at the appropriate price according to their classification as free or reduced as derivates from the application. The procedure compliance responsibility relies on the Food School Authority, whose power and responsibilities are vested in the Business Manager. He or she is required to attend the training provided by TEA in order to comply with the guidelines as explained in the Administrative Reference Manual.

The Superintendent is the official to decide on appeals.

Food services operations in schools are responsible for providing students and staff a nutritious breakfast and lunch in a clean, safe and accessible environment at a reasonable cost. The cafeteria staff to accomplish each of these responsibilities must follow federal and state regulations. A major goal of the school lunch program, as defined under the National School Lunch Plan (NSLP), is to provide proper nutrition to all students so they can learn and succeed in the classroom.

The National School Lunch Act (NSLA) mandates that school meals "safeguard the health and well-being of the Nation's children." Participating schools must serve lunches that are consistent with the applicable recommendations of the most recent Dietary Guidelines for Americans. The guidelines state the following: eat a variety of foods; choose a diet with plenty of grain products, vegetables and fruits; moderate the amount of sugars and salt in one's diet; and choose a diet with 30 percent or less of calories from fat and less than 10 percent of calories from saturated fat.

In addition, lunches must provide, on average over each school week, at least one-third of the daily Recommended Dietary Allowances for protein, iron, calcium and vitamins A and C. Under the Traditional Food-Based Menu Planning Approach, which is the approved NSLP process for menu planning; schools must comply with specific components and quantity requirements by offering five food items from four food components. These components are: meat or meat alternate, vegetables and/or fruits, grains/breads and milk. This is known as the Type-A meal. Minimum portion sizes are established by ages and grade groups.

The cafeteria operates one serving line featuring the regular menu and will have a snack bar line for cash purchases only. The staff has a strong teaming ethic; they help

each other to complete tasks as efficiently as possible and hold the permit acquired through training provided by the City of Houston.

The DRAW Academy Incorporated does not have a kitchen. For the past two years have been in contract with two different vendors who bring the food already cooked and serve hot breakfast and meals. The DRAW Academy Incorporated will invite vendors sending a competitive RFP to vendors approved by Region IV. The accounting procedures as well as the request for reimbursements will comply with all rules and regulations of TEA. The Business Manager has one year of experience as an administrator of the school program which during the school year 2001-2002 was funded by the Texas Department of Health Services. At present The DRAW Academy Incorporated has 86% of students who qualify for free and reduced lunch. These students are served by school personnel who cooked and prepare the food in an external location, deliver to the school site, and serve it. For students who stay in the after school program and in the extended day snacks are served daily free of charge.

Procedure:

- i- Students will be identified following state and federal guidelines.
- ii- The application for free and reduced lunch is a component of the enrollment package.
- iii- The Business manager holds the powers and responsibilities of the School Food Authority. He or she is responsible for designation of a committee that will approve or deny the applications.
- iv- Parents will be informed of the result and will be advised of the appropriate process to challenge the decision.
- v- The appeals will be directed to the Superintendent.
- vi- The process of identification for the regular operation of the program will keep confidential the names of the students.
- vii- The daily operational process will be authorized by the appropriate TEA department.
- viii- The Business Manager will conduct the verification of the forms.
- ix- The Business manager will send RFP to vendors to provide breakfast, lunch, and snacks for students.
- x- The Business Manager will be responsible for the process to collect daily information, prepare all required reports, collect funds from parents, to submit claims for reimbursement, and to keep on site all required paperwork.

16- GEOGRAPHIC BOUNDARIES AND STATEMENT OF IMPACT

a- Limits: The DRAW Academy Incorporated will receive students from the area that corresponds to the following school districts: Spring Branch ISD, Houston ISD, Alief ISD, and Fort Bend ISD.

b- Attachment Twenty-seven - List of school district from which the school will accept students.

c- Procedures to comply with requirements pursuant to EEO, Equal Education Opportunity, Civil Action 5281 for charter schools and districts.

The DRAW Academy Incorporated will proactively engage in any action to support full compliance of Action 5281. To assure this the following statement,

NOTICE OF NON-DISCRIMINATORY POLICY AS TO STUDENTS

In accordance with TEC 12.111(6), The DRAW Academy Incorporated Charter School do not discriminate on the basis of sex, national origin, ethnicity, religion, disability, academic, artistic, or athletic ability, or the district the child would otherwise attend in administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs.

i- This notice appears in all documents regarding students' enrollment, it is posted in our Parent Bulletin, and it is published in The DRAW Academy Incorporated web page, <http://drawacademy.org>

ii- The document Civil Right Laws and Charter schools as it appears in the <http://www.tea.state.tx.us/eeo/q charter.html#q1> web site and the one which appears in the <http://www.tea.state.tx.us/eeo/q charter.html> web site will be printed and made available for parents.

iii- The Building complies with all regulations of the Individuals with Disabilities Education Act (IDEA) Act and all its areas are fully accessible for people with handicaps. Future construction will follow all regulations to assure full compliance.

iv- The information was extracted from: <http://www.tea.state.tx.us/eeo/> web page. The DRAW Academy Incorporated will comply with every requirement to assure the application of all its principles which not only claim to respect diversity but for the proactive search of opportunity to expose each one of the members of the Academy, parents, students, faculty, and staff to the richness and maturity of a diverse team.

Attachment Twenty-eight Statements of Impact

Attachment Twenty-nine Applicant Checklist