



PACIFIC VIEW
CHARTER SCHOOL

2024-25 School Year

School Handbook

Tuition-free public school.
Established in 1999



www.pacificview.org



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All homeless students are required to follow the school’s process for admitting students, including filling out and submitting the school’s admission packet on time. As with all students, admission depends upon availability. In the event of an oversubscription in a grade, homeless students will participate in the lottery as with any other student. As used in this policy, admission means attending classes and participating fully in school activities..... 88

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The Charter School will provide or arrange for transportation of a homeless student, at the request of the parent, guardian or Homeless Liaison, to the Charter School when the..... 90

Charter School is the school of origin. If the student begins living in an area served by another local educational agency while continuing his/her education at the Charter School, the Charter School will contact that local educational agency to agree upon a method to apportion the responsibility and costs for providing the student with transportation to and from the Charter

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Important Information

School Telephone: (760) 757-0161 Oceanside
Fax: 760-435-2666

(951) 697-1990 Moreno Valley
Fax: 951-697-1994

Web Site: www.pacificview.org

Office Hours: 8:00 AM to 3:30 PM

Welcome to Pacific View Charter School

I would like to take this opportunity to welcome you to Pacific View Charter School. We are committed to providing the best possible education for our students.

The Pacific View Charter School community is focused on the success of each student and partners with parents/guardians in the education of their children. The school is committed to providing a safe and inclusive educational environment for all students. Highly skilled credentialed teachers guide the learning process using personalized learning, resources, and curriculum to prepare students for college and/or careers.

If there is anything we can do to assist you or your child, please do not hesitate to contact us. Our goal remains to provide the best possible education for each student.

Sincerely,

Erin Gorence
Executive Director

Charter School Information

Today, California is at the leading edge of the innovative and fast-growing public charter school movement, with over 1306 schools, serving more than 675,374 public school students.

Charter schools are independent public schools with rigorous curricula and unique educational approaches. In exchange for operational freedom and flexibility, charter schools are subject to higher levels of accountability than traditional public schools. Charter schools, which are tuition-free and open to all students, offer quality and choices in the public education system.

The "charter" establishing each such school is a contract detailing the school's mission, program, goals, students served, methods of assessment, and ways to measure success. In California, charters are granted for five years. At the end of the term, the entity granting the charter ("authorizer") may renew the school's contract. Charter schools are accountable to their authorizer, and to the students and families they serve, to produce positive academic results and adhere to the charter contract.

Like traditional public schools, charters receive state funding based on a formula for each child enrolled in the school. Many charters also do additional fundraising to obtain grants and donations to pay for programs that are not fully funded by state or school district formulas.

When lawmakers passed the Charter Schools Act of 1992, California became the second state in the country (after Minnesota) to enact charter school legislation. The intent was to allow groups of educators, community members, and parents, to create an alternative type of public school.

Pacific View Charter School is a K–12 WASC accredited public school that opened in August 1999. In May of 2007, Pacific View Charter School received certification from California Charter Schools Association for its high standards and quality of program. The school provides Oceanside, Moreno Valley and neighboring communities an educational alternative to the traditional school setting. Enrollment at the school is strictly on a voluntary basis. Students in San Diego County and in any neighboring county are free to attend. Pacific View Charter School staff work in an atmosphere of collaboration and mutual understanding with all who attend. Through the Hybrid Personalized Learning Model, PVC provides a partnership with our parents, students, and staff. We hope you find your experience at PVC a positive one.

Mission & Vision

PACIFIC VIEW CHARTER SCHOOL

MISSION

The Pacific View Charter School community is focused on the success of each student and partners with parents/guardians in the education of their children. The school is committed to providing a safe and inclusive educational environment for all students. Highly skilled credentialed teachers guide the learning process using personalized learning, resources, and curriculum to prepare students for college and/or careers.

VISION

Students at Pacific View Charter School use technological tools and research based curriculum to achieve personal and academic success. In a Personalized Learning environment, the students develop the skills they need to be prepared for college and the workforce. Pacific View Charter School students learn to collaborate, work effectively, and manage interpersonal relationships within diverse groups and settings.

www.pacificview.org

PVC Core Values

The Personalized Learning Model

We believe that creating an Individualized Learning Plan for students that encompasses the development of 21st Century skills and content knowledge that will prepare them for success in college and the workforce.

Involvement of Parents and Guardians

Pacific View Charter partners with parents and guardians in the education of their children and in the governance of the Charter School.

Students Succeeding in the 21st Century

We believe it is critical that students develop learning and innovation skills in the areas of creativity, critical thinking, problem solving, communication, and collaboration. Curriculum that utilizes information and communication technology (ICT) literacy tools, and media will prepare students for the 21st Century.

Fiscal Solvency

We believe the prudent use of fiscal resources is essential to the vision and mission of the Charter.

Accountability

We believe that student achievement is a critical indicator of our success at Pacific View Charter School. We are committed to the success of each student through the collection and analysis of student data and research based programs and interventions.

Schoolwide Learner Outcomes



SCHOOLWIDE LEARNER OUTCOMES

THE SCHOOLWIDE LEARNER OUTCOMES (SLOS) WERE DEVELOPED BY THE PVCS COMMUNITY WHO HAVE HIGH EXPECTATIONS FOR EDUCATING AND EMPOWERING STUDENTS TO BE:

CRITICAL THINKERS WHO:

- Apply, analyze, identify, synthesize and evaluate information and experiences
- Connect the skills and content learned across the curriculum and evaluate multiple points of view
- Use the claim-evidence-reasoning process to investigate an issue/problem and formulate a solution
- Utilize problem-solving techniques during conflict resolution and make compromises



EFFECTIVE COMMUNICATORS WHO:

- Demonstrate effective oral and written communication skills through the use of academic language at school, with peers, and in the community
- Listen with empathy and understanding and interpret effectively
- Collaborate, produce, and manage interpersonal relationships within diverse groups and settings
- Advocate for their education in pursuit of their goals

INNOVATIVE SCHOLARS WHO:

- Use technology effectively to access, organize, research, and present information
- Cultivate a growth mindset to overcome challenges in the learning process
- Develop graduation plans with goals to guide them in their pursuit towards a college degree and/or career choices
- Have access to the UC A-G course requirements and the pathways to meet college eligibility requirements



SOCIALLY RESPONSIBLE CITIZENS WHO:

- Problem solve through discussion
- Make a commitment to protecting school and community through non-violence
- Participate in decision making and conflict resolution
- Embrace and respect cultural diversity
- Demonstrate knowledge of social, emotional, mental and physical health

Code of Conduct



PACIFIC VIEW CHARTER SCHOOL CODE OF CONDUCT

BUILD POSITIVE RELATIONSHIPS

- ◆ Speak with kindness and respect.
- ◆ Listen with empathy and understanding.
- ◆ Understand that your words and your actions affect others.
- ◆ Accept that there are ideas and values that are different than your own.

FOCUS ON SUCCESS

- ◆ Dress for success by following school dress code.
- ◆ Limit distractions while on school campus by using technology appropriately.
- ◆ Commit to learning and engaging in academic activities while on campus.

OWN YOUR EDUCATION

- ◆ Use academic integrity and agree to submit work that is your own.
- ◆ Give credit to the original author when appropriate.
- ◆ Be an active member in group projects and collaborative assignments.
- ◆ Take pride in your own abilities and advocate for yourself.



RESOLVE CONFLICTS PEACEFULLY

- ◆ Problem Solve through discussion.
- ◆ Make a commitment to protecting your school community through non-violence.
- ◆ Participate in decision making and conflict resolution.

PERSEVERE

- ◆ Set goals and work toward them.
- ◆ Accept that you can learn from your mistakes.
- ◆ Ask questions when you don't understand.
- ◆ You are not defined by life's challenges but by how you handle them.

Pacific View Charter School is committed to creating a safe environment for all students in which the development of positive relationships and commitment to learning creates a schoolwide culture of college and career readiness.

Pacific View Charter School Program Requirements

Steps To Enrollment:

Log on to:

www.pacificview.org

- Documents necessary for enrollment
 - 1) Birth Certificate
 - 2) two proofs of residency
 - 3) Transcript
 - 4) Immunization record
 - 5) Disenrollment form from previous school
- All students and parents must attend a registration meeting.
- The Supervisory Teacher, parent, and student will sign a master agreement at the time of enrollment.

Program Requirements:

- All assignments will be completed and submitted to the Supervisory Teacher on a weekly basis.
- All students must receive a minimum of 175 days of instruction per school year.
- Students in grades 9-12 are required to attend weekly meetings with their Supervisory Teacher. Students in grades TK-8 are required to attend biweekly meetings with their Supervisory Teacher.
- **High School** students will have a transcript analysis done to be properly placed in courses needed. Students receive coursework instruction that will fulfill graduation requirements. Two official transcripts are free of charge, any additional transcripts cost \$3.00.
- It is recommended that students participate in workshops, presentations, clubs, and schoolwide events.
- If your student is taking a class virtually or on campus please make sure to have your student attend. If your student cannot attend, please let the teacher know in advance. This will allow others to come who might be on a waiting list.
- If your student has signed up for a field trip please make sure to have your student attend. If your student cannot attend, please let the teacher know in advance. This will allow others to come who might be on a waiting list.

- Parents/guardians will provide all transportation needs in attending workshops, activities, field trips, and regularly scheduled appointments.
- Parents/guardians are responsible for all materials checked out from PVC. Be mindful of the checkout time period of all library books and resource materials. This shows consideration to other families in the school who may also need that particular resource material. You will be **responsible for payment** for any lost or damaged books, computers and materials.
- Supervisory Teachers will help parents/guardians to understand their role and their responsibilities in the education process at PVC.

HELPFUL HINTS for Parents/Guardians Getting Started

1. Read and familiarize yourself with the Parent/ Student Handbook.
2. Stay in contact with your Supervisory Teacher.
3. Write down scheduled appointments in a personal calendar and have an up-to-date family calendar to help keep everyone organized.
4. Set up your student's work area. Find an appropriate, permanent work area for you and your student. A quiet place away from distractions is most effective for learning. Make sure that you allow room for storing books, pens, pencils, paper, etc.
5. Be organized! This is a modeled behavior that your student will learn to copy.
6. Devise a record keeping system for tracking student progress.
7. Establish reasonable daily and long-term goals and objectives for your student. Growth and development rates vary from child to child. Avoid comparisons. Be positive and encouraging.
8. Be consistent! Consistency in your daily schedule is a major factor for success.
9. Read for enjoyment
10. When enrolling in workshops & events, please keep in mind that these classes and activities have limited space. If you plan on participating, please sign up as instructed as soon as a class or activity is announced. Please call if you or your student is unable to attend.
11. Communication is important: talk **with** your student, not **at** him or her. Praise your student when he/she has put in extra effort or attempted to "stretch" educationally. Nothing encourages students more than praise from their parents and teachers.
12. Make sure your student keeps consistent sleeping and eating habits to maximize optimum learning.
13. Stress the significance of getting and maintaining a good education. Look for opportunities to connect school to everyday life.

STATE TESTING REQUIREMENT NOTIFICATION

Every year, California students take several statewide tests. When combined with other measures such as grades, class work, NWEA MAPs, and teacher observations, these tests give families and teachers a more complete picture of their student's learning. You can use the results to identify where your student is doing well and where they might need more support.

Your student may be taking one or more of the following California Assessment of Student Performance and Progress (CAASPP), English Language Proficiency Assessments for California (ELPAC), and Physical Fitness Test assessments. Pursuant to California *Education Code* Section 60615, parents and guardians may annually submit to the school a written request to excuse their child from any or all of the CAASPP assessments. This exemption does not exist for the ELPAC or Physical Fitness Test.

One of the requirements for a charter school is mandatory participation in any and all testing that is specified by the California Department of Education. It is mandatory that all of our students are assessed in the same manner as other public school students in California and is particularly important for charter schools. Starting in the 2021-22 school year, **lack of participation by any student results in that student receiving the lowest possible score, which also brings down the overall scores for the students who do take the test.** In addition, the overall scores on these tests are used to determine our school's ranking in the state. Every five years our school is up for charter renewal with the district and the first thing they look at when evaluating whether or not we stay open is our state testing scores.

In order to ensure that Pacific View can stay open and serve students, we need every student to complete their assigned state tests. If you are choosing to enroll your student at Pacific View Charter School, please note that your child will be required to take the following tests specific grade level:

NWEA- Who takes the test? Students in grades 2-12 in both subjects English and Math.

SBAC- Smarter Balanced Assessments for English Language Arts/Literacy (ELA) and Math- Who takes these tests? Students in grades 3–8 and grade 11 take these tests.

California Science Test (CAST)- Who takes the test? Students take the CAST in grades 5 and 8 and once in high school, either in grade 11 or 12.

Physical Fitness Test- Who takes the test? Students in grades 5, 7, and 9.

ELPAC- Who takes the test? Students who have a home language survey that lists a language other than English will take the Initial test, which identifies students as an English learner student or as initially fluent in English. Students who are classified as English learner students will take the Summative ELPAC every year until they are reclassified as proficient in English.

California Alternate Assessments (CAAs) for ELA, Math, and Science- Who takes these tests? Students whose individualized education program (IEP) identifies the use of alternate assessments take the CAAs for ELA and Math in grades 2–8 and grade 11.

Thank you for your assistance in helping us meet the state testing requirements to ensure our charter school remains open to serve students in the community

Additional Information

Other ways to become involved may consist of the following:

- Become a parent representative on the Pacific View Charter School Board.
- Join the Parent Advisory Committee (PAC).
- Assist with a class or workshop.
- Donate materials.
- Work on a fundraiser.

Offer expertise in areas such as:

- Computer programs
- Tutoring
- Office management or training
- Library
- Music
- Arts and crafts.
- Outside supervision
- Host parent support meetings.
- A tuberculin clearance is mandatory for all who volunteer at PVCS.

Study Hall HOURS:

M, T, Th, F– 8:00-2:00

Wednesdays – 8:00-1:00

Study Hall Rules

1. Sign in upon arrival and sign out when you leave.
2. The Study Hall is a quiet work space.
3. Cell phones must be out of sight while inside the Study Hall but students may step outside to make/answer phone calls and text messages
4. Students must be productive in the Study Hall and cannot use this space as a place to wait for rides and classes or socialize with friends

DRESS CODE POLICIES

The intent of the dress code is to have students wear clothing that is appropriate for school and the learning environment and to prepare them for college and career. See Dress code Policies for specific information.

CELL PHONES

All student cell phones must remain off while inside PVC. Parents may contact their students through the main PVC number: Oceanside (760) 757-0161 or Moreno Valley (951) 697-1990. Students are not permitted to use any electronic devices for personal use while in the Study Hall or in classrooms. Students needing to use their cell phones for emergency reasons can ask a staff member to use their phone. Pictures, video recordings, and audio recordings are not allowed by law and may not be created while on campus. The campus includes the classrooms, restrooms, exterior of school, and any other area on campus.

CLOSED CAMPUS

Pacific View Charter School enforces a strict closed campus rule. This rule is enforced in the interest and safety of students and staff. Students are required to sign in and out at both the reception and the Study Hall areas. Students are not permitted to return to PVCS once they leave the school premises each day. Strict observance of this rule will be enforced. Students found in violation of this rule will be documented on a disciplinary form. Students may bring a snack/lunch if they will be at school for an extended period of time and lunch is also provided to students free of charge during school lunch breaks.

CONSENT FORMS

Prom or dance consent forms from other schools must be filled out completely, signed by the parent of the host student and the parent/guardian of the student enrolled at PVCS. This must be done prior to submitting them to the teacher and the Administration for approval and a signature. There may be a 24 hr. turn-around time for requests. If approved, the student will be representing PVC and the expectation is that the student's conduct is appropriate at all times.

Special Education

At Pacific View Charter School, all students in TK-12 grades, including those with special needs are welcome. We have a variety of special education programs that fulfill IEP services and supports in implementing FAPE in each of our educational settings. We are partnered with the El Dorado County SELPA for all our special education needs and have a multi-tiered system of support for all students. Linked here is the procedural safeguards for more information on special education parental rights [Procedural Safeguards](#). If you have any questions regarding special education services and programs, please feel free to contact us at 760.757.0161 for more information.

Custody Law Notification

Custody disputes must be handled by the courts. By law, if parents are legally separated or divorced, each parent has equal rights to the custody of the child/children UNLESS one of them has a signed court order that indicated otherwise. The school has no legal right to refuse biological parent's access to their child/children and/or school records.

If a parent has a signed, current court order limiting the other parent or any other person, the school MUST HAVE A COPY of the court order on file. If a copy is not on file, the school is required by law to release children to their parents with proper identification. Situations that put the welfare of students in question will be handled at the discretion of the Executive Director/Designee. In situations that become a disruption to the school, the Oceanside or Moreno Valley Police Department will be contacted, and an officer will be requested to intervene.

Parents are asked to make every attempt not to involve schools in custody matters. Please have current information on file for your child/children.



Focus on Success

Follow the PVCS Dress Code



Ready for
School &
Work



Not ready for School & Work



NO

- Swimsuits or Bare feet
- See-through outfits
- Gang related clothing
- Clothing with profanity
- Visible undergarments (including tube top bras & boxers)
- Clothing & items promoting tobacco, alcohol, drugs, gangs & sex



NO

Sunglasses, Hats
Bandanas, Durags,
Hoods or Beanies
inside buildings



DRESS CODE POLICY

The intent of the dress code is to have students wear clothing that is appropriate for school and the learning environment and to prepare them for college and career.

THE FOLLOWING WILL NOT BE ACCEPTABLE AT PVCS:

- ❖ Swimsuits
- ❖ See-through outfits
- ❖ Bare feet
- ❖ Gang related clothing/Clothing with profanity
- ❖ Visible Undergarments (including tube top bras and boxers)
- ❖ Clothing or products that promote tobacco, alcohol, drugs, gangs or sex
- ❖ Hats, “doo rags”, sweatshirt hoods, and caps are to be removed while inside PVCS
- ❖ Bandanas
- ❖ Wearing of sunglasses while in the building

DRESS CODE ENFORCEMENT:

PVCS staff is expected to enforce the dress code in a fair and consistent manner. If a student violates the dress code, he/she may be asked to leave or be given an oversized cover-up to wear during the appointment time. Should the student come dressed inappropriately a second time, he/she may be asked to leave and the teacher will complete the dress code violation form.

Sexual Harassment and Non-Discrimination Policies

Pacific View Charter School is committed to equal opportunity for all individuals in education. PVCS programs and activities will be free from discrimination based on sex, race, color, religion, sexual orientation, national origin, physical or mental disability, or any other unlawful con-sideration. Please see Student Policy #24 for more information.

HARASSMENT – A DEFINITION:

Harassment is unwanted and unwelcome behavior from other students or staff members that interferes with another individual’s life. When it is sexual in nature, it is “sexual harassment.” When it is racial in nature, it is “hate-motivated behavior”, sometimes called a “hate crime.”

DISCRIMINATION – A DEFINITION:

Discrimination is negative or unfair treatment toward an individual based on race, ethnicity, sexual orientation, religion or gender.

WHAT YOU SHOULD DO:

- Don’t ignore it. Harassment does not usually “go away.”
- Though it may be hard to do, tell your harasser to stop. You might write a letter that describes the behavior in detail. Keep a copy for yourself and deliver the letter to your Supervisory Teacher or the Executive Director.

- Don't blame yourself and don't feel helpless, trapped or confused.
- Seek help from someone you trust.
- Keep a written record of every incident.

Note: PVCS has a *Uniform Complaint Procedure* that will be followed in cases of alleged harassment or discrimination. Please contact the Executive Director or a Supervisory Teacher for assistance.



Pacific View Charter School Graduation Requirements

220 credits

| Discipline | Courses |
|---|--|
| English | 40 Credits of English including: <ul style="list-style-type: none">✓ English 9✓ English 10✓ English 11✓ English 12 |
| Mathematics | 30 Credits of Mathematics including: <ul style="list-style-type: none">✓ Algebra I or Math 1 |
| Science | 30 Credits of Science including: <ul style="list-style-type: none">✓ Biology with lab (10 credits)✓ Any Physical Science Course |
| Social Science | 30 Credits of Social Science including: <ul style="list-style-type: none">✓ World History✓ United States History✓ Civics/American Government✓ Economics |
| Foreign Language OR Fine Arts | 10 Credits |
| Health Science | 5 Credits <ul style="list-style-type: none">✓ Health and Wellness |
| Physical Education | 20 Credits |
| Career/Technology* | 10 Credits of Career/Technology including: <ul style="list-style-type: none">✓ Introductory Course (1 credit)✓ Exit Course (1.5 credits)✓ Careers (5 credits)✓ Personal Finance (2.5 credits) |
| Electives | 45 Credits of Electives |

*Graduates of the class of 2024 are required to meet the Career/Technology requirements as listed. Graduates in previous years may meet the requirement as listed or by taking the following: Intro Course, Exit Course, Careers 1 and Careers 2.

[High School Course Catalog](#) Link

Comparison of Pacific View Charter's Graduation Requirements & CSU/UC Entrance Requirements

| A-G Requirements | PVCS Graduation | "A-G" University |
|---------------------------------------|--|---|
| A. Social Studies | 30 Credits (World History, US History, Civics, Economics) | 20 Credits (World History & US History/Government/Civics) |
| B. English | 40 Credits (Grammar and Composition, World Literature, American Literature, English Literature) | 40 Credits |
| C. Math | 30 Credits (Must include Algebra 1 or Math 1) | 30 Credits of College Prep Math (Math 1, 2, 3 or Alg1, Geometry, Alg2) <i>4 Years Recommended</i> |
| D. Science | 30 Credits (Must include Biology with Lab and any Physical Science course) | 20 Credits of Laboratory Science (Biology, Chemistry, or Physics) <i>3 Years Recommended</i> |
| E. Foreign Language | 10 Credits of Fine Art OR Foreign Language | 20 Credits of same Foreign Language |
| F. Visual & Performing Art | | 10 Credits of same Visual/Performing Art |
| G. Electives | 45 Credits | 10 Credits of same College Preparatory Elective |
| Physical Education | 20 Credits | - |
| Health Science | 5 Credits (Health and Wellness) | - |
| Careers/Technology | 10 Credits (Introductory Course, Exit Course, Careers, Personal Finance) | - |
| Total 220 credits required | | |



A-G Pathway (courses need to be completed with a grade “C” or better)

| Grade 9 Freshman Year | Grade 10 Sophomore Year | Grade 11 Junior Year | Grade 12 Senior Year |
|----------------------------------|------------------------------------|---------------------------------|----------------------------------|
| 0-55 Credits | 55-110 credits | 110-165 credits | 165-220 credits |
| Intro Course | English 10A | English 11A | English 12A |
| English 9A | English 10B | English 11B | English 12B |
| English 9B | Math 2A | Math 3A | Economics |
| Math 1A | Math 2B | Math 3B | American Government (Civics) |
| Math 1B | Edgenuity Physics A | Edgenuity Spanish 2 A * | Careers |
| Health and Wellness | Edgenuity Physics B | Edgenuity Spanish 2 B * | Personal Finance |
| Fine Art A or Color & Design | Edgenuity Spanish 1 A * | US History A | PreCalculus A |
| Fine Art B or Painting | EdgenuitySpanish 1 B * | US History B | PreCalculus B |
| Biology A | World History A | A-G Elective | Elective at Community College |
| Biology B | World History B | Science at Community College | Elective at Community College |
| A-G Elective | PE 3 | Or Edge Chemistry A | Exit Course |
| PE 1 | PE 4 | Edge Chemistry B | |
| PE 2 | | | |
| = 61 Credits | = 60 credits | = 55 credits | = 49 credits |
| Cumulative 61 Credits | Cumulative 121 Credits | Cumulative 176 Credits | Cumulative 225 Credits |

* or take Foreign Language at Community College

Pacific View Charter School

Student Policies

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ADMISSIONS AND ENROLLMENT

The goal of this admissions policy is to attract, enroll, and retain at our school the broadest spectrum of students and families representative of the rich diversity existing in the County. The School will be nonsectarian in its programs, admission policies, employment practices, and all other operations; the charter program will not charge tuition and the school will not discriminate in admissions or outreach against any pupil on the basis of ethnicity, national origin, gender or disability.

Our school is open to any student in the state and “if the number of pupils who wish to attend the charter school exceeds the school’s capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing.” Preference shall be extended to pupils currently attending the charter school and the following preferences, which are listed below in order of priority:

- Relatives of the school’s founding families (not to exceed 10% of the school’s total population)
- Students residing within the boundaries of the sponsoring District. If enrollment was based on the preferential treatment received due to in-district residence, the student must continue to reside in the district in order to remain enrolled.
- Siblings of students currently enrolled in the school
- Relatives of staff and governing board members (not to exceed 10% of the total student population)
- Students identified as Economically Disadvantaged

Adopted: 12-07-04

Amended:

Student

Student Policy #2

ATTENDANCE

Non-Classroom Based Programs

All attendance for non-classroom based programs shall be in accordance with current law and regulations.

Adopted: 12-07-04

Amended:

Student Complaints

Notification

Students who wish to file a complaint against personnel, another student or a program may notify their teacher or the Director.

Procedures

Depending upon the nature of a complaint the pupil will be provided information concerning the applicable policy and procedures to be followed. If there is no applicable policy or procedures, administration will undertake a responsible inquiry into the pupil's complaint to ensure it is reasonably and swiftly addressed. When appropriate, a written statement of the pupil's complaint will be obtained from the student.

Confidentiality

Complainants will be notified that information obtained from the pupil and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.

Non-Retaliation

Complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.

Resolution

The administration will timely investigate student complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

Adopted: 12-07-04

Amended:

Student Dress Code

Board Philosophy

The Board recognizes the need for students of the School to dress appropriately for school.

General Guidelines

Inappropriate apparel includes clothing that compromises safety or is disruptive and/or distracting to the school environment and instructional process. The Board is committed to protecting the health, safety, and welfare of the students and the Board believes that appropriate dress and grooming contribute to a productive learning environment.

Review Process

The Board recommends that any dress code should be reviewed, preferably by a committee of students, faculty, parents and administrators, prior to presenting it to the Board for approval.

Sun Protective Clothes

The code must allow students to wear sun protective clothing, including hats when outside.

Prohibited Conduct and Sanctions

Students who repeatedly violate the School Dress Code may be subject to discipline, including suspension and expulsion from School.

Adopted: 12-07-04

Amended: 07-05-05

Educational Records and Student Information

The Family Educational Rights and Privacy Act (“FERPA”) provides that a parent has the right to inspect and confirm the accuracy of education records relating to his or her child. FERPA also restricts the access of outside parties to educational records.

FERPA applies to all public schools and any state or local education agency that receives Federal education funds. Compliance with FERPA is necessary if schools are to continue to be eligible to receive Federal education funds.

Policies/Annual Notification

FERPA requires that schools and local education agencies have written and accessible policies stating which educational records will be protected and which educational records may be released and the circumstances under which those records will be released. Each year, schools must give parents public notice of the types of information designated as directory information. By a specified time after parents are notified of their review rights, parents may ask to remove all or part of the information on their child that they do not wish to be available to the public without their consent. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (e.g., special letter, inclusion in a PAC bulletin, student handbook, or newspaper article) is left to the discretion of each school.

Withholding of Transcripts, Grades, and Diplomas

Pacific View Charter School may withhold transcripts, grades and diplomas (EC§48904.3(a)) where a student has willfully cut, defaced or otherwise destroyed property or has failed to return property, such as textbooks, loaned to the student. Pacific View Charter School will make a demand upon the student and shall afford the student an opportunity to be heard before withholding transcripts, grades, or diplomas.

Educational Record Defined

An educational record is any written or computerized document, file, entry, or record regarding a student that is compiled by a school or local educational agency. Such information includes but is not limited to:

- a. Date and place of birth, parent and/or guardian’s address, and where the parties may be contacted for emergency purposes.
- b. Grades, test scores, courses taken, academic specializations and school activities;
- c. Special education records;

- d. Disciplinary records;
- e. Medical and health records
- f. Attendance records and records of past schools attendance;
- g. Personal information such as, but not limited to, student identification numbers, social security numbers, photographs, or any other type of information that aids in identification of a student.

Directory Information Defined

Part of the education record, known as directory information, includes personal information about a student that can be made public, provided that a school has stated its policy regarding directory information in its FERPA policy. Directory information may include a student's name, address, and telephone number, and other information typically found in school yearbooks or athletic programs. Other examples are names and pictures of participants in various extracurricular activities or recipients of awards, pictures of students, and height and weight of athletes. Release of directory information is allowed as outlined below.

Parental and Legal Guardian Rights

A parent and/or legal guardian has the right to inspect and review his or her child's education records. If upon review, a parent or legal guardian discovers any information or notation that is factually inaccurate, he or she may request the school to amend the record. The school must respond to this request in a reasonably prompt time period. This right does not include grades or educational decisions made by school personnel.

a. Request for Amendment of Education Record

Any request for an amendment to an education record must be made in writing and submitted within thirty (30) days of the discovery of the error. A request to amend any education record does not confer upon a parent or legal guardian a right to have any amendment made. The school shall respond within ten (10) days of the receipt of the request to amend. The school's response must be in writing and if the request for amendment is denied, the school must set forth the reason for the denial. The school must note any objection to an adverse decision upon the record if so requested by the parent or legal guardian.

b. Copies

The school is not obligated to provide copies of any information unless providing copies is the only means of access. The school may charge reasonable fees for copies it provides to parents.

Disclosure of Education Records and Directory Information

Generally, schools must have written permission from the parent or eligible student before releasing any information from a student's record. With the exceptions listed below, Pacific View Charter School will not release educational records to any person or entity outside the school without the written consent of a parent or eligible student. However, FERPA allows schools to disclose records, without consent, to the following parties:

- a. School employees who have a legitimate educational interest as defined by 34 C.F.R. Part 99;
- b. Other schools to which a student is transferring;
- c. Certain government officials listed in 34 C.F.R. Part 99 in order to carry out lawful functions;
- d. Appropriate parties in connection with financial aid to a student;
- e. Organizations conducting certain studies for the school;
- f. Accrediting organizations;
- g. Individuals who have obtained lawful court orders or subpoenas;
- h. Persons who need to know in cases of health and safety emergencies; and State and local authorities, within a juvenile justice system, pursuant to a specific State law.

Although the charter school may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance, it is the policy of the school that it will not release any directory information unless authorized by written consent of the parent or guardian.

Complaints

Parents and eligible students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by PVCS to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

**Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue. S. W.
Washington, D.C. 20202-4605**

Adopted: 12-07-04

Amended: 05-03-05, 06-18-06

Student Discipline Policy and Procedure

This Student Discipline Policy and Procedure has been established to promote learning and protect the safety and well being of all students at Pacific View Charter School (the "Charter School"). In creating this Policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describes the non charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language of this Policy closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular instruction. However, this Policy implements an alternative approach to student discipline to include a restorative, rather than punitive approach. In some cases, over-reliance on punitive measures involving removal, such as out-of-school suspension and expulsion, deprives students of the chance to receive the education and help that they need, making it more likely that they will drop out of school, enter the criminal justice system, and place their future options in jeopardy. The Charter School believes that in some cases, there is a better way to hold students accountable to their actions while providing support systems to keep students in school.

Every student has a right to be educated in a safe and welcoming environment and to be treated in a manner that respects their human dignity and to be free from disparate or discriminatory discipline. Every educator has a right to be provided with the support and tools to meet the needs of students struggling with social and emotional challenges and to teach in a school environment that provides a structure for teaching and supporting positive behaviors.

The Charter School proposes to adopt the Alternative Student Discipline Implementation Plan, and to develop a Discipline Matrix to guide the actions of all school site leaders with regards to out-of-school suspension or expulsion. This matrix addresses problem school areas (such as the playground) or times of day (such as after lunch), but the elements in this matrix shall be applied equally to all students and data shall be entered and analyzed monthly to ensure equal and objective application. The Executive Director or designee shall review the data entered to ensure that the Matrix is being followed and take appropriate action if discrepancies are found.

Pending adoption of an alternative student discipline program, this policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedure will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations.

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

environments, recommendation for transfer to home study, suspension and expulsion. Where a student's behavior repeatedly fails to meet the standards established by this Policy, the student may be asked to sign a Behavior Contract. A condition of this contract may require the student to satisfy a minimum number of community service hours at the Charter School as well as complete educational coursework related to specific behaviors.

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 this Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedure are available online as well as printed upon request from the Main Office.

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

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the 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.

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (5) schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the right to initiate the procedures specified below for suspensions, before the effective date of the action. If the student's parent, guardian, or educational rights holder initiates the procedures specified below for suspensions, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the suspension and expulsion procedures described below.

Administrative Procedures for Pupil Suspension and Expulsion

A. Definitions (as used in this policy)

1. "Board" means governing body of the Charter School.
2. "Expulsion" means disenrollment from the Charter School.
3. "School day" means a day upon which the Charter School is in session or weekdays during the summer recess.
4. "Suspension" means removal of a pupil from ongoing instruction for adjustment purposes. However, "suspension" does not mean the following:
 - a. Reassignment to another education program or class at the charter school where the pupil will receive continuing instruction for the length of day prescribed by the Charter School Board for pupils of the same grade level.
 - b. Referral to a certificated employee designated by the Executive Director to advise pupils.
 - c. Removal from the class but without reassignment to another class for the remainder of the class period without sending the pupil to the Executive Director or designee.
5. "Pupil" includes a pupil's parent or guardian or legal counsel or other representative.
6. "School" means the Charter School.

B. Grounds for Suspension and Expulsion of Students; Alternatives

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at any time including but not limited to: 1) while on school grounds; 2) while going to or coming from school; 3) during the lunch period, whether on or off the school campus; or 4) during, going to, or coming from a school-sponsored activity.

Alternatives to suspension or expulsion will be first attempted with students who are truant, tardy, or otherwise absent from assigned school activities, and whose conduct does not warrant the use of traditional disciplinary methods. In such cases the student will typically be allowed to avoid out-of-school suspension by agreeing to perform community service and following the other conditions of a behavior contract. Alternative consequences for minor misconduct will be developed further in accordance with the Alternative Student Discipline Implementation Plan.

C. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:
 - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force or violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
 - e) Committed or attempted to commit robbery or extortion.
 - f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
 - g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
 - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
 - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
 - k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
 - l) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.

- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold any prescription drugs.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- r) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. 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, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- t) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
 - 2) “Electronic Act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - i. A message, text, sound, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.

- (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
 - 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
 - w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
 - x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
3. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:
- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force or violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
 - e) Committed or attempted to commit robbery or extortion.
 - f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
 - g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
 - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
 - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
 - k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.

- l) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- r) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. 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, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or

pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

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

- (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).
- x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.

4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:
 - a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

The above list is not exhaustive and depending upon the offense, a pupil may be suspended or expelled for misconduct not specified above.

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

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

The term "destructive device" means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses.

D. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

- 1) Informal Conference

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

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

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense, in accordance with Education Code Section 47605(b)(5)(J)(i). This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

2) Notice to Parents/Guardians

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

3) Suspension Time Limits/Recommendation for 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 Executive Director or Executive Director's designee, the pupil and the pupil's parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

This determination will be made by the Executive Director 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.

E. Authority to Expel

As required by Education Code Section 47605(b)(5)(J)(ii), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled by the Charter School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board of Directors as needed. The Administrative Panel shall consist of at least three members who are certificated and neither a

teacher of the pupil nor a member of the Charter School Board of Directors. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

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 Executive Director or designee determines that the pupil has committed an expellable offense.

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

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

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of the Charter School's disciplinary rules which relate to the alleged violation;
4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student and/or the student's parent/guardian to appear in person or to employ and be represented by counsel or 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 Charter School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Charter School or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no

alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

H. 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.

I. Presentation of Evidence

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

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

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

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

J. Written Notice to Expel

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

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

The Executive Director or designee shall send a copy of the written notice of the decision to expel to the Student's District of residence and authorizer. This notice shall include the following: a) The student's name; and b) The specific expellable offense committed by the student.

K. Disciplinary Records

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

L. No Right to Appeal

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

M. Expelled Pupils/Alternative Education

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

N. Rehabilitation Plans

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

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

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

1. Notification of SELPA

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

2. Services During Suspension

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

3. Procedural Safeguards/Manifestation Determination

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

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

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

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

- a. Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

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

4. Due Process Appeals

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

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 U.S.C. Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent and the Charter School agree otherwise.

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if 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, the parent/guardian or Charter School may request a hearing.

In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

5. Special Circumstances

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

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

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

6. Interim Alternative Educational Setting

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

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

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

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

- a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.

- b. The parent has requested an evaluation of the child.
- c. The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

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

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

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

Adopted: 12-07-04
September 18, 2018

Amended: July 20, 2010

Health Examinations

Health Examinations

The Governing board recognizes that periodic health examinations of students may lead to the detection and treatment of conditions that impact learning. Health examinations also may help in determining whether special adaptations of the school program are necessary.

In addition to verifying that students have complied with legal requirements for health examinations and immunizations before enrolling in the School, the School shall administer tests for vision, hearing and scoliosis as required by law.

The Director, or designee, shall ensure that staff employed to examine students exercise proper care of each student and that examination results are kept confidential. Records related to these examinations shall be available only in accordance with law.

Reports to the Board regarding the number of students found to have physical problems and the effort made to correct them shall in no way reveal the identity of students.

Adopted: 12-07-04

Amended: 5-28-24

Freedom of Expression Policy

Students attending the School have the right to exercise free expression including, but not limited to the use of bulletin boards, distribution of printed materials or petitions, and wearing buttons, badges and other insignia. The Board of Trustees (“Board”) respects students’ rights to express ideas and opinions, take stands and support causes, whether controversial or not, through their speech, their writing, their clothing in accordance to Pacific View Charter School Dress Code, and the printed materials they choose to post or distribute.

Student liberties of expression shall be limited only as allowed by law in order to maintain an orderly school environment and to protect the rights, health and safety of all members of the School community.

Adopted: 12-07-04

Amended:

Policy Against Plagiarism and Academic Dishonesty

Academic Honesty

The Governing Board believes that academic honesty and personal integrity are fundamental components of a student's education and character development. The Board expects that students will not cheat, lie, plagiarize or commit other acts of academic dishonesty.

Students, parents/guardians, staff and administrators shall be responsible for creating and maintaining a positive school climate that encourages honesty. Students found to have committed an act of academic dishonesty shall be subject to discipline, up to and including suspension or expulsion from School. Acts of academic dishonesty include, but are not limited to, using someone else's work without citing or giving credit, submitting work from another person or source in lieu of required original work, or submitting Artificial Intelligence (AI) generated work under false pretenses.

The Director, or designee, may establish a committee composed of students, parents/guardians, staff, administrators, and members of the public to develop standards of academic honesty, measures of preventing dishonesty, and specific consequences for acts of dishonesty.

Adopted: 12-07-04

Amended: 6/20/23

Student Organizations and Clubs

Student Organizations and Clubs

Board Philosophy

The Board recognizes the importance of allowing students to organize and participate in student organizations and clubs for purposes and activities that will forward the betterment of the school and its community.

Student Government

If appropriate, the School may establish a student government so long as a faculty member credentialed teacher will supervise such activities and ensure compliance with Board requirements and other applicable lawful regulations. The Executive Director or designee may establish a fair process for the nomination and election of officer for President, Vice President, Secretary and Treasurer. There shall be a minimum of one class representative to be selected by procedures to be developed at the discretion of the faculty credentialed teacher of the participating classes. Meetings shall be held in a manner and at times deemed necessary by the student government. The body shall utilize Robert's Rules of Order. However, the body shall generally determine all other rules for its operation and activities consistent with the established rules of the School and the Board.

Student Organizations

In addition to a student government body, students may establish organizations or clubs so long as the governing board consistent with this policy and, any other applicable requirements obtains approval.

Approval

The student organization's constitution and by-laws application may be prepared through the cooperative work of the students and faculty credentialed teacher. A copy of the constitution and by-laws application must be submitted to the Executive Director for initial review to ensure consistency with Board requirements. Once this determination is made, the constitution and by-laws application shall be placed on the Board's agenda for review and approval.

In reviewing such proposals, the Board shall respect all pupil constitutional and statutory rights. The funds of every student organization shall be deposited, expended and accounted for in accordance with a written procedure developed by the student club, with the assistance of the Executive Director of the School.

Fundraising

All funds raised by any student organization shall be supervised under the name of the School. The School shall also be responsible to periodically audit the funds of the organization. All fundraising must receive prior approval of the Executive Director and in cases when deemed necessary by the Executive Director, Board approval will be required.

Use of School Facilities

The use of school facilities by student organizations will be subject to reasonable rules approved by the Board. Students, who are not members of a student organization, interested in initiating a meeting on school premises shall submit a request in writing to the school Executive Director. The request should state the name of the meeting, the number of persons expected to attend, the time requested, and the length of time for the meeting. The Executive Director or designee shall review the written application and determine, which, if any room is available to accommodate the request. Requests for use shall be presented to the Executive Director seven school days in advance of the date requested for use. The Executive Director shall assign a teacher, administrator or other employee to a meeting for "custodial" purposes. The employee shall not participate in the meetings, sponsor the meeting or attempt to influence the form or content of the meeting.

The granting of use of school facilities does not mean the School sponsors or endorses the activities of any student group.

Revocation of Privileges

Student groups and individual students meeting on school property or otherwise at school sponsored event may have their privilege to meet revoked if they engage in conduct which is violative of this policy, disruptive to the educational process, damages school property, or violative of any law. Student organizations or their members shall not engage in any activity which coerces, pressures, embarrasses or unduly influences other students to participate in any meeting.

Adopted: 12-07-04

Amended: 1-12-16

Activities of Military Recruiters On Campus

Campus Access

The Charter School shall provide military recruiters the same access to the Charter School’s students as is provided generally to post-secondary educational institutions or to prospective employers.

Military Recruiter Access to Student Directory Information

No information shall be released to military recruiters unless a signed release from parent/guardian (or student if 18) is on file with the school.

Information released is for military recruiting purposes only and must not be disclosed to a third party. The request for information must be in writing on letterhead that clearly identifies the military recruiting organization. Military recruiters must be from one of the following military organizations:

- | | |
|--------------------------|----------------------|
| Air Force | Coast Guard |
| Air Force Reserve | Coast Guard Reserve |
| Air Force National Guard | Navy |
| Air Force ROTC | Navy Reserve |
| Army | Navy ROTC |
| Army Reserve | Marine Corps |
| Army National Guard | Marine Corps Reserve |
| Army ROTC | |

Procedures

All requests for information will be processed centrally. Military recruiters are to submit their requests to the Custodian of Records. Military recruiters are required to submit their request in writing, on letterhead that clearly identifies their military recruiting organization.

Adopted: 12-07-04

Amended:

Students

Student Policy #14

Special Education Policies and Procedures Introduction

Pacific View Charter School is a public school within the Oceanside Unified School District which is a participating Local Educational Agency (“LEA”) of NCCSE.

Adopted: 12-07-04

Amended:

Pupil Services - 504

The parents or guardian shall be notified in writing of all Pacific View Charter School decisions concerning the identification, evaluation, and accommodations made for a student under this policy. The parents or guardian shall be notified that they may examine all student records maintained by Pacific View Charter School.

With respect to actions regarding the identification, evaluation, and accommodations for students under this policy, parents or guardian shall have the right to an impartial hearing (Section 504 Hearing) with opportunity for participation by the parents or guardian and their counsel in the notification of any Pacific View Charter School decision concerning identification, evaluation or accommodations in the school placement, the parents and guardian will be advised that:

The school has specific responsibilities under the Act, which include the responsibility to identify, evaluate, and if the child is determined to be eligible under Section 504, to afford access to appropriate education services.

If the parent or guardian disagrees with the determination made by the professional staff of the school, he/she has a right to a hearing with an impartial hearing officer. If there are questions, please contact the 504 Coordinator.

DISCIPLINE POLICY REGARDING STUDENTS ELIGIBLE UNDER SECTION 504

Section 504 requires the school to provide prior notice and to conduct an evaluation prior to any significant change in placement. Since expulsion, long-term suspensions (more than 10 days), and a series of suspensions that exceed ten days are considered significant changes in placement, the school must reevaluate the student to determine whether the student's behavior was the result of the disability or the result of an inappropriate placement/accommodations.

The 504 accommodation team at the school must make a determination as to whether the conduct is a manifestation of the student's disability. The 504 accommodation team shall include the parents or guardians of the student and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options. The 504 accommodation team must have available to it information that competent professionals would require, such as psychological evaluation data related to behavior, and the relevant information must be recent enough to afford a current understanding of the child's disability and behavior.

No expulsion, long-term suspension of more than 10 days, or pattern of suspension is allowed if the behavior is determined to be caused by the disability or is the result of an inappropriate placement. In such cases, the accommodation team must continue the evaluation to determine whether to modify the student's current education placement.

If no relationship exists between disability and behavior, and the placement is deemed appropriate, the School may proceed with normal expulsion procedures.

The School must provide the parents or guardians of the student with prior notice of the manifestation evaluation, an opportunity to examine all relevant records prior to the accommodation team evaluation meeting, and written notice of the manifestation and placement termination. If dissatisfied with the result of the manifestation determination or placement, the parents or guardian may request a due process review hearing in the following manner:

1. A request for a Section 504 Hearing must be filed within the semester in which the action being appealed occurred.
2. The request shall be made in writing to the Pacific View Charter School Section 504 Coordinator and shall include:
 - a. Specific nature of the decision (s) made by the School of which the appellant disagrees;
 - b. The specific relief the appellant is seeking through the appeal procedures; and
 - c. Any other information the appellant believes will assist in understanding the appeal.
3. The hearing will be conducted in accordance with the "Procedural Safeguards: Hearing Procedures pursuant to Section 504 of the Rehabilitation Act". The decision of the impartial Hearing Officer may be appealed only to a court of competent jurisdiction. The parties shall abide by the decision of the Section 504 Hearing Officer unless appealed and stayed by the court.

If parents, students or any adult on behalf of students feel discrimination has occurred based upon physical or mental disability, but is not directly related to identification, evaluation, and/or accommodations for a student, they may file a discrimination complaint with the Office of Civil Rights, U.S. Department of Education.

NONDISCRIMINATION POLICY (Federal Regulation, Title VI, Title IX, and Section 504 of the Rehabilitation Act of 1973)

Pacific View Charter School is committed to equal opportunity for all individuals in education and in employment and does not discriminate on the basis of sex, ethnic group classification, ancestry, religion, age, handicap or physical or mental disability, or any other unlawful consideration. Questions or concerns regarding these right or allegation of discrimination should be directed to the 504 Coordinators.

Section 504 is an Act, which prohibits discrimination against persons with disability in any program receiving Federal financial assistance. The Act defines a person with a disability as anyone who:

1. has a mental or a physical impairment which substantially limits one or more major life activities (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working);
2. has a record of such an impairment; or
3. is regarded as having such impairment.

In order to fulfill its obligation under Section 504, Pacific View Charter School recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability will knowingly be permitted in any of the programs or practices in the school.

IDENTIFICATION AND EDUCATION UNDER SECTION 504

The Board of Trustees recognizes the need to identify and evaluate children with disabilities in order to provide them with a free, appropriate public education. Under Section 504 of the federal Rehabilitation Act of 1973, individuals with a physical or mental impairment that substantially limits one or more major life activities, including learning, are eligible to receive services and aids designed to meet their needs as adequately as the needs of non-disabled students are met.

The Director or designee shall establish screening and evaluation procedures to be used whenever there is reason to believe that a student has a disability that limits his/her ability to attend or function at school.

To evaluate the student's eligibility under Section 504, the Director or designee shall convene a Student Success Team of professionals knowledgeable about the student's individual needs and school history, the meaning of evaluation data, and accommodation options. The student's parent/guardian shall be invited to participate on this committee.

If the student is found to have a disability that requires services under Section 504, the school site committee shall develop a written accommodation plan for the student. Upon reviewing the nature of the disability and how it affects the student's education, the committee shall determine what modifications and/or special services and aids are needed. The student shall be educated with non-disabled students to the maximum extent appropriate to the student's individual needs.

The Student Success Team shall provide the parent/guardian with a written copy of the accommodation plan and notice of procedural safeguards guaranteed by law.

Legal Reference:

EDUCATION CODE
49423.5 Specialized physical health care services

CODE OF REGULATION, TITLE 5
3051.12 Health and Nursing Services

UNITED STATES CODE, TITLE 20
1232g Family Educational Right and Privacy Act of 1974
1400 et seq. Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29
701 et seq. Rehabilitation Act of 1973
794 Rehabilitation Act of 1973, Section 504
CODE OF FEDERAL REGULATIONS, TITLE 34
104.1-104.61 Nondiscrimination on the basis of handicap, especially
104.1 Purpose to effectuate Section 504 of the Rehabilitation Act of 1973
104.3 Definitions
104.33 Free appropriate public education
104.35 Evaluation and placement
104.36 Procedural safeguards

Eligibility

A disabled student eligible for services under Section 504 is one who (a) has a physical or mental impairment that substantially limits one or more major life activities, including learning, (b) has a record of such an impairment, or (c) is regarded as having such an impairment. (34 CFR 104.3)

Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. Examples of students with such impairments include, but are not limited to:

1. Students with a normal ability to learn but who have a mobility impairment
2. Students with a normal ability to learn academically but who require occupational or physical therapy in order to function physically
3. Students with emotional disabilities manifested by behavior problems which result in exclusion from classes or school

Indications of a possible disability that significantly interferes with learning include, but are not limited to:

1. Medical conditions such as severe asthma or heart disease
2. Temporary medical condition due to illness or accident
3. Poor or failing grades over a lengthy period of time

Referral and Identification Procedures

1. Any student may be referred by a parent/guardian, teacher, other certificated school employee or community agency for consideration of eligibility as a disabled student under Section 504. This referral should be made to the 504 Coordinators.

2. The Student Success Team shall promptly consider the referral and determine whether an evaluation under this procedure is appropriate. This determination shall be based on a review of the student's school records (including academic, social and behavioral records) and the student's needs. Students requiring evaluation shall be referred to appropriate evaluation specialists.
3. If a request for evaluation is denied, the school site committee shall inform the parents/guardians of this decision and of their procedural rights as described below.

Accommodation Plan

1. When a student is identified as disabled within the meaning of Section 504, the Student Success Team shall determine what services are necessary to ensure that the student's individual education needs are met as adequately as the needs of non-disabled students.
2. In making this determination, the Student Success Team shall consider all significant factors relating to the learning process for the student, including his/her adaptive behavior and cultural and language background. The evaluation may include, but is not limited to, classroom and playground observation, performance-based testing, academic assessment information, and data offered by the parent/guardian.
3. The parents/guardians shall be invited to participate in the Student Success Team meeting where services for the student will be determined and shall be given an opportunity to examine all relevant records.
4. The Student Success Team shall develop a written plan describing the disability and specifying the services needed by the student.

A copy of this plan shall be kept in the student's cumulative file. The student's teacher and any other staff who provide services to the student shall be informed of the services necessary for the student, to the extent that they need to be informed in order to provide for the student in the school setting.

5. If the Student Success Team determines that no services are necessary for the student, the record of the team's meeting shall reflect the identification of the student as a disabled person under Section 504 and shall state the basis for the decision that no special services are presently needed.
6. The disabled student shall be placed in the regular educational environment unless the school demonstrates that a more restrictive placement is required in order to meet the student's needs. The disabled student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs.
7. The parents/guardians shall be notified in writing of the final decision concerning services to be provided, if any, and of the Section 504 procedural safeguards, including the right to an impartial hearing to challenge the decision.

8. The school shall complete the identification, evaluation and placement process within a reasonable time frame.
9. The student's plan shall include a schedule for periodic review of the student's needs and indicate that this review may occur sooner at the request of the parent/guardian or school staff.

Review of the Student's Progress

1. The Student Success Team shall monitor the progress of the disabled student and the effectiveness of the student's plan. The committee shall periodically determine whether the services are appropriate and necessary and whether the disabled student's needs are being met as adequately as the needs of non-disabled students.
2. A reevaluation of the students' needs will be conducted before any subsequent significant change in placement.

Procedural Safeguards

Parents/guardians shall be notified in writing of all school decisions regarding the identification, evaluation or educational placement of students with disabilities or suspected disabilities. Notifications shall include a statement of their rights to: (34 CFR 104.36)

1. Examine relevant records
2. Have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel
3. Have a review procedure

Notifications shall also set forth the procedures for requesting a hearing, the name, address and telephone number of the person with whom the request should be made, and the fact that reimbursement for attorney's fees is available only as authorized by law.

The Director or designee shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings.

If a parent/guardian disagrees with the identification, evaluation or educational placement of a student with disabilities under Section 504, he/she may initiate the following procedures:

1. Within 30 days of receiving the student's accommodation plan, set forth in writing his/her disagreement and request that the Director and Student Success Team review the plan in an attempt to resolve the disagreement. This review shall be held within 14 days of receiving the parent/guardian's request, and the parent/guardian shall be invited to attend the meeting at which the review is conducted.
2. If disagreement continues, request in writing that the Director or designee review the plan. This review shall be held within 14 days of receiving the

parent/guardian's request, and the parent/guardian shall be invited to meet with the Director or designee to discuss the review.

- 3 If disagreement continues, request in writing a Section 504 due process hearing. The request shall include:
 - a. The specific nature of the decision with which the parent/guardian disagrees
 - b. The specific relief the parent/guardian seeks
 - c. Any other information the parent/guardian believes pertinent

Within 20 days of receiving the parent/guardian's request, the Director or designee shall select an impartial hearing officer. These 20 days may be extended for good cause or by mutual agreement of the parties.

Within 45 days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. These 45 days may be extended for good cause or by mutual agreement of the parties. The Director or designee shall represent the school at this hearing.

Any party to the hearing shall be afforded the right to:

1. Be accompanied and advised by counsel and by individuals with special knowledge or training related to the problems of students who are qualified as disabled under Section 504
2. Present written and oral evidence
3. Question and cross-examine witnesses
4. Receive written findings by the hearing officer

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.

Adopted: 12-07-04

Amended:

Promotion/Acceleration/Retention

The Governing Board of Pacific View Charter School expects students to progress through each grade within one school year. To accomplish this, instruction should accommodate the varying interests and growth patterns of individual students and include strategies for addressing academic deficiencies when needed.

Students shall progress through the grade levels by demonstrating growth in learning and meeting grade – level standards of expected student achievement that are established by the governing board.

Progress toward high school graduation shall be based on the student’s ability to pass the subjects and electives necessary to earn the required number of credits. The student must also meet the minimum proficiency requirements mandated by the State.

Acceleration:

When high academic achievement is evident, the teacher may recommend a student for acceleration into a higher grade level. The student’s social and emotional growth shall be taken into consideration in making a determination to accelerate a student. A Student Success Team (SST) meeting will be held to review and recommend the student’s acceleration prior to the Director’s approval.

Retention: Kindergarten

Children five (5) years old or older who have completed one year of kindergarten shall be admitted to first grade regardless of age unless the parent/guardian and the teacher agree that the child be retained in kindergarten for not more than one additional school year.

Whenever a student is retained in kindergarten for an additional year, the Director or designee shall secure an agreement, signed by the parent/guardian, stating that the student shall be retained in kindergarten for not more than one additional school year.

Retention – First through Seventh Grade

Students shall be considered for retention between grades 1-7.

Students shall be identified on the basis of assessment results, grades, and other indicators of academic achievement. As early as possible in the school year, and in the students’ school career, the teacher shall identify students who should be retained, and those who are at risk of being retained.

When a student is recommended for retention, or is identified as being at risk for retention, an SST meeting will be held to review and recommend the student’s retention prior to the Director’s approval.

Appeal to Site Administrator:

A parent or guardian may appeal the retention decision to the school Director. The appeal shall be in writing and shall be made no later than ten (10) days after learning of the decision. The school Director or designee will then investigate the matter and render a decision in a timely manner. The investigation may include interviews of the student, the parent/guardian, any of the student's teachers, and anyone else who may provide information that would assist in rendering a decision.

Appeal to Pacific View Charter School Board:

If the parents or guardians are unhappy with the decision of the school Director, they may appeal the Director's decision to the Board. This appeal shall be in writing and submitted to the Board no later than ten (10) days after receipt of the Director's decision. The Board shall investigate the matter and render an opinion at their next regularly scheduled Board Meeting. The Board shall interview anyone he or she deems appropriate for rendering a decision. The decision of the Board shall be in writing and shall be final.

Throughout the appeal process, the burden shall be on the appealing party to show why the decision of the Director should be overruled.

Retention: High School (Grades 9-12):

Progress toward graduation shall be based on the student's ability to pass the assessments, subjects, and electives necessary to earn a minimum number of credits for graduation. The school will endeavor to have all the students meet the State Assessment requirements.

Adopted: February 21, 2006

Amended:

Valenzuela Uniform Complaint Procedures

Note: Education Code 35186 **mandates** schools to establish policies and procedures regarding complaints for deficiencies related to textbooks and instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, and teacher vacancy or mis-assignment.

Education Code 35186 also requires that the school post notices in each classroom. 5 CCR 4680-4687 further delineate legal requirements for the complaint form and notice. See the accompanying exhibits for a sample notice and complaint form.

It is recommended that schools use this procedure only for those complaints specified in Education Code 35186 and that regular uniform complaint procedures continue to be used, as required, for complaints concerning discrimination in state and federal categorical programs; see BP/AR 1312.3 - Uniform Complaint Procedures. For procedures related to complaints about employees, other than vacancy or mis-assignment, see BP/AR 1312.1 - Complaints Concerning School Employees. For complaints concerning the school's adoption and selection of specific instructional materials, see BP/AR 1312.2 - Complaints Concerning Instructional Materials.

Types of Complaints

The school shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred: (Education Code 35186; 5 CCR 4681, 4682, 4683)

Note: Item #1 below is for use by schools maintaining grades 10-12 that receive CAHSEE intensive intervention funding. As amended by AB 347 (Ch. 526, Statutes of 2007), Education Code 35186 authorizes complaints for deficiencies related to the provision of intensive instruction and services pursuant to Education Code 37254. Education Code 37254 requires that schools, as a condition of receiving CAHSEE intensive intervention funding, provide students who have not passed one or both parts of the exit exam by the end of grade 12 the opportunity to receive intensive instruction and services, as specified below.

1. High school exit examination intensive instruction and services

A student, including an English learner, who has not passed the exit exam by the end of grade 12 was not provided the opportunity to receive intensive instruction and services pursuant to Education Code 37254(d)(4) and (5) after completion of grade 12 for two consecutive academic years or until the student has passed both parts of the exam, whichever comes first. (Education Code 35186)

(cf. 6162.52 - High School Exit Examination)

(cf. 6179 - Supplemental Instruction)

Filing of Complaint

Note: Education Code 35186 requires that complaints be investigated and resolved within the timelines specified below. 5 CCR 4680 requires the principal to forward complaints beyond his/her control to the appropriate school official in a timely manner, but not to exceed 10 working days. During the Categorical Program Monitoring (CPM) process, California Department of Education (CDE) staff will expect to see statements regarding the filing of the complaint, the investigation, timelines, and the complainant's right to appeal to the Board and to appeal facility complaints to the CDE, as detailed in the following section.

AR 1312.4(d)

VALENZUELA UNIFORM COMPLAINT PROCEDURES (continued)

Note: The following paragraph is for use by schools maintaining grades 10-12. As amended by AB 347 (Ch. 526, Statutes of 2007), Education Code 35186 requires that the Director designate a school official to receive and investigate complaints regarding deficiencies related to intensive instruction and services for students who have not passed the exit exam after the completion of grade 12.

A complaint alleging any deficiency specified in item #4 above shall be filed with a school official designated by the Director. Such complaints may be filed at the school office or at a school site and shall be immediately forwarded to the Director or designee. (Education Code 35186)

Investigation and Response

The principal or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186; 5 CCR 4685)

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal or designee shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint. If a response is requested, the response shall be made to the mailing address of the complainant as indicated on the complaint form. At the same time, the principal or designee shall report the same information to the Director or designee. (Education Code 35186; 5 CCR 4680, 4685)

Note: Education Code 48985 specifies that, when 15 percent or more of the students enrolled in a particular school speak a single primary language other than English, all notices, reports, statements, or records sent to the parents/guardians of such students be written in English and in the primary language. Education Code 35186 requires that, when Education Code 48985 is applicable, any response requested by the complainant must be written in English and in the primary language in which the complaint was filed.

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed.

(Education Code 35186)

If a complainant is not satisfied with the resolution of a complaint, he/she has the right to describe the complaint to the Governing Board at a regularly scheduled meeting. (Education Code 35186; 5 CCR 4686)

AR 1312.4(e)

VALENZUELA UNIFORM COMPLAINT PROCEDURES (continued)

All complaints and written responses shall be public records. (Education Code 35186; 5 CCR 4686)

(cf. 1340 - Access to School Records)

Reports

Note: During the CPM process, CDE staff will expect to see a statement that the school is required to report summarized data as specified below.

The Director or designee shall report summarized data on the nature and resolution of all complaints to the Board and the County Director of Schools on a quarterly basis. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board meeting. (Education Code 35186; 5 CCR 4686)

Forms and Notices

Note: Education Code 35186 requires that the school's complaint form contain the elements stated in the following paragraph. In addition, Education Code 35186 requires that a notice be posted in each classroom in each school in the school, as specified below.

The Director or designee shall ensure that the school's complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. However, complainants need not use the school's Valenzuela complaint form in order to file a complaint. (Education Code 35186)

The Director or designee shall ensure that a notice is posted in each classroom in each school containing the components specified in Education Code 35186. (Education Code 35186)

Legal Reference: (see next page)

AR 1312.4(f)

WILLIAMS/VALENZUELA UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference:

EDUCATION CODE

1240 County Director of schools, duties
17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account
33126 School accountability report card
35186 Williams uniform complaint procedure
35292.5 Restrooms, maintenance and cleanliness
37254 Supplemental instruction based on failure to pass exit exam by end of grade 12
48985 Notice to parents in language other than English
60119 Hearing on sufficiency of instructional materials
CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform complaint procedures, especially:
4680-4687 Williams complaints

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California County Directors Educational Services Association: <http://www.ccesa.org>

California Department of Education, Williams case:

<http://www.cde.ca.gov/eo/ce/wc/index.asp>

State Allocation Board, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

Board Approved: March 16, 2010

Amended:

Student

Student Policy #19

Repeat Courses

Courses to improve a grade with the same course number previously taken at Pacific View Charter School will not receive credit, and will be listed as a repeat course. Students who take the same course with a different course number from Pacific View Charter School or any other accredited educational institution will receive subject credit for the course with the higher grade and elective credit for the other course.

Board Approved: 09-22-10

Amended: 02-15-11, 08-16-16

Technology Acceptable Use Policy

This policy is provided to make all users aware of the responsibilities associated with the efficient, ethical, and lawful use of technology resources. If a person violates any of the User Terms and Conditions named in this policy, privileges may be terminated, access to the school's technology resources may be denied, and the appropriate disciplinary action(s) shall be applied.

The focus of the Technology Program at Pacific View Charter School ("PVCS" or School) is to provide tools and resources to the 21st century learner. Excellence in education requires that technology is seamlessly integrated throughout the educational program. Increasing access to technology is essential for the future. The individual use of personal electronic devices is a way to empower students to maximize their full potential, and to prepare them for college and the workplace.

PVCS provides its administrators, faculty, and students with access to computers and various information technology resources (including email and Internet access) to enhance the School's teaching and learning environment, and improve the School's operations. Students must use these resources in a responsible, ethical, and legal manner.

The use of the School's technology resources is a privilege, not a right. The privilege of using the technology resources the School provides is not to be transferred or shared by students to people or groups outside the School, and terminates when a student is no longer enrolled in PVCS.

In addition to the 1:1 Technology Agreement, students must abide by the following rules:

1. Respect and protect the privacy of others.

- a. Use only assigned accounts and passwords.
- b. Do not share assigned accounts or passwords with others.
- c. Do not view, use or copy passwords, data or networks to which you are not authorized.
- d. Do not share or distribute private information about yourself or others.

2. Respect and protect the integrity, availability, and security of all technology and electronic resources.

- a. Observe all network security practices.
- b. Report security risks or violations to Supervisory Teachers, Lab Aides, or the Technology Technician.
- c. Do not vandalize, destroy, or damage data, networks, hardware, computer systems or other resources; such activity is considered a crime under state and federal law. This includes tampering with computer hardware or software, vandalizing data, invoking computer viruses, attempting to gain access to restricted or unauthorized network services, or violating copyright laws.

- d. Do not disrupt the operation of the network or create or place a virus on the network.
- e. Conserve and protect these resources for other students and Internet users.

3. Respect and protect the intellectual property of others.

- a. Do not infringe on copyright laws by downloading or copying music, games, movies, or any other materials subject to copyright laws.
- b. Do not install unlicensed or unapproved software; use or possession of hacking software is strictly prohibited and violators will be subject to consequences outlined in the Parent/Student Handbook. Violation of applicable state or federal law will result in criminal prosecution and/or disciplinary action by the School.
- c. Do not plagiarize.

4. Respect the principles of PVCS.

- a. Use technology and electronic resources only in ways that are kind and respectful.
- b. Report threatening or discomforting materials to Supervisory Teachers, Lab Aides, or the Technology Technician.
- c. Do not access, transmit, copy, or create materials that are not educationally related (such as indecent, threatening, rude, discriminatory or harassing materials or messages).
- d. Do not access, transmit, copy, or create materials that are illegal (such as obscene, stolen, or illegally copied materials or messages).
- e. Do not use the resources to further any other acts that are criminal or violate state or federal laws.
- f. Do not use the resources for non-educational purposes such as visiting chat rooms, social websites or networks (i.e. Facebook, Twitter).
- g. Do not send spam, chain letters or other mass unsolicited mailings.
- h. Do not buy, sell, advertise, or otherwise conduct business or political campaigning through the use of PVCS technological resources.

5. The use of any type of technology is a privilege and can be revoked at any time.

- a. All technology and electronic devices (including, but not limited to Chromebooks, iPads, laptops, net books, cell phones, Smart Phones, calculators, mp3 players, cameras, video cameras, etc.) can be searched for content (included, but not limited to text messages, chats, pictures, video recordings, audio recordings, online statuses/conversations, etc.) at the request of a teacher or administrator.
- b. Any inappropriate content found, the student possessing the inappropriate contact may be subject to disciplinary consequences.
- c. Inappropriate media may not be used as a screen-saver, background photo, skin, or case cover. Presence of guns, weapons, pornographic materials, inappropriate language, alcohol, drug, and gang related symbols or pictures will result in disciplinary actions.

6. Chromebooks in Computer Labs, Library, and Classrooms.

- a. No changes can be made to computers (i.e. settings, screen-savers, Control Panel, etc.)
- b. Students should store files in Google Drive. Files saved locally may be deleted or become unavailable should a device need servicing or replacing.
- c. Do not unplug or remove any parts of the computer.
- d. The care of, and proper use of any laptop or workstation assigned to a student is expected at all times. If anything is missing, broken, or if your computer or chromebook is not running properly, it is YOUR responsibility to tell your instructor immediately when the problem is discovered.

7. Personal Electronic Devices.

- a. Students are responsible for the care and maintenance of their personal electronic devices (iPads, laptops, net books, cell phones, Smart Phones, calculators, mp3 players, cameras, video cameras, etc.). Students are responsible for any cost incurred due to damage or theft of your electronic device, including damage or theft occurring when the student is on campus.
- b. Electronic devices are to be used for educational purposes only: NO games or music physical, online or streaming are allowed.
- c. Electronic devices that are lost or stolen must be reported immediately to School Administration. The School recommends that personal devices be labeled so they can be easily identified and/or that each student record the serial number and name of their devices. Under no circumstances should devices be left unattended. If a device is found, it should be taken to the Front Office.
- d. Pictures, video recordings, and audio recordings are not allowed by law and may not be created while on campus. The campus includes the classrooms, teacher offices, restrooms, exterior of school, and any other area on campus.
- e. There will be no copying of software. If you are caught possessing “bootlegged” or illegal software, the software will be confiscated and the student involved may face disciplinary consequences.

1. Internet/Network.

Student Responsibilities

1. Use Limited to an Educational Purpose. The student acknowledges that access to the Internet via Charter School equipment and resource networks is intended to serve and pursue educational goals and purposes. Student use of the Internet is therefore limited to only those activities that further or enhance the delivery of education. The Student

recognizes that he or she has a duty to use Charter School equipment and resource networks only in a manner specified in the policy.

a. Educational Purpose

“Educational purpose” means classroom activities; research in matters of civic importance or that further citizenship in a democratic society, Charter School approved personal research activities, or other purposes as defined by the Charter School from time to time.

b. Inappropriate Use

An “inappropriate use” is one that is inconsistent with an educational purpose or that is in clear violation of Charter School policy.

2. Plagiarism and Academic Dishonesty. Researching information and incorporating that information into a student’s work is an acceptable educational use, but students have an obligation to credit and acknowledge the source of information. Accordingly, the Student acknowledges that plagiarism is inappropriate and unacceptable. Plagiarism means the copying of a phrase, a sentence, or a longer passage from a source written by someone else and claiming the work as the student’s original work. Student agrees that when quoting from information obtained on the Internet, he or she will acknowledge the source through quotation or any academically accepted form of notation.

Acts of academic dishonesty include but are limited to submitting Artificial Intelligence (AI) generated work as your own or under other false pretenses.

3. Rules of Conduct. Student agrees that they will use Charter School equipment or resource networks or Charter School email accounts in the following manner:

- a. Student will not post on newsgroups or other message posing systems any communication containing profanity, racially disparaging remarks, or lewd and/or obscene language.
- b. Student will not at any time use speech that is not appropriate for an educational setting. Examples of speech that is not appropriate for an educational setting includes, but is not limited to, inflammatory language, profanity, personal attacks, harassment, threats to do personal harm or other criminal activity, and language that is intended to be racially derogatory.
- c. Student will not make threats against, intimidate, or harass others.
- d. Student will not reveal personal information about others.
- e. Student will not use email to send chain letters or “spam” email to a list of people or to an individual.

- f. Student will not place illegal information on the Internet, nor will student use the Internet in any way that violated federal, state or local law.
- g. All communications will be polite and respectful of others.
- h. Student will not give out to any other Internet user or post on the Internet his or her name, address, or telephone number unless expressly authorized by the Charter School in writing.
- i. Students will not make any disparaging or derogatory remarks concerning another person on the basis of that person's disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics

4. Illegal and Dangerous Activities. Student shall not use the Internet to perform any illegal act or to help others perform illegal acts by local, state, and federal law. Student shall not access information designed to further criminal or dangerous activities. Such information includes, but is not limited to information that if acted upon could cause damage, present a danger, or cause a disruption to the Charter School, other students, or the community.

5. Obscene Materials. Student acknowledges that obscene materials do not further an educational purpose. Accordingly, Student shall not use the Internet to access obscene materials or images. Obscene materials include, but are not limited to; materials that offend generally accepted social standards. This includes the access of or retrieval of any sexually explicit materials. Students are to exercise their best judgment when encountering sexually explicit or obscene materials. As a general rule, if the material could not be openly displayed in a classroom setting without violating generally accepted social standards, the material is obscene for purposes of this Policy and must not be accessed. Student further agrees that he or she will not access any Internet site which requires the Student to state that he or she is eighteen years of age or older as a condition of accessing the site.

6. Privacy. Computer equipment, Internet access networks, and email accounts are owned by the Charter School, and provided to students for educational purposes only. The Charter School reserves the right to access stored computer records to assure compliance with this Policy. Communication over Charter School owned networks is not private Email and records of Internet activities will be accessed under, but not limited to, the following circumstances:

- a. Routine system maintenance.
- b. General inspection or monitoring, with or without notice to Student, if there is suspicion of widespread inappropriate use.
- c. Specific review of individual files or monitoring of individual activity, with or without notice to Student, if there is suspicion that Student is engaging in inappropriate use.

7. Commercial Activities. Student agrees that student will not use the Internet to buy or sell or

attempt to buy or sell any service or product unless authorized to do so in writing by the Charter School in writing.

8. Information About Other. Student will not make any statement or post any communication on the Internet about another person that he or she knows or suspect to be untrue.

9. Violation of Policy. Violation of this Policy can result in a loss of all Internet access and email privileges.

a.

CONSEQUENCES FOR NONCOMPLIANCE WITH THE TECHNOLOGY ACCEPTABLE USE POLICY.

The Administrator will judge an offense as either major or minor. The Supervisory Teacher will normally deal with a first minor offense. Additional offenses are regarded as major offenses. Violations of these policies are dealt with in the same manner as violations of other school policies and may result in disciplinary review for expulsion. In such a review, the full range of disciplinary sanctions is available including the loss of any computer and technology use privileges, expulsion from PVCS, and legal action. Violations of some of the policies may constitute a criminal offense.

Board Approval Date: 08/24/2012

Amended: 6.17.14, 6/20/23

Youth Suicide Prevention Policy

The purpose of this policy is to protect the health and well-being of all Pacific View Charter students by having procedures in place to prevent, assess the risk of, intervene in, and respond to suicide. Pacific View Charter School:

- (a) recognizes that physical, behavioral, and emotional health is an integral component of a student's educational outcomes,
- (b) further recognizes that suicide is a leading cause of death among young people,
- (c) has an ethical responsibility to take a proactive approach in preventing deaths by suicide, and
- (d) acknowledges the school's role in providing an environment which is sensitive to individual and societal factors that place youth at greater risk for suicide and one which helps to foster positive youth development.

In an attempt to reduce suicidal behavior and its impact on students and families, the Executive Director or Designee shall develop strategies for suicide prevention, intervention, and postvention, and the identification of the mental health challenges frequently associated with suicidal thinking and behavior. These strategies shall include professional development for all school personnel in all job categories who regularly interact with students or are in a position to recognize the risk factors and warning signs of suicide.

The Executive Director or Designee shall develop and implement preventive strategies and intervention procedures that include the following:

Overall Strategic Plan for Suicide Prevention

To ensure the policies regarding suicide prevention are properly adopted, implemented, and updated, the school shall appoint the Director of Student Services to serve as the suicide prevention point of contact for the school.

Prevention

A. Suicide Prevention Training and Education

Pacific View Charter School, along with its partners has carefully reviewed available staff training to ensure it promotes the mental health model of suicide prevention and does not encourage the use of the stress model to explain suicide.

All staff will receive annual professional development on risk factors, warning signs, protective factors, response procedures, referrals, postvention, and resources regarding youth suicide prevention.

The professional development will include additional information regarding groups of students at elevated risk for suicide, including those living with mental and/or substance use disorders, those who engage in self harm or have attempted suicide, those in out-of-home settings, those experiencing homelessness, American Indian/Alaska Native students, LGBTQ (lesbian, gay, bisexual, transgender, and questioning) students, students bereaved by suicide, and those with medical conditions or certain types of disabilities.

B. Employee Qualifications and Scope of Services

Employees of Pacific View Charter School and their partners must act only within the authorization and scope of their credential or license. While it is expected that school professionals are able to identify suicide risk factors and warning signs, and to prevent the immediate risk of a suicidal behavior, treatment of suicidal ideation is typically beyond the scope of services offered in the school setting. In addition, treatment of the mental health challenges often associated with suicidal thinking typically requires mental health resources beyond what schools are able to provide.

C. Parents, Guardians, and Caregivers Participation and Education

To the extent possible, parents/guardians/caregivers will be included in all suicide prevention efforts. Parents/guardians/caregivers will have access to Pacific View Charter School's suicide prevention policy and procedures.

This suicide prevention policy shall be prominently displayed on the Pacific View Charter Web page and included in the student/parent handbook.

Parents/guardians/caregivers are invited to provide input on the development and implementation of this policy.

E. Student Participation and Education

Pacific View Charter School, along with its partners has carefully reviewed available student curricula to ensure it promotes the mental health model of suicide prevention and does not encourage the use of the stress model to explain suicide.

Under the supervision of the Director of Student Services and Director of Curriculum, developmentally-appropriate, student-centered education materials will be integrated into the curriculum of all K-12 health classes. The content of these age-appropriate materials will include:

- 1) the importance of safe and healthy choices and coping strategies,

- 2) how to recognize risk factors and warning signs of mental disorders and suicide in oneself and others,
- 3) help-seeking strategies for oneself or others, including how to engage school resources and refer friends for help.

In addition, PVCS may provide supplemental small group suicide prevention programming for students.

Pacific View Charter School will support the creation and implementation of programs and/or activities on campus that raise awareness about mental wellness and suicide prevention (e.g., Mental Health Awareness Weeks, Peer Counseling Programs, Freshman Success Programs, and National Alliance on Mental Illness on Campus High School Clubs).

Intervention, Assessment, Referral

A. Staff

The Director of Student Services and the School Counselor, who have received advanced training in suicide intervention shall be designated as the primary and secondary suicide prevention liaisons. Whenever a staff member suspects or has knowledge of a student's suicidal intentions, they shall promptly notify the primary designated suicide prevention liaison. If this primary suicide prevention liaison is unavailable, the staff shall promptly notify the secondary suicide prevention liaison.

- Under normal circumstances, the primary and/or secondary contact persons shall notify the Executive Director or another school administrator, if different from the primary and secondary contact persons.

The Executive Director, or another school administrator shall notify, if appropriate and in the best interest of the student, the student's parents/guardians/caregivers as soon as possible and shall refer the student to mental health resources in the school or community. Determination of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.

If the student is in imminent danger (has access to a gun, is on a rooftop, or in other unsafe conditions), a call shall be made to 911.

- Whenever a staff member suspects or has knowledge of a student's suicidal intentions, they shall promptly notify the primary or secondary suicide prevention liaisons.
- Students experiencing suicidal ideation shall not be left unsupervised.

- A referral process should be prominently disseminated to all staff members, so they know how to respond to a crisis and are knowledgeable about the school and community-based resources.

- The Executive Director or Designee shall establish crisis intervention procedures to ensure student safety and appropriate communications if a suicide occurs or an attempt is made by a student or adult on campus or at a school-sponsored activity.

B. Parents, Guardians, and Caregivers

A referral process should be prominently disseminated to all parents/guardians/caregivers, so they know how to respond to a crisis and are knowledgeable about the school and community-based resources.

C. Students

Students shall be encouraged to notify a staff member when they are experiencing emotional distress or suicidal ideation, or when they suspect or have knowledge of another student's emotional distress, suicidal ideation, or attempt.

D. Parental Notification and Involvement

Pacific View Charter School shall identify a process to ensure continuing care for the student identified to be at risk of suicide. The following steps will be followed to ensure continuity of care:

- After a referral is made for a student, school staff shall verify with the parent/guardian/caregiver that follow-up treatment has been accessed. Parents/guardians/caregivers will be required to provide documentation of care for the student.

- If parents/guardians/caregivers refuse or neglect to access treatment for a student who has been identified to be at-risk for suicide or in emotional distress, the suicide point of contact (or other appropriate school staff member) will meet with the parents/guardians/caregivers to identify barriers to treatment (e.g., cultural stigma, financial issues) and work to rectify the situation and build understanding of the importance of care. If follow-up care for the student is still not provided, school staff will consider contacting Child Protective Services (CPS) to report neglect of the youth.

E. Action Plan for In-School Suicide Attempts

If a suicide attempt is made during the school day on campus, it is important to remember that the health and safety of the student and those around him/her is critical. The following steps will be implemented:

- Remain calm, remember the student is overwhelmed, confused, and emotionally distressed;

- Move all other students out of the immediate area;
- Immediately contact the administrator or suicide prevention liaison;
- Call 911 and give them as much information about any suicide note, medications taken, and access to weapons, if applicable;
- If needed, provide medical first aid until a medical professional is available;
- Parents/guardians/caregivers should be contacted as soon as possible;
- Do not send the student away or leave them alone, even if they need to go to the restroom;
- Listen and prompt the student to talk;
- Review options and resources of people who can help;
- Be comfortable with moments of silence as you and the student will need time to process the situation;
- Provide comfort to the student;
- Promise privacy and help, and be respectful, but do not promise confidentiality;
- Student should only be released to parents/guardians/caregivers or to a person who is qualified and trained to provide help.

F. Action Plan for Out-of-School Suicide Attempts

If a suicide attempt by a student is outside of Pacific View Charter School's property, it is crucial that the LEA protects the privacy of the student and maintain a confidential record of the actions taken to intervene, support, and protect the student. The following steps will be implemented:

- Contact the parents/guardians/caregivers and offer support to the family;
- Discuss with the family how they would like the school to respond to the attempt while minimizing widespread rumors among teachers, staff, and students;
- Obtain permission from the parents/guardians/caregivers to share information to ensure the facts regarding the crisis is correct;
- Designate a staff member to handle media requests
- Provide care and determine appropriate support to affected students;
- Offer to the student and parents/guardians/caregivers steps for reintegration to school.

G. Supporting Students after a Mental Health Crisis

It is crucial that careful steps are taken to help provide the mental health support for the student and to monitor their actions for any signs of suicide. The following steps will be implemented after the crisis has happened:

- Treat every threat with seriousness and approach with a calm manner; make the student a priority;
- Listen actively and non-judgmental to the student. Let the student express his or her feelings;
- Acknowledge the feelings and do not argue with the student;

- Offer hope and let the student know they are safe and that help is provided. Do not promise confidentiality or cause stress;
- Explain calmly and get the student to a trained professional, guidance counselor, or designated staff to further support the student;
- Keep close contact with the parents/guardians/caregivers and mental health professionals working with the student.

H. Re-Entry to School After a Suicide Attempt

For students returning to school after a mental health crisis (e.g., suicide attempt or psychiatric hospitalization), in which the school has been made aware, the Director of Student Services, or designee will meet with the student's parent or guardian, and if appropriate, meet with the student to discuss re-entry and appropriate next steps to ensure the student's readiness for return to school.

1. The Director of Student Services or other designee will be identified to coordinate with the student, their parent or guardian, and any outside mental health care providers.
2. The parent or guardian will provide documentation from a mental health care provider that the student has undergone examination and that they are no longer a danger to themselves or others.
3. The designated staff person will periodically check in with student to help the student readjust to the school community and address any ongoing concerns.

I. Responding After a Suicide Death (Postvention)

A death by suicide in the school community (whether by a student or staff member) can have devastating consequences on students and staff. Therefore, it is vital that we are prepared ahead of time in the event of such a tragedy. Primary and Secondary Suicide Prevention Liaisons for Pacific View Charter shall ensure that each school site adopts an action plan for responding to a suicide death as part of the general Crisis Response Plan. The Suicide Death Response Action Plan (Suicide Postvention Response Plan) will incorporate both immediate and long-term steps and objectives.

· Suicide Postvention Response Plan shall:

- o Identify a staff member to confirm death and cause (school site administrator);
- o Identify a staff member to contact deceased's family (within 24 hours);
- o Enact the Suicide Postvention Response Plan, include an initial meeting of the school Suicide Postvention Response Team;
- o Notify all staff members (ideally in-person or via phone, not via e-mail or mass notification).

· Coordinate an all-staff meeting, to include:

- o Notification (if not already conducted) to staff about suicide death;
- o Emotional support and resources available to staff;

- o Notification to students about suicide death and the availability of support services (if this is the protocol that is decided by administration);
 - o Share information that is relevant and that which you have permission to disclose.
- Prepare staff to respond to needs of students regarding the following:
 - o Review of protocols for referring students for support/assessment;
 - o Talking points for staff to notify students;
 - o Resources available to students (on and off campus).
- Identify students significantly affected by suicide death and other students at risk of imitative behavior;
- Identify students affected by suicide death but not at risk of imitative behavior;
- Communicate with the larger school community about the suicide death;
- Respond to memorial requests in respectful and non-harmful manner; responses should be handled in a thoughtful way and their impact on other students should be considered;
- Identify media spokesperson skilled to cover story without the use of explicit, graphic, or dramatic content.
- Utilize and respond to social media outlets:
 - o Identify what platforms students are using to respond to suicide death
 - o Identify/train staff and students to monitor social media outlets
- Include long-term suicide postvention responses:
 - o Consider important dates (i.e., anniversary of death, deceased birthday, graduation, or other significant event) and how these will be addressed
 - o Support siblings, close friends, teachers, and/or students of deceased
 - o Consider long-term memorials and how they may impact students who are emotionally vulnerable and at risk of suicide

Homeless Education

The Governing Board of Pacific View Charter School desires to ensure that homeless students are provided equal access to the same free, appropriate public education provided to other children and youth. Homeless students will be given access to the education and other services that such students need to ensure that they have an opportunity to meet the same challenging State student academic achievement standards to which all students are held. Homeless students will not be stigmatized or segregated in a separate school or program based on the student's status as homeless.

- I. *Homeless children and youths*** means individuals who lack a fixed, regular and adequate nighttime residence and includes children and youths:
- ☐ Who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks (not including mobile home parks), or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
 - ☐ Who have a primary nighttime residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings;
 - ☐ Who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
 - ☐ Who are migratory children who qualify as homeless for purposes of this part because the children are living in circumstances described above.
 - ☐ ***Unaccompanied youth*** includes a youth not in the physical custody of a parent or guardian.
 - ☐ ***The Charter School is the school of origin*** when the student attended the Charter School when permanently housed or was last admitted when the student became homeless. The Charter School will not be considered the school of origin when it is contrary to the wishes of a student's parent(s) or guardian(s), or is not in the best interest of the student.
 - ☐ In determining the best interest of the child or youth, the School shall:
 - o Presume that keeping the child or youth in the school of origin is in the best interest of the child or youth, unless it is contrary to the request of the child's or youth's parent or guardian, or unaccompanied youth;
 - o Consider student-centered factors related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child's or youth's parent or guardian or unaccompanied youth;
 - o If, after conducting the best interest determination based on consideration of the presumption identified above and the student-centered factors identified above, the School determines that it is not in the child's or youth's best interest to attend the School, the School shall provide the child's or youth's parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in

a manner and form understandable to such parent, guardian, or unaccompanied youth, including information regarding the right to appeal; and

- o In the case of an unaccompanied youth, ensure that the School liaison assists in placement or admission decisions, gives priority to the views of such unaccompanied youth and provides notice to such youth of the right to appeal.

A child or youth or unaccompanied youth shall be considered homeless for as long as he/she is in a living situation described above.

II. Homeless Liaison

III. The School's homeless liaison is the Director of Student Services

IV. The School's homeless liaison is required to do all of the following:

- ☑ Ensure that homeless children and youths are identified by school personnel through outreach and coordination activities with other entities and agencies;
- ☑ Ensure that homeless children and youth are admitted to, and have a full and equal opportunity to succeed in the School;
- ☐ Ensure that homeless children and youths have access to and receive educational services for which such families, children, and youth are eligible, including Head Start programs (including Early Head Start Programs) and **[if applicable]** early intervention services under part C of the Individuals with Disabilities Education Act and other preschool programs administered by the School, and referrals to health care services, dental services, mental health and substance abuse services, housing services and other appropriate services;
- ☑ Ensure that the parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
- ☑ Ensure that admission disputes are mediated in accordance with the dispute resolution process outlined below;
- ☑ Ensure that public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents or guardians, including schools, shelters, public libraries and soup kitchens, in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youths;
- ☑ Ensure that the parent or guardian of a homeless student, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin and is assisted in accessing transportation to the school;
- ☑ Ensure that school personnel providing services participate in professional development and other technical support as determined appropriate by the State Coordinator;

- ☐ Ensure that unaccompanied youths 1) are admitted to school; 2) have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth, including implementation of procedures to identify and remove barriers that prevent youths from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school; and 3) are informed of their status as independent students and that the youths may obtain assistance from the liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid.
- ☐ Ensure that homeless children and youths are identified by school personnel through outreach and coordination activities with other entities and agencies and that they receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services.
- ☐ Shall administer a housing questionnaire for purposes of identifying homeless children and youths and unaccompanied youths. The questionnaire shall comply with legal requirements. The questionnaire shall be administered annually, and report to the California Department of Education the number of homeless children and youths and unaccompanied youths enrolled.
- ☐ Offer training to the Charter School's certificated and classified employees providing services to pupils experiencing homelessness, including, but not limited to, teachers, support staff, and other Charter School staff who work with students, at least annually relating to the following: 1) the homes education program policies established by law; 2) recognition of the signs that students are experiencing, or are at risk of experiencing homelessness. The liaison is encouraged to offer this training to all school certificated and classified staff, including, but not limited to, teachers, support staff, and other school staff who work with students.
- ☐ Inform employees of the availability of training and the services the liaison provides to aid in the identification and provision of services to students who are experiencing, or are at risk of experiencing, homelessness.

V. Admission:

All homeless students are required to follow the school's process for admitting students, including filling out and submitting the school's admission packet on time. As with all students, admission depends upon availability. In the event of an oversubscription in a grade, homeless students will participate in the lottery as with any other student. As used in this policy, admission means attending classes and participating fully in school activities.

If the homeless student seeking admission is unable to produce records normally required for admission, such as previous academic records, medical records, proof of residency or other documentation, this will not serve as a basis for non-admission. Provided that the admission process has been followed in all other respects, a homeless student will be admitted in the School despite the missing paperwork. Additionally, the homeless student shall not be denied admission even if the student has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended. Upon admission, the School will contact the school last attended by the students to obtain relevant academic and other records.

If the student needs to obtain immunizations, or immunization or medical records, the School will immediately refer the parent or guardian of the student, or the unaccompanied youth, to the Homeless Liaison, who shall assist in obtaining necessary immunizations, or immunization or medical records.

A homeless student shall be allowed to continue his or her education in the school of origin through the duration of homelessness. If the homeless student's status changes before the end of the academic year so that the student is no longer homeless, either of the following apply: 1) If the homeless student is in high school, the School (if it is the school of origin) shall allow the formerly homeless student to continue that student's education in the School through graduation; 2) If the homeless student is in kindergarten or any of grades 1 to 8, inclusive the School (if it is the school of origin) shall allow the formerly homeless student to continue that student's education in the School through the duration of the academic school year.

Admission Disputes and the Dispute Resolution Process

If a dispute arises over admission in the Charter School of a homeless student, the student will be immediately admitted to the Charter School in which admission is sought, pending resolution of the dispute. "Admission" means attending classes and participating fully in school activities.

The Charter School will refer the student and/or his/her parents or guardians to the Homeless Liaison, who will carry out the dispute resolution in accordance with the process set forth below, as expeditiously as possible after receiving notice of the dispute. In the case of an unaccompanied youth, the Homeless Liaison will ensure that the youth is immediately admitted in school pending resolution of the dispute.

Parents, guardians and unaccompanied youth may provide written or oral documentation to support their positions about admission and may seek assistance of social services, advocates, and/or service providers in the dispute process.

The Charter School will provide the parent or guardian of the student with a written explanation of the Charter School's decision regarding admission, including the rights of the parent, guardian or unaccompanied youth's appeal the decision. The written explanation will be complete, as brief as possible, simply stated and provided in a language that the parent, guardian or unaccompanied youth can understand.

If the dispute remains unresolved at the Charter School level or is appealed, then the Charter School Homeless Liaison will forward all written documentation and related paperwork to the homeless liaison at the county office of education (COE). The COE's homeless liaison will review these materials and determine the school selection or admission decision within five (5) working days of receipt of the materials. The COE homeless liaison will notify the Charter School and parent/guardian/unaccompanied youth of the decision.

If the dispute remains unresolved at the COE level or is appealed to the State, then the COE homeless liaison will forward all written documentation and related paperwork to the State Homeless Coordinator. Upon review, the CDE will notify the parent/guardian/unaccompanied youth of the decision relating admission in the Charter School within ten working days of receipt of the materials.

VI. Transportation

The Charter School will provide or arrange for transportation of a homeless student, at the request of the parent, guardian or Homeless Liaison, to the Charter School when the

Charter School is the school of origin. If the student begins living in an area served by another local educational agency while continuing his/her education at the Charter School, the Charter School will contact that local educational agency to agree upon a method to apportion the responsibility and costs for providing the student with transportation to and from the Charter School.

VII. Comparable Education Services

Each homeless student will be provided access to services comparable to services offered to other students in the Charter School, including but not limited to the following:

- ☐ Transportation
- ☐ Educational services for which the homeless student meets federal, state and local program eligibility criteria
- ☐ Programs in career and technical education
- ☐ Programs for gifted and talented students
- ☐ School nutrition programs

VIII. Coursework and Graduation Requirements

The School shall accept coursework satisfactorily completed by a homeless student while attending another public school, a juvenile courts school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school even if the pupil did not complete the entire course and shall issue that homeless student full or partial credit for the coursework completed.

If the School is the transferring school, it shall issue the full and partial credits on an official transcript for the student and shall ensure the transcript includes all of the following: 1) All full and partial credits and grades earned based on any measure of full or partial coursework being satisfactorily completed, including a determination of the days of enrollment or seat time, or both, if applicable, at the School or any other local educational agency, other public school, juvenile court school, charter school, school in a country other than the United States, or nonpublic, nonsectarian school; 2) The credits and grades for each school and local educational agency listed separately so it is clear where they were earned; 3) A complete record of the student's seat time, including both period attendance and days of enrollment.

If a homeless student enrolls in the School, and the School has knowledge that the transcript from the transferring local educational agency may not include certain credits or grades for the student, the School shall contact the prior local educational agency within two business days to request that the prior local educational agency issue full or partial credits. The prior local educational agency shall issue appropriate credits and provide all academic and other records to the School within two business days of the request.

The credits accepted shall be applied to the same or equivalent course, if applicable, as the coursework completed in the prior school.

The School shall not require a homeless student to retake a course if the student has satisfactorily completed the entire course in a prior school. If the student did not complete the entire course, the School shall not require the pupil to retake the portion of the course the student completed unless the School, in consultation with the holder of educational rights for the student, finds that the student is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the homeless student shall be admitted in the same or equivalent course, if applicable, so the student may continue and complete the entire course.

A homeless student shall not be prevented from retaking or taking a course to meet the eligibility requirements for admission to the California State University or the University of California.

A homeless student who transfers between schools any time after the completion of the pupil's second year of high school and is in the student's third or fourth year of high school, the School shall exempt from all coursework and other requirements adopted by the School that are in addition to the statewide coursework requirements specified in Education Code section 51225.3, unless the School makes a finding that the student is reasonably able to complete the School's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.

If the School determines that the homeless student is reasonably able to complete the School's graduation requirements within the student's fifth year of high school, the School shall do all of the following: 1) Consult with the student and the student's educational rights holder of the student's option to remain in school for a fifth year to complete the School's graduation requirements; 2) Consult with the student, and the student's educational rights holder, about how remaining in the School for a fifth year to complete the School's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution; 3) Consult with and provide information to the student about transfer opportunities available through the California Community Colleges; 4) Permit the student to stay in school for a fifth year to complete the School's graduation requirements upon agreement with the student, if the student is 18 years of age or older, or if under 18 years of age, with the person holding the right to make educational decisions for the student; 5) Consult with the student and the student's educational rights holder regarding the student's option to remain in the school of origin.

If the School determines that the homeless student, who has transferred between schools any time after the completion of the student's second year of high school, is not reasonably able to complete the School's graduation requirements within the student's fifth year of high school, but is reasonably able to complete the statewide coursework requirements within the student's fifth year of high school, the School shall exempt a student from the School's graduation requirements and provide the student the option to remain in the School for a fifth year to complete the statewide coursework requirements. The School shall consult with the student and the student's educational rights holder regarding all of the following: 1) the student's option to remain in school for a fifth year to complete the statewide coursework requirements; 2) how waiving the School's requirements and remaining in school for a fifth year may affect the student's postsecondary education or vocation plans, including the ability to gain admission to an institution of higher education; 3) whether any other options are available to the student, including, but not limited to, possible credit recovery, and any transfer opportunities available

through the California Community Colleges; 4) the student's academic data and any other information relevant to making an informed decision on whether or accept the exemption and option to remain in school for a fifth year to complete the statewide coursework requirements.

To determine whether a homeless student is in the third or fourth year of high school, the number of credits the pupil has earned to the date of transfer, or the length of the student's school enrollment, or for students with significant gaps in school attendance, the student's age as compared to the average age of students in the third or fourth year of high school may be used, whichever will qualify the student for the exemption.

Within 30 calendar days of the date that a homeless student may qualify for the exemption from local graduation requirements transfers into a school, the School shall notify the student, the educational rights holder, and the School's liaison for homeless children and youth of the availability of the exemption and whether the student qualifies for an exemption. If the School fails to provide timely notice, the student shall be eligible for the exemption from local graduation requirements once notified, even if that notification occurs after the student is no longer homeless, if the student otherwise qualifies for the exemption.

In addition to providing said notice, the School shall consult with the student eligible for the exemption and student's educational rights holder about the following: 1) Discussion regarding how any of the requirements that are waived may affect the student's postsecondary education or vacation plans, including the ability to gain admission to a postsecondary educational institution; 2) Discussion and information about other options available to the student, including, but not limited to, a fifth year of high school, possible credit recovery, and any transfer opportunities available through the California Community Colleges; 3) Consideration of the student's academic data and any other information relevant to making an informed decision on whether to accept the exemption.

A homeless student that has been exempted from local graduation requirements in accordance with Education Code section 51225.1 and completes the statewide coursework requirements specified in Education Code section 51225.3 before the end of the student's fourth year of high school and that student would otherwise be entitled to remain in attendance at the school, the School shall not require or request that the pupil graduate before the end of the student's fourth year of high school.

If a homeless student is exempted from local graduation requirements pursuant to Education Code section 51225.1, the School shall notify the student and the person holding the right to make educational decisions for the student how any of the requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges.

If a homeless student who is eligible for the exemption from local graduation requirements and would otherwise be entitled to remain in attendance at the School shall not be required to accept the exemption or be denied admission in, or the ability to complete, courses for which the student is otherwise eligible, including courses necessary to attend an institution of high education, regardless of whether those courses are required for statewide graduation requirements.

If a homeless student is not exempted from local graduation requirements or has previously declined the exemption, the School shall exempt the student at any time if an exemption is required by the student and the student qualifies for the exemption.

If a homeless student is exempted from local graduation requirements, the School shall not revoke the exemption.

If a homeless student is exempted from local graduation requirements, the exemption shall continue to apply after the pupil is no longer a homeless student while the student is admitted in the School or if a homeless student who is exempt from local graduation requirements transfers to the School from another school.

If a homeless student is not eligible for an exemption because the School makes a finding that the student is reasonably able to complete the School's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school, the School nonetheless shall reevaluate eligibility and provide written notice to the student, the student's education rights holder whether the student qualifies for an exemption within the first 30 calendar days of the following academic year, based on the course completion status of the student at the time of reevaluation to determine if the student continues to be reasonably able to complete the School's graduation requirements in time to graduate from high school by the end of the student's fourth year.

If it is determined within the first 30 calendar days of the following academic year, that given their course completion status at that time the reevaluation conducted pursuant to the previous paragraph that the student is not reasonably able to complete the School's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school, the School shall provide the student with the option to receive an exemption from all coursework and other requirements adopted by the School's governing board that are in addition to the statewide coursework requirements specified in Education Code section 51225.3 or to stay in school for a fifth year to complete the School's graduation requirements upon agreement with the student (if over 18 years old), or upon agreement with the student's education rights holder.

The School shall not require or request a homeless student to transfer schools in order to qualify the pupil for an exemption.

A complaint for noncompliance with this section may be filed with the School under the School's Uniform Complaint Procedures.

Notice

The School shall list the homeless liaison(s) and contact information for those liaison(s) on its website. The contact information for any employees or persons under contract whose duties include assisting the liaison in completing the liaison's duties shall also be listed.

Board Approved: June 19, 2018

Amended: 6/20/23

Foster Youth

The Governing Board of **Pacific View Charter School** desires to ensure that foster children are provided equal access to the same free, appropriate public education provided to other children and youth. Foster students will be given access to the education and other services that such students need to ensure that they have an opportunity to meet the same challenging State student academic achievement standards to which all students are held. Foster students will not be stigmatized or segregated in a separate school or program based on the student's status as foster youth.

I. Definitions

- **Foster child/student/youth** means a child who has been removed from his or her home pursuant to Welfare and Institutions ("W&I") Code section 309, is the subject of a petition filed under W&I sections 300 or 602, or has been removed from his or her home and is the subject of a petition filed under W&I Code sections 300 or 602.
- The Charter School is the **school of origin** when the student attended the Charter School when permanently housed or was last admitted at the initial detention or placement or subsequent change in placement of a foster child. If the school the foster child attended when permanently housed is different from the school in which the foster child was last admitted, or if there is some other school that the foster child attended with which the foster child is connected and that the foster child attended within the immediately preceding 15 months, the foster child liaison, in consultation with, and with the agreement of, the foster child and the person holding the right to make educational decisions for the foster child, shall determine, in the best interests of the foster child, the school that shall be deemed the school of origin.

II. Foster Child Liaison

The School's foster child liaison is :Director of Student Services. The School's foster child liaison is required to do all of the following:

- ☐ Ensure and facilitate the proper educational placement, admission in school and checkout from school of foster children.
- ☐ Assist foster children when transferring from one school to another school in ensuring proper transfer of credits, records and grades.
- ☐ The foster child liaison, in consultation with, and with the agreement of, the foster child and the person holding the right to make educational decisions for the foster child, may recommend, in accordance with the foster child's best interests, that the foster child's

right to attend the school of origin be waived and the foster child be admitted in a public school that pupils living in the attendance area in which the foster child resides are eligible to attend.

- ☐ Before making a recommendation to move a foster child from his or her school of origin, the foster liaison shall provide the foster child and the person holding the right to make educational decisions for the foster child with a written explanation stating the basis for the recommendation and how the recommendation serves the foster child's best interest.
- ☐ If the foster child liaison, in consultation with the foster child and the person holding the right to make educational decisions for the foster child, agrees that the best interests of the foster child would best be served by his or her transfer to a school other than the school of origin, the foster child shall immediately be admitted in the new school.

III. Admission

All foster students are required to follow the school's process for admitting students, including filling out and submitting the school's admissions packet on time. As with all students, admission depends upon availability. In the event of an oversubscription in a grade, foster students will participate in the lottery as with any other student.

If the foster child seeking admission has outstanding fees, fines, textbooks or other items or moneys due to the school last attended or is unable to produce clothing or records normally required for admission, such as previous academic records, medical records, including, but not limited to, records or other proof of immunization history, proof of residency, other documentation or school uniforms, this will not serve as a basis for non-admission. Within two days of admission of the foster child, the foster child liaison will contact the school last attended by the foster child to obtain all academic and other records.

If a dispute arises regarding the request of a foster child to remain in Pacific View as the school of origin, the foster child has the right to remain in Pacific View pending resolution of the dispute. The dispute shall be resolved in accordance with the Uniform Complaint Procedures adopted by the School.

Admission in Pacific View Charter School as the school of origin will be allowed, unless a determination is made that it is not in the best interest of the foster child to attend Pacific View. Best interest factors include, but are not limited to, appropriateness of the current educational setting and proximity to the school in which the child is admitted at the time of placement.

IV. Former Foster Children

If the jurisdiction of the court is terminated before the end of an academic year, the [School Name] shall allow a former foster child who is in kindergarten or any of grades 1 to 8, inclusive,

to continue his or her education as the school of origin through the duration of the academic school year.

If the jurisdiction of the court is terminated while a foster child is in high school, [School Name] shall allow the former foster child to continue his or her education in [School Name] as the school of origin through graduation.

V. Course Work and Graduation

The Charter School will accept coursework satisfactorily completed by the foster child while attending another public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school even if the pupil did not complete the entire course and shall issue that pupil full or partial credit for coursework completed. The credits accepted shall be applied to the same or equivalent course, if applicable, as the coursework completed in the prior school. The Charter School will not require the foster child to retake a course if the pupil has satisfactorily completed the entire course in a public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school. If the pupil did not complete the entire course, the Charter School shall not require the pupil to retake the portion of the course the pupil completed unless the Charter School, in consultation with the holder of educational rights for the pupil, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the foster youth shall be admitted in the same or equivalent course, if applicable, so that the pupil may continue and complete the entire course.

If the Charter School has knowledge that the transcript from the transferring local educational agency may not include certain credits or grades for the student, it shall contact the prior local educational agency within two business days to request that the prior local educational agency issue full or partial credits. The prior local educational agency shall issue appropriate credits and provide all academic or other records to the Charter School within two business days of the request.

A foster student shall not be prevented from retaking or taking a course to meet the eligibility requirements for admission to the California State University or the University of California.

A foster student who transfers between schools any time after the completion of the student's second year of high school and is in the student's third or fourth year of high school, the School shall exempt from all coursework and other requirements adopted by the School that are in addition to the statewide coursework requirements specified in Education Code section 51225.3, unless the School makes a finding that the student is reasonably able to complete the School's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.

If the School determines that the foster student is reasonably able to complete the School's graduation requirements within the student's fifth year of high school, the School shall do all of

the following: 1) Consult with the student and the student's educational rights holder of the student's option to remain in school for a fifth year to complete the School's graduation requirements; 2) Consult with the student and the student's educational rights holder, about how remaining in the School for a fifth year to complete the School's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution; 3) Consult with and provide information to the student about transfer opportunities available through the California Community Colleges; 4) Permit the student to stay in school for a fifth year to complete the School's graduation requirements upon agreement with the student, if the student is 18 years of age or older, or if under 18 years of age, with the person holding the right to make educational decisions for the student; 5) Consult with a student in foster care regarding the student's option to remain in the student's school of origin.

To determine whether a foster student is in the third or fourth year of high school, the number of credits the pupil has earned to the date of transfer, the length of the student's school admission, or, for students with significant gaps in school attendance, the student's age as compared to the average age in the third or fourth year of high school, may be used, whichever will qualify the student for the exemption.

Within 30 calendar days of the date that a foster student may qualify for the exemption from local graduation requirements transfers into a school, the School shall notify the student, the educational rights holder, and the School's liaison for foster children and youth of the availability of the exemption and whether the student qualifies for an exemption. If the School fails to provide timely notice, the student shall be eligible for the exemption from local graduation requirements once notified, even if that notification occurs after the student is no longer in foster care, if the student otherwise qualifies for the exemption.

A foster student that has been exempted from local graduation requirements in accordance with Education Code section 51225.1 and completes the statewide coursework requirements specified in Education Code section 51225.3 before the end of the student's fourth year of high school and that student would otherwise be entitled to remain in attendance at the school, the School shall not require or request that the pupil graduate before the end of the student's fourth year of high school.

If a foster student is exempted from local graduation requirements pursuant to Education Code section 51225.1, the School shall, in addition to providing the notification identified above, consult with the student and the student's education rights holder regarding the following:

- ☐ Discussion regarding how any of the requirements that are waived may affect the pupil's postsecondary education or vocation plans, including the ability to gain admission to a postsecondary educational institution;
- ☐ Discussion and information about other options available to the student, including, but not limited to, a fifth year of high school, possible credit recovery, and any transfer opportunities available through the California Community Colleges;
- ☐ Consideration of the student's academic data and any other information relevant to making an informed decision on whether to accept the exemption.

If a foster student who is eligible for the exemption from local graduation requirements and would otherwise be entitled to remain in attendance at the School shall not be required to accept the exemption or be denied admission in, or the ability to complete, courses for which the student is otherwise eligible, including courses necessary to attend an institution of high education, regardless of whether those courses are required for statewide graduation requirements.

If a foster student is not exempted from local graduation requirements or has previously declined the exemption, the School shall exempt the student within 30 days of the exemption request if an exemption is requested by the student or student's educational rights holder and the student qualifies for the exemption. EC 51225.1(h) If a foster student was eligible for an exemption and was not properly notified of the availability of the exemption or declined the exemption, the Charter School shall exempt the student within 30 days of the date of the exemption request, if an exemption is requested by the student or student's educational rights holder and the student at one time qualified for the exemption, even if the student is no longer considered a "foster student."

If a foster student is exempted from local graduation requirements, the School shall not revoke the exemption.

If a foster student is exempted from local graduation requirements, the exemption shall continue to apply after the student is no longer a foster student while the student is admitted in the School or if a foster student who is exempt from local graduation requirements transfers to the School from another school.

The School shall not require or request a foster student to transfer schools in order to qualify the student for an exemption.

A complaint for noncompliance with this section may be filed with the School under the School's Uniform Complaint Procedures.

If the Charter School determines that a foster student who transfers between schools any time after the completion of the student's second year of high school is not reasonably able to complete the Charter School's graduation requirements within the student's fifth year of high school, the Charter School shall exempt that student from the Charter School's graduation requirements and provide the student the option to remain in the school for a fifth year to complete the statewide coursework requirements. The Charter School shall consult with the student and the student's educational rights holder regarding all of the following:

- ☐ The student's option to remain in school for a fifth year to complete the statewide standards;
- ☐ How waiving the Charter School's requirements and remaining school for a fifth year may affect the student's postsecondary education or vocation plans, including the ability to gain admission to an institution of higher education;
- ☐ Whether any other options are available to the student, including, but not limited to,

possible credit recovery, and any transfer opportunities available through the California Community Colleges;

- ☐ The student's academic data and any other information relevant to making an informed decision on whether to accept the exemption and option to remain in school for a fifth year to complete the statewide coursework requirements.

If a student is not eligible for an exemption in the year in which the student transfers between schools because the Charter School makes a finding that the student is reasonably able to complete the Charter School's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school, the Charter School shall nonetheless reevaluate eligibility and provide written notice to the student and student's educational rights holder and the student's social worker or probation officer, if applicable, whether the student qualifies for an exemption within the first 30 calendar days of the following academic year, based on the course completion status of the student at the time of reevaluation to determine if the student continues to be reasonably able to complete the Charter School's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.

If it is determined within the first 30 calendar days of the following academic year, that given their course completion status as the time the reevaluation conducted that the student is not reasonably able to complete the Charter School's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school, the Charter School shall provide the student with the option to receive an exemption from all coursework and other requirements that are in addition to the statewide coursework requirements or to stay in school for a fifth year to complete the Charter School's graduation requirements upon agreement with the student, or the student's educational rights holder and provide notification of availability of these options.

The decision whether to accept an exemption from the Charter School's graduation requirements is in the sole discretion of the student (if over 18) or the student's educational rights holder based on the student's best educational interests.

VI. Transportation

If the foster student requires transportation to continue to attend the Charter School as the school of origin, the Charter School will ensure that the foster child receives transportation in a cost effective manner.

VII. Records

A foster family agency with jurisdiction over a currently admitted or former pupil, a short-term residential treatment program staff responsible for the education or case management of a student, and a caregiver who has direct responsibility for the care of the student, including a certified or licensed foster parent, an approved relative or non related extended family member, or a resource family (as defined below), may access the current or most recent

records of grades, transcripts, attendance, discipline and online communication on platforms established by schools for pupils and parents, and any individualized education programs (IEPs) that may have been developed, or any plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 of a currently admitted or former foster pupil.

A foster family agency, short-term residential treatment program, or caregiver may review and receive pupil records pursuant to subdivision (a) for purposes of monitoring the pupil's educational progress, updating and maintaining the pupil's education records as required by Section 16010 of the Welfare and Institutions Code, and ensuring the pupil has access to educational services, supports, and activities. These purposes include, but are not limited to, admitting the pupil in school, assisting the pupil with homework, class assignments, and college and scholarship applications, and admitting the pupil in extracurricular activities, tutoring, and other afterschool and summer enrichment programs.

A “resource family” means an individual or family that has successfully met both the home environment assessment and the permanency assessment criteria necessary for providing care for a child placed by a public or private placement agency by court order, or voluntarily placed by a parent or guardian.

Adopted: 6/20/23

Harassment, Discrimination, Intimidation and Bullying Prevention Policy

It is the policy of Pacific View Charter School to create and maintain a learning environment where students and employees are treated with dignity, decency and respect. It is also the policy of Pacific View Charter School to maintain an environment that encourages and fosters appropriate conduct among all persons and respect for individual values. Accordingly, the School is committed to enforcing this Harassment, Discrimination, Intimidation and Bullying Prevention Policy at all levels in order to create an environment free from all forms of discrimination, harassment, intimidation and bullying. Discrimination, harassment, intimidation or bullying based on the following characteristics, whether actual or perceived: race, religious creed (including religious dress and grooming practices), color, national origin (including language use restrictions), immigration status, citizenship status, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy or childbirth), gender, gender identity, gender expression, age, sexual orientation, military and veteran status, or association with a person or group with one or more of the aforementioned characteristics or any other legally protected category is unlawful and undermines the character and purpose of the School. Such discrimination, harassment, intimidation or bullying violates School policy and will not be tolerated. This policy applies to anyone on campus at the School or those attending School sponsored activities.

Any form of retaliation against anyone who has complained or formally reported discrimination, harassment, intimidation or bullying or against anyone who has participated in an investigation of such a complaint, regardless of whether the complaint relates to the complaining person or someone else, will not be tolerated and violates this policy and the law.

If the School possesses information that could indicate immigration status, citizenship status or national origin information, the School shall not use the acquired information to discriminate against any students or families or bar children from enrolling in or attending school. If parents or guardians choose not to provide information that could indicate their or their children's immigration status, citizenship status or national origin information, the School shall not use such actions as a basis to discriminate against any students or families or bar children from enrolling or attending school.

Each year, the School shall educate students about the negative impact of bullying other students based on their actual or perceived immigration status or their religious beliefs or customs. The School shall also train teachers, staff and personnel to ensure that they are aware of their legal duty to take reasonable steps to eliminate a hostile environment and respond to any incidents of harassment based on the actual or perceived characteristics noted above. Such training shall provide School personnel with the skills to do the following:

- ☐ Discuss the varying immigration experiences among members of the student body and school community;
- ☐ Discuss bullying-prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims;
- ☐ Identify the signs of bullying or harassing behavior;
- ☐ Take immediate corrective action when bullying is observed; and
- ☐ Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior.

Definitions

Discrimination: *Discrimination is adverse treatment of any person based on the protected class or category of persons to whom he/she belongs and such treatment limits students from participating or benefiting from school activities or services.*

Harassment: *Harassment is unwelcome verbal or physical conduct prohibited by law directed toward, or differential treatment of, a student because of his/her membership (or perceived membership) in any protected group or on any other prohibited basis. The harasser can be a student, a School official or employee, or someone who is not an employee of the School, such as a vendor or parent.*

Examples of such conduct include, but are not limited to:

- Offensive or degrading remarks, verbal abuse, or other hostile behavior such as insulting, teasing, mocking, name calling, degrading or ridiculing another person or group
- Racial slurs, derogatory remarks about a person's accent, or display of racially offensive symbols
- Unwelcome or inappropriate physical contact, comments, questions, advances, jokes epithets or demands
- Physical assault or stalking
- Displays or electronic transmission of derogatory, demeaning or hostile materials
- Graphic and written statements, which may include use of cell phones or the Internet

Harassment does not have to include intent to harm, be directed at a specific target or involve repeated incidents. Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities or opportunities offered by the School.

Sexual Harassment: Sexual harassment is a form of harassment based on sex, including sexual harassment, gender harassment and harassment based on pregnancy, childbirth or related medical conditions. It generally involves unwanted sexual advances, or visual, verbal or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and

includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of violations:

- Unwanted sexual advances
- Offering educational benefits in exchange for sexual favors
- Making or threatening reprisals after a negative response to sexual advances
- Visual conduct: leering, making sexual gestures, displaying of suggestive objects or pictures, cartoons or posters
- Verbal conduct: making or using derogatory comments, epithets, slurs and jokes
- Verbal sexual advances or propositions
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations
- Physical conduct: touching, assault, impeding or blocking movements

Intimidation: Intimidation includes adverse actions intended to fill another with fear, to overawe or cow, as through force of personality or by superior display of wealth, talent, etc., or to force another into or deter from some action by inducing fear.

Bullying: Bullying may take place in a variety of hostile acts that are carried out repeatedly over time. The acts involve a real or perceived imbalance of power, with the more powerful child or group attacking those who are less powerful. It may be physical (hitting, kicking, spitting, pushing), verbal (taunting, malicious teasing, name calling, threatening), or psychological (spreading rumors, manipulating social relationships, or promoting social exclusion, extortion or intimidation). Bullying is any severe or pervasive action or conduct directed toward one or more students that have the effect of one or more of the following: 1) places a reasonable student in fear of harm to that student's person or property; 2) causes a reasonable student to experience a substantially detrimental effect on his or her physical or mental health; 3) causes a reasonable student to experience substantial interference with his or her academic performance; 4) causes a reasonable student to experience interference with his or her ability to participate in or benefit from the services, activities or privileges provided by the School.

Other types of bullying:

- Sexual bullying includes many of the actions typical of bullying behavior with the added actions of exhibitionism, voyeurism, sexual propositioning, sexual harassment and sexual abuse (touching, physical contact, sexual assault).
- Bias or hate-motivated bullying is a basic bias against or hate for a person or group. Examples include taunting one's race, religion, national origin, sexual orientation, or physical or mental disabilities. The bullying behavior may also be aggressive, antagonistic, and assaultive.
- Hazing is a form of aggressive behavior that usually involves intimidation and humiliation during an initiation for a student organization or body, club, group or sports team. It may involve conduct that 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. Hazing does not include athletic events or school-sanctioned events.

- Cyberbullying involves bullying conduct that is created or transmitted by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager communicating any of the following: 1) a message, text, sound or image; 2) a post on a social network Internet Web site, including a “Burn Page,” an impersonation of another student, and a false profile.
- Cyber sexual bullying involves dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more effects described in (1) – (4) above. A photograph or other visual recording shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording or other electronic act.
- Social media bullying involves bullying through forums for social media, such as internet websites with free registration and ease of registration, internet websites offering peer-to-peer instant messaging (such as Snapchat, Tox, FireChat, Orbit, Bleep), internet websites offering comment forums (such as FaceBook, Twitter, Reddit) and internet websites offering image or video posting platforms (such as YouTube, Instagram, Twitch, Imgur).

Retaliation: Retaliation is any adverse action taken against a student because he or she filed a charge of harassment, discrimination, intimidation or bullying complaint to the School or another agency or participated in an investigation about the same (such as an internal investigation or lawsuit), including as a witness. Retaliation also includes adverse action taken against someone who is associated with the individual opposing the perceived harassment, discrimination, intimidation or bullying.

Reporting Discrimination, Harassment, Intimidation, Bullying or Retaliation

Any student who believes that he or she has been the victim of discrimination, harassment, intimidation, bullying or retaliation prohibited by this policy, or any student who has witnessed such discrimination, harassment, intimidation, bullying or retaliation, should immediately report the circumstances in accordance with the procedure set forth below. The School will investigate any conduct that violates this policy, even in the absence of a complaint, and take remedial action where appropriate.

A student may make a complaint, written or oral, to any of the individuals listed below:

- Their teacher, school counselor or other school personnel
- The Executive Director or Designee

Complaints may be submitted to the Executive Director or Designee Executive Director or Designee by phone, email, by filling out a complaint form, or in person.

Any teacher, school counselor or other school employee that receives any complaints of misconduct, or personally observes, learns about from others, or reasonably suspects has

occurred, shall report the same to the Executive Director or Designee, so that the School may attempt to resolve the claim internally. Any School personnel that witness an act of discrimination, harassment, intimidation, bullying or retaliation shall take immediate steps to intervene when it is safe to do so.

Investigation and Disposition of Complaints

The School will conduct a prompt, thorough and impartial investigation that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected. The investigation, conducted by a qualified investigator(s) (who may be a School employee), will include an interview with the alleged student-victim and his/her parent(s)/guardian(s). It may also include interviews with the person who made the initial report, the complainant (if not the alleged victim), the alleged wrongdoer and/or any other person who may have information regarding the incident, each of whom are encouraged to cooperate with any investigation. The investigator may also review any relevant documents.

The School will endeavor to complete its investigation within thirty (30) days of a report of discrimination, harassment, intimidation, bullying or retaliation.

Confidentiality of the complaint and investigation will be kept by the School to the extent possible, but note that the investigation will not be completely confidential. The School shall ensure confidentiality with respect to a student's or family's immigration status.

The investigator (if a third party) will report his/her findings to the Executive Director or Designee and/or Board of Directors. Where the investigator concludes that a violation of this policy has occurred, the Executive Director or Designee and/or Board of Directors will take prompt and appropriate remedial action, including disciplinary action. Depending upon the circumstances, disciplinary action may include, but is not limited to suspension, alternative to suspension, recommendation for transfer to home study, and/or expulsion. Discipline for a violation of this policy is not progressive, so a first violation of this policy may warrant suspension or a recommendation for expulsion.

Every complaint will trigger the creation of an investigatory file. The investigatory file will consist of the initial complaint, the final investigative report, including a record of the remedial action to be taken, if any, and all documents created, used or reviewed during the investigation.

At the conclusion of the investigation, the Executive Director or Designee shall notify the complainant of the manner in which it has resolved the matter. If, within 30 days after notification of resolution, the complainant does not agree with the resolution, the complainant may appeal the matter to the Board of Directors of the School by filing a notice of appeal stating the reasons for the appeal and specific disagreement with the School's resolution of the complaint. The Board of Directors will provide the student with a final decision of the School's resolution 5 days after the Board of Directors' next regularly scheduled board meeting. If the student does not agree with the final determination of the Board of Directors, the student may

appeal to the California Department of Education using the appeal process adopted in the School's Uniform Complaint Procedures.

Parental Notification:

Each year, the School shall notify parents and guardians of their children's right to a free public education, regardless of immigration status or religious beliefs. This information shall include information related to the "Know Your Rights" immigration enforcement established by the California Attorney General. The School shall also inform students who are the victims of hate crimes of their right to report such crimes.

Sexual Harassment Poster

The School shall create a poster that notifies pupils of the applicable written policy on sexual harassment. The poster shall display, at a minimum, all of the following: 1) The rules and procedures for reporting a charge of sexual harassment; 2) The name, phone number and email address of an appropriate school official to contact to report a charge of sexual harassment; 3) The rights of the reporting pupil, the complainant, and the respondent and the responsibilities of the School in accordance with the School's written policy on sexual harassment.

This poster will be prominently and conspicuously displayed in each bathroom and locker room at the schoolsite. It may be prominently and conspicuously displayed in public areas at the schoolsite that are accessible to, and commonly frequented by students, including, but not limited to classrooms, classroom hallways, gymnasiums, auditoriums and cafeterias. The governing board of the School shall have full discretion to select the appropriate public areas to display the poster at the schoolsite.

Adopted: 6/20/23

Immigration Enforcement Policy

Responding to On-Campus Immigration Enforcement

Charter school personnel shall notify the school Executive Director of any request by an immigration or law-enforcement officer for school or student access, requests for review of school documents, or requests of the services of lawful subpoenas, petitions, complaints etc., as soon as possible.

In addition, if an officer appears on campus specifically for immigration-enforcement purposes, charter school personnel must take the following actions:

1. Advise the officer that school personnel must have the Director review written notification prior to beginning with request;
2. Ask to see (and make a copy of or note) the officer's name and badge number;
3. Ask the officer for her/his reason for being on school grounds and document it;
4. Ask the officer to produce any documentation that authorizes school access;
5. Make copies and retain a copy of all documents provided by the officer. Retain one copy for school records;
6. If the officer asserts that special exigent circumstances exist and demands immediate access to the campus, school personnel should comply and contact the Director.

If the officer does not declare that exigent circumstances exist, school personnel shall inform the officer that the school must consult its own legal counsel before proceeding. In the event the officer presents a federal judicial warrant (search and seizure warrant or arrest warrant), consultation with the School's legal counsel shall be made before providing the agent access to the person or materials specified in the warrant if feasible.

School personnel should not consent to access by an immigration-enforcement officer, except as described above. At the same time, personnel shall never physically impede an officer, even if the officer appears to be exceeding the authorization given under a warrant or other document. If the officer enters without consent, personnel shall document his or her actions while on campus.

School personnel shall provide notes of the interaction to the charter school's legal counsel and provide the governing board a report of the interaction as timely as possible. These notes must include, but are not limited to:

1. List or copy of the officer's credentials and contact information;
2. List of all school personnel who communicated with the officer;
3. Details of the officer's request;

4. Information on whether the officer presented a warrant or subpoena to accompany his/her request, the information/access requested and proof that the warrant was/wasn't signed;
5. Charter school personnel's response to the officer's request;
6. Any further action taken by the officer;
7. Photo or copy of all/any information presented by the agent.

Any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes should be reported to the Bureau of Children's Justice in the California Department of Justice at BCJ@doj.ca.gov

Parental Notification

Before a student can be interviewed or searched by any officer seeking to enforce civil immigration laws at the charter school, charter school personnel must receive consent from the student's parent or guardian, unless the officer presents a valid, effective warrant signed by a judge or a valid, effective court order, stating otherwise.

Charter school personnel must immediately notify the student's parents or guardians if a law-enforcement officer requests or gains access to a student for immigration-enforcement purposes unless that access was in compliance with a warrant or subpoena that restricts the disclosure of the information to the parent or guardian.

Adopted: 6/20/23

Regulations for Smartphones on School Campuses

Limiting or Prohibiting the Use of Smartphones on the Charter School Campus

Pacific View Charter School will limit the use of smartphones and other devices to promote school safety and ensure focus on academics. Students who fail to follow school rules related to smartphones and smart devices use are subject to regular school discipline up to and including confiscation of phones. Phones that have been confiscated by school employees will be held in safekeeping and returned to parents/guardians.

Notwithstanding the above, students shall not be prohibited from using or possessing a smartphone on campus, while attending school-sponsored activities, or under the supervision or control of school employees under any of the following circumstances:

- In the case of an emergency, or in response to a perceived threat of danger. When a teacher or administrator of the Charter School grants permission to the student to possess or use the smartphone, subject to any reasonable limitation they may impose.
- When a licensed physician and surgeon determines that the possession or use of a smartphone is necessary for the health or well-being of the student.
- When the possession or use of a smartphone is required in a student's individualized education program.

Adopted: 6/20/23

Campus Search and Seizure Policy

Statement of Findings

Pacific View Charter School ("PVCS" or the "Charter School") recognizes and has determined that the occurrence of incidents which may include the possession of firearms, weapons, alcohol, controlled substances, or other items of contraband prohibited by law or Charter School rules and regulations, jeopardizes the health, safety and welfare of students and Charter School employees.

The California Constitution requires that all students and staff of public schools have the inalienable right to attend campuses which are safe, secure, and peaceful. As such, Charter School adopts this Policy outlining the reasonable search of students and their property, student use areas, and/or student lockers and the seizure of illegal, unsafe, unauthorized or contraband items and materials through a search based upon reasonable suspicion.

Definitions

- *"Reasonable Suspicion"* means a sufficient probability that the search will reveal evidence the student has violated or is violating the law or Charter School rules and regulations. Certainty is not required. Articulable facts must support a school official's reasonable suspicion that a search is justified. In no case shall a search be conducted if predicated on mere curiosity, rumor or hunch.
- A *"violation of either the law or Charter School rules and regulations"* includes, but is not limited to, possession of illegal, unauthorized or contraband materials. Illegal, unauthorized or contraband materials include those materials which are dangerous to the health or safety of students or school personnel, are disruptive or potentially disruptive, or which have been cited as unauthorized in Charter School rules or regulations.
- *"Personal electronic device"* means a device that stores, generates, or transmits information in electronic form, and is not owned or otherwise loaned to the student by Charter School.
- *"Electronic communication"* means the transfer of signs, signals, writings, images, sounds, data, or intelligence of any nature in whole or in part by a wire, radio, electromagnetic, photoelectric, or photo-optical system.

- *“Electronic communication information”* means any information about an electronic communication or the use of an electronic communication service, including, but not limited to, the contents, sender, recipients, format, or location of the sender or recipients at any point during the communication, the time or date the communication was created, sent, or received, or any information pertaining to any individual or **personal** device participating in the communication, including, but not limited to, an IP address.

Notice

Written notice of this Policy shall be provided to students and their parents and/or guardians at the start of each school year and/or upon enrollment during the school year. Through placement in the Student Handbook and other materials, as appropriate, to be disseminated by the Charter School to students, parents and/or guardians and Charter School employees.

Student Searches - Generally

A Charter School official (e.g., administrator, employee, teacher, school police officer, and/or employee), may conduct a reasonable search of a student’s person and/or personal effects (e.g., backpack, purse, etc.) if a school official has reasonable suspicion that the student is engaged in or has engaged in illegal activity or a violation of Charter School rules and regulations. Whether a search is reasonable depends on the context within which a search takes place. The Charter School official must assess the reliability of the student or person providing the information, the degree of danger to others, and the immediacy of the need for a search.

The search of a student and/or of their personal effects must be:

1. **Justified at its Inception:** There are reasonable grounds for suspecting the search will turn up evidence that the student is violating or has violated the law or Charter School rules. Articulate facts must support a Charter School official’s reasonable suspicion that a search is justified. In no case shall a search be conducted if predicated on mere curiosity, rumor or hunch; and
2. **Reasonable in Scope:** The measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Searches of Private Electronic Devices

A student's personal cell phone, smartphone, or other personal electronic device shall not be searched by Charter School officials without a warrant, the student's consent, or a legitimate emergency, unless the device is lost or abandoned. An emergency is any situation involving danger of death or serious physical injury to any person, that requires access to the information located or reasonably believed to be located on the electronic device. If the Charter School has a good faith belief that the device is lost, stolen, or abandoned, the Charter School may only access electronic device information in order to attempt to identify, verify, or contact the owner of the device.

Nothing in this Policy prohibits the Charter School from seizing/confiscating a student's personal electronic device, without searching its contents, if the student's use or possession of the private electronic device is in violation of Charter School rules or regulations.

Required Conduct of Searches

Additionally, any search of a student and/or of their personal effects shall be:

1. Conducted in the presence of at least one (1) other adult witness, whenever possible;
2. Conducted out of the presence of other students to maintain student confidentiality;
3. Conducted in a manner that does not involve:
 1. Conducting a body cavity search of a student manually or with an instrument; or
 2. Removing or arranging any or all of the clothing of a student to permit visual inspection of the underclothing, breast, buttocks, or genitalia of the student.
4. Documented by keeping a log of the search methods as well as a written description and/or pictures of any prohibited or illegal items ultimately seized as a result of the search.

Student Use Areas

Student use areas, including, but not limited to, instructional and recreational space, are considered Charter School property and remain at all times under the control of Charter School. Periodic general inspections of instructional space and other areas of the school may be conducted by Charter School officials for any reason at any time without notice.

Canine Detection

PVCS officials, including campus security or school police/resource officers, may use trained detection dogs in inspections of unaccompanied belongings for illegal, unauthorized or contraband materials in school facilities and around school grounds. All dogs must be accompanied by a qualified and authorized trainer who will be responsible for the dog's actions and who can verify the reliability and accuracy in sniffing out contraband. Trained detection dogs may sniff all unaccompanied locations, including, but not limited to: lockers, student use areas, vehicles, unattended backpacks and other student belonging, and other inanimate objects throughout school property. Prior to initiating a search, Charter School officials must have reasonable suspicion of a schoolwide concern.

An indication by the dog that illegal, unauthorized or contraband materials are present on school property shall constitute reasonable suspicion, authorizing school officials to search the area or other inanimate object and closed containers and objects within, without securing the consent of the student.

PVCS shall not use dogs to search a student's person without individualized reasonable suspicion of illegal, unauthorized, or contraband material. If a dog alerts on a student's person, the alert shall constitute reasonable suspicion for a lawful search and all applicable law and policy discussed herein shall be followed in the subsequent search.

Seizure of Illegal, Unauthorized, or Contraband Materials

If a lawfully conducted search yields illegal, unauthorized, or contraband materials, such materials may be turned over to the proper legal authorities for ultimate disposition.

Discipline

If illegal, unauthorized or contraband materials are discovered during a search, including but not limited to searches conducted by Charter School officials or trained detection dogs, PVCS may impose discipline upon the student(s) (including suspension and/or expulsion) in accordance with Charter School's discipline policies and procedures. Charter School may notify law enforcement authorities if any search and/or seizure results in the discovery of illegal contraband.

Video Surveillance and Other Recording Devices

PVCS may utilize video surveillance devices in all common areas of the school campus including, but not limited to, outdoor spaces, entrances and exits, parking lots, stairwells, hallways, classrooms, the main office, school buses, and any other commonly used spaces. Charter School shall not utilize video surveillance devices in private spaces such as restrooms. Charter School's intent and purpose in utilizing video surveillance devices is to ensure student and staff health, welfare, and safety in order to maintain safe and orderly conduct throughout the school day.

PVCS shall not use audio recording where there is an expectation of privacy without prior consent of all parties subject to recording. Students, staff, parents, and other members of the public are similarly prohibited from video and audio recording on Charter School campuses without prior consent. This policy does not prohibit the Charter School from recording classes as needed for student achievement nor any other permissible audio recording by the Charter School otherwise provided under the law.

Video surveillance recordings are not considered student education records unless the recording is maintained and (1) intended for use in a disciplinary action or proceeding, (2) depicts an activity that shows a student violating the law, (3) shows a student getting injured, attacked, victimized, ill, or having a health emergency, or (4) contains personally identifiable information from a student's educational record. A video surveillance recording is not considered a student's education record when the student's image is incidental to the activity shown in the recording or when the student is participating in a public activity.

PVCS shall comply with all state and federal law regarding access to, review, and disclosure of student records, including Family Educational Rights and Privacy Act ("FERPA"). This includes compliance with lawful requests under the California Public Records Act, from law enforcement, and other appropriate agencies. Charter School will evaluate the legality of any requests in advance of disclosure and will comply with all notice requirements under FERPA.

Temperature Screening

In light of the novel coronavirus ("COVID-19") health emergency, PVCS shall temperature screen individuals, as necessary, in accordance with all applicable law and state and local health orders to prevent the spread of COVID-19. The Charter School will follow its COVID-19 Prevention Policy and/or Comprehensive School Safety Plan [CB9] which outlines the temperature screening requirements.

Adopted: 6/20/23

Law Enforcement Official on Campus Policy

The Board of Directors of Pacific View Charter School (“PVCS” or “Charter School”) believes that the safety of students and staff is essential to achieving the goal of student learning. PVCS recognizes that the safety of students, staff, and other persons on school grounds and at PVCS related activities or events may require the presence and involvement of law enforcement. PVCS expects its employees to respect and maintain the dignity of every student while in situations that may subject students to questioning and/or apprehension by law enforcement.

Initial Contact with Law Enforcement

The Executive Director or designee acting with the proper standard of care in releasing a student to a law enforcement officer (“officer”) for an interview or other legitimate law enforcement purpose will incur no liability. The degree of care required of an Executive Director or designee consists of ascertaining:

- a) The identity and official capacity of the officer;
- b) The authority under which the officer acts before interrogating, interviewing, or apprehending the student; and
- c) In the case of the release of the child, the reason for such action.

When an officer requests an interview with a student, the Executive Director or designee shall obtain the officer’s identity and verify that the interview is part of an official investigation. The Executive Director or designee will request to see the officer’s badge, work identification (“ID”), and/or work credentials. The Executive Director shall ask for a business card that the Charter School will keep on file and shall record the officer’s name and badge/license/credential number and contact information. If there is any doubt as to the officer’s identity, the Executive Director shall contact their superior and confirm that the officer is with the agency they claim to be representing.

The Executive Director or designee will confirm why the officer is at the Charter School and what their intended actions are. (Is the officer going to question the student, investigate a child abuse claim, arrest the student?) Additionally, the Executive Director or designee will ask if the officer has a warrant, court order, or written parental consent.

The Executive Director or designee will suggest that the student be questioned or detained off campus during non-school hours.

Interrogation/Interview of PVCS Students by Law Enforcement

An officer may enter a school site to interview or interrogate students as suspects or witnesses. For non-school related matters, absent extenuating circumstances such as child abuse/neglect or felony investigations, the officer will be requested to refrain from interrogating/interviewing PVCS students on school grounds or at Charter School related activities or events. The Executive Director or designee has no right to prohibit an officer from interrogating or interviewing students while at school. Resisting, delaying, or obstructing an officer from discharging any official duty is a criminal offense.

The Executive Director or designee shall notify the student's parent/guardian as soon as practicable when an officer requests to interrogate/interview a student on Charter School premises, except in cases of child abuse or neglect. When an officer seeks to interview/interrogate a student who has an individualized education plan ("IEP") or a plan under section 504 of the Rehabilitation Act of 1973 ("504 Plan"), or is an English Learner ("EL"), the Executive Director or designee will endeavor to provide notice to the student's parent/guardian of the officer's desire to interview the student and request authorization from the parent/guardian to notify the officer that the student has an IEP, a 504 plan, or is an EL.

The Executive Director or designee shall work with the officer to accommodate a requested interview/interrogation in a way that causes the least possible disruption for the student and Charter School and provides the student with appropriate privacy in a private location away from other students and staff, as necessary.

The Executive Director or designee, acting in *loco parentis*, must protect students' constitutionally protected rights, by informing the student(s) of their fundamental, constitutional right of the privilege against self-incrimination, or ensure that the officer informs the student, prior to questioning by the officer. Prior to any interrogation/interview by the officer of a student who is in temporary custody, and before any waiver of Miranda rights is made by a student seventeen (17) years of age or younger, the student shall first consult with legal counsel either in person, by telephone, or by video conference. The student or their parent/guardian may not waive this right to consult with legal counsel prior to a custodial interrogation or prior to a waiver of Miranda rights.

The Executive Director or designee will also inform students of their right to have the Executive Director or designee or parent/guardian present during any questioning of a minor PVCS student and request to be present for any questioning of PVCS students. The officer must include the Executive Director or designee in an interview of a minor if the minor requests the Executive Director or designee be present or the student does not object to the Executive Director or designee's request to be present. If the student requests to see their parent/guardian, the request must be construed as the minor's right to invoke the 5th Amendment.

It is the officer's responsibility to meet any legal requirements from a law enforcement perspective relating to advising a student of constitutional or statutory rights. An officer need not inform a student of their right to have a parent/guardian present and, absent a minor's request for a parent/guardian or other adult, the absence of a parent/guardian will not

invalidate a confession. Officers have a statutory obligation to ensure a minor seventeen (17) years of age or younger speaks with an attorney prior to waiving the student's Miranda rights.

Apprehension of PVCS Students by Law Enforcement

In an effort to minimize disruption to the learning environment, the Executive Director or designee should discuss with the officer the reasonableness of making an arrest when students are actively participating in classroom instruction. When considering whether it is reasonable to arrest a student on campus, the Executive Director or designee should recommend the officer consider the following:

- The seriousness of the offense
- Whether the arrest can be affected by other means
- Whether there is an imminent threat to public safety.

Because the Charter School official stands in *loco parentis*, parental permission is not necessary before a minor can be questioned and/or arrested at the Charter School.

A minor may be taken into custody without a warrant if there is reasonable cause that the minor is:

1. A minor between twelve (12) years of age and seventeen (17) years of age, inclusive, who persistently or habitually refuses to obey the reasonable and proper orders or directions of the minor's parents, guardian, or custodian, or who is beyond the control of that person, or who is a minor between twelve (12) years of age and seventeen (17) years of age, inclusive, when the minor violated any ordinance of any California city or county establishing a curfew based solely on age is within the jurisdiction of the juvenile court which may adjudge the minor to be a ward of the court.
2. A person with four (4) or more truanancies within one (1) school year as defined in Education Code section 48260;
3. A ward of the court;
4. A person under the age of eighteen (18) when the student violates any law of California, city, county, and/or of the United States and is therefore under the jurisdiction of the juvenile court; or
5. Any person alleged, when they are twelve (12) years or older, to have committed specified crimes under California Welfare and Institutions Code section 602, subdivision (b).

Request for Student Information by Law Enforcement

Pursuant to student confidentiality under the Family Educational Rights Privacy Act ("FERPA"), written parent/guardian consent is required prior to disclosing a student's personally identifiable information ("PII") and education records. Should an officer request a student's PII or student records, the requested information may be protected by FERPA. With few exceptions, the Charter School must obtain written parent/guardian consent to release PII or student records unless the officer has provided PVCS with a lawfully issued subpoena. If PVCS receives

a lawfully issued subpoena, PVCS shall comply with the subpoena after providing the parent/guardian with reasonable notice of its intent to comply.

Under FERPA, PVCS is permitted to disclose FERPA-protected information to an officer in connection with an emergency, which must be an actual, impending or imminent emergency. The health or safety emergency provision under FERPA permits such disclosures of PII or a student's educational records when the disclosure is necessary to protect the health or safety of the student or other individuals. This exception to FERPA's general consent requirement is limited to the period of the emergency and generally does not allow for a blanket release of PII from a student's educational records. Rather, these disclosures must be related to an actual, impending, or imminent emergency, such as a natural disaster, a terrorist attack, a campus shooting, or the outbreak of an epidemic disease.

The Charter School may disclose "directory information" of a student, which includes, but is not limited to, information such as the student's name, address, telephone listing, date and place of birth, participation in officially recognized activities and sports, and dates of attendance, to law enforcement officials, without the parent/guardian or eligible student's written consent, if the Charter School has given public notice to parents and eligible students of (1) the types of PII that it has designated as "directory information," (2) the right of the parent or eligible student to restrict the disclosure of such information, and (3) the period of time within which a parent or eligible student has to notify the educational agency or institution in writing that he or she does not want any or all of those types of information designated as "directory information."

Records of Student Interviews and Removals by Law Enforcement

The Executive Director or designee shall maintain a record of an officer's interview(s) or interrogation(s) of PVCS students at the Charter School site and the removal of a PVCS student by an officer from the school site.

Although subpoenas may legally be served at the Charter School on students aged twelve (12) or older, the PVCS believes that serving officials should be strongly urged to serve subpoenas at the home of the student or other non-school location whenever possible. When served at the Charter School, the Executive Director or designee shall take reasonable steps to minimize the student's embarrassment and protect the student's privacy and loss of class time.

If an officer takes custody of a student (removes the student from school), the Executive Director or designee must immediately inform the student's parent(s)/guardian(s) or responsible relative. The only time the student's parent(s)/guardian(s) should not be informed by the Executive Director or designee is in the case of a student being taken into custody because they have suffered child abuse. In those cases, the Charter School must provide the officer information as to how the student's parent(s)/guardian(s) can be contacted.

Under no circumstances should the Executive Director or designees release confidential information such as details about the student's apprehension to other students or parent(s)/guardian(s) of other students unless those persons have a right to such information.

Parent/guardian permission for the Executive Director to release the child to the authorities is not required. Parent(s)/guardian(s) must be notified immediately in case of emergency or if the release of a student to an officer is necessary, e.g., removal of the student from campus in order to aid law enforcement in an investigation. An emergency exists if the immediate assistance of the child is required by the officer in the detection or apprehension of a criminal

Board Adopted: 8/16/2023

Pacific View Charter School

Student

Student Policy #29

IMMUNIZATION POLICY

The Pacific View Charter School (“Charter School”) adheres to all laws related to legally required immunizations for entering students pursuant to Health and Safety Code Sections 120325-120380, and Title 17, California Code of Regulations Sections 6000-6075.

Required Immunizations, Records and Reports

California law requires that an immunization record be presented to Charter School staff before a child can be unconditionally enrolled in school. Entering students who are not exempt must provide Charter School written verification from a doctor or immunization clinic of the following immunizations:

| Child’s Grade | Immunization | Dosage |
|--------------------------------|--|-----------------|
| TK/K-12 ¹ | Diphtheria, Pertussis, and Tetanus (DTaP) | Five (5) doses |
| | Polio | Four (4) doses |
| | Measles, Mumps, and Rubella (MMR) | Two (2) doses |
| | Hepatitis B (Hep B) | Three (3) doses |
| | Varicella (chickenpox) | Two (2) doses |
| Entering 7 th Grade | Tetanus, reduced Diphtheria, and acellular Pertussis | One (1) dose |

¹ **NOTE:** Four doses of DTaP are allowed if one was given on or after the fourth birthday. Three doses meet the requirement if at least one dose of Tdap, DTaP, or DTP vaccine was given on or after the seventh birthday (also meets the 7th-12th grade Tdap requirement.) One or two doses of Td vaccine given on or after the seventh birthday count towards the requirement. Three doses of Polio are allowed if one was given on or after fourth birthday. MMR doses must be given on or after first birthday. Two doses of measles, two doses of mumps, and one dose of rubella vaccine meet the requirement, separately or combined. Combination vaccines (e.g., MMRV) meet the requirements for individual component vaccines.

| | | |
|---|-----------|--|
| 2 | (Tdap) | |
| | Varicella | |

Verification of immunizations will be completed with written medical records from the child’s doctor or immunization clinic. Immunization records shall be part of the mandatory permanent pupil record and shall be kept in accordance with Charter School’s Educational Records and Student Information Policy. Charter School will file a written report on the immunization status of all new entrants to Charter School with the California Department of Public Health (“CDPH”), on at least an annual basis, as required by law.

Charter School shall immediately admit a foster child, as defined in Education Code Section 48853.5(a), and a homeless child, as defined in Section 11434a(2) of Title 42 of the United States Code, even if the foster or homeless child’s immunization records are not available or are missing. However, this does not alter Charter School’s obligation to obtain immunization records for foster and homeless students or to ensure the full immunization of foster and homeless students as required by law.

If Charter School discovers that an admitted student who was previously believed to be in compliance with the immunization requirements is subsequently discovered to not be in compliance with either the unconditional admission requirements or the conditional admission requirements, Charter School will notify the student’s parent/guardian of: 1) the time period within which the doses must be received, which may be no more than ten (10) school days after notification; and 2) that the student shall continue in attendance only if the parent/guardian provides documentation that the immunization requirements have been met within the time period designated by Charter School. If the student does not provide documentation of having received all required immunizations within the time period designated by Charter School, Charter School shall exclude this student from attendance. The student shall remain excluded from Charter School until the student provides proper documentation of the student’s compliance with the immunization requirements as required by law. The student shall also be reported to the School Registrar.

The Executive Director, or designee, may arrange for a licensed physician or a qualified registered nurse to administer immunizations at Charter School to any student whose parent/guardian has consented in writing.

Conditional Admission

² **NOTE:** In order to begin seventh grade, students who had a valid personal belief exemption on file with a public or private elementary or secondary school in California before January 1, 2016 must meet all requirements for the TK/K-12 grade levels (i.e., polio, MMR, chickenpox/varicella and primary series for diphtheria, tetanus, and pertussis), **in addition to** the seventh grade requirements for Tdap (at least one dose of pertussis-containing vaccine on or after the seventh birthday) and two (2) doses of Varicella (varicella requirement for seventh grade advancement expires after June 30, 2025).

Students may be conditionally admitted in accordance with Health and Safety Code Section 120340 and Title 17, California Code of Regulations Section 6035. The Executive Director or designee shall notify the student's parents/guardians of the date by which the student must complete all the remaining doses. The Executive Director or designee shall review the immunization record of each student admitted conditionally at least every thirty (30) days from the date of admission until that student has received all the required immunizations or submitted a valid exemption. If a student conditionally admitted fails to fulfill the conditions of admission, Charter School will prohibit the student from further attendance until that student provides proper documentation of the student's compliance with the immunization requirements as required by law.

Documentary Proof

The Executive Director or designee shall maintain the student's immunization information in the student's mandatory permanent record and shall file annual immunization status reports as required by the CDPH.

Exemptions from Immunization Requirements

All students must be fully immunized in accordance with the California Health and Safety Code, the California Code of Regulations, and this Policy with the following exceptions:

1. Students who show proof of a medical exemption by a physician licensed to practice medicine in California pursuant to Health and Safety Code Sections 120370-120372.
 - a. Commencing January 1, 2021, the CDPH standardized medical exemption form shall be the only documentation of a medical exemption that Charter School shall accept.
 - b. On and after July 1, 2021, Charter School shall not unconditionally admit or readmit, or admit or advance any student to 7th grade, unless the student has been fully immunized or files a CDPH standardized medical exemption form as required by law.
 - c. Medical exemptions remain valid until the earliest of: 1) the child's enrollment in the next grade span, as defined below; 2) the expiration date specified in a temporary medical exemption, which shall not exceed one year; or 3) revocation of the exemption pursuant to Health and Safety Code Section 120372.
2. Students who are enrolled in a home-based private school or independent study program and do not receive any classroom-based instruction.
 - a. A student who has not received all of the required immunizations will not be eligible to attend classes at a Charter School or any resource center unless the student is otherwise exempt under #1 or #3.

- b. Classroom-based instruction does not include any extracurricular activities, including sports and school-sponsored events, and field trips, but does include any tutoring or instructional activities occurring on campus or at a resource center.
3. Students who, prior to January 1, 2016, submitted a letter or affidavit on file at a private or public elementary or secondary school in California stating beliefs opposed to immunization, and who provides said letter or affidavit to the Charter School, shall be allowed to enroll at the Charter School without being fully immunized until the student enrolls in the next grade span, as defined below, pursuant to Health and Safety Code Section 120335(g).

“Grade span” means each of the following:

1. Birth to Preschool.
2. Kindergarten and grades 1 to 6, inclusive, including transitional kindergarten.
3. Grades 7 to 12, inclusive.

If there is good cause to believe that a child has been exposed to a disease listed in Health and Safety Code Section 120335(b) and the child’s documentary proof of immunization status does not show proof of immunization against that disease, that child may be temporarily excluded from Charter School until the local health officer is satisfied that the child is no longer at risk of developing or transmitting the disease.

This Policy does not prohibit a student who qualifies for an individualized education program (“IEP”), pursuant to federal law and Education Code Section 56026, from accessing any special education and related services required by the student’s IEP.

Board Approved: 5-28-24

Pacific View Charter School

Student

Student Policy #30

Civility Conduct Of Employees, Parents and The Public Policy

It is the intent of the Board of Education to promote mutual respect, civility and orderly conduct among Pacific View Charter School employees, parents and the public. It is not the intent of the Board of Education to deprive any person of his or her right to freedom of expression. The intent of this policy is to maintain a safe and orderly workplace for teachers, students, administrators, staff, parents and other members of the community. Pacific View is committed to maintaining orderly educational and administrative processes in keeping schools and offices free from disruptions and preventing unauthorized persons from entering school grounds.

In the interest of presenting school administrators, teachers and other employees as positive role models, the Board of Education encourages positive communications and discourages volatile, hostile or aggressive communications or actions. This policy seeks to promote a school and workplace culture of mutual respect, civility and orderly conduct. One of the primary goals of this policy is to ensure a learning environment that is safe, productive and nurturing for all students and staff. Pacific View Charter School seeks public cooperation with this endeavor.

1. Expected level of behavior:

School personnel will treat parents, students and other members of the public with courtesy and respect.

Parents, students and visitors will treat teachers, administrators, other employees, and site visitors with courtesy and respect.

2. Unacceptable/disruptive behavior:

Disruptive behavior includes, but is not necessarily limited to:

- Behavior which interferes with or threatens to interfere with the operation of a classroom, an employee's office or office area, areas of school or facilities open to parents/guardians and the general public or a school sponsored event away from the school site. It also covers areas of a school or facilities which are not open to parents/guardians and the general public;
- Using loud and/or offensive language, swearing, cursing or display of temper;
- Threatening to do bodily or physical harm to a teacher, school administrator, school employee, student, or visitor to the site regardless of whether the behavior constitutes or may constitute a criminal violation;
- Damaging or destroying school property;
- Abusive, threatening or obscene e-mail or voice mail messages;
- Taunting, jeering, or inciting others to taunt or jeer at a person;

- Using epithets referring to one's ethnicity/race, religion, gender, color, sexuality, or disability;
- Invading the personal space of a person after being directed to move away;
- Repeatedly and aggressively interrupting another person who is speaking at an appropriate time and place; or
- Any other behavior that disrupts the orderly operation of a school, classroom or any other school facility.

3. Parent recourse:

Any parent who believes he/she or his/her student was subject to unacceptable/disruptive behavior on the part of any staff member should bring such behavior to the attention of the staff member's immediate supervisor or appropriate administrator. The parent may report verbally or in writing using the uniform complaint form. Parents are encouraged to work out issues of concern promptly. No retaliation will be permitted against persons for working in good faith under this policy to resolve conflicts.

4. Authority of school personnel:

Authority to direct persons to leave school premises or a school sponsored event away from the school site: Any individual who

- (1) disrupts or threatens to disrupt school operations;
- (2) threatens or attempts to do or does physical harm to school personnel, students or others on school premises;
- (3) threatens the health or safety of students, school personnel or others on school premises;
- (4) intentionally causes damage to school property or the property of others on a school campus;
- (5) uses loud and/or offensive language, which would provide a violent reaction; or
- (6) comes on a school facility without authorization or otherwise establishes a continued pattern of unauthorized entry on school grounds may be directed to leave the school premises by the Executive Director or designee, or in their absence a person who is in charge of the school or any administrator.

If any member of the public uses obscenities or speaks in a demanding, loud, insulting and/or demeaning manner, the administrator or employee to whom the remarks are directed will calmly and politely admonish the speaker to communicate civilly. If corrective action is not taken by the abusing party, the employee will verbally notify the abusing party that the meeting, conference, or telephone conversation is terminated, and if the meeting or conference is on school premises, the offending person will be directed to leave promptly.

When an individual is directed to leave under the circumstances presented above, the Executive Director or designee shall inform the person that he/she may be guilty of a crime if he/she: fails to leave or remains after being directed to leave; returns to the campus without following the school's posted registration requirements; or returns within seven days after being directed to leave, as applicable. If the person refuses to leave the premises or returns before the applicable period of time as directed, the administrator or other authorized personnel may seek the

assistance of law enforcement and request that law enforcement take such action as is deemed necessary.

5. Appeal procedure:

Any person who is asked to leave a school building or grounds may appeal to the Executive Director or designee. This appeal shall be made no later than the second school day after the person has departed from the school building or grounds. After reviewing the matter with the administrator or designee and the person making the appeal, the Executive Director or designee shall render his/her decision within 24 hours after the appeal is made, and this decision shall be binding.

The decision of the Executive Director or designee may be appealed to the Board of Education. Such an appeal shall be made no later than the second school day after the Executive Director or designee has rendered his/her decision. The Board shall consider and decide the appeal at its next scheduled regular public meeting. The Board's decision shall be final.

Board Approved: 5-28-24