



Achieve Charter High School

Student and Guardian Handbook

TABLE OF CONTENTS

Governance

Mission

Admission Requirements

Daily Schedule

Calendar

Academic Program

A-G Requirements and Graduation

Course Offerings by Grade

Course Transferability

Credit Recovery

Extra Support Options

Grading and Assessment

Recognitions

Policies and General Information

Academic Eligibility

Academic Integrity

Advisory

Attendance, Family Vacations and Tardies

Communication

Confidentiality

Dress Code

Technology Policy

Family Educational Rights and Privacy Act

Food Services

Health and Safety

Visitors and Volunteers

Bullying, Suspension and Expulsion Policies

Universal Complaint Policy and Procedures

BOARD OF DIRECTORS

| | |
|----------------|---------------------------------|
| Mike Weldon | President/Community Member |
| Dave Dickson | Vice President/Community Member |
| Curtis Schnurr | Secretary/Community Member |
| Kristy Lico | Treasurer/Parent |
| Amanda Bess | Parent PUSD Representative |

Monthly meetings are scheduled on the 3rd Wednesday of the month. This date may be adjusted due to holidays/scheduling conflicts. Meetings are held in the Achieve Charter School Multi-Purpose Room at 4:00 pm. Please check the website for meeting changes and/or updates, as well as agendas.

SCHOOL LEADERSHIP

Executive Director

Casey Taylor

Administration

Kelli Gordon: Principal of Culture and Climate

Ryan Van Roekel: Principal of Curriculum and Instruction

MISSION AND VISION

Achieve Charter High School's mission is to provide all students in our community a unique, rich academic experience to produce graduates who are career and college ready.

We will accomplish this by

- Cultivating personally and socially responsible citizens;
- Empowering students to be self-directed and solution-oriented learners;
- Diversifying instruction and providing opportunities that meet the needs of each unique student; and
- Ensuring a safe, smaller learning community for students and families

ADMISSION REQUIREMENTS

Governing Law: Admission requirements, if applicable Education Code Section 47605(b)(5)(H)

The Charter School will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition nor discriminate against any student based upon any of the characteristics listed in Education Code Section 220.

The Charter School shall admit all pupils who wish to attend the Charter School up to capacity. In the 2018-2019 school year, the Charter School will enroll 9th grade students. In the 2019-2020 school year, the Charter School will enroll 9th and 10th grade students. In the 2020-2021 school year, the Charter School will enroll 9th, 10th and 11th grade students. In the 2021-2022 school year, the Charter School will enroll 9th, 10th, 11th, and 12 grade students.

No test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School. The Charter School will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Admission, except in the case of a public random drawing, shall not be determined by the place of residence of the pupil or his or her parent or legal guardian within the state.

The application process is comprised of the following:

- Completion of a student enrollment form

Upon admission, students will be required to submit an enrollment packet that includes the following:

- Student enrollment form
- Proof of Immunization
- Home Language Survey
- Completion of Emergency Medical Information Form
- Proof of minimum age requirements
- Release of records

Public Random Drawing

Applications will be accepted during a publicly advertised open enrollment period each Spring for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In this event that this happens, the Charter School will hold a public random drawing to determine enrollment for the impacted grade level, with the exception of existing students who are guaranteed enrollment in the following school year.

Admission preferences in the case of a public random drawing shall be given to the following students in the following order:

1. Siblings of enrolled students
2. Children of employees, limited to 10% of enrollment
3. Students who reside within the boundaries of the District
4. Students who are currently enrolled in and students who reside in the attendance area of the public elementary school where the Charter School is located (for purposes of the SB 740 Charter School Facility Grant Program)
5. All other applicants

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a wait list according to their draw in the lottery. This wait list will allow students the option of enrollment in the case of an opening during the school year. In no circumstance will a wait list carry over to the following school year.

Public random drawing rules, deadlines, dates and times will be communicated in the application form and on the Charter School's website. Public notice for the date and time of the public random drawing will also be posted once the application deadline has passed. The Charter School will also inform parents of all applicants and all interested parties of the rules to be followed during the public random drawing process via mail or email at least two weeks prior to the lottery date.

BELL SCHEDULE

| Time | A Monday/Wednesday | B Tuesday/Thursday | Rotating Friday |
|----------------------|-------------------------------|-------------------------------|----------------------------|
| 8:00-9:25 | Period 1A | Period 1B | Block 1A/B 8:00-9:10 |
| 9:30-10:55 | Period 2A | Period 2B | Block 2A/B 9:15-10:25 |
| 11:00-11:50 | Advisory | Advisory | Block 3A/B 10:30-11:40 |
| Lunch 11:50-12:35 | Lunch | Lunch | Block 4A/B 11:45-12:55 |
| 12:40-2:05 | Period 3A | Period 3B | School Out |
| 2:10-3:35 | Period 4A | Period 4B | School out |

Achieve Charter High School Calendar

| Holidays and Other Key Events | Dates |
|--|-----------------------------|
| School Starts | 8/15/18 |
| Labor Day (no school) | 9/3/18 |
| Staff Development Day | 9/28/18 |
| Back to School Night | 9/30/18 |
| End of 1st Quarter (41 instructional days) | 10/12/18 |
| Staff Development (no school) | 11/1/18 |
| Veterans Day (no school) | 11/12/18 |
| Thanksgiving Break (no school) | 11/19/18-11/23/18 |
| Winter Break (no school) End of 2nd Quarter (41 instructional days) End of 1st Semester (82 instructional days) | 12/20/18-1/4/19 12/19/18 |
| Martin Luther King Jr. | 1/21/19 |
| Lincoln's Birthday | 2/16/19 |
| Presidents' Day | 2/18/19 |
| Staff Development (no school) | 3/15/19 |
| End of 3rd Quarter (51 instructional days) | 3/22/19 |
| Spring Break | 4/1/19-4/5/19 |
| Memorial Day (no school) | 5/27/19 |
| Last Day of School End of 4th Quarter (47 instructional days) End of 2nd Semester (98 instructional days) Total 180 instructional days | 6/5/19 |

ACADEMIC PROGRAM

Students will be assigned a guidance counselor to assist them in mapping out their 4 year plan. The student, guardians, guidance counselor and advisory teacher will work as a team to ensure the student is on track to meeting their graduation goals.

Graduation and A-G Requirements

| | Subject | Achieve Charter High School Course Requirements | UC/CSU Course Requirements |
|----------|-------------------------------|--|--|
| A | History/Social Science | 3 years (30 credits) | 2 years (20 credits) |
| B | English Language Arts | 4 years (40 credits) | 4 years (40 credits) |
| C | Mathematics | 3 years (30 credits) | 3 years (30 credits) *4 years recommended |
| D | Laboratory Science | 2 years (20 credits) | 2 years (20 credits) *3 recommended |
| E | World Language | 1 years (10 credits) | 2 years (20 credits) *3 recommended |
| F | Visual and Performing Arts | 1 year (10 credits) | 1 year (10 credits) |
| G | College Preparatory Electives | 1 year (10 credits) | 1 year (10 credits) |
| | Electives | 3 years (30 credits) | 1 year (10 credits) |
| | Career Exploration Course | 1 year (10 credits) | |
| | Computer Science | 1 year (10 credits) | |
| | Health | 1 year (5 credits) | |
| | Physical Education | 2 years (20 credits) | |
| | Total Credits | 225 credits | 160 credits |

Independent Study Program and Assurances

Achieve Charter High School will offer an independent study option to meet Physical Education graduation requirements. Each participating student will complete 400 minutes of physical activity every 2 weeks. Written assignments are also completed each semester. The Charter School shall comply with all applicable independent study laws including, but not limited to, Education Code Sections 51745 *et seq.*, 47612.5, 47634.2; and Title 5, California Code of Regulations, Sections 11700-11705 and 19850-19854. These laws require, among other things, that the Charter School shall operate pursuant to an adopted independent study Board policy, and each student will have a master agreement (see draft policy and master agreement as Appendix G). The Charter School shall maintain written contemporaneous records that document all student attendance.

Course Transferability

The Charter School will inform parents and students about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements during family recruitment meetings and orientation meetings. This information is also shared during the development of the student's PLP, will be in the Student Parent Handbook, and on the Charter School's website. Achieve Charter High School will offer University of California A-G approved courses through submission of full course descriptions to the UC Course Management Portal for A-G approval spring of 2018 for full implementation in the 2018-19 Academic year. At Achieve Charter High School all students are provided academic advising to fulfill the UC A-G college entrance requirements within their four year plan, unless a student's Individualized Education Plan ("IEP") states otherwise. Students' Personalized Learning Pathways will be reviewed annually by students, teachers, counselors, and parents to ensure students are on track to graduate eligible for a four-year college. A-G courses will be part of each student's PLP unless the PLP team agrees otherwise. Once Achieve Charter High School receives A-G approval for courses, they will be listed in the Student Parent Handbook with a description of each individual course offered including whether each course meets college entrance requirements.

Credit Recovery

Students who are credit deficient will be given the opportunity or assigned to enroll in online credit recovery classes during summer break or the school year.

Extra Support Options

Optional extra support drop-in periods are held before and after school. This option is available for all students. There will be staff available for the students to answer questions, provide support on assignments and help students studying for tests including, assisting with studying and teaching different study skills to the students. Students not needing assistance are also able to drop-in if they are needing extra time and/or a place to complete work. Students will be able to take a Study Hall during the academic day. Students requiring more time to complete assignments can substitute an elective option with an additional Study Hall.

Grading and Assessment

Percentage

| Letter Grade | Percentage | Points for GPA Calculation |
|-----------------------------|------------|----------------------------|
| A+ | 97.5%-100% | 4.0 |
| A | 92.5-97.4% | 4.0 |
| A- | 89.5-92.4% | 3.7 |
| B+ | 87.5-89.4% | 3.3 |
| B | 82.5-87.4% | 3.0 |
| B- | 79.5-82.4% | 2.7 |
| C+ | 77.5-79.4% | 2.3 |
| C | 72.5-77.4% | 2.0 |
| C- | 69.5-72.4% | 1.7 |
| D+ | 67.5-69.4% | 1.3 |
| D | 62.5-67.4% | 1.0 |
| D- | 59.5-62.4% | 0.7 |
| NCR (No Credit Received) | 0-59.4% | 0.0 |

Students will be recognized on a semester basis for accomplishments in areas including academics, personal growth and entrepreneurial mindset.

POLICIES AND GENERAL INFORMATION

ACADEMIC ELIGIBILITY

Students participating in sports, dances and other extracurricular activities which could take them out of class will need to maintain a GPA of no less than 2.0. Eligibility can be checked at any time by the coach, teacher or advisor. If a student is deemed ineligible to participate, it is recommended they attend before and after school extra Support Drop-In to gain support raising their grades.

ACADEMIC INTEGRITY

Academic Integrity means honesty and responsibility in academic scholarship. Students are here to think about content and synthesize their *own* ideas. Plagiarism will not be tolerated. Plagiarism is to steal and pass off as one's own work (the ideas or words of another or a created product) without crediting the source.

Plagiarism or cheating may look like:

- Not crediting a source
- Not using quotation marks or direct quotes
- Paraphrasing and not giving credit
- Direct copying and submitting as student's own work
- Copying or giving a student to copy an assignment
- Talking during assessments (i.e. tests or quizzes)
- Using cellular phones or other technology to alter, copy, or transfer material that is not your own without permissions from the teacher.

Consequences of plagiarism may include:

- Teacher and student discussions
- Parent contact
- Losing credit for the assignment
- Referral to administration

ADVISORY

Advisory classes will focus on leadership, entrepreneurial skills, community, and college and career preparation. The advisor will also provide students and parents with a predictable, daily anchor point by providing each student an on-site advocate for support socially and academically. Research shows that when students develop a positive relationship with one or more adults on campus, it increases their sense of belonging, motivation to succeed, and overall academic progress. During Advisory, students will also engage in activities regarding Life and Wellness, including online health as well as focus on Social Emotional Learning.

ATTENDANCE POLICY

ACHS recognizes the important role of attendance in a student's academic career. According to California State Law students who have not graduated high school are required to attend school until their

18th birthday. California Ed Code (48205) allows for the following exceptions: personal illness, medical appointments, quarantine by a medical public health official, a death in the immediate family, court appearances, or school sponsored activities.

In addition, students over age 18 will be excused for jury duty or working in the official capacity of a county elections officer.

Students will also be excused for observation of a religious holiday or ceremony. (Cal Ed Code 46014) “With written consent, a student will be released from school to observe a holiday or ceremony of the student’s religion. Please schedule any religious instruction during non-school hours since students will not be excused from school to receive religious instruction.”

Students are required to attend at least one class in a day for the school to receive funding. Students missing school for any of these excused reasons must clear any absences within 3 days by bringing a note from a guardian and/or doctor to the school office. Absences for reasons other than those listed will remain unexcused even with a guardian note, as required by law.

Attendance Notification

Student and parent responsibilities for attendance:

1. When a student is absent, the parent must notify the school within 72 hours by phone or in writing verifying the cause of the absence. Parents may also respond to the automatic dialer system by leaving a message.
2. Calls should be made to the Student Services Office. If a call or written note is not received within 72 hours, the absence becomes truancy.
3. Notes must be in ink, and must contain the following information:
 - a. Full name of Student
 - b. Student number.
 - c. Date(s) of absence and reason for absence
4. The ACHS office will notify families via email when their student has been marked absent. Please contact Nicole Maletic at (530) 762-2599 if you need to be contacted via phone call instead.

Upon return to school from an excused absence, the student will be allowed to make up missed work for full credit as required by law. (Cal. Ed. Code 48205)

Students with unexcused absences will be required to attend Saturday school to recover their instructional minutes.

Students will be deemed chronically absent if their attendance rate drops below 90% (including excused absences due to illness.) Students deemed chronically absent may be required to attend a student/guardian conference with administration to discuss implementation of an attendance contract.

This can include being required to provide a doctor’s note for any future absences due to illness.

Students/guardians may also be referred to Student Attendance Review Board (SARB) or the Butte County Truancy Mediation Court.

Students age 18 years and older are no longer legally required to attend school. Students age 18 and older who attend ACHS will be expected to follow the attendance requirements for students under 18 years.

Achieve believes that in order to set students up for success, it is crucial that they attend school regularly and on time. This is in line with our mission as it will prepare them for entering the work-force and/or college environments.

Students will not be allowed to leave campus without parent permission. Students leaving campus early will need to be checked out through the office.

Family Vacations

Missing school for any reason can be difficult for a student. Please schedule family vacations during school breaks whenever possible. In the event a student misses school for a family vacation, they should arrange with teachers ahead of time to get work for the classes they will miss with the understanding that completion of work outside of the classroom may be lacking richness gained by in class experiences. If a student is going to miss school for 5 or more consecutive days, they can set up a short term independent study contract. Please contact your student's Advisor to request short term independent study.

Unexcused Tardy

Students arriving 30 or more minutes after class begins will need to visit the office to obtain a tardy pass. If a student is chronically tardy to a class, the classroom teacher may contact the advisory teacher to discuss issues and make a plan for success since arriving on time to obligations is an important life skill.

COMMUNICATION POLICY AND PROCEDURES FROM HOME TO SCHOOL

The single most important factor in successful school relations is effective communication. Parents with any concerns regarding classroom instruction or the learning environment are asked to bring such concerns to the attention of the classroom teacher first. If the discussion between the parent and teacher does not resolve the concern, please schedule a meeting with your student's Advisory Teacher. If the situation still is not resolved, notify the Principal.

Parents are encouraged to speak with the classroom teacher regularly. The Principal encourages parents and teachers to use notes, emails and before or after school meetings to facilitate regular communication. Please DO NOT "DROP IN" during instruction time as this disrupts the learning environment.

School concerns outside the classroom can be brought to the Principal's attention. The Principal encourages parents to share their concerns. In order to ensure that the Principal can give parents the time and attention they deserve, it is important to schedule a meeting in advance. When you call/email for such an appointment, please leave your name, nature of your concern, and the preferred contact information where you can be reached.

Any concerns or issues for the Achieve Charter School Board of Directors must be made in writing, and must be signed and dated.

FROM SCHOOL TO HOME

To facilitate the communication between school and home, Achieve will maintain an up to date website with current information, calendars and links. Teachers will enter grades via Aeries. Parents will have access to the grade portal online where they will be able to see current grades, scores on assignments and missing assignments. Progress Reports will be printed from Aeries and sent home through the mail at the halfway point in each semester.

CONFIDENTIALITY

Members of the Achieve Charter School staff cannot, by law, divulge information concerning any student to anyone who does not have what the law defines as a clear “need to know.” In disciplinary or academic situations, the only persons who meet this definition are the parent(s)/guardian(s) of the children involved.

DRESS CODE

Achieve Charter High School prepares students to perform in a professional environment. Our dress code aims to:

*Value individual choice, expression and decision-making.

*Value modesty and workplace appropriateness.

*Recognize the role of the parent in determining what they feel is appropriate for their child to wear.

*Maintain a safe learning environment.

1. Body Coverage

- a. Skin should be covered with clothing that is not see through or transparent from the armpit through mid-thigh (at least 3” below buttocks) with appropriately fitting clothing per discretion of staff
- b. Undergarments may not be exposed.
- c. Holes and tears in clothes must meet coverage requirements above
- d. Tube tops are not allowed.

2. Footwear - Shoes must be worn.

3. Content

- a. To maintain a safe learning environment, clothing must not promote gangs, drugs, alcohol or vulgarity and may not include representation or symbolism which can be perceived as derogatory.

4. PE Uniforms will be worn for PE class.

INSTRUCTIONAL TECHNOLOGY

ACHS CHROMEBOOK OVERVIEW

As part of the instructional program, Achieve Charter High School (“ACHS”) will assign a Chromebook to each student. All students will have equal access to the instructional technology offered by ACHS. The use of technology enhances students’ learning experiences by personalizing and creating new learning experiences. From the purposeful use of technology in an environment, ACHS students will:

- Use technology to take an active role in choosing, achieving and demonstrating an understanding of their learning goals
- Develop organizational skills necessary to be successful in the digital world
- Understand the rights, responsibilities and opportunities of living, learning and working in an interconnected digital world, and act in ways that are safe, legal and ethical
- Use digital tools to broaden their perspectives and enrich their learning by collaborating with others and working effectively in teams locally and globally
- Use technology to access information and learn how to critically evaluate and process this information

This program is aligned to our Expected Schoolwide Learning Results:

- Every student who graduates from Achieve Charter High School will be:
- An effective communicator
- A productive member of society
- An information manager
- A lifelong learner
- A problem solver

CHROMEBOOK

The Chromebook is a personal computer designed to work with Google Apps for Education (“GAPE”) web-based applications. ACHS chose the Chromebook as the best fit for the needs of its students through a diligent assessment of ease of operation, productivity, safety, security, and cost-effectiveness. ACHS will purchase and retain full ownership of the Chromebooks and will have in place measures to prevent the inappropriate use of the device and/or the internet on the device, in keeping with the ACHS Acceptable Use Policy (“AUP”). Students will retain their issued Chromebook for the duration of their enrollment at ACHS, subject to new device adoption. Chromebooks are subject to periodic checks to determine device condition.

Google Accounts and Google Apps for Education

All students will receive a ACHS-managed Google account; this account is necessary to login to any ACHS-owned Chromebook. Only currently enrolled ACHS students will have access to a ACHS Google account, and ACHS Chromebooks are only accessible with a ACHS Google account.

Students are provided unlimited file storage through Google Drive. All files stored on Google Drive are managed by ACHS and are subject to review, confiscation, and destruction by ACHS administration. Students should refrain from storing inappropriate or personal material (such as personal photos, copyrighted material not used for educational purposes) on their Google Drive. Students are also provided with a Google email account (Gmail). This account is fully managed by ACHS and emails are archived using Google Vault. When students leave ACHS (through graduation or transfer), all files can be transferred to a student's personal Google account.

Students also have access to a variety of Google Apps made available through GAFE. Students do not have the ability to install on their ACHS Chromebooks Google Apps that are not approved by ACHS. Google Apps should only be used for academic purposes; failure to use Apps or other resources responsibly or for their intended purpose may result in disciplinary action. See the ACHS discipline policy for more information.

Distribution of Chromebooks

Distribution of the Chromebooks will take place during the first weeks of school following a mandatory digital citizenship, Chromebook care training, and signing of ACHS Acceptable Use Policy. Students enrolling after registration will receive their Chromebook after enrolling and completing the required course . A student will be issued a Chromebook only if the student and a parent or guardian has signed the Acknowledgement of the ACHS Acceptable Use Policy. All students will receive the device and a power cable. Earbuds, cases, or headphones will not be provided by ACHS.

ACHS Responsibilities for the use of the Chromebook

ACHS will comply with the Children's Internet Protection Act ("CIPA") to prevent the inappropriate use of the Chromebook and/or the internet whether the device is being used at school or at home. Any malfunction of the Chromebook that is not the result of negligence or inappropriate use will be repaired at ACHS's expense. ACHS will have devices available that can be checked out to students whose devices are being repaired or replaced, on a temporary basis.

Parent and Student Responsibilities

All parents and students are required to understand and sign the and the ACHS Acceptable Use Policy.

As with any ACHS-owned property (for example, textbooks), parents and students will be responsible for returning the Chromebook to ACHS in good working condition. The student and his or her parent or guardian will be responsible for replacing a lost Chromebook or making repairs that were the result of inappropriate use or neglect of the device. An optional Chromebook protection plan may be offered at an annual cost of approximately \$20.

Internet Access

As the Chromebook is an internet-based device, students will need internet access in order to use the web-based applications. ACHS provides internet access at the school site. Students will have the ability to use the Chromebook to connect to the internet while off campus. Students without reliable internet access off campus may check out internet Hotspots from the school. Students should not connect to unknown wireless networks.

At school or elsewhere, students are expected to observe all ACHS technology policies as well as federal, state and local laws. Student accounts are configured to provide internet filtering and website monitoring for inappropriate content using CIPA compliant software and hardware on campus and off campus. Students are responsible for following the policies expressed in this overview and the ACHS Acceptable Use Policy at all times when using their ACHS account.

Students will be able to access all work and files when offline. Students are responsible for ensuring that files have synced once re-connected to the internet.

Monitoring and Scanning

As part of our AUP and within the provisions of CIPA, ACHS has the right and duty to monitor and control access to the ACHS network and connected devices. It is our intent to provide a safe and useful instructional resource for students. All files, messages, internet browsing history, and any other activity on a ACHS owned Chromebook and ACHS managed account may be monitored for appropriate content, student safety, and adherence to the ACHS academic integrity policy.

Guidelines for Appropriate Use

With the opportunity afforded by using technology, comes the expectation to use that technology responsibly. Failure to use the Chromebook responsibly may result in disciplinary action.

Students will

- Bring their Chromebook fully charged to campus each day.
- Use the Chromebook and other technology resources only for academic purposes and in accordance with the ACHS academic integrity policy.
- Use appropriate language and graphics, whether posting and publishing from home or from school, when using blogs, podcasts, email or other communication tools.
- Use only assigned accounts.
- Maintain confidentiality about usernames and passwords.
- Communicate only in ways that are kind and respectful.
- Remember that making and sharing illegal copies of music, games, movies, and other copyrighted material is prohibited. Make sure that their account has synced before leaving campus each day.
- Give credit when using the words or works of others.
- Prevent damage to the Chromebook by following “General Care” guidelines provided in this guidebook.
- Report the loss or damage of the device immediately to the advisory teacher or school administration.
- Keep the sound muted or use headphones or earbuds when the noise might disturb others.
- Digitally publish work whenever possible, but students may print hardcopies on printers located in each classroom.

Students will NOT

- Remove, damage, or deface any identifying stickers or labels placed in or on the device by ACHS.
- Allow other people to use their assigned device.
- View, use or copy passwords, data, or networks to which they are not authorized.
- Reveal personal information (telephone numbers, addresses, passwords, etc.) about themselves or others.
- Leave computers unsupervised or while logged in to any ACHS managed system.
- Harass, bully or threaten anyone.
- Use offensive or inflammatory language of any kind.
- Misrepresent themselves or others.
- Destroy or damage data, programs, networks or any other system or component of a system owned or managed by ACHS.

- Attempt to override, bypass or otherwise change the internet filtering software, Google Management, or other network configurations.
- Reset or “wipe” their device without explicit, advance permission from ACHS administration.

Damaged Chromebooks

Students with damaged or malfunctioning Chromebooks may take them to the Office or advisory teacher and borrow a device while theirs is being repaired or replaced. Students will complete an incident report that details the damage and the cause and will then be responsible for the loaner Chromebook. Students will be notified when their Chromebook has been repaired or replaced and will return the loaner Chromebook.

General Care of the Chromebook

- Do not place food or drink near the device.
- Insert and remove cords, cables and removable storage devices carefully.
- Do not deface the device with writing, drawings, stickers, labels, substances, etc.
- Do not place heavy objects on the device.
- Always carry the device with care; the screen should not be open when being carried.
- Do not lift the device by the screen.
- Do not store the device where other items can place pressure on the screen (for example, a backpack).
- Clean the screen only with a soft, dry microfiber cloth or anti-static cloth. Do not use cleaning solvents or other liquids on the screen.
- Always keep the Chromebook in a protective case. Although the case is reinforced to help protect the Chromebook, it is not guaranteed to prevent damage. It remains the student’s responsibility to care for and protect the device. Please contact school administration or advisory teacher if you need support getting a case.

CHROMEBOOK DISCIPLINE POLICY

The purpose of this Chromebook Discipline Policy is to create a learning environment that encourages the safe and effective use of technology. The specific items included in this table are in addition to our broad, discretionary authority to maintain safety, order and discipline inside the school zone. The following table is designed to support, not limit, our authority. The table includes possible outcomes for the first infraction of the specific item; subsequent infractions may lead to escalation of discipline.

| Category | Infraction | Solution | Possible Outcomes |
|-----------------|--|---|--|
| Preparation | Lack of preparation such as not bringing Chromebook to class, not charging battery, etc. | Check out daily loaner | Work Exchange Program, Meeting w/ advisory teacher/admin/parent/guardian |
| Care | Intentional Damage or lass | Check out daily loaner and student responsible for repair or replacement cost | Referral to Administration |
| | Preventable Damage -Not covering the Chromebook, food or drink spills, et | Check out daily loaner and student responsible for repair or replacement cost if insurance not purchased | Referral to administration |
| | Accidental Damage | Check out daily loaner and student responsible for repair or replacement cost if insurance not purchased. | |
| Network | Network Infractions including, but not limited to: accessing or attempting to access inappropriate material, bypassing ACHS network, cyberbullying, inappropriate behavior, or other violations of the Acceptable Use Policy | Account restrictions, such as limiting online access to on campus and/or during certain hours | Referral to administration |
| Account | Accessing or attempting to access another student's account | Account Restrictions | Referral to administration |

| | | | |
|--------------------|--|------------------------------------|----------------------------|
| | Sharing passwords/accounts | Account Restrictions | Referral to administration |
| | Forgotten Password | Password Reset | Warning |
| Academic Integrity | Cheating, sharing documents without teacher permission, plagiarism, or any other violation of the ACHS Academic Integrity Policy | See Plagiarism and cheating policy | |

ACHS INTERNET ACCEPTABLE USE POLICY

As part of our School Technology Plan, Achieve Charter High School (“ACHS”) provides computer network and internet access for its students and employees. ACHS faculty, staff, and students use the internet as an instructional tool, to communicate, collaborate, and to complete many of their assigned academic and professional responsibilities. Access to the internet is an integral part of the instructional program designed to help students meet the ACHS Expected Schoolwide Learning Results. Each year, students and employees must acknowledge receipt of an agreement with this Acceptable Use Policy (“AUP” or the “Policy”). Students who are under 18 must also have a parent or guardian sign this policy. By signing the Parent-Student Handbook agreement, the student, employee, and parent or guardian agree to follow the rules set forth in this Policy and to report any misuse of the computer network or the internet to a teacher or administrative director. Parties agreeing to this Policy also understand that ACHS may revise the AUP, as it deems necessary. Any such changes will be posted on the ACHS website: <http://www.achsparadise.org>

Acceptable Use Policy for the Internet

Access to the ACHS computer network (including, but not limited to: host computers, file servers, application servers, laptops, desktops, Chromebooks, network hardware, printers, hand-held internet accessible devices, tablets, software, applications, data files, email systems, and all internal and external computer and communications networks and peripherals) and the

internet is an integral part of the ACHS instructional program and school operations. Failure to use the ACHS computer network, internet access, and student and employee accounts for exclusively educational or professional purposes may result in disciplinary action.

Students and employees may have several user accounts authorized by ACHS, including, but not limited to: network access, email, calendars, file storage, applications (apps), instructional and professional resources. User accounts refer to any account created for educational or professional use while using the ACHS network. All accounts created for use while at ACHS should use the User's ACHS email account for registration. ACHS accounts should not be used for personal purposes.

User accounts may only be used during the time the User is a student or employee of ACHS. Each User is responsible for using it properly. The student or employee may be required to change the password the first time he or she uses the User account and routinely thereafter. Use of passwords to gain access to the ACHS network does not imply that the User has an expectation of security or privacy.

If a User is uncertain about whether a particular use of the computer network, website, application, or email is appropriate, he or she should consult a teacher or administrative director.

Unacceptable Uses of the Computer Network, Email or Internet

1. Uses that violate any state or federal law, municipal ordinance, or ACHS Policy are unacceptable. Unacceptable uses include, but are not limited to:
 - a. Selling or purchasing any illegal substance;
 - b. Accessing, transmitting, or downloading child pornography, obscene depictions, harmful materials, or materials that encourage others to violate the law; or
 - c. Transmitting or downloading confidential information or copyrighted materials.
2. Uses that involve accessing, transmitting or downloading inappropriate materials on the internet, as determined by the ACHS Governing Board or any related authority.
3. Uses that involve obtaining and/or using anonymous email sites.
4. Uses that involve circumventing the ACHS network, filtering and/or firewall.
5. Uses that cause harm to others or damage to their property are unacceptable.

Unacceptable uses include, but are not limited to the following when done while using a ACHS device or the ACHS network:

1. Engaging in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
2. Deleting, copying, modifying, or forging other user's emails, files, or data.

3. Installing or using encryption software on any ACHS device or the ACHS network.
4. Accessing another user's account for any purpose, even with consent.
5. Damaging computer equipment, files, data or the network.
6. Using profane, abusive, or impolite language.
7. Disguising one's identity, impersonating other users, or sending anonymous messages.
8. Threatening, harassing, or making defamatory or false statements about others.
9. Accessing, transmitting, or downloading offensive, harassing, or disparaging materials.
10. Accessing, transmitting, or downloading computer viruses or other harmful files or programs, or in any way degrading or disrupting any computer system performance.
11. Accessing, transmitting, or downloading large files that impact overall network or system performance.
12. Using any ACHS computer, ACHS network, or ACHS account to undertake "hacking," "phishing" or "spamming" internal or external to ACHS, or attempting to access information that is protected by privacy laws.
13. Access and Interference: Using any robot, spider, other automatic device, or manual process to monitor or copy ACHS web pages or the content contained thereon or for any other unauthorized purpose; or, using any device, software or routine to interfere or attempt to interfere with the proper working of the ACHS website, mobile app and/or network.
14. Abusing ACHS network resources such as unauthorized mass emails, engaging in spam, subscribing to a non-work or non-school related listserv or group, spending excessive time on the internet for personal reasons, playing games, streaming music or videos, engaging in non-ACHS related online chat groups, printing multiple copies of documents or otherwise creating unnecessary network traffic (intentionally or unintentionally).
15. Uses that jeopardize access or lead to unauthorized access into Accounts or other networks are unacceptable. Unacceptable uses include, but are not limited to the following:
 - a. Using others' User Account passwords or identifiers.
 - b. Disclosing one's Account password to other Users or allowing other Users to use one's Account.
 - c. Gaining unauthorized access into others' User Accounts or other computer networks.
 - d. Interfering with other Users' ability to access their Accounts.
16. Commercial uses are unacceptable. Unacceptable uses include, but are not limited to the following:
 - a. Selling or buying anything over the internet for non-ACHS related personal or financial gain.
 - b. Using the internet for non-ACHS related advertising, promotion, or financial gain.
 - c. Conducting for-profit business activities and engaging in non-governmental related fundraising or public relations activities such as solicitation for religious purposes, lobbying for political purposes, or soliciting votes.

d. Sending any email that is deceptive, misleading, or violates any state or federal statute or regulation including, but not limited to, the CAN-SPAM Act of 2003, or any state email or deceptive practice statute.

PLAGIARISM POLICY

Researching information on the internet and incorporating that information into a student's work is an acceptable educational use, but students have an obligation to credit and acknowledge the source of information. Accordingly, the student acknowledges that plagiarism is inappropriate and unacceptable. Students who plagiarize work will be subject to the discipline specified in the ACHS Academic Integrity Policy.

COPYRIGHT POLICY

Achieve Charter High School prohibits the lawful and unlawful use of ACHS equipment or network resources to download or share music, video, pictures, text or any content or media for the purpose of selling or giving access to the files to others, unless specifically authorized by the ACHS.

INTERNET SAFETY

1. In compliance with the Children's Internet Protection Act ("CIPA"), ACHS implements firewall filtering/blocking software and hardware to restrict access to internet sites containing child pornography, obscene depictions or other materials harmful to minors under 18 years of age. Although ACHS takes every precaution to ensure that such materials are not accessed through the computer network, there is still a risk an internet User may be exposed to a site containing such materials. A User who connects to such a site must immediately disconnect from the site and notify a teacher or administrative director. If a User sees another User accessing inappropriate sites, he or she should notify a teacher or administrative director immediately.

2. In compliance with CIPA, ACHS and its representatives monitor all minors' online activities while on the ACHS network or ACHS devices, including website browsing, email use, video and text chat, instant messaging, social media, blog participation and other forms of electronic communication. Such monitoring may lead to a discovery that a User has violated or may be violating this Policy, the appropriate disciplinary policy or the law. Monitoring is aimed to protect minors from accessing inappropriate material, as well as to help enforce this Policy as determined necessary by the ACHS Governing Board or other related authority. ACHS also monitors other Users' (e.g. employees, students 18 years or older) online activities while on the ACHS network or ACHS devices and may access, review, copy, store or delete any electronic communication or files and disclose them to others as it deems necessary.

3. If a student under the age of 18 accesses his/her ACHS Account or the internet outside of school, a parent or legal guardian must supervise the student's use of the Account or internet at all times and is completely responsible for monitoring the student's use thereof. Filtering and/or blocking software will be employed to monitor home access to the internet. Parents and legal guardians should inquire at ACHS if they desire more detailed information about the software.
4. Student information shall not be posted online unless it is necessary to receive information for instructional purposes and only if the student's teacher and parent or guardian has granted permission in advance.
5. Safety and Identify Theft: Users shall not reveal on the internet personal information about themselves or about other persons. For example, Users should not reveal their full name, home address, telephone number, school address, social security number, credit card number, photograph, parents/guardians' name or any other information that could identify them to anyone except ACHS staff. It is illegal to post other employees' personal information online without their prior consent.
6. ACHS has the authority to suspend or expel students for bullying fellow students over the internet, in text- messaging or image by means of an electronic device including but not limited to a telephone, wireless telephone or other wireless communication device, computer or pager.
7. Users are advised not meet in person anyone they have met on the internet in a secluded place or a private setting. Users who are under the age of 18 are advised not meet in person anyone they have met on the internet without his/her parents/guardians' permission.
8. Users will abide by all ACHS security policies and by CIPA.

PRIVACY POLICY

No Expectation of Privacy: ACHS has the authority to monitor all Accounts, including email, files, documents, internet activity, and other materials transmitted, received, or created by the User. Users cannot expect that anything created, stored, sent or received using the ACHS network will be private. Files and email are continuously archived by ACHS; therefore, their contents will still be available even though the User has deleted them. Files, email and/or the history of websites a User has visited may be read by ACHS at any time, including if it is believed that the User violated the AUP, the school discipline policy, the school ethics policy, the school academic integrity policy, or the law. All such materials are the property of ACHS. Users do not have any right or expectation of privacy regarding such materials.

Restriction of Free Speech: The ACHS network is not a public access service or a public forum. ACHS has the right and responsibility to restrict material including text, graphics and all other forms of expression accessed, posted or stored on the system.

Waiver of Privacy Rights

Students expressly waive any right of privacy, as to ACHS, in anything they create, store, send, or receive using the ACHS network. They understand and consent to ACHS' use of human

and/or automated means to monitor the use of the ACHS network and devices, including email and internet access.

PENALTIES FOR IMPROPER USE OF THE INTERNET

Access to the internet and the use of a computer (or other ACHS provided devices) is an integral part of the instructional program and school operations. Inappropriate use may lead to disciplinary and/or legal action including but not limited to suspension or expulsion for students, or dismissal from employment from ACHS, or criminal prosecution by government authorities. ACHS will tailor any disciplinary action to meet the specific concerns related to each violation.

STUDENT AND EMPLOYEE OWNED DEVICES

Neither students nor employees are permitted to connect personal devices to the ACHS network without the specific permission of ACHS administration or IT department.

DISCLAIMER

- ACHS makes no guarantees about the quality of the services provided and is not responsible for any claims, losses, damages, costs or other obligations arising from the unauthorized use of the Accounts. ACHS also denies any responsibility for the accuracy or quality of the information obtained through the Account. An internet search may automatically produce search results that reference or link to third party sites throughout the internet. ACHS has no control over these sites or the content within them. ACHS cannot guarantee, represent or warrant the content of any third party site is accurate, legal and/or inoffensive. ACHS does not endorse the content of any third party site, nor do we warrant that the site will not contain viruses or otherwise impact an internal or external computer.
- Any statement accessible on the ACHS computer network or the internet is understood to be the author's individual point of view and not that of ACHS, its affiliates, or employees.
- Users are responsible for any losses sustained by ACHS or its affiliates resulting from the User's intentional misuse of any Account.

By agreeing to this AUP, students, parents and employees help to ensure a safe learning environment for everyone. For additional information about this AUP, contact ACHS administration.

ADDITIONAL USE OF TECHNOLOGY BY STUDENTS

Additional devices such as audio-visual equipment and other devices are utilized in selected classes and may be checked out to selected students. The school Acceptable Use Policy and Restitution of Monies policy are applicable to the issuance of any school equipment to students.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

The Family Educational Rights and Privacy Act (FERPA) is a federal privacy law that gives parents certain protections with regard to their children's education records, such as report cards, transcripts, disciplinary records, contact and family information, and class schedules. As a parent, you have the right to review your child's education records and to request changes under limited circumstances. To protect your child's privacy, the law generally requires schools to ask for written consent before disclosing your child's personally identifiable information to individuals other than you.

47073-79078. Establishes the right of parents to have access to and privacy of information about their children--information which has been entrusted to school officials. The point made by the legislation is that school officials must keep pupil information for parents and not from them. It is important to protect the rights of the individual and to reemphasize the concept of free flow of information between parents, pupil, and school. Appropriate employees of Achieve Charter School are urged to proceed in a positive manner, to use good judgment and to follow the advice of legal counsel when in doubt.

1. School administrators should interpret "parents" to mean those who have custody of the pupil, guardians, or the pupils themselves if they are 18 years of age or older.
2. "Pupil information" should include all official written records which pertain to the pupil.
3. The Superintendent/ Principal is identified as the local school official responsible for all official written records of pupils at a school.
4. Only the designated school official shall make the records available upon the request of the persons who have the right to access. They shall do so within 45 days.
5. School officials shall assist those who have right of access and who are requesting to review pupil record by interpreting pupil information contained in the official written record.
6. School administrators shall, at their discretion, provide copies for a nominal fee of the official written records to those who have right of access. The nominal fee shall be \$0.10 per page (one side only).
7. Parents or guardians may include a written statement or response concerning disciplinary action to be placed in the pupil's written record.
8. Cumulative folders are released from the Achieve Charter School office to any school district, when parents' signed approval is received, but all other public agencies and/or private individuals must obtain approval through the Superintendent/Principal.

FOOD SERVICES

Achieve Charter School utilizes the PUSD Breakfast and Lunch Program and offers free and reduced prices through the National School Lunch and Breakfast Program for qualifying families. Breakfast and lunch are available Monday through Friday. All students have a meal account. Money can be put into the account in the School Office anytime by check or cash. Students will only be able to charge a meal 3 times until the charge is paid. You can call the office or e-mail to find out your account balance. You will be notified when your child's account is negative. Families who qualify for reduced priced meals must fill out the Free and Reduced Lunch Application found in your registration packet and available in the office. Students qualifying for free breakfast and lunch will always maintain a full account. Breakfast can be ordered and picked up in the kitchen each morning. Please call the school office **before** 8:30 am if your child will be tardy and needs a lunch ordered for that day.

The U.S. Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish).

“USDA is an equal opportunity provider and employer.”

HEALTH AND SAFETY

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

In order to provide safety for all students and staff, the Charter School will adopt and implement full health and safety policies and procedures and risk management policies at its school site in consultation with its insurance carriers and risk management experts. These policies will be incorporated into the Charter School's student and staff handbooks and will be reviewed on an ongoing basis by the Principal and Board of Directors. The Charter School shall ensure that staff is trained annually on the health and safety policies. A full draft will be provided to the District for review at least 30 days prior to operation or as otherwise agreed upon by the District and Charter School.

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

Procedures for Background Checks

Employees and contractors of the Charter School will be required to submit to a criminal background check and to furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. Applicants for employment must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Principal/Superintendent of the Charter School shall monitor compliance with this policy and report to the Charter School Board of Directors on a regular basis. The Board President shall monitor the fingerprinting and background clearance of the Principal/Superintendent. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

Role of Staff as Mandated Child Abuse Reporters

All employees will be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the District.

Tuberculosis Risk Assessment and Examination

Employees will be assessed and examined (if necessary) for tuberculosis prior to commencing employment and working with students as required by Education Code Section 49406.

Immunizations

All enrolled students and staff will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075.

Medication in School

The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school.

Vision/Hearing/Scoliosis

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

Emergency Preparedness

The Charter School shall adhere to an Emergency Preparedness Handbook drafted specifically to the needs of the Charter School facilities. This handbook shall include but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations. If assuming a facility that was previously used as a school site, any existing emergency preparedness plan for the school site shall be used as a starting basis for updating the handbook for the Charter School. Staff shall receive training in emergency response, including appropriate "first responder" training or its equivalent.

Blood borne Pathogens

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

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

Drug, Alcohol, and Smoke Free Environment

The Charter School shall maintain a drug, alcohol, and smoke free environment.

Facilities

The Charter School shall comply with Education Code Section 47610 by utilizing facilities that are either compliant with the Field Act or facilities that are compliant with the California Building Standards Code. The Charter School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. The Charter School shall conduct fire drills as required under Education Code Section 32001.

Comprehensive Anti-Discrimination and Harassment Policies and Procedures

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

Homeless Education Assistance Act

The McKinney-Vento Education of Homeless Children and Youth Assistance Act protects the rights of homeless children to access a public education. If a family is living in a shelter, a vehicle, a campground, an abandoned building or trailer, on the street, or is doubled up with friends or relatives due to lack of affordable housing, the student has several rights. These include the right to go to school, no matter how long the student has resided in the current location. They also have the option of continuing to attend their last school they attended before becoming homeless. They can enroll in school without giving a permanent address and attend classes while the school arranges for school/immunization records. If there is a dispute, the student has the right to attend the school until the dispute is solved. Students who are homeless or in transition will receive all of the same programs and services as all other students at ACHS. If your family is homeless or in transition, please contact Kelli Gordon at kgordon@achievecharter.org or stop by anytime to discuss possible assistance in securing resources for you or your family.

Transgender Accommodation Policy

Achieve Charter High School will accommodate students of all genders. Upon requesting accommodation the student and guardians will meet with administration to request accommodation which will result in all parties being comfortable. To request accommodation please contact Kelli Gordon (Principal of Culture and Climate) at kgordon@achievecharter.org.

ACHS will maintain restroom accommodations for male and female students, who may use a restroom according with their gender identity. Students and staff will be provided with a gender neutral single stall accommodation when possible.

VISITING THE SCHOOL –GUARDIANS

All guardians must sign in at the office and receive a visitor's badge before entering school grounds during school hours. Please schedule appointments and visits with the office ahead of time whenever possible.

RIGHTS OF NON-CUSTODIAL PARENTS

In the absence of a court order to the contrary, the school will provide all the child's parents, custodial or non-custodial, with equal access to the child and equal access to academic records and other school-related information regarding the child. If there is a court order specifying that there is no information to be given, no contact with the child, etc., it is the responsibility of the custodial parent to provide the school with an official copy of the court order.

VOLUNTEER GUIDELINES

1. Volunteers must check in through the office and pick up a Volunteer ID badge.
2. School volunteers are not permitted to be in the charge of students without an Achieve staff member present unless fingerprints have been cleared from DOJ and FBI.
 - Fingerprint forms available in the office.
 - Contact police department or a licensed fingerprinting agency to schedule a Live Scan appointment (office has contact phone numbers).
 - Bring a completed copy of the Fingerprint Live Scan back to the school office.
3. **Authority given to a volunteer is at the discretion of the teacher who is directly responsible for the instruction, safety, and discipline of the students.**
4. The classroom teacher will specify what the Volunteer's responsibilities are for that particular visit.
5. Volunteers may not divulge confidential information to which they may have access in the classroom or in the school. It is a state law that the rights of students are to be respected and that personal information about them is not to be revealed.

Suspension and Expulsion Policy and Procedure

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

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations.

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

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

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that these Policy and Administrative Procedures are available on request at the Principal's office.

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

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

School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

A. Grounds for Suspension and Expulsion of Students

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

B. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.
- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.

- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- r) Made terroristic threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.

- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
 - 2) "Electronic Act" means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device,

computer, or pager, of a communication, including, but not limited to, any of the following:

- i. A message, text, sound, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.

2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.

3. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.
- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Knowingly received stolen school property or private property.
- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.

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

creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
- ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
- iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
- iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) “Electronic Act” means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- i. A message, text, sound, or image.
- ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

- (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- iii. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- w) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.

4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.

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

The term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

The term “destructive device” means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four

ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses.

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

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

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

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

2. Notice to Parents/Guardians

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

3. Suspension Time Limits/Recommendation for Placement/Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Principal or Principal's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended

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

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

D. Authority to Expel

A student may be expelled either by the Charter School Board or Directors following a hearing before it or by the Charter School Board of Directors upon the recommendation of an Administrative Panel to be assigned by the Board of Directors as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a member of the Charter School Board of Directors. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

E. Expulsion Procedures

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

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

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

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

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

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.

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

G. Record of Hearing

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

H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board or Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

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

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

I. Written Notice to Expel

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

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

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

- a) The student's name
- b) The specific expellable offense committed by the student

J. Disciplinary Records

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

K. No Right to Appeal

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

L. Expelled Pupils/Alternative Education

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

M. Rehabilitation Plans

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

N. Readmission

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

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

1. Notification of SELPA

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

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

3. Procedural Safeguards/Manifestation Determination

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

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

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

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

- a. Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that the Charter School had not

conducted such assessment prior to such determination before the behavior that resulted in a change in placement;

- b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

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

4. Due Process Appeals

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

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the hearing officer shall determine whether the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and the Charter School agree otherwise.

5. Special Circumstances

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

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

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

6. Interim Alternative Educational Setting

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

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

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

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

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

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

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

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

UNIVERSAL COMPLAINT POLICY AND PROCEDURES

Achieve Charter High School's policy is to comply with applicable federal and state laws and regulations. Achieve Charter High School is responsible for compliance with federal and state laws and regulations governing educational programs. Pursuant to this policy, persons responsible for conducting investigations shall be knowledgeable about the laws and programs which they are assigned to investigate. This complaint procedure is adopted to provide a uniform system of complaint processing for the following types of complaints:

1. Complaints of discrimination against any protected group, including actual or perceived discrimination, on the basis of age, sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any Achieve Charter High School program or activity; and

1. Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: special education, Title II, Section 504 of the Rehabilitation Act, consolidated categorical aid, No Child Left Behind, migrant education, career technical and technical education training programs, child care and development programs, child nutrition program.

2. A complaint may also be filed alleging that a pupil enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below.

a. "Educational activity" means an activity offered by a school, school district, Achieve Charter High School or county office of education that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.

b. "Pupil fee" means a fee, deposit or other charge imposed on pupils, or a pupil's parents or guardians, in violation of Section 49011 and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all pupils without regard to their families' ability or willingness to pay fees or request special waivers, as provided for in *Hartzell v. Connell* (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:

i. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.

ii. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.

iii. A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.

c. Nothing in this section shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or school districts, school, and

other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.

3. Complaints of noncompliance with the requirements governing the Local Control Funding Formula or Sections 47606.5 and 47607.3 of the Education Code, as applicable.

Achieve Charter High School acknowledges and respects every individual's rights to privacy. Discrimination complaints shall be investigated in a manner that protects [to the greatest extent reasonably possible] the confidentiality of the parties and the integrity of the process. Achieve Charter High School cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, Achieve Charter High School will attempt to do so as appropriate. Achieve Charter High School may find it necessary to disclose information regarding the complaint/complainant to the extent necessary to carry out the investigation or proceedings, as determined by the Director or designee on a case-by-case basis.

Achieve Charter High School prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

Compliance Officer

The following compliance officer will receive and investigate complaints and to ensure the Achieve Charter School's compliance with law:

Kelli Gordon
Principal of Culture and Climate
c/o Achieve Charter High School

Paradise, CA 95969
(530) xxx-xxxx

The Principal shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Principal or designee.

Notifications

The Principal or designee shall annually provide written notification of the Achieve Charter High School's uniform complaint procedures to students, employees, parents/guardians, the Board of Directors, appropriate private officials or representatives, and other interested parties. The Principal or designee shall make available copies of Achieve Charter High School's uniform complaint procedures free of charge.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints.
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable.

3. Advise the complainant of the appeal process pursuant to Education Code Section 262.3, including the complainant's right to take the complaint directly to the California Department of Education ("CDE") or to pursue remedies before civil courts or other public agencies.
4. Include statements that:
 - a. Achieve Charter High School is primarily responsible for compliance with state and federal laws and regulations;
 - b. The complaint review shall be completed within sixty (60) calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline;
 - c. An unlawful discrimination complaint must be filed not later than six (6) months from the date the alleged discrimination occurs, or six (6) months from the date the complainant first obtains knowledge of the facts of the alleged discrimination;
 - d. The complainant has a right to appeal Achieve Charter High School's decision to the CDE by filing a written appeal within fifteen (15) days of receiving Achieve Charter High School's decision; and
 - e. The appeal to the CDE must include a copy of the complaint filed with Achieve Charter High School and a copy of Achieve Charter High School's decision.

Procedures

The following procedures shall be used to address all complaints which allege that Achieve Charter High School has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

Step 1: Filing of Complaint

Any individual, public agency, or organization may file a written complaint of alleged noncompliance by Achieve Charter High School.

A complaint alleging unlawful discrimination shall be initiated no later than six (6) months from the date when the alleged discrimination occurred, or six (6) months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination.

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, Achieve Charter High School staff shall assist him/her in the filing of the complaint.

Step 2: Mediation

Within three (3) days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process.

Before initiating the mediation of a discrimination complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend Achieve Charter High School's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

Step 3: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within five (5) days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint.

A complainant's refusal to provide Achieve Charter High School's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

Achieve Charter High School's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

Step 4: Response

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of Achieve Charter High School's investigation and decision, as described in Step #5 below, within sixty (60) days of Achieve Charter High School's receipt of the complaint.

Step 5: Final Written Decision

Achieve Charter High School's decision shall be in writing and sent to the complainant. Achieve Charter High School's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The decision shall include:

1. The findings of fact based on evidence gathered.
2. The conclusion(s) of law.
3. Disposition of the complaint.
4. Rationale for such disposition.

5. Corrective actions, if any are warranted.
6. Notice of the complainant's right to appeal Achieve Charter High School's decision within fifteen (15) days to the CDE and procedures to be followed for initiating such an appeal.
7. For discrimination complaints arising under state law, notice that the complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.
8. For discrimination complaints arising under federal law such complaint may be made at any time to the U.S. Department of Education, Office for Civil Rights.

If an employee is disciplined as a result of the complaint, the decision shall simply state that effective action was taken and that the employee was informed of Achieve Charter High School's expectations. The report shall not give any further information as to the nature of the disciplinary action.

Appeals to the California Department of Education –

If dissatisfied with Achieve Charter High School's decision, the complainant may appeal in writing to the CDE within fifteen (15) days of receiving Achieve Charter High School's decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of Achieve Charter High School's decision.

Upon notification by the CDE that the complainant has appealed Achieve Charter High School's decision, the Principal or designee shall forward the following documents to the CDE:

1. A copy of the original complaint.
2. A copy of the decision.
3. A summary of the nature and extent of the investigation conducted by Achieve Charter High School, if not covered by the decision.
4. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by all parties and gathered by the investigator.
5. A report of any action taken to resolve the complaint.
6. A copy of the Achieve Charter High School's complaint procedures.
7. Other relevant information requested by the CDE.

The CDE may directly intervene in the complaint without waiting for action by Achieve Charter High School when one of the conditions listed in Title 5, California Code of Regulations, Section 4650 exists, including cases in which Achieve Charter High School has not taken action within sixty (60) days of the date the complaint was filed with Achieve Charter High School.

Civil Law Remedies –

A complainant may pursue available civil law remedies outside of Achieve Charter High School's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For discrimination complaints arising under state law, however, a complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if Achieve

Charter High School has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

STATEMENT OF NON-DISCRIMINATION:

Achieve Charter High School does not discriminate on the basis of actual or perceived actual race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression, or association with a person/group with one or more of these actual or perceived characteristics. Achieve Charter High School will take steps to assure that the lack of English will not be a barrier to admission and participation in District programs. Complaints alleging noncompliance with Achieve Charter High School's policy of non-discrimination should be directed to Kelli Gordon, Principal of Culture and Climate, at the Achieve Charter High School office _____, Paradise, California, 95969; 530-xxx-xxxx). A copy of the Achieve Charter High School's non-discrimination policy is available from the Achieve Charter High School Office.



Student Guardian Handbook

The _____ Family has read and understood the 2018-2019 Achieve Charter High School Handbook. We will strive to follow all policies and procedures as described therein.

Print Student Name

Student Signature

Date

Parent/Guardian Signature

Date

*Please detach this section from the handbook and return to the school office or your student's Advisory teacher.



Acceptable Use Policy (AUP)

The _____ Family has read and understood the 2018-2019 Achieve Charter High School Acceptable Use Policy (AUP) detailed in the 2018-2019 Student and Guardian Handbook Instructional Technology section (Pages: 15-27). We agree to follow all policies and procedures as described therein.

Print Student Name

Student Signature

Date

Parent/Guardian Signature

Date

*Please detach this section from the handbook and return to the school office or your student's Advisory teacher.