



RICHMOND COLLEGE PREP ELEMENTARY CHARTER SCHOOL

PARENT HANDBOOK

2018 - 2019

Richmond College Prep Elementary Charter School Parent and Student Handbook

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Please note: *We have tried to be both comprehensive and succinct. If a specific item is missing, we reserve the right to take whatever action is necessary to remedy the situation in the best interest of our students.*

RICHMOND COLLEGE PREP ELEMENTARY CHARTER SCHOOL

Mission Statement

To change our community through education by providing preschool and elementary school academic services, resulting in grade-appropriate achievement, cultural enrichment, and positive character.

Richmond College Prep Elementary Charter School

General Information

Address: 1014 Florida Avenue Richmond, CA 94804 (Maritime)
251 South 12th Street, Richmond, CA 94804 (2nd – 8th Charter
Side)
Mailing Address: P.O. Box 2814, Richmond, CA 94802
Telephone: 510-235-2066 (Maritime)/ 510-965-1029 (2nd – 8th Charter Side)
Website: www.rcpschools.org
Office Hours: 8:00am-4:00 pm Monday through
Friday
School Hours: 7:30 am to 6:00 pm
School Motto: "Preparing Students To Go Forth In Life With Roots And Wings"
School Mascot: Lion (Proud, Courageous, and Determined)
School Colors: Navy Blue, Light Blue

Visitors: We welcome parents and request that you notify your teacher if you would like to visit or volunteer. Please keep in mind; teachers cannot be called from their classrooms for telephone calls during class time. For obvious safety reasons, every visiting adult who enters the school building or who is on the school grounds while school is in session must sign in and out of the school office and wear a name tag.

Smoking Prohibition: School campuses are tobacco-free zones. This means tobacco products may not be brought on campus, even in purses or pockets. Smoking is not permitted on field trips, even if parents are riding in their own cars. If you smoke regularly in your car, students will not be able to ride in your car on field trips.

School Schedule

7:30 am - 8:00 am – Breakfast

8:00 am - 3:00 pm – Regular School Day

3:00 pm - 4:30 pm - Homework Center

3:00pm - 6:00pm – After School Program

Academic Calendar 2017 – 2018: Dates of upcoming events will be noted in teacher communication, the school newsletter, posted on our website (www.rcpschools.org), and in the entry of the school.

Uniform Policy:

TK-5th Grade RCP Uniform: Light blue or navy blue shirt and navy or khaki pants, skirt, shorts, or jumper. **No ripped/torn jeans, sandals or open-toed shoes for safety reasons.**

Middle School RCP Uniform: Light blue or navy blue shirt and khaki pants, skirt, shorts, or jumper. **Middle school students must wear their complete uniform every day in order for them to go to class. Jeans are not allowed.**

TK-5th Grade Uniform Policy: Every student must wear his/her uniform every day. If a student doesn't wear his/her uniform shirt, s/he will receive a "loner shirt" from their

teacher. The first time the student doesn't wear a uniform, s/he will receive a Dojo message from their teacher to inform the student's family. If s/he doesn't wear the uniform on the second day, s/he will receive a phone call home from his/her teacher.

Middle School Uniform Policy: If a middle school student comes to school without the appropriate top or bottom, they must come to the office to call home for someone to bring their appropriate uniform. If someone cannot bring their appropriate clothes, the office will try to provide something for the student. Middle school students will not be able to return to class without their complete uniform.

Uniform Incentive: Every day, the classroom teacher or IA will keep track of students wearing their uniform. On the last Friday of each month, students who have worn their uniform every day will be eligible to participate in Free Dress Day. **If a student has not come to school in uniform every day over the course of the month, he/she will have to wear a uniform shirt from home or a loner uniform shirt on Free Dress day.**

Traffic & Parking: Please do not leave your car unattended with minor passengers inside. Please do not double park or block other cars while dropping off/picking up your student. Morning drop off for TK – 6th grade students are on Florida Avenue, and the first gate on South 11th Street, which opens at 7:30 am.

Lost and Found: Please label coats, sweaters, lunch boxes, etc. with your child's full name in permanent ink. Lost articles are located in the office. Special items should be turned into the school office and will be returned when identified by the owner. All unclaimed items are donated to charity monthly.

Library: Each class has an assigned weekly library time. If you would like to volunteer in the library, please contact Mr. Jose Chang, our librarian. If you have books or materials that are age-appropriate that you would like to donate, please see Ms. Laura Viveros in the school office.

The Scholastic Book Fair helps us to raise money for new library materials. The Scholastic Book Fair is held in the fall and in the spring. Please see the school calendar for exact dates.

Restrooms: Students need permission from their teacher to use the restrooms. **Students are not allowed to use the faculty restrooms, and adults are not allowed to use the student restrooms.** Students are encouraged to use the restrooms during recess, rather than during class instruction periods.

Cleanliness: Although RCP has dedicated custodial support at the school each day, it is important that your child helps keep the school, bathrooms, dining hall, and the schoolyard as clean as possible. We want to show respect for our school and school community.

Richmond College Prep Elementary Charter School Pledges to You and Your Child's Confidentiality: We respect each family's right to privacy and confidentiality. Staff members will attempt to secure parent or guardian's written consent before disclosing information to other agencies and professionals. Information will be shared

only to ensure that services are provided in the most efficient manner. Please understand that we must cooperate with legal authorities.

Child Abuse Reporting Law: In California, certain professionals are required by law to report known or suspected child abuse (California Penal Code Sections 11165-11174). All staff members are considered "mandated reporters" of child abuse. Mandated reporters must file a report when the victim is a child under the age of 18.

Resolution of Problems: Parents and staff must work closely together to provide a healthy and nurturing environment for our children. Dealing with problems effectively is part of "good" parenting and "good" teaching. Communication between the home and school are essential to the development of healthy, happy children.

If you have a concern about your child or worry about your child's care, please discuss it with your child's teacher immediately. Do not let the problem grow. The teacher will work with you to resolve the problem.

The following is a formal dispute resolution policy adopted by the RES Governing Board. We ask that parents, staff, and students utilize this policy if they feel that their concerns have not been resolved.

This dispute resolution process provides parents, students, and volunteers who have a grievance concerning the school with a procedure to follow to have the grievance heard by an administrator or principal and if it cannot be resolved at this level, to have it heard by the governing board at a regularly scheduled board meeting.

Misunderstandings and problems arise from time to time in any situation. Differences of opinion will exist. RCP intends for the school environment to be a safe and supportive environment for students, teachers, staff, and parents. We are committed to creating an honest and open atmosphere in which any problem, complaint, suggestion, or question receives a timely and respectful response. It is requested that all parties conduct themselves in a congenial manner and communicate with each other with mutual respect at all times.

A grievance is defined as any feeling of dissatisfaction or injustice in connection with any matter related to the program, school, or staffing. Any grievance should be brought to the attention of the respective party as soon as possible with the intention to resolve the issue. If it cannot be resolved at this level, then an appointment should be made with an administrator to attempt further resolution.

If a parent disagrees with the established rules on conduct, policies, procedures, or practice, he/she can express this concern directly to the CEO. No parent or employee will be penalized, formally or informally, for voicing a grievance or complaint with RCP in a reasonable, business-like manner, or for using this dispute resolution process.

The CEO is the official representative between parents and the governing board. S/he or any administrator is accessible and ready to hear suggestions, concerns, and complaints. RCP cannot act on any problem unless it is aware of it, so we request that grievances be brought to the appropriate party as soon as possible.

While not every problem may be resolved to all parties' complete satisfaction, an effort is made on behalf of RCP and its staff to bring resolution to any problem. This is only

possible through both parties' willingness to listen, attempt to understand, and exploration of all aspects of the issue at hand. Through this process, parents, teachers, and management are able to develop confidence in each other. This confidence is important to the smooth, effective operation of RCP and directly benefits the students. RCP strives to provide such an atmosphere at all times. Parents are encouraged to offer positive and constructive criticism and to take the following steps if they believe they have dissatisfaction, if they believe that an injustice has occurred, or if they believe that a decision affecting them or their student is unjust or inequitable:

1. When a problem first arises, the grievant should discuss the matter with the respective party as soon as possible.
2. If they are unable to resolve the issue at this level, the grievant should then contact the supervisor of the employee to make an appointment to discuss the issue as soon as possible.
3. If the problem cannot be resolved informally by the employee's supervisor through discussion or meeting, the grievance shall be reduced to writing by the grievant and submitted to the CEO. The grievant should specify the problem to the fullest extent possible and any remedies sought. The request for this meeting will be written and will include any and all documentation related to the grievance, along with any solutions that have been proposed by the grievant, an administrator, and any other related parties. The request for the meeting is to be delivered to the CEO who, unless sick or out of town, will meet with the grievant within ten (10) working days of receiving the written request.
4. Following any necessary investigation, the CEO shall prepare a written response to the grievant no later than ten (10) working days from the date of the meeting unless additional time is required for the response.
5. If the matter cannot be resolved at the CEO level, the grievant may request to have the matter properly placed upon the agenda for the next regularly scheduled board meeting. All applicable laws of the Ralph M. Brown Act will apply.
6. The governing board and the CEO will set a date and time for the hearing of any evidence to be presented concerning the grievance. At the hearing, the grievant and a representative of RCP shall have the opportunity to present evidence, both oral and written. Within three (3) working days from the date of the hearing, the board and CEO shall make a decision on the grievance in writing. This decision will serve as the final decision of RCP.

Non-Discriminatory Policy

Richmond College Prep Elementary Charter School prohibits discrimination or harassment in its program and activities on the basis of gender, race, color, ancestry, religious creed, sexual orientation, national origin, disability (including HIV and Aids), medical condition, marital status, or political beliefs. We pledge that the treatment of our families and employees will be free from such discrimination or harassment.

Political Prohibition

At no time during the Charter School's posted hours of operation will facilities or staff time be used for political purposes, sponsoring or conducting candidate's meetings, or for publicity or propaganda purposes designed to support or defeat legislation pending before any federal, state or local government.

Attendance

According to California's Education Code Section 48260, "any pupil subject to full-time education who is absent from school without a valid excuse for more than 30 minutes on each of three days in one school year shall be classified as a truant and shall be reported to the attendance supervisor of the superintendent of the school district." The following policy is created to respond to both unexcused and excused absences.

Richmond College Prep Elementary Charter School starts promptly at 8:15 am. Frequent tardiness and absences result in academic failure for the student and create a disruption to the classroom environment. Please bring your child to school every day and on time.

All Absences require a note – When your child is absent, you must send him or her back to school with a note signed by you. The note should include your child's name, the current date and date(s) of the absence(s), the reason for the absence(s) and your current contact information (home, work, cell phone number).

State Funding: We receive state funding only for the days your child actually attends school, and lose money for all absences. If your child cannot attend school for the entire day, have him/her to attend for part of the day. If your child must be absent for one or more days, please contact your child's teacher before the absence. The teacher will arrange for an Independent Study Contract, which must be approved by the school administration. If an Independent Study Contract is completed, the child is counted as present for the day(s) of absence. This is appropriate for extended illness, trips or other absences. **Under state law, absences are excused only for illness or a death in the immediate family** – therefore "going out of town" or "family emergencies" are not excused absences.

If your child is absent three (3) or more days, a doctor's note is required. If your child is sick and will be out of school indefinitely, please speak with the school administration and if instructed, ask for an Independent Study form from the school.

Tardiness: Students will be marked tardy if they arrive after 8:15 am. If your child is going to be late more than 30 minutes, you must call the school before 8:15 am and inform the school of the situation, or it will count as an unexcused absence. It is important to communicate with the school before arriving in order to prepare for attendance and lunch. Students who arrive after 8:15 am must be signed in to the school by an adult (18 years or older) for an admit slip.

Attendance Protocol:

- Every day, the Attendance Clerk contacts students' families if they are absent.
- Each month, if a student has one unexcused absence or four or more excused absences, the classroom teacher will contact the family. If a student has three tardies, the teacher will also call the student's family.

- If a teacher has contacted a family two times, or if a student reaches three or more unexcused absences, the Director of School Culture will reach out to the family by phone.
- If the absences continue, the DSC will schedule an SST with the family.
- If the absences continue after the SST, or if the family is not responsive, the DSC will bring the situation to the attention of the CEO. The CEO will decide whether or not this family should meet with the Board of Directors.

Chronic Absences: A chronic absence is when a student misses 10% of the school year. *This includes both excused and unexcused absences.* Our monthly tracking system is created to help prevent chronic absences. The Family and Community Engagement Coordinator also tracks chronic absences on a monthly basis.

If a student in first through fifth grade ends the year missing 10% or more of school, he/she may be put on the waitlist for the following school year. If a sixth grader misses more than 10% of the school year, he/she may not be able to participate in all of the graduation festivities.

Attendance Incentive for Students: At the end of each month, the DSC will notify each teacher of students with perfect attendance and with two or less tardies for that month. Those students will receive a bracelet that says "Perfect Attendance," and they will receive an extra recess on the date scheduled by the DSC.

Closing Time/Late Pick-Up Policy:

Regular day classes end at 3:00 pm and After School Program classes end at 5:55 pm. The entire after-school program ends at 6:00 pm.

Transitional Kindergarten – 1st grade students must be picked up at 3:00 pm.

2nd – 8th grade students must be picked up by 6:00 pm. Any student without an after-school application on file must be picked up at 3:00 pm.

If a parent is late and the staff is not notified, every effort will be made to find an authorized person to pick up the student. If no one can be located after 30 minutes of the school being closed, the child may be taken to the Police Department. A note will be posted on the front door of the school to let the parent know where the child can be located after the school has closed.

The following procedures are implemented for late pick up in the After-School Program:

First Time: The staff will verbally inform the parent of the importance of picking up their child on time. This will be documented in the child's file at the school.

Second Time: When the child is picked up, the staff will give a late pickup a notice to the parent. A copy will be kept in the child's file at the school.

Third Time: The child will be suspended from the After School Program for two weeks and this will be documented in the child's file, if after the suspension there are any more late pickups, the child will no longer be able to attend the after-school program.

Medical or Dental Appointments: Please schedule medical or dental appointments after school or on the weekends, whenever possible. If you know in advance that your child will be leaving school, please send a note to your child's teacher. Try to arrange appointments at a time that is the least disruptive for learning. At the appointment, please have your doctor or dentist sign a note that includes the child's name, the date and time of the appointment and the general purpose of the appointment. Return the note to the school office. Don't forget to sign your child back into school after the appointment.

Leaving School Early: If your child must leave school early, for a medical or dental appointment, for example, you must report to the school office to sign your child out of school. **Your child will only be released to a parent or guardian or designee (18 years of age or older) listed on your child's Emergency Card** in the office. Please do not pick your child up directly from the classroom.

Health and Emergency

Emergency Contact Card: The school maintains an Emergency Contact Card for each student. This is the ONLY source of information that the School uses to contact a responsible adult in the event of an accident, illness or other emergencies. New cards are sent home at the beginning of the school year to allow parents to update the information on file. Please ***notify the School in writing of any changes to this information*** during the year.

Please help your child memorize emergency contact numbers. If you are unable to pick up your child due to unforeseen circumstances, call our office secretary, Ms. Laura Viveros at (510) 235-2066, so she can inform your child of who the other responsible adult (18 years of age or older) will be picking he/she up. ***Please remember, only those listed on your emergency card, who are at least 18 years of age or older, can pick up your child from the school.***

Medications: Students are not to carry medication at school. Medications must be brought to the office by the parent/guardian with a note from a physician to be kept in the school office.

Communicable Diseases: Cases of communicable diseases, such as chicken pox, should be reported immediately to the school office so that other parents may be alerted. Occurrences of head lice, which develop in spite of good personal hygiene, should also be reported so that other parents may be alerted.

To Send or Not to Send: Please use good judgment in determining whether your child is well enough to attend school, remembering that above normal temperatures, runny noses, and persistent coughs are often indications that your child is not well and might be contagious. Do not send your child to school with untreated head lice, if they have recently vomited, have diarrhea, or have had a fever within 24 hours.

Emergency Preparedness

Emergency Preparedness: The School has an emergency plan in case of an earthquake or other disasters. The school will be equipped with basic medical supplies and water for three days.

Shelter in Place: Contra Costa County has a system of warning residents of potential emergency situations where the air may be unsafe to breathe due to industrial accidents or potential emergency situations. Shelter in Place may also be utilized as a lockdown for the RCP campus in the event that an unsafe or suspicious person is in the vicinity of the school. When RCP is alerted through safety sirens or other means, school personnel will proceed as follows:

- Students will be immediately escorted indoors.
- All doors and windows will be locked.
- All heaters, fans, and air conditioners will be turned off.
- Vents to outside air will be closed or covered.
- Cracks around doors and windows will be sealed with tape or damp towels.
- School personnel will tune radios to KCBS 740 AM for further information.

DO NOT ATTEMPT TO PICK UP YOUR CHILD FROM THE K-6 CHARTER SCHOOL WHEN WE ARE IN SHELTER IN PLACE MODE. WE CANNOT RELEASE YOUR CHILD UNTIL THE HEALTH DEPARTMENT HAS DETERMINED THAT IT IS SAFE.

Communication and News

Parent-Teacher Conferences: Parent-teacher conferences are scheduled in the fall and spring. Please see the school calendar for exact dates. Parents and/or teachers can also request a conference at any other time during the year as needed.

E-mail Etiquette: E-mail is a great tool when used appropriately. Please use a respectful tone in all e-mails sent to members of the RCP community. Please refrain from sending e-mails that relate to the following: conflicts about grades/report cards, concerns about fellow parents, confidential information, and personnel matters.

Food Policy

All breakfast, lunch, and snacks are provided by **Lunch Master**. Lunch Master complies with the nutritional standards established by the United States Department of Agriculture (USDA).

We are a healthy, peanut-free school. If families would like to send their students to school with a packed lunch/snack, the following guidelines must be followed:

- No dessert food: cakes, cupcakes, pies, or candy
- No chips or sunflower seeds
- Water, milk, or 100% Juice beverages ONLY
- Students are unable to get food reheated
- Students are unable to use the office phone during school hours to request food from home

Before and After-School

Breakfast begins at 7:30 am and ends at 8:00 am.

Lunch: Students will eat lunch in the Dining Hall (cafeteria) or their classrooms. We provide healthy lunches. Each child is responsible to keep their lunch area clean and to use the garbage cans provided.

Snacks: Snacks are also provided daily before the students attend the After School program.

For Celebrations: In an effort to reduce chronic disease, in March 1993, the Contra Costa County Board of Supervisors adopted the Contra Costa County Food policy developed by the Contra Costa Food and Nutrition Policy Consortium. Richmond College Prep Schools subscribes to the policy, which states that food at all school-sanctioned events shall include choices that meet the U.S. Dietary Guidelines. Whenever food is served or provided through food assistance programs, it must reflect the current standard of good nutrition. Sweets (cake, cookies, candy) are to be avoided and healthy snacks provided. Rubber gloves must be worn by anyone serving food to students, whether the food handler is a staff person, parent, volunteer or visitor.

Any food that parents bring to school for parties must be nutritious, like fruits and vegetables. The guidelines listed above must be followed.

Allergies or Special Food Needs

Parents are required to provide information to the school if their student(s) has a need for special food substitutes (including milk products) due to allergies or other medical related conditions, as well as, students who may have religious restrictions to consume certain types of food. This information must be reported to Ms. Laura Viveros at the time the student is enrolled and/or if the parent fills out an application for the food program.

Bake Sales: At various times throughout the year, classes offer bake sales after school to raise money for school events or charity. Information about upcoming bake sales will be posted throughout the school. RCP aims to have only healthy food options for sale during those times.

Cell Phone Policy

Students may use the office phone in the case of an emergency with a note from their teacher. Cell phones brought to school are to remain turned off and inside of backpacks. Cell phones are not to be used while students are on campus. These guidelines will be followed during the before and after school program and during field trips. In case of an emergency, students may use the office phone with a note from the classroom teacher. If parents or guardians need to contact their child while on campus, please call the Maritime office (Preschool – 1st grade) at 510.235.2066 or the Charter school (2nd – 6th grade) at 510.965.1029. The office staff will put you in contact with your child.

If a student is seen with a cell phone without permission, RCP staff will follow this protocol:

- After the first infraction: the student may pick up the phone from the classroom teacher at the end of the day.
- Second infraction: a parent must pick up the phone from the classroom teacher or from the office.
- Third infraction: you may be asked to speak to your student's teacher and Director.

The school will not be responsible for any lost, stolen, damaged, or confiscated phones, or for usage fees resulting from such confiscation.

School Support Organizations

School Site Council: Each year, the School Site Council (SSC) creates, monitors, and evaluates the Single Site Plan for student achievement. This Plan is critical to ensure that the school reaches its academic goals for all students. In addition, the SSC decides how the School Improvement Plan (SIP) budget should be spent. The SSC has composed of 10 members: four parents, four faculty members, one staff member and the Principal or Designee. Members of the SSC are elected by their peers and serve for one year. All meetings are open to the school community and parents are expected to attend, but may not vote. The agenda and minutes will be posted on the bulletin board near the main entrance. The SSC meets once per month.

Room Parent Communications: The classroom parents are tremendous supports for our classes. Please let the classroom teacher know if you are interested in working as a room parent.

Various Committees: Parents, if you would like to be on a specific committee i.e. **library, gardening, annual family festival, fundraising, etc.** please let the classroom teacher know and he/she will contact the appropriate staff member.

Parent and Community Volunteer Policy

When volunteering at RCP, parents are demonstrating their support for education!

Richmond College Prep Elementary Charter School values the role that the school plays in the neighborhood and the local community. We encourage members of the community to volunteer in our classrooms under the direct supervision of the teacher. To ensure the health and safety of our children and staff, all prospective volunteers must have clear Tuberculosis (TB) test results prior to participation in any classroom activities. Parents volunteering to go on overnight field trips must have clear fingerprint results to act as chaperones for the children.

Language/Behavior: We are all role models for the children around us. Cursing, inappropriate language, or adult discussions are not allowed on campus or on field trips.

Classroom Disruptions: Please understand that in academic settings it is important to be able to give full attention to the task at hand. For this reason, non-enrolled children are not permitted to accompany volunteers during school hours. Teachers need the attention of the students to direct the instruction. Extraneous conversations distract from the task at hand.

Cell phones are to be turned off when volunteering in the classrooms. If you need to be reached, please let the office know you are expecting a call and the office staff will inform you when the call comes.

Volunteers are not to discipline students. Discipline is solely the responsibility of the teacher. The teacher is the professional whose responsibility is to plan the course of study and see that it is implemented. The volunteer always works under the direction of the teacher to help, not replace, the teacher.

Adults are respectful to children and children are always expected to be respectful in return. If on any occasion a volunteer is treated disrespectfully, inform the teacher or the principal or designee as soon as possible. Children are to refer to all adults as Mr., Mrs., or Ms. and may not address volunteers by the first name.

Confidentiality: Confidentiality is of the utmost importance when volunteering with teachers and students. What is seen and heard at school is private. When assisting in the classroom, volunteers are in the unique position of overhearing personal information. Students should not be discussed with other parents, faculty, staff, or even that child's parent. You must always refer any questions regarding students to the child's teacher or the principal or designee.

Discipline Policy

The primary goal of discipline in the Richmond College Prep Elementary Charter School is to provide and maintain a safe, just, affirmative, and appropriately challenging environment that promotes learning and positive personal growth. Disciplinary measures will be aimed toward assisting each student in the development of self-control, social responsibility, and the acceptance of appropriate consequences for his or her actions.

Classroom Behavior Management

All teachers will establish a multi-step management system within their classroom that includes positive rewards, as well as negative consequences for students who break classroom rules. The management system will be clearly communicated to both students and families at the beginning of the year.

School-Wide Referral System

Students can receive a referral if they exhibit an extreme behavior.

Examples of Possible Referrals:

- Physical fighting
- Using foul language towards a teacher
- Using racial slurs
- Purposefully destroying school property

When a student receives a referral, contact will be made with the student's family. Consequences are determined with the administrator's discretion.

If a student receives 4 referrals in one month, he/she will be referred for a Student Success Team (SST) meeting. The team will develop an individualized behavior plan with individual behavioral goals for that student.

Suspension and Expulsion

The following Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at Richmond College Prep Elementary Charter School (the "Charter School"). When the policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as 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.

Staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will clearly describe discipline expectations. The

Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures.

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.

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 Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") 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. Charter School will follow all applicable federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom Charter 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 1) related to school activity, 2) school attendance occurring at Charter School or at any other school, or 3) a Charter School sponsored an event. A Pupil may be suspended or expelled for acts that are enumerated below and related to school activity or attendance that occur at any time, including, but not limited to, and of the following:

- 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; or
- d) during, going to, or coming from a school-sponsored activity.

B. Suspension Offenses

Discretionary Suspension Offenses

Students may be suspended for any of the following acts when it is determined the

pupil:

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force of violence upon the person of another, except self-defense.
3. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 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 a controlled substance, alcoholic beverage or intoxicant.
5. Committed or attempted to commit robbery or extortion.
6. Caused or attempted to cause damage to school property or private property.
7. Stole or attempted to steal school property or private property.
8. 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.
9. Committed an obscene act or engaged in habitual profanity or vulgarity.
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
11. 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.
12. Knowingly received stolen school property or private property.
13. 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.

14. Committed or attempted to commit a sexual assault as defined in Penal code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4.
15. 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.
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
17. Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or pre-initiation 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.
18. Made terrorist 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.
19. 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.
20. Caused, attempted to cause, threaten 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.

21. 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 classwork, 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.
22. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school personnel.
23. 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).

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

1. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous objects unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.

C. Suspension Procedures

Suspensions shall be initiated according to the following procedures:

1. Conference

A 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 school personnel. If a student is suspended without this conference, both the parent/guardian and the 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 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 the failure of the pupil's parent or guardian to attend a conference with 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, the principal 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 school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

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

Upon a recommendation of Expulsion by the Principal 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. 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. Expellable Offenses

1. Discretionary Expellable Offenses: Students may be expelled 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 of 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 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 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 the 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 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 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 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 pre-initiation 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 terrorist 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, threaten 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 classwork, 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, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school personnel.
- 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).

2. Non-Discretionary Expellable Offenses: Students must be expelled 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, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.

If it is determined by the Governing Board 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.

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.

E. Authority to Expel

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

F. Expulsion Procedures

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

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 unless the pupil makes a written request for a public hearing three (3) days prior to the hearing.

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

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges, and offenses upon which the proposed expulsion is based;
3. A copy of the 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 or the student's parent/guardian to appear in person or to employ and be represented by counsel or a 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.

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

The 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 which shall be examined only by the School, Panel Chair or the hearing officer in the expulsion. 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 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 person or panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The person 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 person conducting the expulsion hearing may also limit the 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 presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person 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 School must present evidence that the witness' presence is both desired by the witness and will be helpful to the School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the

presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.

9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are 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 another support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

H. Students With Disabilities

A pupil 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 Education Improvement Act ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for disciplinary action, including suspension and expulsion, and is accorded the same due process procedures applicable to regular education pupils except when federal and state law mandates additional or different procedures. the Charter School will follow the IDEIA, Section 504, and all applicable federal and state laws when imposing any form of discipline on a pupil identified as an individual with disabilities or for whom the Charter 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 pupils. The following procedures shall be followed when a student with a disability is considered for suspension or expulsion. These procedures will be updated if there is a change in the law.

1. Notification of District

The Charter School shall immediately notify the District and coordinate the procedures

in this policy with the District the discipline of any student with a disability or student who the Charter School or District would be deemed to have knowledge that the student had a disability.

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and receive, as appropriate, a functional behavioral assessment or functional analysis, 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 Team shall review all relevant information in the student's file, including the child's IEP, 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 agencies failure to implement the IEP.

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

1. Conduct a functional behavioral assessment or a functional analysis 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;
2. 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
3. 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 team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP, 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.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter school, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer 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 Principal or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

1. 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;
2. 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
3. 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 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 district's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the Charter School had knowledge that the student was disabled before the behavior occurred.

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

1. 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.
2. The parent has requested an evaluation of the child.
3. 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 educational placement determined by the Charter School pending the results of the evaluation.

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

I. 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.

J. 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, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

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

K. Written Notice to Expel

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

The principal or designee shall send a copy of the written notice of the decision to expel to the County.

This notice shall include the following:

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

The Board's decision to expel shall be final.

L. Disciplinary Records

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

M. Expelled Pupils/Alternative Education

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.

N. 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 School for readmission.

O. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Principal and the pupil and 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 pupil's readmission is also contingent upon the School's capacity at the time the student seeks readmission.

Frequently Asked Questions (FAQ's)

What happens if my child is sick or injured? If your child needs emergency care, the school will call 911. Otherwise, sick or injured children wait in the office until a caregiver picks them up.

Does my child need spare clothing? All kindergarteners are asked to have a change of clothing in their classroom. In the unlikely event that your older child needs fresh clothes, the school will either call you, or an item will be borrowed from the lost and found. If an item is borrowed, we ask that you launder and return.

When will my child know who his or her teacher is for the next year? The class lists will be posted at the main school door on the first day of school.

Does my child need a backpack? All students are requested to bring a backpack to transport their homework folders, letters, work, sweatshirts and/or changes of clothes.

Do I need to call if my child is sick? Yes! Call the Attendance Clerk, Mrs. Laura Viveros by 8:15 am every day to inform her that your child is out. If possible, stop by the school to get homework or work that your child missed.

My child will be absent for family reasons for a week. What should I do? Talk to your child's teacher and get the work in advance. Your teacher may be able to set up an Independent Study plan for your child so they don't get behind.

I'm used to signing my child in and out at preschool. In this new first grade environment, who will ensure that my child is in class when he or she should be? From 8:30 am to 3:00 pm, the Instructional Assistant will guide the students back to class at the appropriate times. After you bring your child to breakfast at 7:30 am, a staff member in the cafeteria will release the children to class at 7:55 am. As a parent or guardian, you are welcome to walk your child to class at that time.

I think my child is in the wrong grade. What can I do? Start with your child's teacher. The teachers at the school will decide whether to accelerate or retain your child in subsequent years.

What happens if I don't want my child to go on a field trip? You will be asked to sign a permission slip before every field trip. If you don't give permission, your child will not attend the field trip and will be placed in another classroom for the duration of the field trip.

Student Responsibilities: Every student is responsible for helping to maintain a safe and productive environment at school.

Students are expected to:

- Attend school on time each day.
- Complete all assigned work including homework.
- Use problem-solving skills and language when resolving a conflict.
- Remain drug, alcohol, and tobacco-free.
- Respect school property and the property of others.
- Treat fellow students and staff with respect.

Parent/Guardian/Caregiver Responsibilities: Every parent, guardian, and/or caregiver shares the responsibility for supporting a safe and productive environment at your child's school.

Parents are expected to:

- Ensure that your child gets to school on time each day.
- Provide a time and place for your child to study at home.
- Maintain regular communication with your child's teachers, principal or designee and other school staff.
- Ensure that your child knows, understands, and follows the rules of the school.

School Responsibilities: The school site staff and administrators of our school are responsible for demonstrating appropriate school and classroom behavior in their attitudes and in their communications with students, parents, guardians, and caregivers.

The school is expected to:

- Communicate regularly with students and families
- Establish a supportive environment in which students can meet academic standards
- Enforce rules fairly and consistently.
- Treat all students and parents with respect.

Parent Acknowledgement

Name of Student: _____

Grade:

I acknowledge that I have received and reviewed the parent handbook.

I acknowledge that I have reviewed the student responsibilities with my child.

Parent/Guardian Name (Please Print)

— **Parent/Guardian Signature**

Date

