



LAW OFFICES OF YOUNG, MINNEY & CORR, LLP

SACRAMENTO ■ LOS ANGELES ■ SAN DIEGO ■ WALNUT CREEK

FEBRUARY 26, 2016

REPLY TO SACRAMENTO OFFICE

SENT VIA: U.S MAIL AND EMAIL  
[dana.edlis@lausd.net](mailto:dana.edlis@lausd.net)

PAUL C. MINNEY  
JAMES E. YOUNG  
LISA A. CORR  
JERRY W. SIMMONS  
CHASTIN H. PIERMAN  
JANELLE A. RULEY  
SARAH J. KOLLMAN

Dana Edlis, Specialist  
Charter Schools Division  
LOS ANGELES UNIFIED SCHOOL DISTRICT  
333 S. Beaudry Ave., 20<sup>th</sup> Floor  
Los Angeles, CA 90017

**Re: Notice to Cure Issued to HighTech Los Angeles**

KIMBERLY RODRIGUEZ  
MICHELLE A. LOPEZ  
SARAH K. BANCROFT  
MEGAN M. MOORE  
RACHAEL B. TILLMAN  
KATHLEEN M. EBERT  
DREW K. RYMER  
BARBARA E. HAGBERG  
MARVIN H. STROUD  
DANIEL W. ROBERTSON  
MATEJKA M. HANDLEY  
S. EDWARD SLABACH  
KRISTOPHER L. CARPENTER  
ROGER L. SCOTT  
KEVIN M. TROY  
BRINKLEY E. WILSON  
CASEY L. HAZELHOFFER  
PATRICIA CANO  
MARYSIA S. OKREGLAK  
BRIAN T. GEREMIA

Dear Ms. Edlis:

Our office serves as legal counsel for HighTech Los Angeles (“HTLA” or the “Charter School”). We are in receipt of the Notice to Cure (“NTC”) dated February 5, 2016 and sent by you on behalf of the Los Angeles Unified School District’s (“LAUSD”) Charter Schools Division (“CSD”). While we disagree with the legal position expressed in the NTC, we have assisted our client in preparing a response, which we hope will meet CSD’s concerns.

The NTC included two concerns, admission practices and the parent-student handbook. We address them in turn.

Admission Practices

The NTC indicated a concern that HTLA actively bars new 11<sup>th</sup> and 12<sup>th</sup> grade students from submitting an Application Form to attend the Charter School, and that the Charter School counsels new 10<sup>th</sup> grade students about being able to graduate on-time. This is not an accurate portrayal of HTLA’s practices. HTLA does not prevent new 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup> graders from applying. However, the Charter School did communicate that the path to graduation for these students can be difficult and that it has not received such applications for admission. If HTLA receives applications from new 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup> graders, it will admit them. If capacity has been reached, factoring in returning students, admission for new students will be determined by a public random drawing, as stated in the HTLA charter petition.

OF COUNSEL

WILLIAM J. TRINKLE

We do not dispute or question the requirement of Education Code Section 47605(d)(2) that charter schools must admit all students who wish to attend, subject to capacity. However, Regulations applicable to charter petitions reviewed by the State Board of Education, which CSD relies on from time to time in its writings, state: “[a] charter school need not be designed or intended to meet the educational needs of every

student who might possibly seek to enroll in order for the charter to be granted....” (Title 5, California Code of Regulations Section 11967.5.1(a).) While not dispositive of the instant issue, this Regulation serves as an important reminder that charter schools are schools of choice and are not required to be all things to all potential students.

HTLA offers a rigorous, college prep program for its students. From a pedagogical perspective, the Charter School has observed that some students who enter the Charter School for the first time in the later grade levels struggle to meet its graduation requirements. HTLA utilizes a number of interventions in order to support these students, as detailed in its charter petition.

It is HTLA’s objective to publicize its graduation requirements and course sequencing, such that students and parents are enabled to make an informed decision about enrolling in the Charter School. By publicizing this information, HTLA does not intend to discourage or dissuade enrollment of students in higher grade levels. The Charter School affirms that it does not tell families that students will not graduate on time; rather it works with families to understand HTLA’s graduation requirements in context with existing course completion, in order for families to make their own decisions. Indeed, the HTLA website makes plain: “[t]here are no academic admission requirements for HTLA! Students simply apply and admission is done by lottery<sup>1</sup>.” There is a long history regarding HTLA’s course sequencing and the rationale for it in the charter petition, an excerpt of which is attached as Appendix A for your ease of review.

The HTLA Board meets every two months. During its April 5<sup>th</sup> meeting, the Board will consider the following action item: “The Board will review and consider an affirmation that HTLA’s lottery and admission practices include any and all interested 9-12<sup>th</sup> grade students, consistent with the Charter Schools Act requiring the Charter School to admit all students who wish to attend.” The Charter School will send a copy of the agenda when it is posted.

The HTLA charter already includes a plan, approved by the LAUSD Board, that includes implementing an instructional program that meets the needs of all students. Academic interventions are detailed on pages 44, 48, 49, and 55. Credit recovery opportunities are available during Summer School, which HTLA funds (see charter page 26), as well as through online providers (see charter page 49).

### Parent-Student Handbook

The NTC indicated a concern that a student’s third violation of the Code of Academic Integrity may result in removal from HTLA, because such violation was not enumerated among the Charter School’s suspension and expulsion offenses. The Charter School agrees with CSD’s conclusion, and revised the Parent-Student Handbook on February 24, 2016. The revision to the Code of Academic Integrity was communicated to students and parents via US Mail, email and website. The Charter School recognizes that the 2015-16 Handbook contains this language and is posted to its website. HTLA affirms that the Charter School will not pursue removal of any student for a violation of the

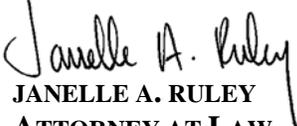
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<sup>1</sup> <http://www.ht-la.org/prospective/faqs>, accessed February 24, 2016.

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Code of Academic Integrity, an affirmation that will be readily apparent in the content of the 2016-17 Handbook. The revised Code of Academic Integrity is attached as Appendix B.

The NTC also included a request to amend the Parent-Student Handbook to include a complaint resolution process so that stakeholders are clear how their concerns can be addressed by HTLA, including information about having their concern heard by the HTLA Board. Attached as Appendix C, please find an Internal Complaint Review policy and form, which will be added to the Parent-Student Handbook.

Sincerely,  
**LAW OFFICES OF  
YOUNG, MINNEY & CORR, LLP**  
  
**JANELLE A. RULEY  
ATTORNEY AT LAW**

Cc: Marsha Rybin, Principal, HighTech LA (via email)



# Appendix A

## **Curriculum**

The HighTech LA curriculum is a unique blend of education that will enable the students to master the content standards for the four core curriculum areas adopted by the State Board of Education pursuant to Education Code section 60605. HighTech LA's core curriculum includes the following key components:

- Core Curriculum is based on the UC/CSU A-G Requirements—Upon graduation, all HighTech LA students will have met or exceeded all the A-G requirements for admission to a University of California or California State University.
- All Core classes are UC approved .
- Integration of technology into all subjects
- A focus on cross-curricular projects that connect to the “real world”
- A student internship

The school has benefitted from a number of positive course additions and changes:

- The traditional physics curriculum was changed to project physics to engage all 9<sup>th</sup> grade students.
- 9<sup>th</sup> grade students are now given a Math diagnostic test (CSU/UC Mathematics Diagnostic Testing Project) prior to the beginning of the school year. Based on their skills, students are grouped by Math ability in the 9<sup>th</sup> grade. All students take a standards-based Integrated Math 1 class, but, based on the ability levels of the students, teachers are able to go both broader and deeper in the content. Students with a more advanced background are able to work more complex problems and to extend the learning into areas they will be covering in more detail in future classes. Students with a thinner background are able to concentrate on the core of the concepts so they can exhibit mastery across the content area. Further, by narrowing the spread of the ability levels in the classroom, teachers are able to focus on issues common to more of the students in the classroom.
- Laptop computers were checked out to all students to take home in the spring semester of 2011 in order to ensure that they had the required technology for class work.
- The grading policy at HighTech LA changed at the beginning of the 2010-2011 school year such that grades of “D” are no longer accepted for graduation. In order to make certain that all graduating students will be UC/CSU eligible, graduation requirements changed starting with the class of 2014 (2010-2011 school year) to mandate that students must pass all classes with a grade of “C” or higher to receive credit.
- Summer school was funded by HighTech LA for the last two years for credit recovery. Depending on resources, it will be made available in future summers as well.
- The honors curriculum has been aligned by department after teachers reviewed and revised their requirements and courses.
- HighTech LA has increased the use of Moodle, which is a tool to provide students and parents with access to teachers' course requirements, homework assignments and future planning. Moodle is used by students and teachers for advisory period and preparation for POLs, as well as in their daily academic classes.

Each year HighTech LA staff review elective offerings and design new courses to offer a variety of experiences for students and to take full advantage of the knowledge and skills of a very talented faculty. Several new teachers have helped to widen the range of electives.

Woven into these curricular components is HighTech LA's commitment to meeting and exceeding the Content Standards for California Public Schools in all curriculum areas.

HighTech LA will ensure that curriculum, projects and lessons are standards-based.

### **Extracurricular Activities**

In addition to the curriculum, HighTech LA also provides an array of extra-curricular activities during lunch and after school in order to allow students to pursue areas of interest outside the confines of the classroom. Among the more popular extra-curricular activities at the school is the Robotics Team, which competes nationally as part of the FIRST Robotics program. This group is obviously directly aligned with HighTech LA's commitment to promoting math and science skills and interests among teenagers and gives the students an opportunity to apply some of their academic principles in the practical world. The wide array of other extra-curricular activities demonstrates the diverse interests of our students, as they can participate in Game Club (a computer gaming group), Operation Donation, Project Rainbow and Community Wishing Well (community service clubs), Junior State of America, Anime Club, Filmmakers Club, Art Club and Sports Club. In addition, students are engaged in student council, as class representatives or student body president and vice president, and the faculty nominates deserving students as school "Ambassadors," who give tours of the campus, act as ushers and monitors during parent meetings and graduation, and act as liaisons of the student body to the community. Like all public high schools, HighTech LA has struggled with budget cutbacks that have reduced the funds available to operate extracurricular activities, but we remain committed to providing the resources available to ensure students have both an academic and extra-academic life at HighTech LA.

### **Freshman "Bootcamp" – Summer Bridge**

The Freshman BOOTCAMP is a 2-day summer orientation program that bridges incoming students from middle schools into the HighTech LA culture. Students are met by 9<sup>th</sup> grade faculty who (1) lead them into the counseling process; (2) introduce them to the school's graduation requirements; (3) provide a tour of the campus and its state-of-the-art technology; (4) welcome them as members of the school community and assign email accounts; and (5) assess where they are academically in math with the help of UCLA and in English/Language Arts (ELA) using writing and language assessments developed by the HighTech LA English department. This process lays the foundation for a Student Support Team (SST) to shape a personalized education plan. To break the ice for nervous newcomers, a fun-filled improvisation, Comedy Sportz, dominates the first day's activity, and by the second day, students of the newest cohort are ready to join the HighTech LA community.

## Core Curriculum

HighTech LA's graduation requirements meet or exceed the National and State Standards as well as the A-G requirements of admission into the University of California and California State University.

The following chart outlines this comparison:

HighTech Los Angeles Curriculum/Graduation Requirements (built on State standards for graduation for ALL students)			
Subject	HighTech LA	CA Grad.	UC Entry
English	<b>4 years:</b> English 9A/B; English 10A/B; American Literature/Contemporary Composition; Expository Composition/Modern Literature	3 years	4 years
Math	<b>4 years:</b> Integrated Math I, II, III (all A/B); Probability & Statistics or Calculus (both A/B) (Algebra and geometry are included in Integrated Math.	2 years	3 years
Science	<b>4 years:</b> Physics A/B; Chemistry A/B; Biology A/B; Environmental Science or Advanced Physics A/B (All science classes incorporate lab work.)	2 years	2 years
Social Studies	<b>4 years:</b> Humanities/Geography A/B; World History/Geography A/B; U.S. History A/B; Government; Economics	3 years	2 years
Foreign Language	<b>2 years:</b> Spanish 1 A/B; Spanish 2 A/B. Students have the option of taking Spanish 3 or a foreign language proficiency tests at CSUN, UCLA or an AP test.	1 year of either	2 years
Visual/ Perf. Arts	<b>1 year:</b> Photography 1 A/B; Photography 2 A/B		1 year
Health Education	<b>1 year:</b> embedded in the biology curriculum, with related projects in other classes	1 year	N/A
Physical Education (PE)	<b>4 years:</b> Students from all grade levels play together in PE through X-Block activities implemented in consecutive 10-week sessions: archery, basketball, frisbee, volleyball, soccer, flag football, running, walking, Zumba, dance, yoga and conditioning.	2 years	N/A
Electives	<b>2.5 years:</b> Various electives that have been offered are: Art History; Forensics; Anthropology; Introduction to Psychology; Journalism 1 A/B; Journalism 2 A/B; Philosophy A/B; Science Technology and Research 2 A/B; Drama A/B; Advanced Acting A/B; Screen Writing; Environmental Studies A/B; Constitutional Law A/B; International Relations; Documentary Studies.	N/A	1 year
Presentations of Learning (POL)	<i>ALL</i> students at HighTech LA are required to complete two oral presentations, one in the fall and the second in the spring, to a panel of two or three faculty and administrators for a grade each year in order to matriculate to the next grade or graduate. This important process, which has evolved over several years based on feedback from industry partners, teachers and students, helps prepare students for both college and work and has become a major event, as students prepare and audiences engage. English learners (ELs) and students with disabilities (SWDs) or behavioral problems are supported in this process as they are individually able to	N/A	N/A
Senior Internship	Seniors are required to complete a one semester internship.	N/A	N/A
CAHSEE	All students must pass the CAHSEE to graduate. Students who have not passed enroll in a special month long, intensive class to prepare them for reexamination.	Must Pass	Must Pass
Career Tech Educ	Permeates all learning, all classes.	N/A	N/A
Computer Literacy	All students must be computer literate by 10 <sup>th</sup> grade to keep up with the course work at HighTech LA, which is designed to ready them for 21 <sup>st</sup> century living. Embedded in the 9 <sup>th</sup> grade curriculum are lessons in use of all basic computer programs.	N/A	N/A

## Course of Study by Grade Level

### Grade 9

All ninth grade students take:

- English 9AB\*
- Integrated Math 1AB\*
- Geography/Humanities AB
- Project Physics AB\*
- Photography AB\*
- Spanish 1 AB\*

### Grade 10

All tenth grade students take the following courses:

- English 10 AB\*
- Integrated Math 2AB\*
- World History and Geography AB\*
- Chemistry AB\*
- Spanish 2 AB\*
- Elective

### Grade 11

All eleventh grade students take the following courses:

- American Literature and Composition AB\*
- Integrated Math 3AB\*
- United States History and Geography AB\*
- Biology AB\*
- 2 Electives

### Grade 12

All twelfth grade students take the following:

- Modern Literature and Advanced Composition\*
- United States Government and Economics\*
- Math (Honors Advanced Calculus OR Pre-Calculus OR Statistics) AB\*
- Science (Advanced Physics OR Environmental Studies) AB\*
- One semester of Internship
- Three semesters of Electives

\*UC Approved

# Appendix B

## Code of Academic Integrity

HighTech LA has adopted the following Code of Academic Integrity and all students are expected to adhere to its letter and spirit. The students of High Tech Los Angeles, united in a spirit of mutual trust and fellowship, mindful of the values of a true education and the challenges posed by the world, agree to accept responsibility for honorable behavior in all academic activities, to assist one another in maintaining and promoting personal integrity, and to follow the principles and procedure in this Code of Academic Integrity.

Violation of the Code of Academic Integrity may take several forms. Cheating of any kind is obviously a violation of the Code, whether a student is cheating for him or herself or is helping another student cheat.

In addition, plagiarism is a violation of the Code. Any of the following, without full acknowledgement of the debt to the original source, counts as plagiarism:

- Direct duplication by copying (or allowing to be copied) another's work, whether from a book, article, Website, another student's assignment, etc. **without proper citation or notification.**
- Duplication in any manner of another's work during an exam.
- Paraphrasing of another's work closely, with minor changes but with the essential meaning, form and/or progression of ideas maintained.
- Piecing together sections of the work of others into a new whole.
- Submitting one's own work which has already been submitted for assessment purposes in another subject.
- Producing an assignment in conjunction with other people (e.g. another student, a parent, a tutor) which is expected to be **your own independent work.**

A general introduction to plagiarism:

<http://www.plagiarism.org/plagiarism-101/overview>

A general link for the Purdue University Online Writing Lab, which contains many resources on research & citation: <https://owl.english.purdue.edu/owl/>

A general link for how to cite many different types of sources in MLA format:

<https://owl.english.purdue.edu/owl/resource/747/1/> (the left tab has links to examples of source citations)

Violations of the code are cumulative and are not limited to any year, teacher, etc.

**Note:** Students are responsible for following the Code with respect to all assignments and in all disciplines. If a student is unclear, it is his/her responsibility to obtain clarification from a teacher.

## Consequences for Violation of the Code of Academic Integrity

### First Offense

Student (1) receives a zero (failing grade) on the assignment/project and (2) teacher contacts counselor and parents.

**Second Offense**

Student (1) receives a zero (failing grade) on the assignment/project and (2) a meeting is scheduled with student, parent(s), teacher, counselor, and administrator.

**Third Offense**

May result in failure of the course.

# Appendix C

## **INTERNAL COMPLAINT REVIEW**

The purpose of the “Internal Complaint Review Policy” is to afford all member of the Charter School community the opportunity to seek internal resolution of their HTLA-related concerns. All community members have free access to the Principal or Board of Directors to express their HTLA-related concerns. The Charter School identifies the various types of complaints that could be made by stakeholders to include:

### **Internal Complaints**

(Complaints by Employees Against Employees)

This section of the policy is for use when a Charter School employee raises a complaint or concern about a co-worker.

If reasonably possible, internal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the immediate supervisor. However, in the event an informal resolution may not be achieved or is not appropriate, the following steps will be followed by the Principal or designee:

1. The complainant will bring the matter to the attention of the Principal as soon as possible after attempts to resolve the complaint with the immediate supervisor have failed or if not appropriate; and
2. The complainant will reduce his or her complaint to writing, indicating all known and relevant facts. The Principal or designee will then investigate the facts and provide a solution or explanation;
3. If the complaint is about the Principal, the complainant may file his or her complaint in a signed writing to the President of the Charter School's Board of Directors, who will then confer with the Board and may conduct a fact-finding or authorize a third party investigator on behalf of the Board. The Board President or investigator will report his or her findings to the Board for review and action, if necessary.

This policy cannot guarantee that every problem will be resolved to the employee's satisfaction. However, the Charter School values each employee's ability to express concerns and the need for resolution without fear of adverse consequence to employment.

### **Policy for Complaints Against Employees**

(Complaints by Third Parties Against Employees, Policies, or Processes)

This section of the policy is for use when a non-employee raises a complaint or concern about a Charter School employee, policy, or process.

If complaints cannot be resolved informally, complainants may file a written complaint

with the office of the Principal or Board President (if the complaint concerns the Principal) as soon as possible after the events that give rise to the complainant's concerns. The written complaint should set forth in detail the factual basis for the complaint.

In processing the complaint, Principal (or designee) shall abide by the following process:

1. The Principal or designee shall use his or her best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.
2. In the event that the Principal (or designee) finds that a complaint against an employee is valid, the Principal (or designee) may take appropriate disciplinary action against the employee. As appropriate, the Principal (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
3. The Principal's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors. The decision of the Board shall be final.

### **General Requirements**

1. Confidentiality: All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.
2. Non-Retaliation: All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.
3. Resolution: The Board (if a complaint is about the Principal) or the Principal or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

**COMPLAINT FORM**

Your Name: \_\_\_\_\_ Date: \_\_\_\_\_

Date of Alleged Incident(s): \_\_\_\_\_

Name of Person(s) you have a complaint against: \_\_\_\_\_

List any witnesses that were present: \_\_\_\_\_

Where did the incident(s) occur?

Please describe the circumstances, events, or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby authorize the Charter School to disclose the information I have provided as it finds necessary in pursuing its investigation. I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief. I further understand providing false information in this regard could result in disciplinary action up to and including termination.

\_\_\_\_\_  
Signature of Complainant Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name

To be completed by Charter School:

Received by: \_\_\_\_\_ Date: \_\_\_\_\_