25-26 - LAZEAR FAMILY HANDBOOK

Purpose: Welcome new staff, students, and families and provide important information about Lazear. Clarify expectations, policies, and highlight our values.

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THE LAZEAR WAY

LAZEAR SCHOOL MISSION

The mission of Lazear is to fully prepare students academically and socially for success in high school with the hope that this sets them up for a life of opportunity and choice.

LAZEAR GUIDING BELIEFS

- We exist because of the power, resilience, and love of our families and we leverage that strength in all we do.
- Every member of our community must be seen, heard, valued and known to realize our vision.
- Adults and students share ownership for student success.
- Access to opportunity and equitable education is a human right and our responsibility.
- We rise to the occasion in the face of challenges.

LAZEAR SCHOOL VISION

At Lazear Charter Academy we are change agents who use quality education as a tool to dismantle systems of oppression. Guided by love and connection, we develop whole people with the belief that our academic, social, and emotional potential is unlimited. We use a multidisciplinary STEAM program to cultivate empathetic systems thinkers and lifelong learners who ask critical questions, create innovative solutions to complex problems, and express ideas confidently.

Who We Are: Our Values

- **Ganas-** we set goals and persevere through challenges and failure to see success academically and personally.
- **Responsibility-** we take ownership over our own actions, learning and personal success. We advocate for what we need to be successful and come prepared. We try to understand and engage in the world around us and take initiative to support the wellbeing of everyone in our community.
- **Empathy-** when encountering a new or challenging situation, we are able to put ourselves in someone else's shoes, understand their perspective, and take that into consideration in our interactions with others. We feel what others feel.
- **Team-** we only succeed when we all succeed. We support and care for all members of our community and work in true partnership with families and community members. We come together to joyously celebrate traditions and moments of triumph, and to discuss our collective responsibility for hard realities.

Attendance

Attendance at school is the most basic requirement for learning. We commit to structuring every minute of the school day in a way that will benefit your child academically so ask that families ensure that their child is in school. Please note the following important attendance policies:

Absences:

- **We do not differentiate between "excused" and "unexcused" absences**: Any time a student misses school, it affects their learning and the learning of others—no matter the reason. Every missed day means a missed day of instruction and will be marked as an absence. While we understand that absences sometimes happen, they still count in attendance records.
- **Attendance at after-school events**: Students who are absent from school cannot attend school events, sports or clubs, dances, or other school-sponsored activities on the day of the absence, unless the school has given advance permission.
- **Aim for 6 or Fewer in 1 Year: We know students will sometimes need to miss school—our goal isn't perfect attendance. Please help support your child's learning by keeping absences to essential reasons only:**
    - When your child is sick, injured, or has a doctor or dentist appointment (a doctor's note may be needed). We follow Kaiser's guidelines to determine whether a child is too sick for school.
    - Observance of a religious holiday
    - If your child is attending a U.S. naturalization ceremony and/or court
    - Death of a close family member
    - Absences must be excused within **3 days** from the date of the absence.
- **SART Attendance Meetings to Address Challenges:** Students who have will receive a **SART (School Attendance Review Team) letter.** This means your family will be invited to a **mandatory** meeting where we'll work together on a plan to help improve attendance and sign a contract.
    - SART 1: **3 or more unexcused absences or tardies over 30 minutes**, **or** if absent (excused or unexcused) **for 10% or more of their enrolled days**,
    - SART 2: 6 or more unexcused absences or 10% of enrolled days.
    - SARB: After two SART meetings, the case may be referred to the **School Attendance Review Board (SARB)** at the **District Home Office**, where a formal plan will be developed.

Tardies & Early Dismissals:

Getting to school on time and remaining in school for the entire school day are keys to each child's success – at school and in life. At Lazear, learning begins from the moment students walk in the door and continues until the final bell rings.

Tardiness

- Students arriving after the 8:30am bell **must** report to the office for a tardy slip.
- 5th-8th grade students arriving late to classes throughout the day must also report to the front office for a tardy slip and may be assigned lunch detention.
- If students need breakfast they must eat it before going to class. Students will not be allowed to go to class with food or beverage that is not water.
- 3 tardies over 30 minutes is counted as one absence.

Early Dismissal

Students are expected to stay in school until the end of the day. To maximize learning time and to avoid unnecessary disruptions, students should only leave early for an appointment, family emergency, or due to illness. **Students will not be released prior to a family member arriving and office staff will not walk**

students out or send them out. Three early dismissals will be counted as one absence. **To ensure a safe dismissal, students will not be permitted to be signed out early between 2:45-3:15 PM without proof of an appointment.**

Independent Study Policy

- Parents need to request independent study **two weeks** before the absence will begin. If it is an emergency medical situation, a parent should come in as soon as possible to pick up work for the student.

1. Independent Study in one school year shall only be approved under the following circumstances:
    a. When a pupil becomes temporarily disabled, if
        i. The student's parent or guardian provides written documentation by a licensed physician of the temporary disability which would prevent the student from attending in-person instruction, and
        ii. The student's parent or guardian and the Charter School agree that the student may receive instruction through independent study instead of receiving the "home and hospital" instruction.
    - The work from independent study must be turned into the office staff for accounting purposes, **not to the student's teacher. The process must begin and end with the office staff.**

SCHOOL CONTACT

Important Contact Information:

- School Contact: Lazear Main Office: 824 29th Ave, Oakland, CA 94601, 510-689-2000
- District Contact: Education for Change Home Office: 333 Hegenberger Road, Suite 600, Oakland CA 94621

School/Home Communication-

- We will use our communication platform, **ParentSquare**, to communicate with families. We encourage all families to download the ParentSquare App to utilize all the benefits of our parent communication platform including updated information and a calendar with all events.
- Staff members are available to respond to phone calls, emails and ParentSquare messages between working hours of 8am-4pm. Any communication sent outside of working hours will be responded to during the next day's working hours, but please allow for 24-48 hours for staff to respond. Urgent needs should go through the office (510-689-2000). Meetings should be scheduled in advance with the staff member.
- On the 3rd Friday of each month, families will be able to join "Coffee with the Principal" from 8:15-9:00 and attend staff member office hours from 3:30-4:00 in classrooms with teachers.

School Leadership & Operations Team

We want to provide an overview of the roles and responsibilities held by staff members that parents will commonly interact with. Please make note of these responsibilities so you know who to talk to if you have any questions or concerns.

- **Dean of Culture, Francisco Gomez-** Francisco Gomez holds the first contact for all behavioral referrals and student conflict mediation. If your student violates a school rule or is having a conflict with another student(s), Francisco will be the first person to address the concerns and work through the problem with students and families as appropriate.

- **School Operations Manager, Natalie Soto-** Natalie Soto oversees all school operations including custodial services, food services and office operations. She manages the Office Manager, Jr. Office Manager and Custodians. If you have concerns with any school operations, please reach out to her to address your concerns.

- **Attendance Manager, Mario Padilla-** Mario Padilla works on all office tasks, but his primary responsibility is attendance. If you have questions about attendance, if your child will be out of school for any reason, or you know your student needs to be placed on independent study, please reach out to him.

- **Jr. Office Manager & Enrollment Coordinator, Maritza Gonzalez-** Maritza Gonzalez works to support all office tasks including compliance tasks (immunization, budget), but a major responsibility is enrollment. She can support you with many issues you may have day to day or direct you to the appropriate person.

- **Parent Coordinator & Cafe Manager, Rocio Gonzalez-** Rocio Gonzalez oversees all the parent volunteers supporting teachers at the school and the cafeteria. Please reach out to her to find out how you can support the school, we always need more volunteers.

SCHOOL SCHEDULE & CALENDAR

Report Card/Conference Timeline

Trimester 1 (T1): 8/11/25-11/6/25

- 5th-8th Progress Reports Home: September 10th
- Trimester 1 (T1) Progress Conferences: September 29th-October 3rd (minimum days)
- T1 Report Cards Distributed: Week of December 8th

Trimester 2 (T2): 11/7/25-2/27/26

- T2 Progress Conferences: January 26th-30th (minimum days)
- T2 Report Cards Distributed: Week of March 16th

Trimester 3 (T3): 3/4/26-5/29/26

- T3 Report Cards Distributed: June 4th

School Bell Schedule:

	Mondays, Tuesdays, Thursdays, Fridays	Wednesdays/ Minimum Days
Bell Rings	8:25	8:25
Lunch Recess: TK	10:35-10:55	10:35-10:55
Lunch Cafeteria: TK	10:55-11:20	10:55-11:20
Lunch Cafeteria: K	11:00-11:25	11:00-11:25
Lunch Recess: K	11:25-11:45	11:25-11:45
Lunch Recess: 1st & 2nd	11:05-11:25	11:05-11:25
Lunch Cafeteria: 1st & 2nd	11:25-11:45	11:25-11:45
Lunch Recess: 3rd & 4th	11:50-12:10	11:50-12:10
Lunch Cafeteria: 3rd & 4th	12:10-12:30	12:10-12:30
Lunch Cafeteria: 5th & 6th	11:50-12:10	11:50-12:10
Lunch Recess: 5th & 6th	12:10-12:30	12:10-12:30
Lunch Cafeteria: 7th & 8th	12:35-12:55	12:35-12:55
Lunch Recess: 7th & 8th	12:50-1:10	12:50-1:15
Dismissal: TK-2nd	3:00	1:15
Dismissal: 3rd-8th	3:15	1:15

School Annual Calendar:

- Please find our annual calendar here or pick up a hard copy from the main office.

FAMILY PARTNERSHIP AND COMMUNITY ENGAGEMENT

FAMILY MEMBER CODE OF CONDUCT:

In order to maintain an orderly, respectful and secure educational environment for the students and staff of the Lazear Charter Academy, it is essential that all family members and visitors to our school community be aware of their responsibilities and adhere to the expected code of conduct as set forth in this handbook.

Families are expected to:

- Recognize that the education of children is a joint responsibility of the family and the school community.
- Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
- Ensure that children bring only items appropriate and related to the instructional program at school.
- Know school and classroom rules and help their children understand them. Convey to their children a supportive attitude toward education and the district.
- Build good relationships with teachers, other families and their children's friends.
- Inform school officials of changes in the home situation that may affect student conduct or performance.
- Insist their children be dressed and groomed in a manner consistent with the student dress code.
- Provide a place for study, and ensure homework assignments are completed.
- Bring any concerns about student interactions to the Dean of Culture for the school to lead any resolution efforts between students.

Public Conduct in association with our School Community-

Schools are a place of work and learning. Certain limits must be set for parents and other family members who visit our schools and classrooms. All persons on school property, attending a school function, or interacting with our school community shall conduct themselves in a respectful and orderly manner. The building admin is responsible for all persons in the building and on the grounds. The following rules apply to visitors of Lazear:

- Anyone who is not a regular staff member or student of the school will be considered a visitor.
- All visitors of the school must report to the office upon arrival at the school. They will be required to sign the visitor's register and will be issued a visitor's badge, which must be worn at all times while in the school or on school grounds.
- Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
- Parents or visitors who wish to observe a classroom while school is in session are required to arrange such visits with the classroom teacher(s), so that class disruption is kept to a minimum.
- Teachers are expected not to take class time to discuss individual matters with visitors.
- Any unauthorized person on school property will be reported to the admin. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.

Conduct Prohibited in association with our School Community-

No person shall:

- Intentionally injure any other person or threaten to do so.
- Approach a student other than their own student in order to address or resolve an issue.
- Intentionally damage or destroy school property or the property of a teacher, administrator, other district employee or any other person lawfully on school property, including graffiti or arson.
- Disrupt the orderly conduct of classes, school programs or other school activities.

- Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
- Intimidate, harass or discriminate against any person for any reason and on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation or disability
- Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
- Obstruct the free movement of any person in any place to which this code applies.
- Violate the traffic laws, parking regulations or other restrictions of vehicles.
- Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
- Possess or use weapons in or on school property or at school function, except in the case of law enforcement officers. Loiter on or about school functions.
- Gamble on school property or at school functions.
- Bring a pet or other animal onto campus at any time.
- Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
- Willfully incite others to commit any of the acts prohibited by this code.
- Violate any federal or state statute, local ordinance or board policy while on school property or while engaging in a school function.

Persons in Violation of the Code of Conduct-

The authorization of a visitor, to remain on school grounds or participate in any school function, will possibly be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection. The school reserves its right to pursue a civil or criminal legal action against any person violating the code.

Parents & Family Classroom Visits & Observations

- Family members are welcome to sit in on classes as visitors and must arrange with teachers ahead of time. Family visitors should sign in the office and get a visitor pass.
    - To arrange a classroom visit, reach out to classroom educators via Parentsquare.
- For the 30 minutes after Coffee with the Principal, families who are in attendance are welcome to visit classrooms.
- Being a visitor and observer in the classroom means sitting quietly. It is not appropriate to: ask to speak with your student's teacher while they are teaching; doing the work for your student; or scold or discipline any other student in the classroom.
- In the first two months of TK & K, parents and family members will not be permitted to stay in class with students. It is important for these students to get used to being at school without their parents and need their parents to leave at the beginning of the day to ensure that happens.

Parents & Families Volunteering at Lazear-

- Volunteering and visiting classrooms is encouraged and must be pre-arranged so as to not disrupt learning in the classroom.
- Our teachers can always use support in the classroom! Families, please contact your teacher to find out ways to support your student's teacher. Teachers should be reaching out to families for help in their classroom. This could look like:
    - Help preparing materials for projects and classroom activities
    - Making copies for lessons or homework

    - Organizing class libraries or other classroom systems
    - Many more things- talk to the teacher!
- Please contact Parent Coordinator at Lazear, Rocio Gonzalez (rgonzalez@efcps.net) if you wish to volunteer for events outside of your student's classroom.
- Family volunteers should not take photos of students that are not their own or of staff without their permission or knowledge.
- We expect our parents and families to treat all students and staff members with respect, use appropriate language, and conduct themselves professionally. If this is violated, the ability to be a volunteer or visitor at the school may be revoked.

Classroom Assignments-

- We do our best to create classes at the start of the year that balance and account for a large variety of factors.
- While we make that best effort, with new students and staff, we reserve the right to make changes to class rosters throughout the year as needed.
- We specifically examine classes two weeks after the start of the school year to ensure balance. At that time, students may be moved between classes.
- Any changes to a student's homeroom will be communicated to family and students prior to any changes happening.

Lazear Parent Problem-Solving Procedures:

- Whenever a family member has an issue, we strive to resolve it as efficiently and effectively as possible. In order to do this we ask all family members to first address the issue directly with their child's teacher (if it is related to a classroom incident) or contact the school office. Our office team is trained to take down the concern and direct you to the person most equipped to respond. This means that you will not be immediately directed to the principal or assistant principal. Please use the parent problem-solving procedure to help direct you to the right person. Remember, your child's teacher and front office are always here to help direct you to the right person.

Issue:	Step 1	Step 2	Step 3	Step 4	Step 5
My child feels unsafe./ My child has a conflict with another student.	Report this information to your child's teacher, and ask what (s)he can do to resolve the issue. Check back in with the teacher later that day or the following day. If the issue is very severe/urgent, also proceed to step 2 immediately.	Report this information to a Dean of Culture by leaving a message with our office staff. The Dean of Culture will investigate and then contact you to discuss next steps.	If this is not resolved, make an appointment with the Assistant Principal.	If this is not resolved, make an appointment with the Principal.	Call Abigal Nunez(EFC Superintendent of Schools) at the Education for Change Home Office to discuss your concerns 510-568-7936
My child is not progressing academically./ I have questions about my child's academic progress.	Discuss this information with your child's teacher. Ask what (s)he is doing/will do to address your concerns, and ask what you can do at home to support your child's progress.	Reach out to the office to make an appointment with an Assistant Principal of Instruction/Coach.	If your concern remains unresolved, contact the S3 Coordinator and request a student support team meeting	Make an appointment with the Assistant Principal or Principal. (The Principal may also invite intervention staff to the meeting.)	
I need counseling services for my child.	Reach out to the child's teacher to assist your child in completing a drop-in counseling form.	If your child has not talked to someone within a week of completing drop-in counseling then reach out to the office to have Maria Camacho or a member of the clinical team follow up with you.	Make an appointment with the Assistant Principal or Principal if the need for counseling is urgent and you have not heard back about services within 2 weeks.		
I have a concern/question about the special education services my child receives.	Schedule an appointment with the special education staff.	If the issue is not resolved or you do not hear back, contact Ms. Maria our S3 Coordinator.	Schedule an appointment with the Asst. Principal or Principal.	Schedule an appointment with our Chief of Student Support Services, Brandee Stewart, by calling 510-568-7936	
I have a concern about school safety (including student behavior/ Hallways & playground issues/ parking lot & drop-off issues/etc.)	Report this information to your child's teacher, and ask what (s)he can do to resolve the issue.	Schedule a meeting with our Dean of Culture, who will discuss the concerns with the Principal or Asst. Principal.	Make an appointment with the Assistant Principal; they will work with the Principal to resolve the issue.		
I have a concern about my child's teacher or another employee.	Schedule a meeting with your child's teacher (or the other employee) to discuss your concerns and explain what you need from him/her. If you feel uncomfortable and would like an administrator present or other staff person present, please arrange this through the main office.	If unresolved, contact the office to make an appointment with an Assistant Principal of Instruction/Coach.	If unresolved, contact the office to make an appointment with an administrator (Assistant Principal or Principal) to discuss your concerns and possible solutions.		Call Abigail Nunez (EFC Chief of Schools) at the Education for Change Home Office to discuss your concerns **510-568-7936**
I have a concern/question that relates to the After-School Program.	Schedule a meeting with the After School Program Director, to discuss your concerns/questions.	Schedule a meeting with the Expanded Learning Site Coordinator, they will discuss your concerns/questions with the After School Program Director and provide support in resolving the issue.	If unresolved, contact the Director of Expanded Learning who will discuss with site leadership.	Make an appointment with the Assistant Principal; they will discuss your concerns with the Principal and provide support in resolving the issue.	
I have a concern/question about school meals.	Schedule a meeting with our cafeteria manager to discuss your concerns.	Schedule a meeting with our Site Operations Manager, they will work with the cafeteria manager to address your concerns.	Make an appointment with the Principal; they will bring your concerns to the Director of Nutritional Services and will alert the EFC Home Office.		Call Sundar Chari (EFC Chief Strategy Officer) at the Education for Change Home Office to discuss your concerns **510-568-7936**
I have a concern/question about building cleanliness.	Schedule a meeting with our Site Operations Manager, who will discuss the concerns with the Lead Custodian.	Make an appointment with a Principal; they will bring your concerns to the Director of Custodial Services and will alert the EFC Home Office.			
I have a concern/ question about after school activities (sports, clubs, etc).	Schedule a meeting with the after school program activity lead (coach, club leader, etc.)	Contact the office who will direct you to the Athletic Director or the Expanded Learning Site Coordinator to address your concerns.	Make an appointment with the Assistant Principal who will discuss your concerns with the principal and support the AD and ELSC to resolve the issue.	Call EFC Home Office and make an appointment with the Expanded Learning Director to resolve your issues.	Call Larissa Adam (EFC Superintendent of Schools) at the Education for Change Home Office to discuss your concerns **510-568-7936**

ARRIVAL, DISMISSAL, AND LATE PICK-UPS

Arrival

- Lazear arrival is from 7:45 AM-8:25 AM. No student may be on campus or waiting outside campus before 7:45 AM as it is not safe.
- To ensure safety the only entrances available are the 29th avenue driveway and the 29th avenue pedestrian gate (ALL STUDENTS).
- Families dropping off students in cars:
    - Family members can drive into the school parking lot, drive to the ramp in front of the office, and let students enter school.
    - If you plan to walk your student into school, you cannot block other cars in the parking lot or on 29th Ave. You must pull into an available, designated parking space in the Lazear parking lot, or along the curb on 29th Ave. to walk your student in. If no spaces are available, families may do one of the following:
        - Parents can park in the East 10th St. neighborhood and students can cross East 10th St. to the 29th Ave. entrance. A crossing guard will be on duty to help escort students across the street.
        - Parents can park in FoodMaxx and walk to the front of the school. This is not designated Lazear parking and doing so may result in fines or your car being towed so choose this option with caution.
    - Parents **cannot** double-park on 29th Ave. to walk students into school. This blocks traffic and forces students to be late to school. We ask police to patrol the area in the morning and ticket any car that is double-parked.
- Breakfast will be served in the cafeteria starting at 7:45am. Students who eat breakfast should arrive by 8:10am to have enough time to eat breakfast before school starts. The cafeteria lunch window closes at 8:20 a.m sharp
- Any student arriving before 8:10am must go directly to the cafeteria.
- At 8:10 am, Francisco announces to students to make their way to the blacktop, make sure to pick up all their trash, and reminds students that there is no food and/or drinks allowed outside of the cafeteria
- Francisco, Rocio, Marco, and arrival yard duty staff members(quad/blacktop) will remind students that they cannot eat/drink outside the cafeteria
- After students arrive on campus, they are not permitted to leave campus. If a student leaves campus after arriving (ex: goes to Starbucks or FoodMax) the student will receive consequences laid out in the discipline handbook and will have a meeting between admin and parent.
- No pets should accompany parents onto campus for dismissal, arrival or any other time they are visiting campus.

Dismissal:

- Dismissal times
    - On regular days (M, Tu, Th, and Fri)
        - TK-2 students are dismissed at 3:00 PM and
        - 3rd-8th grade students are dismissed at 3:15 PM
    - Wednesdays and minimum weeks
        - TK-8th grade students are all dismissed at 1:15 PM
- **No students will be released from school without a parent signature.** If a student is ill, they must be picked up by an approved family member; they will not be permitted to leave alone. This applies to all students TK-8th grade.
- At 3:10pm/1:25pm (TK-2) and 3:25/1:25 (3rd-8th), if the student hasn't been picked up, the teacher walks students to the shade structure to wait there.
- Students who are not attending the after school program need to depart campus no later than 10 minutes after dismissal.

- **Students are not allowed to leave alone until 5th grade.**

Late-Pickups

All students who are not in the After School Program (ASP) must be picked up or walk home within 10 minutes of dismissal time. Students who are not picked up within the first 10 minutes of dismissal time are considered to be a late pick-up. Families will be contacted to pick their child up. After three late pick-ups, the Dean of Culture will schedule a conference with the family of the student to problem-solve regarding pick-up. Chronic failure to pick students up on time will result in additional steps including meeting with administrators and eventually contact of CPS. Students may not wait outside the school without supervision before or after school hours.

Closed Campus

Lazear Charter Academy is a closed campus. Once students arrive at school, they may not leave the campus without parent/guardian ("parent") permission and may be dismissed early. Staff should not bring students off campus unless the leave is part of a field trip and students may not leave once they arrive.

Visitors:

- All visitors must report to the office, sign in using the visitor's log, and wear a visitor's ID badge.
- All visitors must sign out in the front office before leaving campus.
- All staff members on campus should direct all visitors to the front office to sign in and receive a visitor's pass.
- Any deliveries (lunches, jackets, etc.) to students should be made through the office.
- No pets should accompany parents onto campus for dismissal, arrival or any other time they are visiting campus.
- We expect our parents and families to treat all students and staff members with respect, use appropriate language, and conduct themselves professionally. If this is violated, the ability to be a volunteer or visitor at the school may be revoked.

Operations & School Policies

Uniforms:

- Transitioning kindergarten through fourth grade students are expected to wear a navy blue shirt and solid black pants or jeans, skirts, or shorts, every day.
- 5th through 8th grade students are expected to wear a gray shirt and black pants or jeans, skirts to the knee, or shorts to the knee, every day.
- Skirts and shorts should be knee-length, or worn with leggings. No clothing should be see-through or have inappropriate logos, pictures, etc. for school. Students should **not** wear gang-affiliated clothing or paraphernalia. The school reserves the right to determine what constitutes whether an item is considered gang-affiliated.
- Students can wear their jerseys on Friday when there is a game day.
- If a student is out of uniform (with or without a note):
    - Students will be sent to the office and the student will be issued a loaner uniform to wear.
    - Parents will be called to bring the student uniform or informed that if the student does not bring back the loaner clothing, the parent will be charged.
- Sweatshirts (outerwear) must be solid navy blue (TK-4th) or solid gray (5th-8th). Heavy jackets may be worn to school and removed in class. All classrooms are equipped with heaters.
- Hoods should be removed inside the classroom to promote learning and community in the classroom. If students refuse to remove hoods inside classrooms, they will lose the privilege of wearing sweatshirts or jackets at school.
- Hats will only be allowed if they are Lazear hats and not a distraction.
- No blankets.
- All workout/sports clothing must adhere to minimum Lazear dress code.
- The dress code shall remain consistent between day and after school programming.

Electronics:

- Electronics from home may not be used on campus. Lazear will not be liable for any lost or stolen electronics as they should remain at home.
- Upper School students who bring a cell phone will be required to turn their phones into their homeroom teacher at the beginning of each day.
- Once the bell rings, any visible technology (cell phones, apple watch, airpods, etc.) will be confiscated by staff and students will receive a referral. Chronic situations will be dealt with by the administrators.
- If electronic devices are out:
    - First Offense = Minor referral, phone stored in office until the end the day
    - Second Offense = Minor referral, contact parents, students turn in cell phone for next 2 days
    - Third Offense = Major Referral, and/or any offense after is 5 days of turning the phone into the office, and a meeting with parent may be requested
    - Any offense thereafter will result in following the third step of the consequences ladder

Toys, Skateboards, Scooters, Bikes, and Other Distractions to Learning:

- Toys or other distractions to learning from home are not allowed at school. This includes action figures, any action playing cards, and fidget spinners. Any distractions to learning will be confiscated by the teacher on the first offense (see below), the office will hold the toys for repeat offenses.
- Skateboards, scooters, bicycles, hoverboards, skate shoes, etc. cannot be rode on campus during school hours. Transport items being used will be confiscated. These items should be stored in the Bike rack that is at the entrance by the Lazear yellow letters.
- Any distractions to learning or transportation items will be confiscated:

- First Offense = Confiscated until end of day
- Second Offense = Confiscated for 1 full week
- Third Offense = Confiscated for 1 full week and the parent must attend a meeting with the student to retrieve items at the end of the week.

Nutrition Policy:

Overview: Healthy nutrition is closely tied to learning, students ability to be focused in class everyday. During school hours (including students participating in the After School Program or sports), foods containing high levels of sugar, processed foods and foods high in fat are not allowed to be consumed on campus.

Examples of foods that do not promote student health and learning and should not be consumed at school: processed foods with high amounts of sugar, salt or fat, including:

Sugary Drinks	Energy Drinks	Candy & Gum	Fast Food	Starbucks

Food During School Day:

- Lunch is provided for all students free of charge each day. Families are welcome to send homemade lunch with their child, however, food may not be dropped off during the day as it disrupts learning and staff does not have capacity to deliver.
- Students arriving late will not be allowed to enter with food or drink of any kind

If a student has non-permitted food, the food will be confiscated from the student:

- First Offense = Confiscated until end of day
- Second/Ongoing Offense = Thrown away
- Dropped off food will not be delivered

Food being sold during fundraising events should always be coordinated with Rocio Gonzalez and the Principal. Items sold or provided must abide by school nutrition policies.

Morning/afternoon recess snack time

- Snacks should only be eaten in designated areas
  - Coned off areas
  - All wrappers from snacks **must** go inside the garbage bin
  - Supervising educators are responsible for cleaning garbage left behind by their students

Lunch/Recess

- Students should eat their lunch in the cafeteria. If they don't finish their food by the time lunch is over, they will be asked to put their lunch away

- No food is permitted to leave the cafeteria unless the student is accompanied by a staff member to do so

After School Program

- The same nutrition policy rules apply for students participating in the After School Program

Celebration Policy

- The following guidelines have been developed in an effort to provide clarity for the school community, promote healthy celebrations, and preserve instructional time. Lazear Charter Academy invests considerable time and effort to ensure school is joyful and there are numerous opportunities to celebrate students learning as a school community. As a result we limit individual student celebrations outside of those organized by the school in order to preserve instructional time to respect all cultures.
- Families wishing to bring in treats and snacks for celebrations are asked to bring items that promote student health and learning like the ones listed above or other items that are healthy and low in sugar.
- **Birthday celebrations** – Students are allowed to bring goodie bags. This must be prearranged with the teacher and will only be delivered the last 15 minutes of the day.

Students may not sell food items or other materials at any point during hours.

STUDENT SUPPORT & DISCIPLINE

CULTURE, VALUES & DISCIPLINE POLICIES

At Lazear Charter Academy, we practice Positive Behavioral Interventions & Supports (PBIS). As part of this philosophy, we believe:

- All young people can learn.
- All young people deserve respect, for themselves, their families, and their cultures.
- All adults at Lazear Charter Academy share responsibility for all young people.
- All adults must hold and maintain high expectations for learning and behavior for all young people.
- All adults can work to build the assets that young people need for healthy development.
- Behavior and expectations must be taught.
- Because young people have different needs, they will need different types of support.

Lazear Discipline Structure:

The Progressive Discipline Steps system is in place to support teachers and students whenever students struggle with appropriate behavior in class, or in the common areas of the school. Below are the systems used in the classroom and school-wide to support students in accepting responsibility for their actions, which includes, consequences for behavior and restorative resolutions.

Progressive Discipline

Step 1: Verbal Prompt (teacher reminding student of expectations)
Step 2: Redirection (heart-to-heart, change of seating within class)
Step 3: Referral (reflection or other consequence outlined by referral)

Behaviors Managed in the Classroom (Level 0)

Behavior	**Response**
-Talking out of turn/ calling out -Out of seat -Minor non-compliance (passive refusal, ignoring instruction) -Swearing accidentally or not directed at an individual	Start with Step 1 of Progressive Discipline, Verbal prompt
-Repeated behaviors from above -Horseplay -Defiance (talking back with disrespect) -Mishandling of materials in an unsafe or inappropriate way (not meant to harm others)	Start with Step 2 of Progressive Discipline, Redirection
-Repeated behaviors from above -Swearing directed at a person -Arguing with teacher	Start with Step 3 of Progressive Discipline, Referral

Behaviors Managed Through Major Office Referral Process (Levels 1, 2, and 3)

Drugs and Alcohol

Action	*Consequence*	*Resolution*
Bringing substances to school and distributing/ intent to distribute to others	Level 3: 2+ days suspension	Restorative assignment. Conference with parents.
Bringing substances on campus	Level 3: 1-2 days suspension	Restorative assignment. Conference with parents.

Using marijuana, alcohol, or tobacco on campus **or** being under the influence of a substance on campus	Level 3: 1-2 day suspension	Restorative assignment. Conference with parents.
Purchasing/ intent to purchase controlled substance	Level 2: 1-2 days in-school-suspension/ alternative placement	Restorative assignment. Conference with parents.

Skipping Class

Action	*Consequence*	*Resolution*
Skipping class or walking out of class, first offense	Level 1: 1 day detention	Dean/Teacher-student meeting. Student uses detention to make up missed work.
Skipping class or walking out of class, repeated offense	Level 1: 2 day detention. Parent and Dean meeting with teacher	Dean/Teacher-student meeting. Student uses detention to make up missed work.
Leaving school grounds without permission	Level 2: 1 day alternative placement	Admin-parent-student meeting. Student uses alternative placement to make up missed work.

Aggression or Harassment Towards Others

Action	*Consequence*	*Resolution*
Verbal/ Written/ Online Threat or Harassment	Level 1 or 2 depending on severity	Restorative Circle or conflict resolution. Parent contact.
Severe Verbal/ Written/ Online Threat or Harassment (mentioning weapons, deadly force, etc.)	Level 2: 1-2 day suspension	Restorative Circle or conflict resolution with parent present. Community service around safety.
Name calling or Derogatory comments (verbal, written, online) involving Race, Gender, Ethnicity, Sexual Orientation, Disability, and/or Religion	Level 2: 1 day of in-school-suspension or alternative placement	Restorative Circle or conflict resolution. Community service around diversity/inclusion.
Sexual harassment (verbal, written, online), including but not limited to sexual comments, inappropriate or unwanted touching, spreading sexual rumors, displaying sexual subjective images, etc.	Level 2 or 3, depending on severity: 1 day in-school-suspension/ alternative placement or out-of-school suspension	Restorative Circle or conflict resolution with parent present. Restorative work around sexual harassment.
Physical assault/ fighting	Level 2 or 3, depending on severity	Restorative Circle or conflict resolution, possibly with families.
Instigating an altercation between other students	Level 2 or 3, depending on severity	Restorative Circle or conflict resolution.

Weapons

Action	Consequence	Resolution
Bringing a toy gun and/or weapon to school	Level 1-2: Alt-P or ISS	Restitution; Dean educates the student about the dangers of toy weapons in an Urban school community

Bringing dangerous object to school such as: razor blades, box cutters, pencil sharpeners (taken apart and used as weapon), brass knuckles, anything that could be used as a weapon or for self-harm	Level 2 or 3 depending on the weapon: 1-2 days in/out of-school-suspension or alternative placement	Restorative assignment.
Bringing a weapon to school with the intent to harm peer(s)/staff	Level 3: Multi day suspension	Restorative circle with all parties involved, families and admin
Bringing a weapon to school and harming peer(s)/staff	Level 3: Multi day suspension and appearance in front of EFC discipline panel.	Restorative circle with all parties involved, families and admin

Other

Action	*Consequence*	*Resolution*
Blatant defiance towards a staff member	Level 1 or 2 depending on severity	Community Service Harm Circle
Property Destruction	Level 1: 1-2 days of detention	Clean area Community Service Harm Circle
Theft Under $5	Level 1: 1-2 days detention	Community Service
Theft Over $5	Level 1-2 depending on severity	Community Service Harm Circle
Out of Uniform	Level 1: 1 day detention	Borrow uniform from office. Parent notification.
Leaving Referral-assigned Detention without Permission, Skipping Detention	Level 2: ½ day in-school-suspension or alternative placement depending on severity of offense	Meeting with principal and possibly family. Making up work during in-school-suspension/alternative placement
Major Disruption of the class, activity, or campus	Level 2: 1-2 days in-school-suspension or alternative placement depending on severity of offense	Community Service Conflict Resolutions as necessary
Not going directly to the office once directed (refusing to leave class)	Level 2: ½ or 1 day in-school-suspension or alternative placement depending on severity of offense	Meeting with Teacher Making up work during in-school-suspension/alternative placement

Other continued

Action	Consequence	Resolution
Spitting at peers/staff	Level 2-3:Alt-Placement/ ISS/OSS	Restorative between all parties involved. Students agreements. Conference w/ parents.
Kicking/Banging/Throwing objects at the classroom(s) and/or any part of the school building	Level 2-3 depending on damaged caused by the student. 1st Offense: Alt-P 2nd Offense or any offense after: ISS/OSS	Restorative w/ all parties involved. Safety Agreement
Eloping from class and/or staff member(s)	Level 2-3 1st Offense: Alt-P	Restorative w/ all parties involved. Parent conference.

	2nd Offense: ISS 3rd Offense: OSS	Safety Agreement
Taunting in a threatening way at peer(s) to provoke a physical altercation	Level 1-2: 1st Offense: Detention 2nd Offense: Alt-P 3rd Offense: ISS	Restorative w/ all parties involved. Parent conference. Safety Agreement
Recording of school staff and/or peers w/o their consent/knowledge	Level 1-2: 1st Offense: Detention 2nd Offense: Alt-P 3rd Offense: ISS	Restorative w/ all parties involved. Parent conference.
Exposing private parts of self to peer(s)	TK-4th grade: Up the discretion of Admin/Dean/Teacher(s) 5th-8th grade. Level 2-3: Alt-Placement/ISS/OSS	Parent conference. Restorative between all parties involved.
Constant Horseplay that leads to injury	Level 1-3: 1st Offense: Detention 2nd Offense: Alt-P 3rd Offense: ISS/OSS	Restorative w/ all parties involved. Parent conference. Safety Agreement.

<u>Key of Possible Consequences</u>

Level 0: Managed by teachers in the classroom (reflection, loss of privilege for the day, parent phone call, etc.)

Level 1: Office referral, one or multiple lunch/recess detentions, parent phone call or meeting

Level 2: In-School Suspension (ISS) or Alternative Placement (Alt-P) given the severity of the offense, meeting with parents, loss of participation in school events

Level 3: Out of School Suspension (OSS) with parent meeting, possible appearance in front of EFC discipline panel, loss of participation in upcoming school events

***Multiple Level 2 & 3 consequences will lead to additional suspension days and/or discipline hearing.**

Student Health & Welfare

Health & Safety Procedures:

- Every classroom has a first aid kit that teachers should utilize for non-emergency medical issues.
- Families of students with prescription medication must provide the office with an authorization for medication form completed by a doctor. The doctor should also indicate if the medicine should stay with the student to self-medicate or remain in the office. School staff are not allowed to administer medication to students; this includes over-the-counter medicine.
- All gates and entrances must remain locked all day, including during the afterschool program. All staff and visitors who enter or leave campus MUST lock the gates behind them. **Only office staff should allow gate entrance during school hours.**

McKinney-Vento Site Contact

- The McKinney-Vento Homeless Assistance Act (McKinney-Vento Act) (42 U.S.C. § 11431-11435) is federal legislation that ensures the educational rights and protections of children and youths experiencing homelessness. It requires all local educational agencies (LEAs) to ensure that homeless students have access to the same free, appropriate public education, including public preschools, as provided to other children and youths. The McKinney-Vento Act defines LEAs as public school districts, direct-funded and locally funded charter schools, and county offices of education. The McKinney-Vento Act also authorizes the funding for the federal Education for Homeless Children and Youths Program.
- Lazear Charter Academy, as our own LEA, is dedicated to ensuring the educational rights and protections of children experiencing homelessness, as detailed in the McKinney-Vento Act. The McKinney-Vento site contact is Lazear's School Operations Manager, Natalie Soto. Ms. Natalie can be reached at: nsoto@efcps.net, on Parentsquare, or by calling (510) 689-2000. She works out of the office.

Suicide Prevention Policy:

- The purpose of EFC's Suicide Prevention Policy is to protect the health and well-being of all EFC students by having procedures in place to prevent, assess the risk of, intervene in, and respond to suicide. Please visit EFC's website to view the policy in its entirety here.

Academics

Academic Integrity Policy:

Academic integrity is about being honest and responsible in your work habits. It applies to homework, class work, and assessments. We care about your learning and character development and want to ensure you are fostering self respect, achievement and positive relationships within our school community. In order to avoid any misconduct, students are responsible for contacting their teacher for additional guidance and support whenever they are unclear on assignments.

Definitions of Academic Misconduct

- ➔ Cheating is a form of academic dishonesty in which an individual undermines the integrity of an assignment or exam. Examples of cheating include, but are not limited to, the following:
  - ◆ Copying an assignment or test, improper electronic capturing, recording or photography of exams and other testing materials
  - ◆ Allowing others to copy an assignment or test
  - ◆ Giving or receiving test information
  - ◆ Using unauthorized resources during an assessment
  - ◆ Submitting the same assignment or presentation more than once without prior teacher approval
  - ◆ Working on and/or completing an assignment collaboratively without teacher permission
  - ◆ Making up information (data, quotations, sources, citations)
  - ◆ Stealing testing materials
  - ◆ Pressuring or encouraging another student to violate this Academic Integrity Policy, or, planning with another to commit any violation of this policy

- ➔ Plagiarism is a form of academic dishonesty in which an individual submits or presents the work of another person as his or her own. Examples of plagiarism include, but are not limited to, the following:
  - ◆ Presenting another author's entire work as your own
  - ◆ Copying a summary from another source and incorporating it into your work
  - ◆ Submitting an essay or story written by anyone else
  - ◆ Using another author's sentences or phrases without using quotations and/or citing your source

Procedures and Consequences

- ➔ Procedures: When a student has violated the Academic Integrity Policy, these procedures will follow:
  - ◆ The teacher will gather evidence of cheating, scans and/or sends photos of documents, and reports it to their Content Coach and Admin Team.
  - ◆ The teacher meets with the student to explain that an alleged violation has occurred and contacts the student's parents/family to explain what has happened and how the student's actions may be in violation of this policy.
  - ◆ If the Coach/Admin team concludes that a violation has occurred:
    - Teacher writes a referral so evidence of the violation(s) can be filed.
    - Admin will write an incident report including consequences and notify student(s), family, and grade level team of the outcome of the investigation/ consequences

Consequences:

1st Violation	Referral + 1-2 days detention (student completes teacher-determined make up assignment; this may include online Zearn/iReady, etc.) + Parent call; Pending loss of privilege/participation in school activity
2nd Violation	Referral + in-school-suspension (½ day) to complete Academic Integrity presentation + Parent conference + loss of privilege/participation in school activity
3rd Violation	Referral + 3 days detention + a mandatory after school study hall to take assessment with Dean or Admin; Possible parent shadow day

NOTE: It is up to the teacher's discretion to rescind or amend a letter of recommendation for a student who has violated this policy.

School Materials Policy:

- **Technology:**
    - The Education for Change network is intended for educational purposes. Access to online content via the network may be restricted in accordance with our policies. Students are expected to follow the same rules for good behavior and respectful conduct online as offline. Misuse of school resources can result in disciplinary action.
    - Students are responsible for the general care of any technology they have been issued by the school. Technology that is broken, or fails to work properly, must be submitted to school administration. **Families must pay** a fee to recover or replace any lost, stolen, and/or damaged school hardware or software due to misuse or negligence by the student.
    - In addition, please see the technology acceptable use policy you signed as part of your enrollment packet. If you have any questions, please see our office staff. Violations of this policy may have disciplinary repercussions, including suspension of network, technology, or computer privileges, notification to parents, community service or suspension from school and school-related activities, and legal action and/or prosecution. To regain these privileges students will be put on contract until the inappropriate behavior has been modified.
- **Books & Other Materials:** Any books or materials that are misused, damaged, not returned at the end of year, or are returned in poor condition, will be charged to the family of the student.

After School Program:

Due to the high demand for ASP enrollment, we have developed the following point system. This system will help us to further fulfill the requirements and purpose of the grant for this program. Spaces in the ASP will be awarded based on <u>need and performance.</u> We will be using a point system where you can earn up to 20 points depending on your level of need and your child's performance history. The higher your score, the more likely you will get a spot in ASP.

<u>Need:</u> Total possible points: 10

If you can prove that the primary parent/guardian is working or in school past 3:00pm you will receive 5 points. If you can prove that the 2nd parent/guardian is working or in school past 3:00pm you will receive 5 points. If you are a single parent/guardian and can prove that you are working past 3:00pm you will receive 10 points. Parents/guardians must provide a copy of their work or schedule, signed by a manager, when filling out their application in August.

<u>Performance</u>: Total points possible: 10

In the performance section, you can earn up to 10 points, 6 points for attendance, 3 for behavior, and 1 FLC point.

1. Attendance records
    - 0-6 absences: 6 points
    - 7-8 absences: 5 points
    - 9-10 absences: 4 points
    - 11-12 absences: 3 points
    - 13-14 absences: 2 points
    - 15-17 absences: 1 point
    - 18 and over absences: 0 points
2. Behavior
    - No referrals: 3 points
    - 1-2 referrals: 2 points
    - 3-4 referrals: 1 point
    - More than 4 referrals: 0 points

3. Participation in FLC this school year (2024-25) earns you 1 point.

We are legally required to prioritize students who are in transitional housing and foster care placements. Continuing in the ASP Program requires maintaining a 95% attendance (includes excused and unexcused absences).

EDUCATION FOR CHANGE PUBLIC SCHOOLS DISTRICT POLICIES

(Attendance Policy, Suspension & Expulsion Policy, Uniform Complaint Procedure)

Larissa Adam, Superintendent of Schools
Contact: 510.568.7936

Classroom-Based Attendance Policy

It is the intent of the Governing Board ("Board") of the Education for Change Public Schools ("EFC" or the "Charter School") to ensure that students attend school every day on time. Every minute of a child's time at school is important. Being present for classroom instructional time is essential for students to reach their goals and achieve their dreams. Children who are absent for even one day, or who arrive late to school, miss valuable instruction time and can easily fall behind in school. Chronic absenteeism has been linked to an increased likelihood of poor academic performance, disengagement from school and behavior problems. When a student is absent from school, it results in a loss of funding for our schools, funding that the State does not reimburse our schools. As a parent or guardian, you are obligated to send your child to school and plan vacation trips and absences for personal reasons to correspond with school holidays so that the education process is not disrupted.

ABSENCES:

Reporting/Clearing an Absence:
When students who have been absent return to school, they must present a satisfactory explanation verifying the reason for the absence in alignment with the following process:

- If your child will be absent, please phone the main office or stop by the main office to notify and give reason to absence. Alternatively, a parent/guardian or parent representative may provide a signed, written note. This phone call and/or signed note should include the following information:
    - Name of student;
    - Name of parent/guardian or parent representative;
    - Name of verifying employee;
    - Date or dates of absence; and
    - Reason for absence.
- If your child is marked absent and the office has not received a phone call or notice of absence, you will receive a call from the school.
- Absences must be cleared within 3 days following the absence; otherwise, it will be considered an unexcused absence. **When a student has had 6 absences in the school year for illness verified by the parent/guardian but without a healthcare provider's note, any further absences for illness must be verified by a healthcare provider.**

Students should not be absent from school without their parents/guardians' knowledge or consent except in cases of a medical emergency or for Students in grades 7-12, inclusive, who may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian. Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to administrative regulations and law.

Charter Schools may visit the student's home to verify the fact that the student was absent for the reasons stated. A written recording shall be made, including the information outlined above.

Excused Absences:
The following conditions *shall* excuse a student from school attendance:

- Personal illness or injury (**A Medical Verification note may be required by the School Attendance Clerk or Charter School Principal after 3 consecutive days.**)
- Medical Appointments for students (including Medical, dental, optometric, or chiropractic appointments)
    a. Students in grades 7-12, inclusive, may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian. When excusing students for confidential medical services or verifying such appointments, Charter School staff shall

not ask about the purpose of such appointments but may contact a medical office to confirm the time of the appointment.

- Quarantine of the home by local health officials.
- Attending a funeral service of a member of the student's immediate family.
    - Excused absence in this instance shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state.
- "Immediate family" shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student's household. Observance of a religious holiday, consistent with students' established beliefs or creed.
- Participation in religious instruction or exercises as follows:
    - The student shall be excused for this purpose on no more than one school day per month.
- Attendance at the student's naturalization ceremony to become a United States Citizen.
- For the purposes of jury duty in the manner provided for by law.
- Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child. (The Charter School does not require a note from the doctor for this excusal.)
- To permit the pupil to spend time with an immediate family who is an active duty member of the uniformed services, as defined in Education Code Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the Charter School.
- For purpose of serving as a member of a precinct board for an election pursuant to Election Code Section 12302.
- Authorized parental leave for a pregnant or parenting pupil for up to eight (8) weeks.
- In order to participate with a not-for-profit performing arts organization in a performance for a public-school pupil audience for a maximum of up to five days per school year provided the pupil's parent or guardian provides a written note to the school authorities explaining the reason for the pupil's absence.
- Authorized at the discretion of the School Principal, based on the facts of the pupil's circumstances, are deemed to constitute a valid excuse. A pupil who holds a work permit to work for a period of not more than five consecutive days in the entertainment or allied industries shall be excused from school during the period that the pupil is working in the entertainment or allied industry for a maximum of up to five absences per school year subject to the requirements of Education Code Section 48225.5.
- For justifiable personal reasons, including, but not limited to the following, when the pupil's absence is requested in writing by the parent or guardian and approved by the Principal or designee pursuant to uniform standards established by the Board.
    - An appearance in court
    - Attendance at a funeral service
    - Observance of a holiday or ceremony of the pupil's religion
    - Attendance at religious retreats for no more than four (4) hours during a semester
    - Attendance at an employment conference
    - Attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization upon written request by parent and approval by the Principal or designee pursuant to uniform standards established by the Board.

Tardies:

- Students shall arrive at school and be in the classroom at the properly scheduled time.
- Students are considered tardy when they arrive after the second bell rings and within the first 29 minutes of class. After the first 30 minutes it is considered as a truant tardy.
- The student MUST pick up an "admit to class" pass from the office before entering class; otherwise it will be considered an unexcused absence. If your child is arriving late to school for any reason, the parent or guardian must call the office before the student's arrival.

TRUANCY:

- In California, all children are required by law to attend school consistently between the ages of 6 and 18.
- Students shall be classified as truant if the student is absent from school without a valid excuse three (3) full days in one school year, or if the student is tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. Any pupil who has once been reported as a truant and who is again absent from school without valid excuse one or

more days, or tardy on one or more days, shall again be deemed a truant. Such students shall be reported to the Principal or designee.

- In addition, students shall be classified as a chronic truant if the student is absent from school without a valid excuse for 10 percent or more of the school days in one school, from the date of enrollment to the current date.
- The Principal, or designee, shall implement positive steps to reduce truancy, including working with the family in an attempt to resolve the attendance problem. A student's progress and learning may be affected by excessive unexcused absences. In addition, the Charter School is fiscally dependent on student attendance and is negatively impacted by excessive unexcused absences. If all attempts to resolve the student's attendance problem are unsuccessful, the Charter School will implement the processes described below.

CHRONIC ABSENCE:

- Chronic absence is defined as missing 10 percent or more of the school days in the school year for any reason.

Process for Addressing Truancy and Chronic Absences:

1. Daily attendance monitoring and phone calls are made home for any student who is marked absent or is tardy over 30 minutes.
2. Attendance is monitored by the Student Attendance Review Team ("SART") Coordinator and Principal weekly to review data and prioritize action steps
3. **FIRST NOTIFICATION:** The SART Coordinator will send home a truancy notification letter and schedule a SART meeting with any student who has reached more than 2 unexcused absences or 2 unexcused tardies over 30 minutes, as well as any chronically absent student. The SART Coordinator will call home to the parent/guardian to confirm receipt of this letter and schedule this meeting with the SART Panel.
4. **FIRST MEETING:** The SART panel will be composed of the Principal (or designee), Teacher (or designee), and SART Coordinator. The SART panel will discuss the absence problem with the parent/guardian to work on solutions, develop strategies, discuss appropriate support services for the student and his/her family, and establish a plan to resolve the attendance issue.
    a. The SART panel shall direct the parent/guardian that no further unexcused absences or tardies can be tolerated.
    b. The parent shall be required to sign a contract formalizing the agreement by the parents to improve the child's attendance or face additional administrative action. If the parents/guardians fail to attend this meeting, the meeting will be rescheduled.
    c. The SART Coordinator will monitor student's progress using our Student Information System and will provide weekly or monthly reports to family.
5. **SECOND NOTIFICATION:** If attendance does not improve or deteriorates after 4 weeks a 2nd SART Panel meeting will be scheduled.
6. **SECOND MEETING:** The SART panel will meet with parents and student again to complete and sign a 2nd SART contract. If the parents/guardians fail to attend this meeting, the meeting will be rescheduled. If the parents/guardians fail to attend the rescheduled SART meeting, a possible home visit will be made by a Charter School employee.
7. **REFERRAL TO SARB THIRD NOTIFICATION:** If attendance does not improve after 2nd contract has been signed or if the family does not attend the 2nd SART meeting, the family will be referred to Student Attendance Review Board (''SARB") and a letter will be sent to the family with a scheduled SARB meeting. The SART Coordinator will complete the referral for submission and provide it to the SARB Coordinator.
8. **SARB MEETING:** The SARB panel will be composed of the Principal (or designee), Teacher (or designee), SART Coordinator, and SARB Coordinator. The SARB panel will discuss the absence problem with the parent/guardian to work on solutions, develop strategies, discuss appropriate support services for the student and his/her family, and establish a plan to resolve the attendance issue.
    a. The SARB panel shall direct parent/guardian that no further unexcused absences or tardies can be tolerated.
    b. The parent shall be required to sign a contract formalizing the agreement by the parents to improve the child's attendance or face additional administrative action. The contract will identify the corrective actions required in the future and indicate that the SARB panel shall have the authority to order one or more of the following consequences for non-compliance with the terms of the contract:
        i. Parent/guardian to attend school with the child for one day
        ii. Student retention
        iii. Required School Counseling
        iv. Loss of field trip privileges
        v. Loss of school event privileges
        vi. Notification to the District Attorney

c. The SARB panel may discuss other school placement options.
d. Notice of action recommended by the SARB will be provided in writing to the parent/guardian.

9. If the conditions of the SARB contract are not met, the student may incur additional administrative action up to and including disenrollment from the Charter School, consistent with the Involuntary Removal Process described below. If the student is disenrolled after the Involuntary Removal Process has been followed, notification will be sent within thirty (30) days to the student's last known district of residence.
10. For all communications set forth in this process, the Charter School will use the contact information provided by the parent/guardian in the registration packet. It is the parent's or guardian's responsibility to update the Charter School with any new contact information.
11. If the student is absent ten (10) or more consecutive school days without a valid excuse and the parent/guardian cannot be reached at the number or address provided in the registration packet and does not otherwise respond to the Charter School's communication attempts, as set forth above, the student will be in violation of the SARB contract, and the SARB panel will recommend that the student be withdrawn from classes, placed on inactive status, and disenrolled in compliance with the Involuntary Removal Process described below. The Involuntary Removal Process can be started immediately upon the Charter School receiving documentation of Student's enrollment and attendance at another public or private school (i.e. a CALPADS report).

Referral to Appropriate Agencies or County District Attorney:
It is the Charter School's intent to identify and remove all barriers to the student's success, and the Charter School will explore every possible option to address student attendance issues with the family. For any unexcused absence, the Charter School may refer the family to appropriate school-based and/or social service agencies.

If a child's attendance does not improve after a SARB contract has been developed according to the procedures above, or if the parents fail to attend a required SART or SARB meeting after multiple attempts, the Charter School shall notify the District's Attorney's office, which then may refer the matter for prosecution through the court system. Students 12 years of age and older may be referred to the juvenile court for adjudication.

Independent Study and Home Hospital:

Please contact your Charter School for more information regarding these programs.
Early Dismissal of Students:

- Students leaving before the end of the school day are dismissed through the school office. They are not allowed to wait in front of the building or to enter cars unless accompanied by a parent. These rules are necessary to ensure student safety. <u>You must come to the office to sign your child out.</u>
- Students in grades 7-12, inclusive, may be dismissed before the end of the school day for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian
- Early dismissal will not be granted to any student 30 minutes prior to dismissal time unless a Doctor's note is provided to dismiss the child early.
- We will ask to see the identification of any person we do not know and will not release a child to a babysitter, step-parent, or friend without prior authorization.

Process for Students Who Are Not in Attendance at the Beginning of the School Year:
When students are not in attendance on the first five (5) days of the school year, the Charter School will attempt to reach the parent/guardian on a daily basis for each of the first five days to determine whether the student has an excused absence, consistent with the process outlined in this policy. If the student has a basis for an excused absence, parents must notify the Charter School of the absence and provide documentation consistent with this policy. However, consistent with process below, students who are not in attendance due to an unexcused absence by the fifth day of the school year will be disenrolled from the Charter School roster after following the Involuntary Removal Process described below, as it will be assumed that the student has chosen another school option.

1. Students who are not in attendance on the first day of the school year will be contacted by phone to ensure their intent to enroll in the Charter School.
2. Students who have indicated their intent to enroll but have not attended by the third day of the school year will receive a letter indicating the student's risk of disenrollment.
3. Students who have indicated their intent to enroll but have not attended by the fifth day of the school year will receive a phone call reiterating the content of the letter.

4. The Charter School will send the Involuntary Removal Notice to the Parent/Guardian and follow the Involuntary Removal Process described below for any students who have not attended by the sixth day, and do not have an excused absence.
5. The Involuntary Removal Process can be started immediately upon the Charter School receiving documentation of the Student's enrollment and attendance at another public or private school (i.e. a CALPADS report).
6. The Charter School will use the contact information provided by the parent/guardian in the registration packet.
7. Upon removal, the last known school district of residence will be notified of the student's failure to attend the Charter School and the disenrollment within thirty days of the disenrollment.

Involuntary Removal Process:
No student shall be involuntarily removed by the 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) school days before the effective date of the action ("Involuntary Removal Notice"). 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. The Involuntary Removal Notice shall include the charges against the pupil and an explanation of the pupil's basic rights including the right to request a hearing before the effective date of the action. The hearing shall be consistent with EFC's expulsion procedures. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the 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 EFC's suspension and expulsion policy.

Upon parent/guardian request for a hearing, the Charter School will provide notice of hearing consistent with its expulsion hearing process, through which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate. The notice of hearing 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 include a copy of the Charter School's expulsion hearing process.

If the parent/guardian is nonresponsive to the Involuntary Removal Notice, the Student will be disenrolled as of the effective date set forth in the Involuntary Removal Notice. If parent/guardian requests a hearing and does not attend on the date scheduled for the hearing the Student will be disenrolled effective the date of the hearing.

If as a result of the hearing the student is disenrolled, notice will be sent to the student's last known district of residence within thirty (30) days.

A hearing decision not to disenroll the student does not prevent the school from making a similar recommendation in the future should student truancy continue or reoccur.

Non-Discrimination:
These policies will be enforced fairly, uniformly, and consistently without regard to the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, pregnancy, or association with an individual who has any of the aforementioned characteristics).

EDUCATION FOR CHANGE

Policy: Pupil Suspensions and Expulsions

Purpose: To promote learning and protect the safety and well being of all students

Revised 3.8.18

Code of Conduct

The goal of the Education for Change is to operate schools that foster student self-discipline in a warm, supportive school climate that is conducive to maximum learning for all students. All EFC schools will develop site-specific Codes of Conduct as general guides for behavior, but not as mechanisms for rigid control. To ensure success for ALL children, the individual personalities of students or extenuating circumstances will always be considered before corrective measures are prescribed. (*Reference Ed Code Sections 48900 and 48915 and Health and Safety Code 11007*) Codes of conduct will be presented in student/parent handbooks. Every family will receive a new copy of the Parent-Student Handbook annually.

The following policy on suspension and expulsion will be included in all EFC schools' handbooks.

Suspension and Expulsion

The following Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at Education for Change Public Schools.

EFC fundamentally believes that providing an orderly, safe, and warm classroom and school environment is the foundation for positive behavior in children and a comprehensive Response to Intervention model is the vehicle through which to support ALL children to respond positively in that environment. When children break rules in an orderly, safe and warm environment, EFC believes there is a logical root cause for that behavior which must be addressed. There is minimal research to support suspending and expelling children, and research verifies that African-American and Hispanic students are disproportionately impacted. Therefore, EFC expects its schools to develop a positive school culture, provide social emotional learning, and implement the behavioral interventions necessary to minimize the need for out-of-school suspension or expulsion.

Staff shall enforce disciplinary rules and procedures fairly, respectfully and consistently among all students while considering the needs of individual children. School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures.

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

The EFC 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 Procedures are available on request at the Principal's office.

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

A student identified as an individual with disabilities or for whom a school has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. EFC schools will follow all applicable federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom EFC schools 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 EFC 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 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 EFC 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.

A. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is 1) related to school activity, 2) school attendance occurring at EFC or at any other school, or 3) a School sponsored event. A Pupil may be suspended or expelled for acts that are enumerated below and related to school activity or attendance that occur at any time, including, but not limited to, and of the following:

a) while on school grounds;
b) while going to or coming from school;
c) during the lunch period, whether on or off the school campus; or
d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

1. <u>Discretionary Suspension Offenses</u>. Students may be suspended for any of the following acts when it is determined the pupil:
    - Caused, attempted to cause, or threatened to cause physical injury to another person
    - Willfully used force or violence upon the person of another, except self-defense

a) 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

b) 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

c) Committed or attempted to commit robbery or extortion

d) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.

e) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.

f) 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.

g) Committed an obscene act or engaged in habitual profanity or vulgarity

h) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5

i) 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. This section shall apply to pupils in any of grades 4 to 12, inclusive.

j) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases

k) 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

l) 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

m) 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

n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma

o) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.

p) Made terrorist 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.

q) 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.

r) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

s) 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.

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

    a. “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.

    b. “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:

1. 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.

2. 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.

3. 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.

4. 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.

iii. Notwithstanding subparagraphs (i) and (ii) 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.

u) 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)

v) 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, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written

permission to possess the item from a certificated school employee, with the Principal or designee's concurrence

3. Discretionary Expellable Offenses: Students may be expelled or any of the following acts when it is determined the pupil:

a) Caused, attempted to cause, or threatened to cause physical injury to another person

b) Willfully used force of violence upon the person of another, except self-defense

c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind

d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 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 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4

o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness

p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma

q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.

r) Made terrorist threats against school officials and/or school property, 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, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

u) Intentionally harassed, threatened or intimidated 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.

   a. “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.

b. "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:

1. 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.

2. 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.

3. 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.

4. 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.

iii. Notwithstanding subparagraphs (i) and (ii) 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 subdivisions (3)(a)-(b).

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

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

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

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

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

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

   Suspension shall be preceded, if possible, by a conference conducted by the Principal or the Principal's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Principal. The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or 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 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 suspension, the Principal or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

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

Upon a recommendation of Expulsion by the Superintendent of Schools, 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 EFC 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/guardians, unless the pupil and the pupil's parents/guardians fail to attend the conference.

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

D. Student Work/Homework during Out-of-School Suspension

Whenever possible, EFC tries to avoid assigning out of school suspensions to students. We do not believe that removing a student from the school community and denying them access to curriculum instruction is aligned to our vision or is an appropriate strategy to redirect unwanted behaviors. As such, in-school alternative work plans are more commonly assigned allowing students to not only complete assignments but also continue to receive instruction. When out-of-school suspensions must be assigned, EFC compiles a series of assignments (consistent with the daily hour requirements of independent study) that allows students to complete missing/incomplete assignments and practice previously taught skills. These assignments are turned in upon completion of the suspension.

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 either by the neutral and impartial Board following a hearing before it or by the Board upon the recommendation of a neutral and impartial Administrative Panel to be assigned by the Board as needed. The Administrative Panel shall consist of at least three (3) members who are certificated and either a teacher of the pupil or a Board member of the EFC's governing board. 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 Principal or designee determines that the Pupil has committed an expellable offense.

In the event an administrative panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session unless the pupil makes a written request for a public hearing 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 School's disciplinary rules which relate to the alleged violation
4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the school to any other school district or school to which the student seeks enrollment
5. The opportunity for the student or the student's parent/guardian to appear in person and/ 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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying

2. EFC must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony

3. At the discretion of the person or panel conducting the 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 entity finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.

7. If one or both of the support persons is also a witness, EFC must present evidence that the witness' presence is both desired by the witness and will be helpful to EFC. 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 circumstances 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. Students With Disabilities

A pupil identified as an individual with disabilities or for whom EFC has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act (“IDEIA”) or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is subject to the same grounds for disciplinary action, including suspension and expulsion, and is accorded the same due process procedures applicable to regular education pupils except when federal and state law mandates additional or different procedures. EFC will follow the IDEIA, Section 504, and all applicable federal and state laws when imposing any form of discipline on a pupil identified as an individual with disabilities or for whom EFC has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or

protections in according due process to such pupils. The following procedures shall be followed when a student with a disability is considered for suspension or expulsion. These procedures will be updated if there is a change in the law.

1. NOTIFICATION OF SELPA

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

2. SERVICES DURING SUSPENSION

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP or 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, EFC, 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, 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

b. If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504

If EFC, 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 EFC, 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 EFC 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

c. Return the child to the placement from which the child was removed, unless the parent and EFC agree to a change of placement as part of the modification of the behavioral intervention plan

If EFC, 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, then EFC 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 EFC believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or EFC, 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), or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent and EFC 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

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

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

a. Carries or possesses a weapon, as defined in 18 USC 930, to or at school, on school premises, or to or at a school function

b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function

c. Has inflicted serious bodily injury, as defined by 20 USC 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function

6. Interim Alternative Educational Setting

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

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

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

EFC 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 EFC's 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 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 School supervisory personnel

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

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

EFC 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.

I. Record of Hearing

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

J. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense.

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

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

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

K. Written Notice to Expel

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

a. Notice of the specific offense committed by the student

b. 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 EFC

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

This notice shall include the following:

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

The Board's decision to expel shall be final.

L. Disciplinary Records

EFC shall maintain records of all student suspensions and expulsions at EFC. Such records shall be made available to the Authorizer upon request.

M. Expelled Pupils/Alternative Education

Parents or 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.

N. Rehabilitation Plans

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

O. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Principal and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to EFC environment. The Principal shall make a recommendation to the Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon EFC's capacity at the time the student seeks readmission.

_____

Nick Driver
Board Chair

EDUCATION FOR CHANGE

UNIFORM COMPLAINT POLICY AND PROCEDURES

Revised 3/21/19

Scope

The Education for Change (the "Charter School") policy is to comply with applicable federal and state laws and regulations. **The Charter School is the Local Education Agency (LEA) that shall have the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.** Pursuant to this policy, persons responsible for conducting investigations shall be knowledgeable about the laws and programs which they are assigned to investigate. This complaint procedure is adopted to provide a uniform system of complaint processing for the following types of complaints:

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

(2) Complaints of noncompliance or violations of state or federal law and regulations governing the following programs including but not limited to: special education, Title II, Section 504 of the Rehabilitation Act, consolidated categorical aid, Every Student Succeeds Act / No Child Left Behind, migrant education, career technical and technical education training programs, child care and development programs, child nutrition program, adult education, After School Education and Safety, Agricultural Career Technical Education, American Indian Education Centers and Early Childhood Education Program Assessments, Bilingual Education, California Peer Assistance and Review Programs for Teachers, Career Technical Education, Compensatory Education, Course Periods without Educational Content, Economic Impact Aid, Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in a school district and Children of Military Families, Local Control and Accountability Plans (LCAP), Physical Education Instructional Minutes, Pupil Fees, Reasonable Accommodations to a Lactating Pupil, Regional Occupational Centers and Programs, School Safety Plans, State Preschool, Tobacco-Use Prevention Education

The Charter School shall investigate and seek to resolve complaints alleging failure to comply with applicable state and federal laws and regulations including, but not limited to, allegations of discrimination, harassment, intimidation, or bullying or noncompliance with laws relating to all programs and activities implemented by The Charter School. The Charter School will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in EC sections 200, 220 and California Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55 or on the basis or a person's association with a person or group with one or more of these actual or perceived

characteristics in any program or activity conducted by the LEA, which is funded directly by, or that receives or benefits from any state.

The Charter School acknowledges and respects every individual's rights to privacy. Complaints shall be investigated in a manner that protects [to the greatest extent reasonably possible] the confidentiality of the parties and the integrity of the process. While the Charter School cannot guarantee anonymity of the complainant, this includes keeping the identity of the complainant confidential, as appropriate and except to the extent necessary to carry out the investigation or proceedings, as determined by the Chief Executive Officer ("CEO") or designee on a case-by-case basis.

The Charter School prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's filing of a complaint or the reporting of instances of discrimination, harassment, intimidation, or bullying. Such participation shall not in any way affect the status, grades or work assignments of the complainant. Complainants are protected from retaliation.

Compliance Officers

The Governing Board designates the following compliance officer(s) to receive and investigate complaints and to ensure the Charter School's compliance with law:

Larissa Adam
Superintendent of Schools
Education for Change
333 Hegenberger Road, Suite 600
Oakland, CA 94621
510-759-1331

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

Should the complaint be specific to the CEO, the complaint will be directed to and the investigation will be conducted by the Board Chair.

Notifications

The CEO or designee shall annually provide written notification of the Charter School's uniform complaint procedures to students, employees, parents/guardians, the Governing Board, appropriate private officials or representatives, and other interested parties.

The CEO or designee shall make available copies of the Charter School's uniform complaint procedures free of charge.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints.

2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal laws, if applicable.

3. Advise the complainant of the appeal process pursuant to Education Code Section 262.3, including the complainant's right to take the complaint directly to the California Department of Education ("CDE") or to pursue remedies before civil courts or other public agencies.

4. Include statements that:

   a. The Charter School is primarily responsible for compliance with state and federal laws and regulations;

   b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline;

   c. An unlawful discrimination, harassment, intimidation, or bullying complaint must be filed not later than six months from the date the alleged discrimination, harassment, intimidation, or bullying occurs, or six months from the date the complainant first obtains knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying;

   d. The complainant has a right to appeal the Charter School's decision to the CDE by filing a written appeal within 15 days of receiving the Charter School's decision; and

   e. The appeal to the CDE must include a copy of the complaint filed with the Charter School and a copy of the Charter School's decision.

<u>General Procedures</u>

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

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

- Step 1: Filing of Complaint

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

  A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation, or bullying occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation, or bullying or by a

person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination, harassment, intimidation, or bullying.

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

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

- Step 2: Mediation

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

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

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

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

- Step 3: Investigation of Complaint

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

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

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

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

- Step 4: Response

OPTION 1:

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

OPTION 2:

Within 30 days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the Charter School's investigation and decision, as described in Step #5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60 day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 days of the Charter School's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant.

- Step 5: Final Written Decision

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

The decision shall include:

1. The findings of fact based on evidence gathered.

2. The conclusion(s) of law.

3. Disposition of the complaint.

4. Rationale for such disposition.

5. Corrective actions, if any are warranted.

6. Notice of the complainant's right to appeal the Charter School's decision within fifteen (15) days to the CDE and procedures to be followed for initiating such an appeal.

7. For discrimination complaints arising under state law, notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.

8. For discrimination complaints arising under federal law such complaints may be made at any time to the U.S. Department of Education, Office for Civil Rights.

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

Specific Procedures for Particular Complaints

If the Charter School finds merit in a complaint regarding Pupil Fees; Local Control and Accountability Plan (LCAP); Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in a school district, and pupils in military families; Reasonable Accommodations to a Lactating Pupil; Course Periods without Educational Content (grades nine through twelve); and Physical Education Instructional Minutes (grades one through eight), the Charter School shall provide a remedy. The remedy shall go to the affected pupil in the case of complaints regarding:

1. Course Periods without Educational Content;
2. Reasonable Accommodations to a Lactating Pupil, and/or
3. Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in our school district, and pupils in military families.

The remedy shall to go all affected pupils and parents/guardians in the case of complaints regarding:

1. Pupil Fees
2. Physical Education Instructional Minutes, and/or
3. LCAPS.

Regarding pupil fees and/or an LCAP complaint:
A pupil fees complaint may be filed with the principal of a school or the Charter School Compliance Officer. A pupil fees complaint and/or an LCAP complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. A pupil fees complaint shall be filed no later than one year from the date the alleged violation occurred. The Charter School will attempt in good faith to engage in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid a pupil fee within one year prior to the filing of the complaint.

Appeals to the California Department of Education

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

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

1. A copy of the original complaint.

2. A copy of the decision.

3. A summary of the nature and extent of the investigation conducted by the Charter School, if not covered by the decision.

4. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by all parties and gathered by the investigator.

5. A report of any action taken to resolve the complaint.

6. A copy of the Charter School's complaint procedures.

7. Other relevant information requested by the CDE.

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

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the Charter School's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For discrimination complaints arising under state law, however, a complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the Charter School has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

UNIFORM COMPLAINT PROCEDURE FORM

Last Name: _____ First Name/MI: _____

Student Name (if applicable): _____ Grade: _____ Date of Birth: _____

Street Address/Apt. #: _____

City: _____ State: _____ Zip Code: _____

Home Phone: _____ Cell Phone: _____ Work Phone: _____

School/Office of Alleged Violation: _____

For allegation(s) of noncompliance, please check the program or activity referred to in your complaint, if applicable:

☐ Adult Education ☐ Consolidated Categorical Programs ☐ Nutrition Services

☐ Career/Technical Education ☐ Migrant and Indian Education ☐ Special Education

☐ Adult Education ☐ After School Education and Safety ☐ Agricultural Career Technical Education

☐ Pupil Fees ☐ Physical Education Instructional Minutes ☐ Economic Impact Aid

☐ School Safety Plans ☐ State Preschool ☐ Tobacco-Use Prevention Education

☐ Career Technical Education ☐ Compensatory Education ☐ Course Periods without Educational Content

☐ Economic Impact Aid ☐ Every Student Succeeds Act ☐ Local Control and Accountability Plans (LCAP)

☐ Reasonable Accommodations to a Lactating Pupil ☐ Regional Occupational Centers and Programs

☐ Bilingual Education ☐ California Peer Assistance and Review Programs for Teachers

☐ American Indian Education Centers and Early Childhood Education Program Assessments

☐ Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in a school district and Children of Military Families

For allegation(s) of unlawful discrimination/harassment, please check the basis of the unlawful discrimination/harassment described in your complaint, if applicable:

☐ Age ☐ Ethnic Group Identification ☐ Religion

☐ Ancestry ☐ Gender ☐ Sex (Actual or Perceived)

☐ Color ☐ National Origin ☐ Sexual Orientation (Actual or Perceived)

☐ Disability (Mental or Physical) ☐ Race

☐ Based on association with a person or group with one or more of these actual or perceived characteristics

1. Please give facts about the complaint. Provide details such as the names of those involved, dates, whether witnesses were present, etc., that may be helpful to the complaint investigator.

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2. Have you discussed your complaint or brought your complaint to any School personnel? If you have, to whom did you take the complaint, and what was the result?

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3. Please provide copies of any written documents that may be relevant or supportive of your complaint.

   I have attached supporting documents. ☐ Yes ☐ No

Signature: _____ Date: _____

Mail complaint and any relevant documents to:

Education for Change
Oficina de Reclamos
333 Hegenberger Road Suite 600
Oakland, CA 94621
510-568-7936

---------- Title IX notice of Nondiscrimination----------

Title IX Notice of Nondiscrimination

EFC prohibits sex discrimination including sex-based harassment in any education program or activity that it operates. Individuals may report concerns or questions regarding sex discrimination or harassment to the Title IX Coordinator. The contact information for the Title IX Coordinator, EFC's Title IX notice of nondiscrimination, and additional information regarding your rights under Title IX are available on the EFC website at: https://www.efcps.org/Title_IX_Coordinator_Rights_Notice

Parent Signature Page

Must sign one per child and submit to each child's teacher

I have read this handbook in its entirety and understand the policies of Lazear.

Student Name:_____

Student Grade(s): _____

Parent or Guardian Name:_____

Parent or Guardian Signature:_____

Phone Number:_____

How is your child (or children) picked up from school?

- ❑ **Picked up by car by family/parent**
- ❑ **Walk with family/parent**
- ❑ **Walk with sibling in TK-4**
- ❑ **Walk with sibling 5-8**

Who can pick your student up from school? (list all)

_____

_____

Teachers always need help in their classroom and we need help at Lazear! Please complete the information below to let us know how you would like to volunteer over the course of the school year.

- ❑ **I would like to volunteer in my student's classroom! The best times and days for me are (check all that apply):**

Monday	Tuesday	Wednesday	Thursday	Friday
❑ AM ❑ PM	❑ AM ❑ PM	❑ AM ❑ PM	❑ AM ❑ PM	❑ AM ❑ PM

- ❑ **I am interested in:**
  - ❑ **Helping teachers with paperwork**
  - ❑ **Helping make centers or get projects ready**
  - ❑ **Helping the teacher make copies**
  - ❑ **Reading with students**
  - ❑ **Chaperoning field trips**
  - ❑ **Fundraising**
  - ❑ **Other: _____**

- ❑ **I can't volunteer in my student's classroom, but I am interested in volunteering at school events. Please contact me to get involved.**