

ASCEND A SCHOOL CULTIVATING EXCELLENCE AND NURTURING DIVERSITY



Family Handbook

2025-2026

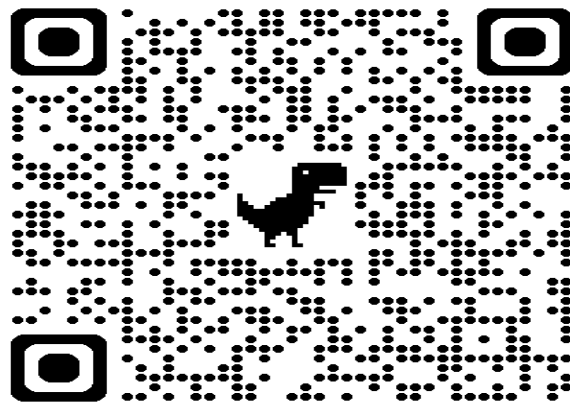


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ASCEND Overview

ASCEND is a TK-8 school serving roughly 500 students. Starting in the summer of 2012, ASCEND became a charter school created through a unique partnership between Education for Change (EFC), a local charter management organization, and our former school district, Oakland Unified (OUSD). We are an arts-integrated school that utilizes learning expeditions to promote student inquiry and engagement and prioritizes family and community partnerships in order to meet our students' academic and social-emotional needs.

The vision of ASCEND is to nurture a passion for learning and cultivate personal agency in order to discover who we are, what we need and how to advocate for it. Together, our community of students, families and staff explores, learns and grows through success and failure. Diverse learners thrive through an approach that develops the whole individual, which includes arts-integration, expeditionary learning, personalization, and a focus on social and emotional growth. Through a common vision guided by love, we empower each other to forge our own paths and to create a school that reflects the world we want.

Our **Habits of Work and Learning** are a commitment that staff, students, and families make to each other and ourselves, and serve as the core values for our work together.

Compassion	Perseverance	Craftsmanship	Responsibility	Curiosity
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In January of 2016, parents, students, and staff all engaged in the process of re-visioning and revaluing the school. While ASCEND remains the same school it has always been, at its core, we have learned and made shifts to educate the 21st-century learners of our community today, most effectively. After many rounds of iteration, we finalized our new vision.

The group of stakeholders that drafted this vision also deeply believe that there are habits that an ASCEND student must develop, refine, and embody to meet these expectations and aspirations. These are known as the ASCEND HOWLs: Habits of Work and Learning.

- ★ Compassion
- ★ Perseverance
- ★ Craftsmanship
- ★ Responsibility
- ★ Curiosity

As can be seen in our vision statement, all ASCEND community members are expected to uphold and demonstrate these habits as we learn and grow from one another.

ASCEND's successes over the last 15 years are the result of a rich and engaging academic curriculum fostering academic, social/civic, and emotional development; an excellent and dedicated staff; a strong and committed community of family leaders; extensive partnerships with community; and intensive collaboration at the school among teachers, parents and the community.

Family & Community Partnerships

Family involvement and community partnerships are fundamental to meeting the needs of the whole child. When we refer to ASCEND, we mean equal participation and appreciation for all individuals and organizations that work for our children. We recognize the challenge of developing a culture and program that authentically includes families and community members. Towards our goal of valued and integral partnership over token committees and activities, we implement the following:

a. Student-led Conferences

Parent-teacher conferences are viewed as an opportunity to expand the teacher-student-parent relationship and showcase the work students do daily as they drive their own educational journeys. Students prepare for and facilitate conferences, focusing on their successes, areas for growth, and future goals.

b. A whole-child focus

At ASCEND, we focus on nurturing the whole child, enabling each student to realize their full potential. We partner with the Seneca Agency of Families to provide a comprehensive range of mental health and social-emotional support services to students and their families.

c. Parent education on the curriculum

Teachers in the primary grades hold regular class meetings with parents to review what children are learning and how they are learning it, offer suggestions on helping with homework, and discuss upcoming units. Our Family Resource Center provides parents with workshops on early literacy and college preparedness.

d. Family Resource Center

ASCEND has created a central space on campus to serve as a Family Resource Center, which our Family Resource Center coordinator runs. We provide a variety of services to our families through this center. The center offers a computer, printer, Internet access, phone, kitchen facilities, parent resources, and a community bulletin board featuring opportunities for parent education, community events, important meetings, and job postings.

e. Family Leadership Council & Class Leaders

Family members are elected to participate in class initiatives, fundraisers, and events, as well as represent the parents of each grade level through our Family Leadership Council (FLC). During these regular meetings, parents develop their leadership skills and help make important decisions around school programming, family engagement strategy, budget, and more.

ASCEND Inclusivity Stance

ASCEND School stands against racism and identity-based hatred in all its forms.

Guided by love, our vision is to empower each other to create a school that supports our community of students, families, and staff. Our community, diverse in race, ethnicity, gender, sexual orientation, religion, and culture, will feel a sense of belonging, inclusion, and celebration of their identities.

Ascend commits to:

- **Creating the conditions** for inclusivity and belonging by proactively teaching our students about diverse identities and identity-based harm.
- **Responding to and disrupting harmful acts** of hatred or ignorance within our community of staff, families, and students.
- **Providing staff with the tools and training** needed to implement restorative justice circles as a part of our restorative approach to repair relationships when students, families, or staff experience harm

We will develop staff capacity by creating a common framework and providing the necessary tools to engage in in-depth, meaningful dialogue and teaching on these topics.

To **build staff's capacity** to identify, challenge, and change those practices and infrastructures to provide our students with an inclusive and equitable education, staff will:

- Engage in community building and professional development to do the introspective work on personal identities and white supremacy.
- Analyze and reflect on the current infrastructures and practices that perpetuate white supremacy, anti-Blackness, and other forms of oppression in our learning spaces.

Accessing Interventions at ASCEND

If one of your students is struggling, and the interventions you have tried are not yielding sufficient progress, you can use the following referral to get additional assistance for the student: **COORDINATION OF SERVICES TEAM (COST)**

COST is designed to be a collaborative space for brainstorming new strategies to support students based on their strengths and areas of need. We will have weekly COST sessions during the school year. The COST will include an Administrator, Academic Interventions Specialists, Therapists, Behavior Intervention Specialists, Speech and Language Specialists, the classroom teacher, and any other community member who may be able to provide critical information about the student.

Habits of Work and Learning (HOWLS)

	Compassion	Perseverance	Craftsmanship	Responsibility	Curiosity
	Practice kindness and empathy	Always keep trying	Create your highest quality work	Own your role and be accountable	Ask questions, find solutions
K 2	To care for myself and to care for others. To care about my community, my school, my world. To use words and actions that show I care. To treat other people the way they feel they should be treated. To look for and appreciate the goodness in others.	To be brave and try new things. To try things even when they are challenging. To set goals and reflect on them. To never give up. To make mistakes and learn from them.	To do my best quality work. To use materials and resources safely and appropriately. To make a plan to meet my goals. To ask for and give kind, specific and helpful feedback. To revise my work using input from others.	To help myself stay focused and do my work. To keep my personal belongings and the community's belongings organized. To make positive choices that help the community and myself. To keep others and myself safe.	To be open to new ideas and experiences. To search for resources because I want to know more. To know what I'm passionate about. To can use strategies to solve challenges.
3- 5	To demonstrate care for myself, my peers, my school, my community, and the world. To speak and act in a respectful, open-minded, and inclusive way. To stand up for others when they are being mistreated. To consider and appreciate others' needs and ideas.	To take time to ask questions, and to use appropriate resources to work through challenges. To set goals, reflect and make growth, in both areas of success and challenge. To push yourself, no matter what. To reflect, learn and grow from mistakes and challenges.	To produce my best quality work and proudly present it to others. To deliberately choose which tools, materials, and/or modalities to use. To carefully plan and begin work with the end in mind. To use a rubric to self-assess the quality of my work and provide meaningful feedback to my peers. To engage in drafting and revision, and	To be responsible for my own learning, and advocate for myself. To take care of my personal belongings and space, and the community's belongings and space. To commit to make positive choices, even in the face of adverse peer pressure. To do my best to work well, independently and collaboratively.	To ask thoughtful, relevant questions to gain deeper knowledge and form my own opinions. To investigate a topic using a variety of sources, ideas and viewpoints. To pursue my passions and to extend learning beyond school. To take risks and undertake tasks that are new and interesting.

	To practice conflict resolution and compromise.		incorporate feedback into future drafts.	To take ownership for my actions and the outcomes of my choices, and repair harm.	
6-8	To demonstrate care for my personal well-being and those around me. To utilize strategies for recognizing and expressing my emotion and ask for help when needed. To care about local and global issues. To respect the unique needs of others by using inclusive words and actions. To use conflict resolution and be an upstander, not a bystander.	To recognize when a challenge is encountered and seek solutions. To make plans, set goals, and adjust when I encounter an obstacle, setback, or success. To have a mindset that celebrates success, and uses failure and success as a chance to grow.	To produce my best quality work and to present it proudly to others. To use and choose materials, resources, and modalities deliberately and with care. To carefully plan and begin quality work with the end in mind. To use feedback and rubrics to strengthen my work and to deepen my understanding. To know my work can always improve and embrace the process of reflecting, editing, and revising multiple drafts.	To understand how to be responsible for my own learning, and how to advocate for myself appropriately. To take initiative and participate as a positive community member. To make thoughtful decisions that benefit myself, my peers, and my community, even in the face of adverse peer pressure. To keep myself and peers accountable to our community agreements and shared learning. To take ownership for my actions and the outcomes of my choices, and repair harm. To know and respect boundaries of self and others.	To ask thoughtful and relevant questions to gain deeper knowledge and form my own opinions. To use research and gather information from multiple sources to develop an informed opinion. To take risks and gain expertise in areas of personal interest. To pursue my passions to extend learning beyond school.

Teachers / Staff Members	To demonstrate and model respect and care for others To be intentional in building relationships with all community members To be open-minded and flexible in my thinking To consider other people's perspective	To embrace cognitive dissonance when faced with change, with the understanding that we are working for what is best for students, families, and teachers. To recognize when a challenge is encountered and creatively seek solutions. To have a mindset that celebrates success and recognizes failure as an opportunity for growth.	To honor our commitments and responsibilities. To model the behavior and mindset of lifelong learners. To collaborate with staff, parents and students, to ensure the best outcomes for our community.	To have clear, direct communication that leads to collaboration and problem-solving. To follow through on my commitment to serve all students and families. To commit to ongoing reflection, learning and growth. To be intentional about my choices and the ways I engage in our community.	To dedicate time to explore and push our own practices. To actively seek out opportunities to learn from those around us.
Parents/ Families	To treat and act respectfully with one another. To talk kindly and patiently with each other. To listen and create safe spaces for others To be role models and examples for students. To work to resolve our conflicts.	To rise above the challenges. To stay calm and work to find solutions when there are obstacles. To continue to work until we meet our goals. To restore relationships and repair any harm to our community	To follow through with our commitments and our responsibilities To model the quality of behaviors and actions that we want our students to see. To work collaboratively with one another to ensure the best outcomes for students.	To seek out opportunities to support the school and all students. To take pride in the space and ownership over its well-being. To have clear, direct communication that leads to collaboration and problem-solving. To actively seek understanding about our children's growth and performance in school. To actively share ownership of school initiatives.	To follow up with ASCEND Staff to learn more about our children's performance and progress. To look for new ways of doing things that would benefit our children. To ask questions of community members we don't know, in order to learn more about them and bring them in. To reflect on our own performance stay curious about how we can do better.

**** This is ASCEND's family, school, and student agreement for you to preview.
We will review this further and sign it at Back to School Night.**

ASCEND A SCHOOL CULTIVATING EXCELLENCE AND NURTURING DIVERSITY



2025-2026 Home-School Compact

STAFF COMMITMENT	PARENT COMMITMENT	STUDENT COMMITMENT
We believe that all students can learn, and we will do the following to ensure their success: ☐ We will hold high expectations for all students. ☐ We will welcome you and treat you with respect as partners in your child's education. ☐ We will respect and follow ASCEND's Habits of Work and Learning (HOWLs): Compassion, Perseverance, Craftsmanship, Responsibility, Curiosity. ☐ We will respond to your requests for information in a timely manner and inform you about your child's strengths and challenges. ☐ We will regularly share with you concerns and progress regarding your child. ☐ We will provide engaging and motivating learning experiences in all classes. ☐ We will use teaching methods and materials that work best for your child academically and socially / emotionally. ☐ We will regularly assign homework to your child to help them master grade-level standards. ☐ We will help you meet your child's educational needs. ☐ We will believe in your child; we will show them that they are important and will never give up on them. ☐ We commit to cultivating a community that celebrates the diversity of our students and families. ☐ We commit to intervene/disrupt any comments or actions that are hate-based (Race,Culture, Gender Sexual orientation, or Religion), against any student/staff/family.	Parents and family are the first and most important teachers. I will support my child's learning and success in school by doing the following: ☐ I will work together with my child's teacher to support my child. ☐ I will help my child follow all school rules and policies. ☐ I will provide a quiet place and time for my child to engage in classwork that is live and asynchronous. ☐ I will read to or to my child or have my child read for at least 20 minutes every day. ☐ I will support my child to attend school on time each day. ☐ I will make sure my child gets enough sleep and eats well. ☐ I will limit the amount of time my child watches television and plays video games. ☐ I will respect and follow ASCEND's Habits of Work and Learning (HOWLs): Compassion, Perseverance, Craftsmanship, Responsibility, Curiosity. ☐ I will attend Back-to-School Night, Parent-Teacher-Student Conferences, grade level meetings, student learning displays, and other school events related to my child. ☐ I will ask for help when in doubt. ☐ I commit to collaborating with the school to nurture/cultivate an environment that feels inclusive to all students, families, and staff, including participating in learning with my child. ☐ I commit to intervene/disrupt any comments or actions that are hate-based (Race, Culture, Gender, Sexual orientation, or Religion), that my child does or says. ☐ In accordance with the law, I am prepared to sit with my child at school in the event negative behaviors need to be corrected.	I believe that I can be successful in school and will show it by doing the following: ☐ I will follow the school's rules. ☐ I will go to school and do my best: I will push myself, work hard, and ask for help. ☐ I will support my classmates to do their best work and learn alongside me. ☐ I will go to class on time every day. ☐ I will go to school ready to learn. ☐ I will respect and follow ASCEND's Habits of Work and Learning (HOWLs): Compassion, Perseverance, Craftsmanship, Responsibility, Curiosity. ☐ I will be a cooperative learner. ☐ I will speak up when I am struggling and ask for help when I need it. ☐ I will turn in my homework on time. ☐ I will read at home for at least 20 minutes every day. ☐ I will bring information from the school and my parents/guardians. ☐ I will attend every student learning expo. ☐ I commit to cultivating a welcoming environment that celebrates the diversity of all of our students and families. ☐ I will commit to respect all students/staff/families regardless of their identity (Race, Culture, Gender, Sexual orientation, or Religion)

Technology Device and Materials Use Agreement

Purpose

The materials that we provide at school are for instructional purposes on the school campus. The resources put into providing these materials to students is excellent, and it is imperative that they be utilized and treated with respect and care. We provide initial access to and use of the materials free of charge. It is the responsibility of the student and family to replace or restore any damaged, broken, or lost materials. "Normal" wear and tear will be outlined here. Any wear beyond these conditions or premature wear of the materials will be subject to the next steps outlined in this agreement.

System and Normal "Wear and Tear"

Tech Devices

All Chromebooks will be assigned to students individually within a classroom space for daily use. There will be cases where the device may be shared between two students, but this is rare. Students are responsible for notifying teachers immediately if damage to the device occurs. Teachers are responsible for inspecting devices daily, when they are in use during instruction, to ensure the quality of the device. If the device is shared the cost will be shared if fault is unknown.

Device "life" is 3-4 years with minimal damage. We are replacing devices at this increment. Any damage to the device before this will be the responsibility of the family. This includes missing keys, cracked screens, and dropped devices that affect hardware or software.

****Take this page HOME, Sign the next page and leave it with the TEACHER***

Technology Device and Materials Use Agreement

Replacement or Restoration

Tech Devices

	Family will pay...	School will pay...
Chromebooks Screen \$ 35.00	50% @ \$17.50	50% @ \$17.50
Chromebooks Keys \$7/ key	\$7.00 per key	0.00
Entire Chromebook \$180/ device	20% @ \$36.00	80% @ \$144.00

We commit to this agreement to care for our materials and replace or restore them if necessary.

Nos comprometemos a este convenio para el cuidado de nuestros materiales y reemplazar o restaurar si es necesario.

Date: _____

Student: _____

Teacher: _____

Parent : _____

Attendance Policy

Every minute of a child's time at school is essential. Children who are absent for even one day or who arrive late to school miss valuable instructional time and can easily fall behind in their studies. When a student is absent from school, it results in a loss of funding for our schools, which the State does not reimburse. As a parent or guardian, you are responsible for ensuring your child attends school and plans vacations and absences for personal reasons that align with school holidays, so that the educational process is not disrupted.

ABSENCES:

Reporting/Clearing an Absence:

- If your child will be absent, please phone the main office or stop by to notify us and provide the reason for the 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; otherwise, it will be considered an unexcused absence.
- Repeated absences for health reasons will require a doctor's note
- Students may be withdrawn from classes and placed on inactive status if 10 consecutive days of absence occur (5 to start the year) and the parents have failed to contact school staff to make arrangements.

Excused Absences:

The following conditions may excuse a student from school attendance:

- Personal illness or injury (A Medical Verification note may be required by the school attendance clerk or school principal after 2 days.)
- Medical Appointment for the student
- Exclusion for failure to present evidence of immunizations
- Quarantine of the home by local health officials
- Attending a funeral service of a member of the student's immediate family (limited to one day, unless reasonable cause can be shown for a longer absence)
- Observance of a religious holiday, consistent with the student's established beliefs or creed
- Attendance at the naturalization ceremony

Tardies:

- Students shall arrive at school and be in the classroom at the proper scheduled time. Habitual tardiness, according to California law (Ed Code. 48260-48273), is truancy and will be treated as such.
- Students are considered tardy when they arrive after the second bell rings, and within 29 minutes of the start of class, they are considered tardy. After 30 minutes, it is considered a truant tardy, except for medical reasons
- Students must pick up a tardy pass from the office before entering class.
- If your child is arriving late to school for any reason, the parent or guardian must call the office before the student's arrival. The student MUST pick up an "admit to class" pass from the office before entering class; otherwise, it will be considered an unexcused absence.

Truancy:

- In California, all children are required by law to attend school between the ages of 6 and 18, and must have good attendance records as well. If the student is under the age of 6, the school is still required to follow the same procedure, as the student becomes our responsibility to ensure their attendance at school.

- 3 Unexcused Absences and/or tardies more than 30 minutes will generate a SART meeting to implement an attendance contract.
- Failure to meet the attendance contract's expectations will result in a meeting with SARB at the District Home Office, where a plan will be developed. If that plan is not completed, the parents may be referred to the Alameda County District Attorney.

Chronically Absent:

Any student who is absent (Excused or Unexcused) for more than 10 percent of their days enrolled is considered chronically absent. Chronic absence causes extended loss of instructional time. Extended loss of instructional time leads to students falling behind and possibly to retention. In cases where a student is chronically absent, a meeting will be held with the School Attendance Review Team to create a contract aimed at improving student attendance. If absences continue to occur, the school will refer the parents to a School Attendance Review Board at the District Home Office, where a plan will be developed. If that plan is not completed, the parents may be referred to the Alameda County District Attorney.

Independent Study:

If you know your child will be out for more than two days, an Independent Study Contract may be assigned to that student upon approval from the school. The initial request should be made in the main office. Please stop by the front office in advance and pick up an Independent Studies contract so that class assignments can be provided and the guardian can sign the contract. An Independent Study contract is provided as an alternative instructional strategy, not an alternative curriculum. Independent study students work independently, according to a written agreement and under the general supervision of a credentialed teacher.

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 the safety of students. You must come to the office to sign your child out.
- Early dismissal will not be granted to any student 30 minutes before the scheduled dismissal time unless a doctor's note is provided to excuse the child from school early.
- We will ask to see identification of any person we do not know and will not release a child to a babysitter, step-parent, or friend without prior authorization.

Illness Policy

Although children with contagious illnesses need to be excluded from school, most children with mild illnesses can still attend school.

Excluding children with mild illnesses when it is not necessary can result in parents missing work and children missing valuable school time.

It can sometimes be challenging to determine when to keep your child at school and when to keep them at home.

If your child is experiencing any of the following symptoms, keep your child at home and call your Pediatrician to discuss your child's illness.

Guidelines for keeping your child from school and at home include the following:

- **Fever:** 100 degrees orally or under the arm. Keep the child home for 24 hours after the temperature returns to normal (without the aid of fever reducers). Also, a fever with a sore throat and /or swollen glands and/or rash.
- **Diarrhea:** Two or more watery stools in 24 hours or stools with blood/mucus in it.
- **Vomiting:** Two or more times in a 24-hour period.
- **Eye Drainage:** Pink eye or conjunctivitis: thick mucus or pus draining from the eye, which causes matting of the eyelid, and can be highly contagious. Once antibiotic treatment is started, students may return to school after 24 hours.
- **Rash:** Anybody with a rash, fever, sore throat, or swollen glands.
- **Ringworm:** Ringworm on the scalp requires treatment for 24 hours before returning to school. Ringworm elsewhere on the body needs to be covered during school.
- **Asthma:** Children with wheezing, upper respiratory infection, and coughing that interfere with their ability to drink, talk, or sleep should stay home until respiratory distress symptoms have resolved. Asthma without these symptoms, with medication readily available, can be effectively managed at school.

Children SHOULD ATTEND SCHOOL if they have a mild upper respiratory tract infection, a cold, even if it is associated with green or yellow nasal discharge, as long as the child does not have a fever or any of the listed above.

IMPORTANT: Physical complaints that quickly ‘disappear’ once a decision is made for the child to stay at home may suggest that there is some emotional cause behind the ‘illness’. Talk with your child to address fears, misunderstandings, and school-related problems. Talk with your child’s teacher and work together to find a solution.

Parent Leadership Structures

Family Engagement Systems/ Sistemas de participacion Familiar			
Family Leadership Council / Consejo de Liderazgo Familiar	Class Leaders Lideres de sal	EFC Family Leadership / EFC Liderazgo Familiar	Other Participation/ Otra Participación
Parents elected to represent each grade-level who come to FLC to focus on school-wide issues and programming and facilitate engagement for parents across Ascend.	Parents chosen for each class who collaborate with teachers and parents of their child's grade on grade-level initiatives and engagement.	2 parents from our leadership Council that represent Ascend within the EFC Family Leadership Council.	• Volunteering • Planning for class or school events • Attending class or school events • Sharing feedback with teachers/school
Padres elegidos para representar a cada nivel de grado que viene al Consejo de liderazgo familiar para enfocarse en los problemas y la programación de toda la escuela y facilitar la participación de los padres en Ascend.	Padres elegidos para cada clase que colaboran con los maestros y los padres del grado de su hijo en iniciativas y participación a nivel de grado.	2 padres de nuestro consejo de liderazgo que representan a <u>Ascend</u> dentro del consejo de liderazgo familiar de EFC.	• Ser voluntario • Planificación eventos escolares o de clase • Asistir a eventos escolares o de clase • Compartir comentarios con profesores / escuela

Other Ways to Help Your Child ASCEND

ASCEND's parents and teachers have found that the following suggestions help students become more focused and successful in school.

- Students need a consistent bedtime with at least 11 to 13 hours of sleep a night. ASCEND suggests an 8:00 PM bedtime for K-3 students and 8:30 PM for 4-5 students.
- A nutritious, low-sugar breakfast helps your child be ready to learn in the morning.
- Avoid consuming foods that are high in added sugar, caffeine, or artificial food dyes.
- Children should only watch movies rated G or PG and play video and computer games rated E for everyone.
- Television and technology time should be limited to one hour a day at most, and children should avoid watching violent programming or using apps that are not legally age-appropriate (such as Snapchat, Instagram, TikTok, and Twitter).
- Daily outdoor play promotes healthy bodies and minds.
- Read with your child every day.
- Every day when your child comes home from school, ask them to tell you about their day.

Volunteer Policy

[Parent Volunteer Opportunities Survey Registration.doc](#)
[GUIDELINES FOR PARENTS, VOLUNTEERS AND VISITORS](#)

Family Communication Systems



We want to communicate with you and ensure you can communicate with us. ASCEND uses Parent Square to send messages and important information

Directions for creating an account:

1. Go to www.parentsquare.com/signin. You can also install the ParentSquare app and follow the prompts to sign up.
2. Use your email, your phone number, or Google single sign-on to set up your account. Your email/phone number must match the contact details in the school's database for this to work.
3. If your contact details aren't recognized, contact the school office to get them added. After they update your information in their database, the new contact details will appear in ParentSquare after the next daily sync, and you will be able to create an account.

Chaperone Policy Update

In order to ensure safety on field trips, all EFC chaperones for day or overnight field trips must be fingerprinted and have a clear, current TB test.

*See TB Testing locations below.

*Fingerprinting is available every Thursday 10:30am at EFC Home Office

333 Hegenberger Rd # 705, Oakland, CA 94621

(510) 568-7936

TB TESTING LOCATIONS

***Information in Spanish is on the next page | Información en español en la página siguiente*.**

Fingerprints and Clear TB Tests are required to chaperone any ASCEND Field Trip. Contact one of the following TB clinics immediately to schedule a TB Questionnaire or TB exam. You may also schedule an appointment with your regular health care provider.

EFC does not reimburse people for TB Tests. Please submit your proof of TB to the school's main office or email it to hr@efcps.net.

- The TB Questionnaire is linked below:
- Option 1: [TB Questionnaire](#) (if appropriate, have a health care professional fill it out, sign and stamp it) (form is attached)
- Option 2: TB Skin Exam (if appropriate, a traditional TB exam administered by a health care professional)

Here are some Clinics that offer the TB Questionnaire or TB Skin Exam services. Please contact the clinic BEFORE visiting, as some families have reported clinics not being open during listed hours.

1. [CheckPoint OTC website](#)
2. [wellnessmart](#)
3. [Berkeley Free Clinic](#)
4. [TB Resources by Alameda County Public Health](#)
5. [TB Clinics by Alameda County Public Health](#)

Other Options

Berkeley Department of Health and Human Services 830 University Ave. Berkeley, CA 94710 (510) 981-5350 HOURS = Drop-in for skin test on Tuesday from 9:00 – 11:00 am or 1:00 – 4:00 pm Reading on Thursdays from 1:00 – 4:00 pm. FEES = Sliding scales based on income.	Prescott-Joseph Center 920 Peralta St., West Oakland, CA 94607 (510) 835-8683 HOURS = First come, first served for skin test Mondays from 1:00 – 3:00 pm. Reading Wednesdays from 1:00 – 2:00 pm. FEES = None.	LA CLÍNICA DE LA RAZA: FRUITVALE VILLAGE 3451 E 12th Street Oakland, CA 94601 (510) 535-3650 info-laclinica@laclinica.org
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Dress Code Policy

TK-8 Dress code Policy 2025-26

TK-8 Póliza de Código de Vestimiento 2025-26



Pants

- **Khaki or Black**
- Not ripped
- No jeans
- No leggings/yoga pants/sweatpants
- Shorts must be worn with a belt and at or slightly above knee level

Pantalones

- **Caqui o negro**
- No rasgados *No mezclilla (jeans)
- No medias(mayas)/ pantalones de
- yoga/pantalones deportivos (sweatpants)
- Los pantalones bermudas (shorts) deben usarse con cinturón y a la altura de la rodilla o ligeramente por encima de la rodilla

Shirts

- **Green ASCEND Shirts & ASCEND Swag** (sports, clubs)
- **White or Green Collared Shirt** (very small logos, no words)
- Abdomen and shoulders covered

If it is not an ASCEND shirt. It must be a collared shirt

Camisas

- **Camisas ASCEND verdes y camisas ASCEND** de deporte/viaje
- **Verde o Blanca Camisa con Cuello** (logotipos muy pequeños, sin palabras)
- Abdomen y hombros cubiertos

Debe ser un una camisa con cuello si no es una camisa ASCEND

Sweatshirts or jackets worn INSIDE

- Any ASCEND sweatshirts
- Black sweater/Jackets with very small logos, no words)
- Other jackets can be worn outside

Sudaderas o chaquetas llevadas DENTRO

- Sudaderas ASCEND verdes
- Sudaderas y Abrigos negros (logotipos muy pequeños, sin palabras)

Otras chaquetas se pueden llevar fuera

Shoes: Must be appropriate for PE and recess.
No crocs or sandals

Zapatos: Deben ser apropiados para PE y recreo. No crocs o sandalias

Gorras sólo en el exterior o por motivos religiosos

Hats only outside or for religious reasons

Dress Code Violations

If an ASCEND staff member determines that a student's attire does not follow the dress code and/or is inappropriate or disruptive to the educational environment as described, the following may occur:

1. The student may be asked to briefly leave class to change clothing to align with this dress code.
2. ASCEND may confiscate items that violate the dress code.
3. ASCEND may notify the student's parents/guardians of the dress code violation(s).
4. ASCEND may schedule a conference with the student's parents/guardians to discuss the dress code violation(s).

Students may not be disciplined, penalized academically, or removed from class as a consequence for wearing "inappropriate" attire.

Cell Phone Policy

Cell Phone Follow up

1. Phones must be turned off and put in backpacks the moment students get to school. They are not to be out before school, not on the yard nor cafeteria. Phones must remain off and in backpacks throughout the day.
2. Phones are only allowed to be used after school outside the building. If students need to contact their family, they need go to the office.
3. First time: Staff asks student to turn off the phone and put it in their backpack.
Second time: Phone is taken by teacher, lunch reflection, you can pick up at end of day.
Third time: lunch reflection + Phone is taken to office. Family picks up.
Fourth time: Phone held for a week. On Contract.
*If students post pictures during school, lunch reflection + Phone is taken to office. Family picks up with a meeting.

Snack and Lunch Food Policy

Healthy eating is important!

At Ascend, we care about your learning *and* being healthy!

Eating healthy foods helps your brain and body:

- Strong bones and teeth
- Makes you think clearly and be more alert
- Keeps you with the right amount of energy—not too hyper and not too tired
- Helps keep you from getting sick
- Helps you have better moods

What snacks and food are okay to bring to school?

Yes! (examples)	No
Fruit Vegetables Crackers Granola bars Fruit Snacks Water Nuts or Trail Mix     	Cookies Chips Juice (Honest Kids is ok) Soda (no sugary beverages) Chocolate bars Candy Cake Cupcakes    

Wait...

**What about
celebrations?**

*Can we have treats for
celebrations like parties and
birthdays?*

Yes!

*Celebrations are SO important!
Bringing treats for special events
can be planned with your teacher.*



**What happens if my child brings
a snack they shouldn't?**

We will ask students to put the snack away in their backpacks.
We have other snacks on hand.

We also always have water and milk.

If you have any questions, please reach out to the office



Responding to Behavior at ASCEND

Our Pedagogy of School Culture

ASCEND cultivates relationships with our students, families, and staff, so that together we create a learning environment grounded in healing, self-exploration, and a commitment to personal growth. Our goal is to develop young people committed to self-awareness, integrity, love, and hope in their pursuit of justice and equity for all. We seek to honor those who came before us and to build a diverse community where all members are seen and cared for as their whole selves.

ASCEND School stands against racism and hatred in all its forms.

We commit to intervene/disrupt any comments or actions that are hate-based (Race, Culture, Gender, Sexual orientation, or Religion), against any student/staff. Guided by love, our vision is to empower each other to create a school that supports our community of students, families, and staff.

Behavior Matrix	
Tier 1 Behaviors	Actions Steps
- Disengagement - Calling Out - Dress code - Single Action: inappropriate language (not directed at a person), - Horseplay (no one feeling harmed)	<u>In the classroom:</u> ● Name behavior, value/agreement broken, impact on community ● Assign Give Back Time/ Community Service ● Set a Timer or boundary (for Middle School, lunch reflection if needed) ● Break, reflection in room / Access to different sensory regulating tools <u>Outside the classroom:</u> ● Reflection* in Buddy Classroom, hallway ● Take a walk break with a support person if needed ● 1:1 check-in to ask the student what they need ● Lunch Reflection + Facilitated restorative conversation with persons harmed

Behavior Matrix Continued

Tier 2	Action Steps
- Repeated Tier 1 behavior* - Non-consensual (non-sexual) Contact - Minor Physical Aggression - Threatening - Inappropriate language - Stealing - Eloping - Technology Misuse* - Academic Dishonesty/Cheating* (*Referral based on circumstance and severity)	<u>In the classroom:</u> - Responding adult names behavior, names value/agreement broken, names impact on community. - Completed reflection or referral form and alerts the culture team <u>Outside the classroom:</u> - Staff and/or Culture team member notifies the family - Student completes statement and/or reflection in the office - Consequences are identified and planned - <i>Learning modules</i> - <i>Presentation or apology</i> - <i>Community service</i> - <i>Family meeting</i> - <i>Student Contract</i> - <i>Restorative conversation(s)</i> - <i>Suspension (as a last resort)</i> <u>Possible further steps:</u> - Wellness check, Recurring check-in with parents, Referring student to COST, Peer Mediation, Student Contract

Tier 3-4	Action Items
- Severe property damage - Presence or under the influence of drugs/alcohol - Weapons - Assault - Sexual Assault or harassment - Hate Speech - Harassment/bullying - Discrimination	- Responding staff alert the administration immediately - Referral is completed - Families are notified of the incident and investigation - Administration determines the next steps - <i>Suspension</i> - <i>Student Contract</i> - <i>Learning modules</i> - <i>Presentation or apology</i> - <i>Restorative Conversation</i> - <i>Community Service</i>

ASCEND Office Referral Definitions

Minor Problem Behavior	Definition
Disrespect (M-Disrespect)	Students deliver low-intensity, socially rude, or dismissive messages to adults or students.
Dress Code Violation (M-Dress)	Students wear clothing that is near, but not within, the dress code guidelines established by the school or district.
Inappropriate Language (M-Inapp Lan)	Students engage in low-intensity instances of inappropriate language.
Physical Contact/ Physical Aggression (M-Contact)	Students engage in non-serious but inappropriate physical contact.
Property Misuse (M-Prpty Misuse)	Students engage in low-intensity property misuse.
Tardy (M-Tardy)	Students arrive at class after the bell (or wait for the signal that class has started).
Technology Violation (M-Tech)	Students engage in non-serious, but inappropriate (as defined by the school) use of cell phone, pager, music/video players, camera, and/or computer.

Major Problem Behavior	Definition
Abusive Language/ Inappropriate Language/ Profanity (In app Lan)	Students deliver verbal messages that include swearing, name-calling, or the use of words in an inappropriate way.
Hate Speech (Racist/Bullying)	Students used verbal and written derogatory language, slurs, and insults. (Offensive graffiti, letters (hate mail), drawings etc.)
Bullying (Bullying)	The delivery of direct or technology-based messages that involve intimidation, teasing, taunting, threats, or name-calling. These behaviors are targeted and repeated.
Defiance/ Insubordination/ Non-Compliance (Defiance)	Students may engage in refusing to follow directions or talking back.
Disruption (Disruption)	Students engage in behavior that disrupts a class or activity. Disruption includes sustained loud talk, yelling, or screaming; noise with materials; horseplay or roughhousing; and/or sustained out-of-seat behavior.
Fighting (Fight)	Students are involved in a mutual participation incident involving physical violence.
Harassment (Harass)	The delivery of disrespectful messages in any format related to gender, ethnicity, sex, race, religion, disability, physical features, or other protected classes.
Lying/Cheating (Lying)	The student delivers a message that is untrue and/or deliberately violates the rules.
Physical Aggression (PAGg)	Students engage in actions involving serious physical contact where injury may occur (e.g., hitting, punching, hitting with an object, kicking, pulling hair, scratching).

Property Damage/Vandalism (Prop dam)	Students participate in an activity that results in the destruction or disfigurement of property.
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Who responds to what?		
<u>Minor Incidents</u> e.g., argument between students, mildly unsafe play, in-class distraction, etc.	<u>Responding Adult</u> Any adult present - Teacher, yard duty, or other staff	<u>Response Process</u> The issue is resolved by responding staff member(s) through discussion or a minor consequence. The same staff member notifies families and the primary teacher(s). May use office reflection (TK-5) or Give Back Time /Lunch Reflection (6-8).
<u>Minor to Moderate Incidents</u> e.g., Mildly unsafe behavior, one-time conflicts, incidents that <i>can</i> be solved via an isolated restorative conversation or one-time GBT/reflection, non-harmful incidents related to a student's disability/IEP needs.	<u>Responding Adult</u> Dean of Culture	<u>Response Process</u> The behavior response flow chart is followed, including documentation. Families are notified. Case workers, service providers, admin, and primary teacher(s) are notified in detail.
<u>Moderate to Severe Incidents</u> e.g., Very unsafe behavior, repeated concerns, major student conflicts, bullying or hate speech/incidents, violence, drugs, incidents that cannot be solved through one-time discussion/restoration/GBT..	<u>Responding Adult</u> Dean of Culture <i>with</i> Admin support/guidance	<u>Response Process</u> The behavior response flow chart is followed, including documentation. Families are notified. Case workers, admin, and primary teacher(s) are notified in detail. Any suspensions (in school for more than one hour or out of school) are approved by the Principal.

ASCEND Bullying Policy

A person is being bullied when he/she is *exposed, repeatedly and over time, to negative actions on the part of one or more other persons*. Negative action is when a person *intentionally inflicts injury or discomfort upon another person through physical contact, words, or other means*.¹

The following examples illustrate common bullying behaviors. Remember, bullying is a pattern of behavior that is repeated over time against the same person(s) with a noted power differential.

1. Saying hurtful and unpleasant things
2. Making fun of others
3. Using mean and hurtful nicknames
4. Completely overlooking someone
5. Deliberately excluding someone from a group of friends
6. Hitting, kicking, pulling hair, pushing, or shutting a person inside
7. Telling lies
8. Spreading false rumors
9. Sending mean notes, emails, or text messages; posting mean notes on electronic social media (Instagram, Snapchat, TikTok, etc.)
10. Trying to get other students to dislike another person

If you are being bullied, the behavior should be reported to a trusted adult.

ASCEND's Consequences for Bullying:

- 1. First offense:** Loss of recess privileges and community service for 1-5 days (depending on severity of incident and student's level of reflection), phone or in-person conference with parents, Restorative Justice essay, and possible 1-3 day suspension (depending on severity of incident).
- 2. Second offense:** 2-5 day suspension (depending on severity of incident), conference with parents, loss of recess privileges for 2-4 weeks and community service (depending on severity of incident and student's level of reflection), and Anti-bullying project. Apology Letter, Restorative Conversation.

¹ *Definition and description of bullying behaviors from researcher Dan Olweus.*

Sexual Harassment Policy

Examples of conduct which are prohibited in EFC and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body, or overly personal conversation
4. Sexual jokes, notes, stories, drawings, pictures, or gestures
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-gender class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Purposefully cornering or blocking regular movements
10. Displaying sexually suggestive objects

Disciplinary Measures

Any student who engages in sexual harassment of anyone at school, at a school-sponsored, or during a school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) shall be taken into account. Pursuant to Education Code 48915(c), the Superintendent or designee shall recommend expulsion for any student, irrespective of grade, who commits sexual assault or battery as defined in the Penal Code.

ASCEND's Consequences for Sexual Harassment:

1. **First offense:** 1-3 day suspension (depending on severity of incident), conference with parents, loss of recess privileges for 1-2 weeks (depending on severity of incident), sexual harassment learning module to be completed during recess hours, apology letter, restorative justice essay, optional restorative conversation, depending on the openness of the harmed party.
2. **Second offense:** 5-day suspension, conference with parents, loss of recess privileges for 2-4 weeks (depending on severity of incident), sexual harassment education project to be completed during recess hours or on Saturdays, apology letter, restorative justice essay, and optional restorative conversation.

Tobacco, Alcohol, and Other Drugs Policy

ASCEND and the Oakland Unified School District believe that the use of tobacco, alcohol, or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. We desire to keep our school free of tobacco, alcohol, and other drugs. This effort is a crucial step towards preventing violence, promoting school safety, and fostering a disciplined environment conducive to learning.

- Any ASCEND student **who possesses tobacco, alcohol, or any illegal drug at school** will be subject to disciplinary measures and participation in an intervention program.
- Any ASCEND student **who provides or sells tobacco, alcohol, or any illegal drug to another student** will be subject to disciplinary measures and participation in an intervention program.
- Any ASCEND student **who consumes/uses tobacco, alcohol, or any illegal drug on campus or on the way to/from school** will be subject to disciplinary measures and participation in an intervention program.

Disciplinary and intervention measures include any combination of the following measures, depending on the nature and severity of the incident, the number of previous offenses, and the student's disciplinary record.

- In-school or out-of-school suspension, and/or recommendation for expulsion.
- Mandatory after-school tutoring (to keep up with class work during the suspension).
- Completion of 40-100 hours of community service.
- Parent attendance at school (up to 5 days).
- Participation in a drug/alcohol abuse prevention and/or rehabilitation program.

Music Policy

ASCEND strives to create flexible and personalized learning environments that cater to individual needs. To allow students to explore the learning styles that work best for them, we are *open* to the use of music in the classroom; however, the use of technology and music is dependent on staff approval and discretion. All students must receive staff approval before using technology to listen to music.

Music *may* be used during independent work time under the following conditions:

- The teacher or staff offer music by playing it aloud for the whole group at the same time.
- Teachers or staff explicitly offer the use of music to the whole class during independent work and provide expectations of usage that align with this policy.
- Music has been documented and shared on students' Personalized Learning Plan (PLP) as a strategy that can be used to improve a student's concentration, regulate the nervous system, or provoke creative thinking.

Music *may* be used as an intervention when a student is escalated:

- ONLY when music has been documented and shared on the student's Behavior Intervention Map (BIM) or Behavior Intervention Plan (BIP) as an intervention strategy that can be used to de-escalate student behavior

Music usage expectations:

- Music is accessed independently
- Headphones are used
- Volume is low-medium, so that music does not distract others
- Music is played using shuffle (limited adjustments)

If a student is not using music appropriately at any point, privileges will be revoked until the team can reconvene to adapt the student's PLP, BIM, or BIP.

Gum Policy

ASCEND strives to create welcoming learning environments. To ensure that all classrooms and spaces remain clean, gum use is strictly prohibited on campus.

- All students who are observed chewing gum should be asked to dispose of it immediately.
- If gum use becomes a recurrent problem for any student, staff should refer to the Behavior Intervention Matrix to determine potential next steps.

The only exception to gum use:

Gum *may* be used as an intervention when a student is escalated:

- ONLY when gum has been documented and shared on the student's Behavior Intervention Map (BIM) or Behavior Intervention Plan (BIP) as an intervention strategy that can be used to de-escalate student behavior
- Gum must be disposed of when the student has returned to baseline

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 the handbooks of all EFC schools.

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 accordance with 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. Discretionary Suspension Offenses. 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 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.

- 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 of that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

I. Record of Hearing

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

J. Presentation of Evidence

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

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

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

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

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

K. Written Notice to Expel

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

- 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.

A handwritten signature in black ink, appearing to read "Nick Driver". The signature is stylized, with the first name "Nick" written in a cursive-like font and the last name "Driver" written in a more formal, slightly cursive font.

Nick Driver
Board Chair



Complaint Policy and Procedures

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

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

The Charter School acknowledges and respects every individual’s rights to privacy. Discrimination complaints shall be investigated in a manner that protects [to the greatest extent reasonably possible] the confidentiality of the parties and the integrity of the process. 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. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

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 Adams
Superintendent
Education for Change
333 Hegenberger Road, Suite 705
Oakland, CA 94621
(510) 568-7936

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 discrimination laws, if applicable.
3. Advise the complainant of the appeal process pursuant to Education Code Section 262.3, including the complainant's right to take the complaint directly to the California Department of Education ("CDE") or to pursue remedies before civil courts or other public agencies.
4. Include statements that:
 - a. 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 complaint must be filed not later than six months from the date the alleged discrimination occurs, or six months from the date the complainant first obtains knowledge of the facts of the alleged discrimination;
 - 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.

Procedures

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

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

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, 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 discrimination complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

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

The use of mediation shall not extend 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 complaint may be made at any time to the U.S. Department of Education, Office for Civil Rights.

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

Appeals to the California Department of Education

If dissatisfied with 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 |
| ☐ Child Development Programs | | |

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.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

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?

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:

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

If the complaint is pertaining to the CEO, please send the complaint to the address above directed to the Chair of the Board, Nick Driver.