

RELEASE OF DIRECTORY INFORMATION

The Director or designee may authorize the release of student directory information to representatives of the news media, prospective employers or nonprofit organizations as provided by law. Unless prohibited by the parent/guardian in accordance with law, directory information which the charter may disclose consists of the following: student's name, date, major field of study, participation in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, degrees and awards received, and most recent previous school attended.

CHALLENGING STUDENT RECORDS

The Governing Board desires to have a fair and equitable system when there is a challenge to school records. Whenever it becomes evident to a teacher that a student is in danger of failing a course, at the high school level, the teacher shall notify the student's parent/guardian or send the parent/guardian written notice. (Education Code 49067)

Parents, students, and staff need to work together to resolve student record challenges in the most informal and timely fashion possible. If no agreement can be reached, the Director assembles a panel of teachers to hear the challenge and make a decision. Parents and students have the right to appeal the challenge response to the board.

The Governing Board is the final authority on student record challenges unless the parent agrees to a panel per education code.

AWARDS FOR ACHIEVEMENT

The Governing Board encourages excellence as a goal for all students and wishes to publicly recognize students for unique or exemplary achievements in academic, extracurricular or community service activities.

The Governing Board is supportive of academic excellence by students. Such excellence is rewarded by placement on honor rolls. The student having the highest academic rank, using a 4.0 scale. In addition, the charter participates in the California Scholarship Federation (CSF) program and the California Junior Scholarship Federation (CJSF).

The Director or designee shall approve or reject proposed trophies, prizes, or other awards from non-school donors. The purpose of any such proposed award must be consistent with charter goals, and criteria for making the award must be either under professional staff control or acceptable to the staff.

During functions related to graduation from high school, special recognition shall be awarded to those students whose academic achievements have been outstanding. The Director or designee shall identify high school students who have demonstrated mastery.

Student awards may include verbal recognition, a letter, certificate or Board resolution, a public ceremony, or a sum of money.

CONDUCT

The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. To maintain such an environment, students, parents/guardians, staff and the Board all must understand and fulfill their responsibilities related to student conduct.

Student Responsibilities

The Board believes that it is important for students to understand that they have a choice to make regarding their actions and that appropriate conduct benefits both themselves and others. Students are encouraged to freely express their individuality as long as this expression does not infringe upon the rights of others or interfere with the instructional program. Behavior is considered appropriate when students are diligent in study, neat and clean, careful with school property, respectful towards their teachers, and courteous to other students, staff and volunteers. Students are expected to be punctual and regular in attendance and to remain on school premises in accordance with school rules. They are further expected to refrain from profane, vulgar or abusive language.

Students shall receive regular instruction in rules and regulations related to conduct; they shall then be responsible with understanding and complying with the standards. Students who violate these rules and regulations may be subject to discipline, suspension, exclusion, dismissal or expulsion.

Students who show no progress in improving grades and get so far behind in graduation credits that they cannot finish high school with an additional year, will be academically dismissed. Students receiving more than 10 days of suspension and/or unexcused absences within a given year will be dismissed.

CONDUCT (continued)

Parent/Guardian Responsibilities

Parents/guardians are expected to comply with laws governing the conduct and education of their children and to cooperate with school authorities regarding their children's behavior.

California law holds parents/guardians liable for any willful student misconduct which results in the death or injury of any student or persons employed by or volunteering for the charter. Parents/guardians are also liable for any defacement, injury or loss of property belonging to the charter or the leasing district. (Education Code 48904)

CONDUCT (continued)

Charter Responsibilities

The Board is responsible for prescribing behavioral and disciplinary guidelines for students outlined in the student handbooks. The Board shall give certificated staff all reasonable support with respect to student conduct and discipline. The Board holds the certificated personnel responsible for the proper conduct and control of pupils while legally under school jurisdiction.

BICYCLES

Students who ride bicycles to school must park them in the designated area. No one is to be in the bicycle area except when parking the bike in the morning or when getting it to go home in the afternoon.

The following bicycle rules should be observed:

1. Bicycles must be walked to the racks from the street. (No bike riding on the school grounds during school hours)
2. Bicycles are to be placed in the racks.
3. Bicycles should be locked. The charter is not responsible for bicycles and/or other personal items.
4. Regular bicycle traffic laws are to be observed, including the wearing of bicycle helmets.
5. Accessories that can be easily removed should not be put on bikes.
6. Courtesy to pedestrians is expected from all students.
7. Powered vehicles are prohibited on campus.

VANDALISM, THEFT AND GRAFFITI

The Governing Board considers vandalism a very serious matter. Vandalism includes the negligent, willful, or unlawful damaging or theft of any district- owned real or personal property, including the writing of graffiti.

It is the intention of the governing board to seek redress of any individual, in the amount of the damage for any act of vandalism committed by that individual, or from the parents of that individual if a minor.

Any student who commits an act of vandalism shall be subject to disciplinary action by the district and also may be prosecuted through other legal means. If reparation of damages is not made; the Charter also may withhold the student's grades, diploma and/or transcripts in accordance with law.

WEAPONS AND DANGEROUS INSTRUMENTS

The Governing Board desires students and staff to be free from the fear and danger presented by firearms and other weapons. The Board therefore prohibits any person other than authorized law enforcement from possessing weapons, imitation firearms, or dangerous instruments of any kind in school buildings, on school grounds or buses, at a school related or school sponsored activity away from school, or while under charter school jurisdiction.

Under the power granted to the Board to maintain order and discipline in the schools and to protect the safety of students, staff and the public, any school employee is authorized confiscate a weapon, dangerous instrument or imitation firearm from any person on school grounds.

Students possessing or threatening others with a weapon, dangerous instrument or imitation firearm is subject to suspension and/or expulsion in accordance with law.

The Director or designee shall notify law enforcement authorities when any student possesses a weapon or commits any act of assault with a firearm or other weapon. (20 U.S.C. 8922, Education Code 48902, Penal Code 245, 626.9, 626.10)

The Board encourages students to promptly report the presence of weapons, injurious objects or other suspicious activity to charter authorities. The identity of a student who reports such activity shall remain confidential to the extent permitted by law.

The Director or designee shall develop strategies designed to facilitate student reporting of the presence of injurious objects on school grounds that preserve the student's anonymity. Incident reports and records shall not identify the student who reported the possession. The strategy shall also include means of informing staff, students and parents/guardians that student who report the presence of injurious objects on school campuses are to be protected and their identity shielded.

WEAPONS AND OTHER DANGEROUS INSTRUMENTS (continued)

Any student who is determined to have brought a firearm (handgun, shotgun/rifle, or other firearms that include explosive devices) to school shall be expelled for not less than one year. Any incident shall be reviewed upon a case by case basis.

Look alike guns, air pellet guns and other such devices will be treated as seriously as the guns they represent.

Possession of Pepper Spray and Other Similar Substances

The Board recognizes that student's age 16 or older may legally possess tear gas or tear gas weapons such as pepper spray for the purpose of self-defense. However, to prevent potential misuse that may harm students or staff, students are prohibited from carrying such items or similar items on campus or at school activities.

STUDENT ACTIVITY TRIPS

The Governing Board directs the Director to develop and implement rules and regulations to ensure the safety of pupils and to provide for the proper conduct and control of students while they are away from the school campus on school-sponsored activities.

The students on such activity trips are to be under supervision of school personnel or authorized parents at all times whether the students are members of a school group such as an athletic team, class trip, etc.

Students taking the team or activity bus are under the authority of the bus driver while on the bus and under the authority of the activity sponsor, coach, musical director, or advisor of the club or class from the time they leave the bus until they return. Students are a legal responsibility of the charter while they are away from the bus; they can, and will, be held responsible for their behavior when it is such as to bring disrepute to the school.

Students providing their own transportation to a school-sponsored activity as observers or rooters shall not be considered to be under school supervision, and the charter shall not be held accountable for their acts.

All trips involving out-of-state or overnight travel shall require the prior approval of the Board. Other trips will be approved by the Director or designee.

The Director shall ensure that teachers develop plans which provide for the safety of students and their proper supervision by certificated staff on all school-sponsored trips. Other school employees and parents/guardians also may participate in this supervision and may be asked to attend preparatory training sessions and/or meetings. Signed parent/guardian permission slips will be required before students are allowed to go on a field trip.

To assure the safety of students and supervisors, all field trip transportation requests, whether for Charter, commercial, or private vehicles shall be routed to the Director. The chartered private carriers are the preferred means of transporting students. (However, it may be on occasion necessary to utilize a private vehicle of

STUDENT ACTIVITY TRIPS (continued)

an employee or parent/guardian. In such cases, it is the responsibility of the Director that the required forms are completed and filed in the school office before the field trip is taken).

No pupil shall be prevented from participating in a field trip because of lack of sufficient funds.

TOBACCO

Smoking presents a health hazard that can have serious consequences both for the smoker and the nonsmoker. Students shall not be allowed to smoke, chew or possess tobacco, e-cigarettes, vapor or nicotine products on school property or while attending school sponsored activities, or while under the supervision and control of charter employees. (Education Code 48901) Students who violate this policy shall be subject to disciplinary procedures that will result in suspension from school. (Education Code 48900)

The Charter shall provide instruction regarding the effects of smoking on the human body and shall take steps to discourage students from making it a practice to smoke. (Education Code 48901, 51502)

Student possession or use of tobacco on school premises or at school-sponsored events is a violation of law and Board policy and is not permitted. Students violating this policy shall be subject to disciplinary procedures.

All students in grades four through eight shall receive instruction that addresses the following topics: (Health and Safety Code 104420)

1. Immediate and long-term undesirable physiological, cosmetic and social consequences of tobacco use.
2. Reasons that adolescent say they smoke or use tobacco.
3. Peer norms and social influences that promote tobacco use.
4. Refusal skills for resisting social influences that promote tobacco use.

DRESS AND GROOMING

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. Noting that when they are neatly attired and take pride in their appearance, there is less misbehavior and a better learning atmosphere is created. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction, which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.

Students are not to wear hats inside the buildings, unless it is a head covering related to a religious belief.

Gang-Related Apparel

The principal, staff and parents/guardians at a school, under district guidelines, may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Eighth Grade Graduation Dress and Grooming

The following guidelines shall be observed in determining appropriate school attire for the eighth grade ceremony:

All students participating in the 8th grade graduation will wear clothing that is appropriate for dress up. Boys will wear a shirt and tie and dress shoes. Girls will wear a dress of modest length. Gowns will be provided for the ceremony.

GANGS

The Governing Board desires to keep charters and students free from the threats or harmful influence of any groups or gangs which advocate drug use, violence, or disruptive behavior. The Director or designee shall maintain continual, visible supervision of school premises so as to deter gang/group intimidation of students and confrontations between members of different gangs/groups.

The Director or designee shall establish open lines of communication with local law enforcement authorities so as to share information and provide mutual support in this effort.

The Director or designee shall in cooperation with law enforcement provide in-service training which helps staff to identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately to gang behavior. Staff and selected students shall be trained in the use of conflict management techniques and alerted to intervention measures and community resources, which may help our students.

The Board prohibits the presence of any apparel, jewelry, accessory, notebook or manner of grooming which, by virtue of its color, arrangements, trademark, or any other attribute, denotes membership in gangs/groups which advocate drug use, violence or disruptive behavior. This policy shall be applied as the need for it arises at individual school sites.

PROHIBITION OF HATE-MOTIVATED BEHAVIOR

In recognizing the need to provide orderly, caring and nondiscriminatory school learning environments, the Board of Trustees affirms the right of all students, staff and parent/guardians to be protected from all behavior that is hate-motivated. The Board of Education directs the Director to develop practices to insure protection from hate crimes, abusive statements or any activities that degrade an individual's race, culture, heritage, sexuality, physical/mental attributes, or religious beliefs and practices.

The Board recognizes that such hate-motivated acts, whether verbal or physical are not only inflammatory and damaging to the victim's self-esteem, but also serve to jeopardize the safety and well-being of students, staff and parents/guardians. Therefore, hate-motivated behavior will not be tolerated. This expectation shall be specifically delineated in the age appropriate Student Conduct Code. The Board directs the Director to develop procedures that prohibit such acts and appropriately discipline students and staff engaging in such unacceptable behavior. Such discipline procedures may include, but not be limited to, suspension or recommendation for expulsion as authorized in the Education Code.

Staff shall be expected to teach students the meaning of equality, human dignity, and mutual respect, and the employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds. The charter shall provide instruction designed to promote positive racial and ethnic identity, help students understand diverse cultures, teach them to think critically about racial bias, gender equity, and show them how to deal with discriminatory behavior in appropriate ways.

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school. The Director or designee may initiate student courts, campus beautification projects, buddy systems, vandalism prevention campaigns, and other similar programs. Staff shall encourage and reward success and achievement, participation in community projects, and positive student conduct.

MEDICATION

The Governing Board recognizes that students may need to take prescribed medication during the school day in order to be able to attend school without jeopardizing their health.

When the charter has received written statements from the student's physician and parent/guardian detailing the type of medication, dosage amount, administration method, and administration time, designated personnel shall assist the student in taking the medication. Medication will be given to the school in a pharmacy labeled bottle that includes the student's name, name of the physician, medication and dosage of medication to be given. Under no circumstances are school personnel to provide any medication to student's without proper authorization from a physician, including over-the-counter medication.

In addition, upon written request, designated personnel may assist the student in monitoring, testing or other treatment of an existing medical condition (Education Code 49423)

Upon written request by the parent/guardian and with the approval of the student's physician, a student with an existing medical condition that requires frequent monitoring, testing or treatment may be allowed to self-administer this service. The student shall observe universal precautions in the handling of blood and bodily fluids.

Anaphylactic Injections

The Board recognizes that some students have allergies of such severity that they may require an emergency anaphylactic injection during the course of the school day. Parents/guardians who are aware of this foreseeable need may ask the district to provide such injections in accordance with administrative regulations. All medication for injections shall be labeled with the student's name, type of medicine, and expiration date. As with any medication, a physician's signature and parent/guardian signature on the proper form is required.

School staff who may be required to administer anaphylactic injections shall receive training from qualified medical personnel. They will be authorized to administer the injections in accordance with administrative regulations and will be accorded appropriate liability protection.

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

The Assistant to the Director shall schedule in-service meetings to:

1. Familiarize authorized staff with the prescribed medication and its location
2. Ensure that authorized staff is competent to administer anaphylactic injections.
3. Train all school personnel to recognize the symptoms of anaphylactic reactions.

Physicians and parents/guardians of students who may require anaphylactic injections may be invited to attend these meetings.

The Assistant to the Director shall prepare a list naming the student who may need emergency anaphylactic injects. This list shall be given to all concerned staff and updated annually. The Assistant to the Director shall post, in the school office, a list of symptoms usually associated with anaphylactic reactions and a clear, specific procedure for administering injections in case of emergency. If authorized staff is not available at the time of an emergency, these written procedures will be followed by anyone who must administer the injection in order to save a life.

INFECTIOUS DISEASE

The Governing Board recognizes its dual responsibility to protect the health of students from risks posed by infectious diseases and to uphold the right of students to a free and appropriate education. A comprehensive approach to disease prevention requires the cooperation of the home and the community. The Charter requires all staff to routinely observe universal precautions to prevent exposure to blood borne pathogens and prevent the spread of all infectious disease.

All students and employees shall be informed of the universal precautions to be used whenever anyone is exposed to blood or other body fluids through injury or accident. Science laboratory instruction shall be designed to protect students from contact with body fluids and with contaminated needles, sharps and other objects.

The admission of a student with a contagious disease within the school setting shall be determined by the Director in accordance with standard medical practice. The Charter shall exclude students only in accordance with law.

Students with Blood borne Pathogen Infections

The Board recognizes that human immunodeficiency virus (HIV) and hepatitis B virus (HBV) are blood borne pathogens and are not casually transmitted. Children with blood borne pathogen infections are entitled to attend school and receive an appropriate public education. The sole presence of blood borne pathogens is not sufficient reason to exclude students from attending school.

Parents/guardians are encouraged to inform the Director if their child has HIV/AIDS so that school staff may keep the student's parents/guardians informed of any outbreak of disease at school. The Charter will work cooperatively with the student's parent/guardian and physician to minimize the child's exposure to other diseases in the school setting. The Board and schools can play an important role in educating the school community about the nature of blood borne pathogens and help alleviate fears about their transmission.

INFECTIOUS DISEASE

Tuberculosis Testing

The Governing Board recognizes that tuberculosis poses a public health threat and that treatment of active cases of this disease is the most effective means of controlling its spread. All staff shall receive information on how tuberculosis is spread and how it can be prevented and treated.

The Director or designee may require a tuberculosis skin test when qualified medical personnel reasonably suspect that a student has active tuberculosis. If there is an outbreak of tuberculosis at any school, the Director or designee may require all students at the school to undergo tuberculosis skin tests.

Students known to have had a positive tuberculosis skin test shall be excluded from school until they provide evidence of a follow-up x-ray and appropriate medical care or are no longer suspected of having active tuberculosis.

HEALTH EXAMS

The Governing Board recognizes the importance of periodic health examinations conducted according to state health regulations.

To determine the health status of students, facilitate the removal of handicaps to learning, and determine whether special adaptations of the school program may be necessary, the Board shall require that periodic examinations be conducted which include tests for hearing and scoliosis. All personnel employed to examine students shall exercise proper care of each student being examined and shall ensure that the examination results are kept confidential.

A parent/guardian may annually file a statement with the Director withholding consent to any physical examination of his/her child. The child shall be exempt, but shall be subject to exclusion due to a suspected contagious or infectious disease.

The Director of each school shall notify parents/guardians of the rights of students and parents/guardians relating to health examination.

Hearing

Students shall have their hearing tested by qualified personnel authorized by the charter upon first enrollment in elementary school. Further examination shall take place every three years until the student has completed 8th grade. The results of the hearing exam shall be entered into the student's health record. All students shall be tested for hearing.

Hearing defects shall be reported to the parent/guardian with a request that remedial action be taken to correct or cure the defect. The written report shall not include a referral to any private practitioner. The student may be referred to a public clinic, or diagnostic and treatment center operated by a public hospital or by the state, or county department of public health.

HEALTH EXAMS (continued)

Scoliosis Screening

The Board shall provide for the screening of students for the condition known as scoliosis. Every female student in the 7th grade and every male student in the 8th grade shall be screened. The screening shall follow the standards established by the State Department of Education and shall be performed by qualified personnel as specified by law. Persons performing the screening shall not solicit, encourage or advise treatment to the student. The same shall apply to any other condition discovered in the course of the screening for scoliosis.

HEALTH EXAMS

The parent/guardian of any student suspected of having scoliosis shall be notified. The notice shall include an explanation of scoliosis, the significance of treatment at an early age, and the public services available for treatment. A referral to the appropriate community resources for diagnosis and treatment shall be made.

Interscholastic Athletic Competition

All students who participate as cheerleaders or athletes in interscholastic sports are required to file a current medical examination. Compliance with the medical examination requirement is not necessary for participants in a play day or a field day activity occurring occasionally during a school year in which students of one or more particular grade levels from two or more schools in the charter participate in athletic contests.

If a student sustains an injury or serious illness, the student may be required by school personnel to have another examination prior to further interscholastic competition.

A student who has been excused from the physical education program because of a medical reason may not participate in any interscholastic athletic competition.

All students engaging in interscholastic athletic competition are required to meet accident insurance requirements prescribed by law.

Child Health and Disability Prevention Program

When parents/guardians enroll their children in kindergarten, the charter shall inform them about their obligation to obtain or waive a health screening for their children before they enter first grade. The charter shall also inform them about the availability of free health screening for low-income children, as provided under

HEALTH EXAMS (continued)

the Child Health and Disability Prevention Program, and about the evaluation services and other benefits provided under Division 106, Part 2, Chapter 3, Article 6 of the Health and Safety Code. The charter shall encourage parents/guardians to arrange for their children to obtain their health screening prior to or during their kindergarten year.

CHILD ABUSE

The Governing Board recognizes that the charter has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Director or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a charter to appropriate child protective agencies.

The Director or designee shall establish regulations for use by employees in identifying and reporting child abuse.

Charter employees shall report known or suspected incidences of child abuse in accordance with state law. Employees shall fully cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

The Director or designee shall provide training in child abuse identification and reporting for all new certificated personnel.

The Director or designee shall also provide training in the duties of child abuse identification and reporting to instructional and teacher aides, teacher assistants and other classified employees. (Penal Code 11165.7)

As part of their training in child abuse identification and reporting, employees shall receive written notice of state child abuse reporting requirements and employee's confidentiality rights. (Penal Code 11165.7)

SAFETY

The Governing Board places a high priority on safety and on the prevention of student injury. The Director and staff are responsible for the conduct and safety of students from the time they come under school supervision until they leave school supervision, whether on school premises or not. The Director or designee shall establish regulations and procedures as necessary to protect students from dangerous situations.

Although the charter is not liable for the safety of pupils who are not under school supervision, the charter can, and does hold students accountable for their behavior from the time they leave their homes for school until they return to their homes from school, in the playgrounds and during recess, and while they are on school premises and/or under supervision of school staff.

Directors, teachers or Learning guides to whom they may delegate their authority are responsible for the conduct and safety of students enrolled in their schools from the time they come under school supervision until they leave school supervision, whether on school premises or not.

It is the responsibility of the Director is to provide for adequate supervision of playgrounds and other school facilities at all times when they are in use by students. Special attention should be given to the prevention of accidents, and to the development of habits of good citizenship.

The Director should make full use of the cooperative services of local and county organizations which provide safety services, such as fire, law enforcement, and disaster preparedness agencies.

A Director shall not permit a minor student to leave school in the custody of a person other than the student's legal parent or guardian unless that person has the verified authorization of one of the legal parents or guardian. Properly authorized law officers may seize or apprehend according to law.

SAFETY (continued)

Protection from Strangers

Children shall be instructed by school personnel not to accept gifts or automobile rides from strangers.

Playgrounds

Playground equipment shall be carefully selected and installed, so that it minimizes accidents and presents no unseen hazards. Safety shall receive prime consideration whenever playgrounds are planned or upgraded.

The Director or designee shall ensure that playgrounds and other school facilities are regularly inspected, well maintained, and adequately supervised whenever in use by students during the school day or at school-sponsored activities. The Director or designee shall establish playground safety rules.

INSURANCE

A group plan of pupil insurance shall be made available on a voluntary basis to every pupil registered in the charter schools from kindergarten through grade twelve. The specific plan, which will provide for the insurance agent's assuming all administrative processes, shall be approved by the governing board.

Accident insurance is required for all students who participate in interscholastic athletic programs.

SUSPENSION AND EXPULSION/DUE PROCESS

The Governing Board has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction.

Except where suspension for a first offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct (Education Code 48900.5).

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in student/parent information.

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to him/herself or others. (Education Code 48915).

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

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Student Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The Director or designee shall comply with procedures for notices and appeals as specified in law. (Education Code 48911, 48915, 48915.5).

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise.

Whenever a student is removed from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was removed may provide that the student's parent/guardian attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the Director or designee. (Education Code 48900.1).

The board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may inform the parent/guardian about available resources and parent education opportunities. This policy shall apply only to a parent/guardian who lives with the student. (Education Code 48900.1).

Parental attendance may be requested on the day the student returns to class or within one week thereafter. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented for reasons which as serious illness/injury/disability, absence from town, or inability to get certain release time from work.

Labor Code 230.7 provides that no employer shall discharge or in any way

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

discriminate against an employee who takes time off work to attend his/her child's class when requested pursuant to Education Code 48900.1, provided the employee gives the employer reasonable advance notice that he/she is requested to appear in school. Any employee who is discharged, threatened with discharge, demoted, suspended or in any other discriminated against by the employer for such an absence is entitled to reinstatement and reimbursement for lost wages and work benefits.

CIVIL AND LEGAL RIGHTS AND RESPONSIBILITIES

Schools are for students. Schools reflect the educational philosophy of the communities served. Parents, school staff, and students are in pursuit of a common goal, a program preparing the participants for full, active, responsible participation in the community throughout their lives.

Such a program implies an appreciation for what has preceded us, an understanding of who and where we are, and the opportunity to exercise our rights and assume our responsibilities in participating in the determination of the community's direction.

Such a program protects an individual through limitations upon the rights of others by living up to the guarantees of the U.S. Constitution and the laws of the state.

Personal or public irresponsibility, anarchy, or violence has no place in American Democracy; neither do the extremes of regimentation and authoritarianism.

School boards are legally responsible for the establishment of school policy, and every effort should be extended to include in the formulation of school consideration for the developing maturity of the student. Concomitant responsibilities flow from the exercise of rights and privileges. Among these are:

- a. Respect for one-self
- b. Respect for others and their rights
- c. Respect for individual dignity
- d. Respect for legally constituted authority and the legal responsibility of those in authority.

All rules and regulations to maintain the process of education must be common knowledge. Orientation programs and free student handbooks should provide this information in clear and understandable language. Any changes should be widely publicized in print in both school and parent media, and no regulations should be summarily drafted and enforced.

The board, certificated staff, and student governments should work cooperatively within the limitations prescribed by law in the establishment of these regulations.

CIVIL AND LEGAL RIGHTS AND RESPONSIBILITIES

The amending, appeal, and student referenda and recall processes for the establishment of these regulations. The amending, appeal, and student referenda and recall processes for the establishment and enforcement of these rules should be clearly defined and made available to all interested and affected parties.

PARENTAL NOTIFICATIONS

The Governing Board recognizes that notifications are essential to effective communication between the school and the home. The Director or designee shall send students and parents/guardians all notifications required by law, including notifications about their legal rights, and any other notifications he/she believes will promote parental understanding and involvement.

Notifications to parents/guardians shall be written both in English and in the family's primary language when so required by law. Whenever an employee learns that a student's parent/guardian is for any reason unable to understand the printed notifications, the director or designee shall work with the parent/guardian to establish other appropriate means of communication.

SEXUAL HARASSMENT

The Governing Board is committed to maintaining a learning environment that is free of harassment. The Board prohibits the unlawful sexual harassment of any employee, student, or other person at school or at any school-related activity. Sexual harassment is a form of sex discrimination under Title IX of the Education Amendments of 1972 and is prohibited by both federal and state law.

It shall be a violation of this policy for any charter employee to harass another employee, applicant or student through conduct or communications of a sexual nature as defined in Section II. It shall also be a violation of this policy for students to harass other students or employees through conduct or communications of a sexual nature as defined by law.

The Director or designee shall ensure that students receive age-appropriate information related to sexual harassment. Students shall be assured that they need not endure any form of sexual conduct or communication, including harassment because of sexual orientation. They shall further be assured that they need not endure, for any reason, any harassment which impairs the educational environment or a student's emotional well-being at school. They shall be informed that they should immediately contact the Director or designee if they feel they are being harassed.

Any student who engages in the sexual harassment of anyone at school or a school-related activity shall be subject to disciplinary action up to and including expulsion.

The Board expects students or staff to immediately report incidents of sexual harassment to the Director or designee.

Any employee who engages in, permits or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. In addition, criminal or civil charges may be brought against the alleged harasser; sexual harassment also may be considered a violation of laws relating to child abuse.

Teachers shall discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of sexual harassment.

SEXUAL HARASSMENT

Staff shall immediately report complaints of sexual harassment to the Director or designee. Staff shall similarly report any such incidents they may observe, even if the harassed student has not complained.

If a situation involving sexual harassment is not promptly investigated and remedied by the Director, a complaint of harassment may be filed in accordance with the charter's uniform complaint procedures or procedures for complaints concerning employees. The Director or designee shall determine which procedure is appropriate.

The charter prohibits retaliatory behavior against any complaint or any participant in the complaint process. Information related to a complaint of sexual harassment shall be confidential to the extent possible, and individuals involved in the investigation of such a complaint shall not discuss related information outside the investigation process.

QUESTIONING AND APPREHENSION

Law enforcement officers have the right to interview and question students on school premises. When such an interview is requested, the Director or designee shall ascertain the officer's identify official capacity, and the authority under which he/she acts. If the officer needs to interview or question the student immediately, the Director or designee shall accommodate the process in a way that causes the least possible disruption to the school, gives the student appropriate privacy, and models exemplary cooperation with community law enforcement authorities.

At the law officer's discretion and with the student's approval, the Director or designee may be present during the interview.

If the law officer finds it necessary to remove the student from school, the Director or designee shall first ascertain the reason for such action. Upon releasing the student, the Director or designee shall immediately attempt to inform the student's parent/guardian.

Personnel responsible for releasing a student from school custody shall exercise extreme diligence to prevent such release to any unauthorized or unidentified person.

Although subpoenas may legally be served at school, the Board believes that serving officials should be strongly urged to serve subpoenas at the home of the student whenever possible. In these situations, steps should be taken to ensure a minimum of embarrassment or loss of class time for the student.

SEARCH AND SEIZURE

The Governing Board recognizes that incidents may occur which jeopardize the health, safety and welfare of students and staff and which necessitate the search and seizure of students, their property, their lockers and/or vehicles by school officials.

School officials may search individual students and their property when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law or the rules of the district or the school. The Board urges that discretion, good judgment and common sense be exercised in all cases of search and seizure.

When possible, staff may use a metal detector when searching an individual for weapons.

The parent/guardian of a student subjected to an individualized search shall be notified by the charter as soon after the search as possible.

Student Lockers

Because lockers are under the joint control of the student and the school, school officials shall have the right and ability to open and inspect any school locker without student permission when they have reasonable suspicion that the search will disclose evidence of illegal possessions or activity or when odors, smoke, fire and/or threats to student health, welfare or safety emanate from the locker.

For health and safety reasons, a general inspection of school properties such as lockers and desks may be conducted on a regular, announced basis, with students standing by their lockers or desks. Any items contained in a locker shall be considered to be the property of the student to whom the locker was assigned. Notice of this policy shall be given to all students when lockers are assigned.

Locker searches may be performed only by the Director or a designee. (Generally,

SEARCH AND SEIZURE (continued)

in the absence of an emergency situation, the search of the locker shall be observed by another adult.). Whenever practicable the student will be present during the locker search. In emergencies the student needs not be present while the search is conducted but all students shall be informed by means of the student handbook and any other means deemed appropriate by the administration that lockers may be subject to search and seizure at all times where there is reasonable belief to conduct a search. After a search has been conducted without the student present, the student will be advised of the search, and when appropriate, the seizure.

Immediately upon seizure of any item from a student locker, the charter official who conducted the search shall record the time, place, circumstances of the search, and list all items seized. The charter official shall file such report with the Director's office along with any item seized which shall be sealed and stored appropriately to assure that it is not tampered with or destroyed. The student shall be dealt with in accordance with existing policies concerning disciplinary procedures.

Random Search for Weapons

The Board finds that the growing presence of weapons in the schools threatens the charter's ability to provide the safe and orderly learning environment to which our students and staff are entitled. The Board also finds that random metal detector searches offer a reasonable means to keep weapons out of the schools and mitigate the fears of students and staff.

The Director or designee shall establish procedures which ensure that metal detector searches are conducted in a random fashion which excludes individual discretion as to who will be searched.

In an effort to keep the schools free of drugs, the Charter may use specially trained nonaggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or charter policy. The dogs may sniff the air around lockers, desks, bags, items or vehicles on the school property or sponsored events as long as they are not allowed to sniff any person.

The above inspections shall be unannounced and may be made at the discretion of the Director or designee.

Students and parents/guardians shall be informed of this policy at the beginning of each school year.

PHOTOGRAPHING OF STUDENTS

Taking pictures of school pupils and buildings for commercial purposes is normally prohibited. Any exceptions require an application in writing and the approval of the Director.

1. "Commercial purposes" if this context is defined to mean
 - a) for sale whether at a profit or not, or
 - b) for use in connection with the advertisement or promotion of goods or services.
2. "School pupils" in this context means boys and girls enrolled in the school during that part of the day they are at school, on the school grounds, or engaged in any activity under the direction and supervision of the school.
3. Photographs of special education students may not be taken without prior consent of the parents or guardian.

Exceptions

Not included in the prohibitions are the following which are permissible within good judgment as to time, place, and circumstances and with the approval of the Director or person in charge:

1. Pictures by an established news service or publication for purely news or feature use.
2. Pictures taken for use by the schools for illustrative or historical purposes
3. Pictures taken by individuals for personal use and not for professional use and not for sale
4. Pictures taken for use in the school annuals/school records.

MARRIED/PREGNANT/PARENTING STUDENTS

Married, pregnant and parenting students in the Charter shall have the same educational opportunities as all students.

For school-related purposes, married students under the age of eighteen (18) are emancipated minors and have all the rights and privileges of a student who is 18, even if the marriage has been dissolved.

The Governing Board believes that pregnancy and parenting should not be a barrier to education or a reason for dropping out of school. Rather than ending the teenager's need for education, pregnancy and parenting increase the need to cope with adult responsibilities and to prepare for an economically self-sufficient future. Local District facilities may be more appropriate placement and should be explored since they do have programs for pregnant minors which are not part of the Charter program.

After the birth of her baby, the student may:

1. Return to regular high school or junior high classes.
2. Seek an alternative program within the local district
3. Attend continuation high school or adult education classes.
4. Request exemption from attendance because of personal services that must be rendered to a dependent (Education Code 48410C).

HEAD LICE

Because head lice are not uncommon and spread, the Director or designee shall send information about the treatment and control of head lice to parents/guardians as needed to prevent the spread of infestations.

School employees shall report all suspected cases of head lice to their school office. The school office staff shall examine the student and any siblings of affected students or members of the same household. Staff shall make every effort to maintain the privacy of students identified as having head lice. When lice or untreated nits are found, the student shall be sent home as soon as possible with proper parental notification.

If nits or lice are found, the student shall be excluded and parents/guardians informed about recommended treatment procedures, ways to check the hair, and sources of further information. The Governing Board recognizes that responsibility for the treatment of head lice rests with the home. If the student has head lice, all students in the classroom will also be inspected.

The Director shall send home the notification required by law for excluded students. The absence shall be treated in the same manner as an excused absence due to a medical problem for a maximum of two days. Excluded students may return to school after they have had treatment and when reexamination by school personnel shows that all lice and nits have been removed.

GENDER IDENTITY ACCESS

The Tracy Learning Center is committed to providing a safe, supportive, and inclusive learning environment for all students, including transgender students, and to ensuring that every student has equal educational opportunities and equal access to TLC's educational programs and activities. California and federal law (Cal. Ed. Code § 220 and Title IX, 20 U.S.C. § 1681) requires schools to treat transgender students equally and fairly. State and federal law and District policy require that all programs, activities, and employment practices be conducted without discrimination based on, among other things, actual or perceived gender identity, gender expression, or gender. California Education Code § 201 further provides that public schools have an affirmative obligation to combat bias, and a responsibility to provide equal educational opportunities to all pupils. Additionally, TLC policy requires that all schools and all personnel promote mutual respect and acceptance among students and staff. Thus, TLC has a legal obligation to ensure that transgender students are safe, supported, and fully included in all school activities, programs, facilities, and educational opportunities. No person shall be subjected to discrimination on the basis of actual or perceived gender identity, gender expression, gender, or sexual orientation. (Cal. Ed. Code § 220, 20 U.S.C. § 1681 (Title IX))

The Board of Trustees considers harassment, discrimination, intimidation, or bullying based on sexual orientation, gender identity, and gender expression to be a major offense. TLC shall investigate all complaints of harassment, discrimination, intimidation, or bullying and take appropriate action against any student or employee who is found to have violated this policy. Harassment, discrimination, intimidation, or bullying of a student by another student in violation of this policy may constitute cause for disciplinary action. Students shall be advised that harassment, discrimination, intimidation, or bullying based on sexual orientation, gender identity, and gender expression are unacceptable conduct and will not be tolerated. Students shall be informed that they should contact the school principal or designee if they experience such harassment, discrimination, intimidation, or bullying. Harassment, discrimination, intimidation, or bullying by an employee in violation of this policy constitutes cause for disciplinary action, up to and including dismissal.

The Executive Director shall adopt, and may periodically revise, administrative regulations necessary to implement and enforce this policy. The regulations shall provide an adequate description of this policy to parents, students and employees, provide appropriate complaint and resolution procedures, and establish due process for persons accused of harassment, discrimination, intimidation, or bullying based on sexual orientation, gender identity, and gender expression. The Executive Director shall ensure that students receive age-appropriate information and education related to sexual

GENDER IDENTITY ACCESS (continued)

orientation, gender identity, and gender expression. In addition, the Executive Director shall designate qualified individuals to provide appropriate training and educational programs on the issue of harassment, discrimination, intimidation, or bullying based on sexual orientation, gender identity, and gender expression.

Each school must ensure that all students, including LGBTQ students, are provided a safe and supportive learning environment that is free of harassment, discrimination, intimidation and bullying. Administrators, faculty and staff are required to intervene when they witness harassment, discrimination, intimidation and bullying of any student if they can do so safely.

Complaints alleging discrimination, harassment or bullying based on a student's gender identity, gender expression, or gender nonconformity, are to be handled in the same manner as other discrimination/harassment/bullying complaints. Consistent with the Uniform Complaint Procedures, complaints alleging discrimination or harassment based on a student's gender identity, gender expression, or gender nonconformity should be given immediate attention; fully and appropriately investigated in a timely manner; and resolved through appropriate corrective action. This policy is intended to supplement, and not replace, state and federal laws prohibiting sexual harassment. Complaints under those laws shall be processed through the procedures established by appropriate state and/or federal agencies.