

ShanéI Valley Academy
Comprehensive School Safety Plan

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District: Ukiah Unified School District
Address: 1 Ralph Bettcher Drive
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Date of Adoption:

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OVERVIEW AND PURPOSE

California Education Code sections 32280-32288 outline the requirements for all California public schools operating a kindergarten and grades 1 to 12 inclusive, to develop a comprehensive school safety plan addressing the safety concerns relevant to the needs and resources of the particular school.

Comprehensive School Safety Plans are required to contain the following elements:

- An assessment of the current status of school crime at the schools and at school-related functions
- Child abuse reporting procedures
- Disaster procedures, routine and emergency plans, and crisis response plan
- Suspension/expulsion policies and procedures
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policy, including hate crime reporting procedures and policies
- Schoolwide dress code
- Procedures for safe ingress and egress of pupils, parents, and school employees to and from school sites
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Procedures for conducting tactical responses to criminal incidents

This Comprehensive Safety Plan has been developed in accordance with the intent of AB 1747 (Rodriguez), passed by the California State Legislature and signed into law in 2017-18, and in full compliance with the corresponding language required in AB 1747 as referenced in California Education Code Sections 47605(b) (5) (F), 44237, and 32282.

This Comprehensive School Safety Plan will be reviewed, updated, and adopted by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

Safety Plan Review, Evaluation and Amendment Procedures

1. The Comprehensive School Safety Plan (CSSP) is drafted by the School Safety Committee.
2. Draft CSSP is reviewed by SVA Staff and Board of Directors and evaluated.
3. School Safety Committee revises the draft accordingly.
4. Local emergency response agencies (fire and sheriff) are consulted for input.
5. School Safety Committee revises the draft accordingly to create the final version of CSSP.
6. CSSP is submitted to the SVA Board of Directors for approval.
7. CSSP is submitted to the charter school authorizer, Ukiah Unified School District.

SAFE AND ORDERLY ENVIRONMENT

SVA is committed to creating a safe and healthy environment that is conducive to learning. This Comprehensive School Safety Plan covers the policies and expectations for responding appropriately to emergencies and ensuring the safety of students and staff. All school employees receive training in the components of the Comprehensive School Safety Plan upon joining the school, and review any changes to the plan annually. SVA will strive to engage in such activities as listed below in order to ensure an atmosphere on campus that promotes safety, security, and effective crisis response for students and staff. The administration and staff will:

- Work to promote a safe workplace and environment for students.
- Conduct educational exercises that promote safety and effective crisis response.
- Enforce the campus safety and crisis response procedures and regulations as set forth.
- Develop processes in which safety hazards and accidents can be reported, investigated, and ratified or prevented.

Positive School Climate

Providing a safe learning environment is a priority for staff, parents, students, and school community members. SVA prepares students to be responsible citizens. SVA promotes caring and nurturing relationships and works cooperatively with parents, students, and other community agencies. SVA stresses prevention of violence on campus and prepares students to handle conflict, anger, and other threats to safety. Our small school setting focuses on positive school culture and inclusion, and a commitment to a system of continuous improvement is foundational to our school culture. At SVA we develop our STRENGTHS, design a common VISION, and together we ACHIEVE. This motto applies to our school culture, climate and discipline practices as well.

Evidence-based practices that promote inclusive, trauma-informed approaches to student behavior are shown to be supportive of student achievement and engagement, which in turn contributes to a positive school climate overall. A commitment on the part of the adults working to support student success and experience at SVA, are trained in youth development, trauma-responsive approaches, cultural competency, restorative practices and PBIS. SVA also uses a multi-tiered system of support for all students that includes access to academic intervention, enrichment, and physical and mental health support. SVA also aligns school climate goals with the Positive Behavior Interventions and Support (PBIS) framework and a commitment to restorative practices in its discipline policies. A full time school Counselor is available to students and parents to support these initiatives.

SVA recognizes that students do not learn in isolation, but rather through interaction with teachers, peers and their school environment. It is part of SVA's mission to provide and foster positive interactions and relationships between students and their fellow students, educators and the community in general. In order to achieve this goal, SVA has implemented a data-driven approach to school discipline through restorative practices ("RP") and avoids traditional zero-tolerance discipline procedures.

Restorative Practices have been shown to address the needs of the school and surrounding community by building healthy relationships between educators, students, families and community members.

Restorative practices seek to reduce, prevent and improve harmful behavior by repair caused by a student's actions and restoring positive relationships while still holding students accountable for their actions.

Establishing A Positive School Environment:

SVA recognizes that students do not learn in isolation, but rather through interaction with teachers, peers and their school environment. It is part of SVA's mission to provide and foster positive interactions and relationships between students and their fellow students, educators and the community in general. In order to achieve this goal, SVA has implemented a data-driven approach to school discipline through restorative practices ("RP") and avoids traditional zero-tolerance discipline procedures.

SVA also aligns school-climate goals with the Positive Behavior Interventions and Support (PBIS) framework and a commitment to restorative practices in its discipline policies. Each classroom, teaching team collaboratively establishes norms for behavior and conditions supportive to learning. These B.E.A.R. expectations are stated in the positive behavior support policies and classroom norms, and they are generated through in-class discussion at the beginning of each year. These are reviewed and revised as needed.

Practices at SVA include, but are not limited to:

1. Incident Reporting
 - a. We track students' behavior patterns through an online data system so we can have a deeper understanding of the details about each incident, where the incident takes place, and what time the incident takes place. This allows our student support team to plot data to better understand behavioral patterns, allowing for specific intervention to be implemented.
2. Restorative Meetings
 - a. When a student has done harm to another or did not follow the B.E.A.R expectations, they have a chance to repair harm and restore their relationships. This process usually involves the Principal, Teacher, Counselor and/or other support staff that is needed, and students may need time to reflect and so they are given a think sheet that uses restorative questions to promote behavioral self-awareness. Once they are ready, we set meetings, have students work together to create agreements going forward, and always include families in this process as needed. Think sheets may be sent home so the parent and student can work on the behaviors together depending on the incident.
3. Disciplinary Meetings
 - a. When a student has a major behavioral concern that cannot be addressed with other restorative interventions, or if they are having continual behavior issues, a disciplinary meeting is usually set. Families are included, as well as teachers, the counselor, and other critical adults, so that as a team we can look at what the need is below the surface of the negative behaviors. We follow a process with families and check back on progress as the students move forward.

Assessment of the Current Status of School Crime

Annually, SVA's behavior data is collected, student and parent surveys are sent, and facility inspections are compiled and analyzed in order to plan and effect changes in procedures to promote a safe school climate.

During the 2023-24 school year, Shanél Valley Academy had a 0% suspension and expulsion rate. SVA used intervention strategies to achieve this goal that included staff training on PBIS, restorative practices and collaboration with families and teachers. There are restorative circles, behavior reflection sheets, active playground supervision and schoolwide interventions and instruction for behavior expectations. During the 2023-24 school year, Shanél Valley Academy partnered with the Mendocino County Youth Project for youth support during unstructured learning times, as well as established its Positive Behavioral Interventions and Supports program that is continuously evolving to meet the needs of our community each year.

2023-24 Suspension & Expulsion Rate	
Total Suspensions	1.33%
Total Expulsions	0%

CHILD ABUSE REPORTING PROCEDURES (EC 35294.2 [A] [2]; PC 11166)

California Penal Code section 11166 requires any child care custodian who has knowledge of, or observes, a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within thirty-six (36) hours of receiving the information concerning the incident.

SVA will provide annual training on the mandated reporting requirements, using the online training modules provided by Vector Solutions, a partnership established with our insurance provider CharterSAFE, to employees who are mandated reporters. Mandated reporter training will also be provided to employees hired during the course of the school year. This training will include information that failure to report an incident of known or reasonably suspected child abuse or neglect, as required by Penal Code section 11166, is a misdemeanor punishable by up to six (6) months confinement in a county jail, or by a fine of one-thousand dollars (\$1,000), or by both that imprisonment and fine.

All employees required to receive mandated reporter training must provide proof of completing the training within the first six (6) weeks of each school year or within the first six (6) weeks of that employee’s employment. All SVA employees are required to read and sign the employee handbook as a term of employment. By acknowledging receipt of this Handbook, employees acknowledge they are child care custodians and are certifying that they have knowledge of California Penal Code section 11166 and will comply with its provisions.

Training of mandated reporters shall include identification and mandated reporting of child abuse and neglect, guidance in the appropriate discipline of students, physical contact with students, and maintenance of ethical relationships with students to avoid actions that may be misinterpreted as abuse.

DISASTER RESPONSE PROCEDURES (EC 35295-35297; GC 8607 AND 3100)

Teachers and support staff are trained annually on fire (evacuation), earthquake (drop and cover), lock down and off-site evacuation procedures. SVA holds drills quarterly for these four Emergency Procedures.

After assessing the type and level of emergency, Principal (or designee in the absence of the Principal) will activate the Emergency Response via intercom system, fire alarm, and/or megaphone, notifying all staff members of the emergency: "Evacuation", "Drop and Cover" or "Lock Down" or "Off-site Evacuation".

A. Emergency Response Guidelines

1. The Principal (or designee in the absence of the Principal) assess the type of emergency
 - a. Fire on school property
 - b. Fire in surrounding area
 - c. Earthquake
 - d. Active Shooter
 - e. Bomb Threat
 - f. Storm/Flooding
2. Determine the Immediate Response Action.
 - a. Evacuation
 - b. Drop and Cover
 - c. Lock Down
 - d. Off-site Evacuation
3. Communicate the Appropriate Response Action-General Safety Equipment

Disaster Plan

The intent of this plan is to clarify school procedures in the case of an emergency. The objectives of our plan are the following:

1. To provide for action which will minimize injuries and loss of life of students and school and emergency personnel if an emergency occurs during school hours;
2. To provide for maximum use of school personnel and school facilities;
3. To ensure the safety and protection of our students and school personnel immediately after a disaster;
4. To arrange for a calm and efficient plan for parents to retrieve their children from school, should it be necessary, following a disaster.

To meet these objectives, in the event a disaster should occur when children are at school, the following action plan would be implemented.

Teacher Will:

1. Give "duck, cover and hold" instructions in the event of an earthquake.
2. Evacuate building in case of fire or after an earthquake
3. Take emergency folder and duffel bag and evacuate students to the assigned area.
4. Take a first aid kit and duffel bag only when evacuating after an earthquake.
5. Hold students in the assigned yard area, take role, and wait for further instructions from authorized school or emergency personnel.
6. Remain with class and report anyone who is missing. Take appropriate first aid action.
7. Refrain from re-entering buildings until deemed safe.
8. Dismiss students to go home only to the parent or responsible adult designated on the child's emergency release form. Child must be signed out by a parent or a responsible adult.

Principal Will:

1. In the event of a fire, shut off gas, electricity and water (in that order).
2. In the event of an earthquake, if gas is smelled, turn off gas; if there is an electrical problem, turn off electricity; if there are water leaks, turn off water.
3. Inspect buildings for damage.
4. Report to principal for further instructions.
5. Set up and coordinate a first aid center.

6. Assign available adults to tasks as needed.
7. Decide if evacuation to a designated shelter is necessary.

Office Manager Will:

1. If telephones are operable:
 - a. Notify the police department and/or fire department.
 - b. Monitor incoming phone calls.
2. Maintain communication with staff and outside agencies.

Special Information For Parents

Telephones/Communications

In the event of an earthquake, flood or other natural disaster, keep your radios tuned to your local radio station for advisory information. Please do not call the school as we must have the lines open for emergency calls.

Dismissal

Should there be a major earthquake, children will remain under the supervision of school authorities until parents or responsible adults can pick them up.

Student Release Procedure

1. Go directly to the entrance of the school or evacuation area.
2. Inform teacher, aide or adult responsible for that classroom that you are taking the child from the class line.
3. Proceed with child back to Student Release Tables just outside the school entrance to sign a Student Release form for each child you are taking. Do not remove your child or any other child from school without signing the emergency release form. This provides us a record of where each child is when someone else arrives later looking for the child.
4. Unless you are staying to volunteer, please leave as quickly as possible after signing out your child.
5. Adults will be needed to help with first aid, dismissing students, helping with classes, monitoring traffic, etc. If you are able to volunteer to help, go directly to the Command Center where the Volunteer coordinator will give you an assignment. Volunteers should leave children with their classes and not sign student release form until they are ready to leave.

If You Can't Get to the School

Should a major disaster occur, it is likely that many parents will not be able to reach the school right away. If conditions make it necessary, we will release your child to the adult indicated on your child's Emergency Release form. We will keep a written record of the child and the adult to whom the child has been released.

The school principal or teacher in charge will determine the need to leave the building. In the event the building cannot be reoccupied or if a fire requires evacuation of the school, the students will be transferred to the nearest available safe shelter.

If the children are caught in a disaster between home and school, it is recommended that they go immediately to school.

Food and Water

In the event that children would need to remain on campus for several hours after any sort of a disaster, there will be a supply of fresh water and limited food, in the school earthquake kit.

Fire Drills and Evacuation

In the case of fire at the school, the school will be immediately evacuated according to the floor plan set forth at the beginning of each school year. Teachers are required to keep a student roster with them at all times, checking attendance immediately after evacuation. Fire drills will be conducted at least once per year with the evacuation of the local fire department.

Bomb Threats

In the case of a bomb threat at the school, the school will be immediately evacuated according to the fire evacuation plan, appropriate emergency personnel will be summoned. Students and teachers will not re-enter the building until it has been deemed safe by emergency personnel.

Adopted: 9/6/21

Amended:

B. General Safety Equipment

First Aid Kit & Fire Extinguishers First Aid kits are available at the administrative office and in each classroom, teacher's workroom, library, and multipurpose room. Each classroom is equipped with a first aid kit that contains medical supplies needed in case of minor accidents.

Fire extinguishers are inspected annually by an outside company that provides this service.

C. Fire Emergency Procedures

In case of fire, the individual who discovers the fire shall assume these responsibilities:

- Call the Fire Department by dialing 911 and pulling the nearest fire alarm switch.
- If police or paramedics are needed, tell the 911 operator.
- Clear students from the immediate area.
- Follow General Emergency Response Plan

D. Fire in Surrounding Area

In the event of a fire in the surrounding area the following steps will be taken:

1. Principal will determine the location of the fire.
2. Based on this information Principal will determine if:
 - a. Families should be contacted and students to be picked up ASAP by following the outlined procedure. Students remain in the building until they are picked up to prevent smoke inhalation.
 - b. Students should be evacuated off site following off-site evacuation procedure.

E. Earthquake

Earthquake Emergency Procedure

In the event of an Earthquake the following procedure will be followed:

1. Teachers announce to class to drop and cover. Students get under their desks,

- cover their heads, and hold on to the legs of the table or desk.
2. Stay away from windows and bookcases, cabinets, outside walls and other heavy objects until the shaking stops. Do NOT try to run out of the structure during strong shaking.
 3. When shaking is over, make sure you are safe and not injured.
 - a. Check on those around you, looking for those trapped or injured. Do not move seriously injured persons unless they are in immediate danger.
 - b. Check around you for dangerous conditions, such as fires or possible fire hazards, and structure damage. The greatest danger is from falling objects, followed by fire.
 - c. Put out small fires immediately with fire extinguishers.
 - d. Find and access your school radio.
 - e. If you suspect danger, evacuate yourself, students and colleagues to designated evacuation site.
 4. Wait for instructions as the Principal activates the General Emergency Response Plan.

In the event of an earthquake while students are at recess the following procedure will be followed:

1. Students will move away from large trees or buildings and lie on the ground until the "all clear" is given.
2. Wait for instructions as the Principal activates the General Emergency Response Plan Lockdown/Shelter in Place

In the event of an Active Shooter or Gunman on or near the SVA premises, our staff follows the General Emergency Response Plan.

To secure the school in the event of an active intruder or other threat:

1. Administrator notifies staff of Lock Down using a code via the classroom intercom system or best method.
2. Attendance Secretary or designee call 911.
3. Administrator, Attendance Secretary, Family Liaison and the Business Manager clear bathrooms, walkways, gym, library and playground of all students if possible.
4. Teachers or Support Specialists lock classroom doors and close blinds. Each classroom has a designated area to shelter the class in place.
5. Everyone remains sheltered in place until the Administrator gives the all clear.

F. Terrorist Attacks (Bomb Threat)

There are two primary ways a bomb threat may arise. One is through a phone call or written letter in which a bomb is discussed. The other is through a sighting of a suspicious object. Threats should be handled quickly and efficiently as if they were real and life threatening.

If there is a phone call or written threat of a bomb on campus, the person who took the call or read the note will:

1. Notify the Principal immediately.
2. Ask the caller the following questions:
 - a. When is the bomb going to explode?
 - b. Where is the bomb right now?
 - c. What kind of bomb is it?
 - d. What does the bomb look like?
 - e. Why did you place the bomb?

- f. Where are you calling from?
- 3. Record the following information if possible:
 - a. The exact time and length of the call.
 - b. Write down the exact words of the caller.
 - c. Listen carefully to the caller's voice and background noise.
 - d. After you hang up, call 911 immediately from a hard-wired telephone – do not use cell phones to report a bomb threat.

If there is a citing of a suspicious object, the person would:

- 1. Notify the Principal immediately.
- 2. Have the Principal or designee call 911 immediately from a hard-wired telephone.
- 3. Do not touch the object but note any identifying features to describe it to the Principal and emergency crews.
- 4. If you see any suspicious object, steer clear of it and report it to the Principal and the emergency crew chief. Follow all emergency crew and bomb squad directives. Use radios, walkie-talkies and hard wired phones.

Student Evacuation Plan:

- 1. If the Principal determines to evacuate, staff should follow Emergency Off-site Evacuation Procedures.

G. Off-site Evacuation Procedures

In the event of a fire outbreak or other need to evacuate off-site the following procedure will be followed:

- 1. Principal or designee call 911. Authorities determine safe direction and evacuation location.
- 2. Principal or designee announces the off-site evacuation over intercom.
- 3. Students line up at designated doors moving briskly and quietly.
- 4. Staff ensures all procedures are followed outlined in the General Emergency Response Plan

H. Storm & Flooding Procedures

Warnings of severe weather are usually received via public radio, State Warning Center or Nixel. If time and conditions permit, students may be sent home using procedures outlined in the General Emergency Response Plan.

I. Power Outages

If an outage occurs during the day, SVA can wait for electricity to be restored if relative conditions are cooperative, and as long as accommodations can be made for child nutrition and student safety. For example, if the weather is moderate and heating or air conditioning is not essential, we can continue without power. Students can move near a window where there is natural light. SVA must maintain access to a working telephone in each classroom where students are located. SVA must also maintain access to working telephone in the office. A battery backup supply is installed in the administrative office to ensure phone switches remain operational in the event of a power outage. This is checked on a monthly basis.

Power cuts can occur due to rolling blackouts, extreme weather conditions, PSPS, or can accompany other disasters such as earthquakes. If such events occur, SVA will notify parents/guardians of the appropriate action via Parent Square and direct phone calls.

If there is no power at SVA, it is recommended that staff turn off and unplug appliances and computers. Leave one light on to indicate when power has been restored.

J. Guidelines for People with Disabilities in Emergencies

Evacuation of people with disabilities will be given high priority in all emergencies. In an emergency situation, it is important that staff are familiar with the needs of people with disabilities. Whenever possible, people with disabilities will be positioned near a doorway for an easier exit. The following guidelines are important to follow:

In All Emergencies, After an Evacuation has Been Ordered:

- Evacuation of people with disabilities will be given high priority in all emergencies and will be evacuated if possible. Evacuating a disabled or injured person by only one person with no assistance is a last resort.
- Attempt a rescue evacuation ONLY if you have had rescue training.
- Check on people with special needs during an evacuation, determine if they have established a "buddy system," and ensure their safe evacuation.
- Always ASK someone with a disability how you can help BEFORE attempting any rescue technique or giving assistance. Ask how he or she can best be assisted or moved, and whether there are any special considerations or items that need to come with the person.
- DO NOT re-enter a building until permitted by emergency personnel. If you suspect a fire is behind a door; cover your hand to provide protection, first and then test the door by touching it. If it is hot then do NOT use the door as an exit. Try to find an alternate route for an exit.

If the situation is life threatening, call 9-1-1.

SUSPENSION/EXPULSION POLICIES AND PROCEDURES (EC 49079)

As required by Education Code Section 47605(c)(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 Shanèl Valley Academy ("Charter School") recognizes that in extreme cases, suspension or expulsion may be required, but every attempt to avoid this outcome will be exhausted before taking this step.

Policy

The Suspension and Expulsion Policy and Procedures have been established in order to promote learning and protect the safety and wellbeing of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describe the offenses for which students at non charter schools may be suspended or expelled and the procedures governing those suspensions and expulsions in order to establish its list of offenses and procedures for suspensions, expulsions, and involuntary removal. The language that follows is largely consistent with the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions, expulsions, and involuntary removals, and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

Consistent with this Policy, it may be necessary to suspend or expel a student from regular classroom instruction. This shall serve as the Charter School's policy and procedures for student suspension, expulsion, and involuntary removal, and it may be amended from time to time without the need to seek a material revision of the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary policies and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed annually as part of the Student Handbook which will clearly describe discipline expectations.

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

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline and involuntary removal policies and procedures. The notice shall state that this Policy and its Procedures are available upon request at the Superintendent'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 the Charter School has a basis of knowledge of a suspected disability pursuant to IDEA or who is qualified for services under Section 504 is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the applicable provisions of the Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by the Charter School for any reason unless the parent/guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action. The written notice shall be in the native language of the student or the student's parent/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 the student, the student's parent/guardian, or educational rights holder of the basis for which the student is being involuntarily removed and the student's parent/guardian, or educational rights holder's right to request a hearing to challenge the involuntary removal. If a student's parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

Procedures

A. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at any time including but not limited to: 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 when it is determined the student:
 - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force or violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
 - e) Committed or attempted to commit robbery or extortion.
 - f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
 - g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
 - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of a student's own prescription products by a student.
 - 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) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
 - l) 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.

- 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 policy, “hazing” means a method of initiation or preinitiation into a student 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 student. For purposes of this policy, “hazing” does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this policy, “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 their own safety or for their 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 their immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, 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 provision shall apply to students in any of grades 4 to 8, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in Education Code Section 233(e). This provision shall apply to students in any of grades 4 to 8, 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 provision shall apply to students in any of grades 4 to 8, inclusive.
- t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

- 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their 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 their physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with their academic performance.
 - iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

- 2) "Electronic Act" means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - i. A message, text, sound, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual student 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 student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this policy, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student 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 policy, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
 - u) A student 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 student 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 or other dangerous object of no reasonable use to the student 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 Superintendent or designee's concurrence.

2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion when it is determined the student:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any device of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Superintendent or designee's concurrence.
- b) Brandished a knife at another person.
- c) Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, *et seq.*
- d) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code or committed a sexual battery as defined in Penal Code Section 243.4.

3. Discretionary Expellable Offenses: Students may be recommended for expulsion when it is determined the student:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.

- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of a student's own prescription products by a student.
- 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) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- l) 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.
- 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 policy, "hazing" means a method of initiation or preinitiation into a student 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 student. For purposes of this policy, "hazing" does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this policy, "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 their own safety or for their 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 their immediate family.

- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, 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 provision shall apply to students in any of grades 4 to 8, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This provision shall apply to students in any of grades 4 to 8, 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 provision shall apply to students in any of grades 4 to 8, inclusive.
- t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their 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 their physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with their academic performance.
 - iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

- 2) "Electronic Act" means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - i. A message, text, sound, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual student 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 student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this policy, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student 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 policy, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
 3. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- u) A student 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 student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).

- v) Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student 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 Superintendent or designee's concurrence.
4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the student:
- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any device of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Superintendent or designee's concurrence.
 - b) Brandished a knife at another person.
 - c) Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, et seq.
 - d) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code or committed a sexual battery as defined in Penal Code Section 243.4.

If it is determined by the Administrative Panel and/or Board of Directors that a student has brought a firearm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or destructive 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 student shall be provided due process rights of notice and a hearing as required in this policy.

The Charter School will use the following definitions:

- The term "knife" means (A) any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing; (B) a weapon with a blade fitted primarily for stabbing; (C) a weapon with a blade longer than 3½ inches; (D) a folding knife with a blade that locks into place; or (E) a razor with an unguarded blade.
- 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 any explosive, incendiary, or poison gas, including but not limited to: (A) bomb; (B) grenade; (C) rocket having a propellant charge of more than four ounces; (D) missile having an explosive or incendiary charge of more than one-quarter ounce; (E) mine; or (F) device similar to any of the devices described in the preceding clauses.

B. 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 Superintendent or designee with the student and the student's parent/guardian and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Superintendent or designee.

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

At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against the student and shall be given the opportunity to present their version and evidence in their defense, in accordance with Education Code Section 47605(c)(5)(J)(i). This conference shall be held within two (2) school days, unless the student 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 student for failure of the student's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended student shall not be contingent upon attendance by the student's parent/guardian at the conference.

2. Notice to Parents/Guardians

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

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Superintendent or designee, the student and the student's parent/guardian or representative will be invited to a conference to determine if the suspension for the student should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the student or the student's parent/guardian, unless the student and the student's parent/guardian fail to attend the conference.

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

4. Homework Assignments During Suspension

In accordance with Education Code Section 47606.2(a), upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the student, or the affected student, a teacher shall provide to a student in any of grades 1 to 12, inclusive, who has been suspended from school for two (2) or more school days, the homework that the student would otherwise have been assigned.

In accordance with Education Code Section 47606.2(b), if a homework assignment that is requested pursuant to Section 47606.2(a) and turned into the teacher by the student either upon the student's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the student's overall grade in the class.

C. Authority to Expel

~~by the neutral and impartial Charter School Board of Directors following a hearing before it or by the Charter School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board of Directors as needed. The Administrative Panel shall consist of at least three (3) members who are certificated and neither a teacher of the student nor a member of the Charter School Board of Directors. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.~~

As required by Education Code Section 47605(c)(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 Charter School Board of Directors following a hearing before it or by the Charter School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board of Directors as needed. The Administrative Panel shall consist of at least three (3) members who are certificated and neither a teacher of the student nor a member of the Charter School Board of Directors. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

D. 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 Superintendent or designee determines that the student has committed an expellable offense and recommends the student for expulsion.

In the event an Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all student confidentiality rules under FERPA) unless the student 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 student. The notice shall include:

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of the Charter School's disciplinary rules which relate to the alleged violation;
4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student and/or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

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

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 their right to (a) receive five (5) days' notice of their scheduled testimony; (b) have up to two (2) adult support persons of their choosing present in the hearing at the time the complaining witness testifies, which may include a parent/guardian, or legal counsel; and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which the complaining witness 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 the complaining witness is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany the complaining witness to the witness stand.
7. If one or both support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in

any way. Nothing shall preclude the presiding officer from exercising their discretion to remove a person from the hearing whom they believe 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 student being expelled, the complaining witness shall have the right to have their 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.

F. 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.

G. Presentation of Evidence

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

If, due to a written request by the expelled student, 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 their testimony heard in a session closed to the public.

H. Expulsion Decision

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

If the Administrative Panel decides not to recommend expulsion, or the Board of Directors ultimately decides not to expel, the student shall immediately be returned to their previous educational program.

The Board of Directors may also determine to suspend the enforcement of the expulsion order for a period of not more than one (1) calendar year from the date of the expulsion hearing and return the student to the student's previous educational program under a probationary status and rehabilitation plan to be determined by the Board. During the period of the suspension of the expulsion order, the student is deemed to be on probationary status. The Board of Directors may revoke the suspension of an expulsion order under this section if the student commits any of the enumerated offenses listed above or violates any of the Charter School's rules and regulations governing student conduct. If the Board revokes the suspension of an expulsion order, the student may be expelled under the terms of the original expulsion order. The Board of Directors shall apply the criteria for suspending the enforcement of the expulsion order equally to all students, including individuals with exceptional needs as defined in Education Code Section 56026. The Board of Directors shall further comply with the provisions set forth under Education Code Section 48917, except as otherwise expressly set forth herein.

I. Written Notice to Expel

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

- (a) Notice of the specific offense committed by the student; and
- (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 the Charter School.

The Superintendent or designee shall send a copy of the written notice of the decision to expel to the chartering authority. This notice shall include the following:

- (a) The student's name; and
- (b) The specific expellable offense committed by the student.

J. Disciplinary Records

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

K. No Right to Appeal

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

L. Expelled Students/Alternative Education

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

M. Rehabilitation Plans

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Board of Directors at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the student may reapply to the Charter School for readmission.

N. Readmission or Admission of Previously Expelled Student

The decision to readmit a student after the end of the student's expulsion term or to admit a previously expelled student from another school district or charter school who has not been readmitted/admitted to another school or school district after the end of the student's expulsion term, shall be in the sole discretion of the Board of Directors following a meeting with the Superintendent or designee and the student and student's parent/guardian or representative to determine whether the student has successfully completed the rehabilitation plan and to determine whether the student poses a threat to others or will be disruptive to the school environment. The Superintendent or designee shall make a recommendation to the Board of Directors following the meeting regarding the Superintendent's or designee's determination. The Board shall then make a final decision regarding readmission or admission of the student during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The student's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission or admission to the Charter School.

O. Notice to Teachers

The Charter School shall notify teachers of each student who has engaged in or is reasonably suspected to have engaged in any of the acts listed in Education Code Section 49079 and the corresponding enumerated offenses set forth above.

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

1. Notification of SELPA

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

2. Services During Suspension

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

3. Procedural Safeguards/Manifestation Determination

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

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

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that either

of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

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

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

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

4. Due Process Appeals

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

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

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, the parent/guardian or Charter School may request a hearing.

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

5. Special Circumstances

Charter School personnel may consider any unique circumstances on a case-by-case basis when

determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

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

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

6. Interim Alternative Educational Setting

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

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

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

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

- a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b. The parent/guardian has requested an evaluation of the child.
- c. The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

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

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

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

Adopted: 09/6/21
Amended: 6/27/24

Procedures for Notifying Teachers about Dangerous Pupils

The Principal shall ensure that employees are informed, in accordance with law, regarding crimes and offenses by students who may pose a danger in the classroom. Upon the receipt of the records of a new student, the records are available to teachers, Special Education staff, and the school counselor in the school office to sign out.

The cumulative records include a copy of each suspension. Each person receiving the cumulative record is to acknowledge receipt and fully review the document, submitted questions or clarifications if needed. When the Principal receives information from the juvenile court system that a student has been convicted of a serious or violent crime requiring teacher notification, s/he will notify the teacher. A plan will be developed with the Principal, teacher and other necessary staff to ensure the safety of everyone involved.

If a student that has not had a history of dangerous behavior acts in a dangerous manner toward anyone in the school community, the matter shall be investigated by school staff, as time permits. If the behavior is determined by SVA staff to need intervention by law enforcement, law enforcement shall be contacted by the school in an expeditious manner. If appropriate, an expulsion hearing may be conducted.

Dangerous, Violent, or Unlawful Activities

Assessment and Response Procedures

SB 671

SB 671 requires a Comprehensive School Safety Plan to include procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a school bus serving the school.

Multidisciplinary Threat Assessment Team

Shanél Valley Academy uses a multidisciplinary threat assessment team consisting of the site-specific safety task force team: the administrators, a school parent representative, a counselor as needed, and other outside services such as police and fire, as needed.

Assessment and Response

Prohibited and concerning behaviors are defined in California Education Code 48900 and 48915. Additionally, all threats of self-harm are assessed and acted upon, as needed. In cases where dangerous, violent, or unlawful activities are being conducted, Law Enforcement is notified at once and a call to 911 is made.

The threshold of law enforcement intervention is decided by the relevant administration in cooperation with school police and mutual aid if requested. In practice, we find if a real or possible threat is present. We evaluate the threat or possible threat based upon prohibited and concerning behaviors, responding appropriately to the incident.

Risk Management

Risk Management is notified in incidents where there is physical, property or damage to others. Additionally, Risk Management is involved if a security assessment or report is needed. There may

be times, following a potential or real incident, that an after-action debrief might be conducted, including a written summary.

School Culture and Training

Providing a safe learning environment is a priority for staff, parents, students, and school community members. The school prepares students to be responsible citizens. We promote caring and nurturing relationships and work cooperatively with parents, students, and other community agencies. Shanél Valley Academy stresses prevention of violence on campus and prepares students to handle conflict, anger, and other threats to safety.

Shanél Valley Academy conducts an annual update to their Comprehensive Safe School Plan at each school site as required by the California Education Code.

Training for all stakeholders is conducted during annual site meetings by Shanél Valley Academy's site leadership team.

Opioid Overdose Protocol - Melanie's Law

Student Overdose or Possible Overdose Protocols

Current law (Education Code section 49414.3) allows schools to provide emergency opioid antagonist administration for individuals who may be experiencing symptoms of opioid drug poisoning. Opioid drug poisoning is a life-threatening condition that can be reversed with the administration of an opioid antagonist medication such as naloxone. Without immediate administration of an opioid antagonist and summoning Emergency Medical Services (911), death could occur.

This law allows for a school nurse or a trained volunteer to administer an opioid antagonist medication to an individual who is exhibiting potentially life-threatening symptoms of opioid drug poisoning. Training is provided to the volunteer on topics including but not limited to:

- Signs and symptoms of opioid drug poisoning
- How to administer the naloxone nasal spray (or other opioid antagonist)
- Calling EMS (911) and any follow up documentation or actions required.

*CPR training is recommended but not required of persons trained to administer an opioid antagonist.

Staff members who volunteer to be trained are protected under the law and will be provided defense and indemnification by Shanél Valley Academy for any and all civil liability.

This notification is provided annually to all staff. If staff are willing to be identified as a volunteer and be trained, staff complete the volunteer form and submit it to their site administrator.

Employees who volunteer to be trained may rescind their offer to volunteer at any time. No benefit will be granted to or withheld from any individual based on his or her offer to volunteer. There will be no retaliation against any individual for rescinding his or her offer to volunteer, including after receiving training.

Discrimination & Harassment Policy (EC 212.6 [b])

Discrimination, sexual harassment, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn and negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, Shanél Valley Academy (SVA) prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether. This policy is inclusive of instances that occur on any area of the school

campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means.

As used in this policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of disability, pregnancy, gender, gender identity, gender expression, nationality, ancestry, race or ethnicity, immigration and citizenship status, religion, religious affiliation, sexual orientation, childbirth or related medical conditions, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or any other basis protected by federal, state, local law, ordinance or regulation. In addition, bullying encompasses any conduct described in the definitions set forth in this Policy. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."

To the extent possible, SVA will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated, and/or bullied, and will take action to investigate, respond, address and report on such behaviors in a timely manner. ~~SVA school staff that witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so. Moreover, SVA will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with which SVA does business, or any other individual, student, or volunteer. This Policy applies to all employees, students, or volunteer actions and relationships, regardless of position or gender. SVA will promptly and thoroughly investigate any complaint of such misconduct prohibited by this Policy and take appropriate corrective action, if warranted.~~

This policy applies to incidents occurring on the school campus, at school-sponsored events and activities regardless of the location, through school-owned technology, and through other electronic means, whether perpetrated by a student, employee, parent/guardian, volunteer, independent contractor or other person with whom Charter School does business, and all acts of Charter School's Board of Directors ("Board") in enacting policies and procedures that govern Charter School.

Charter School complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports of misconduct prohibited by this Policy.

Definitions

Prohibited Unlawful Harassment

- Verbal conduct such as epithets, derogatory jokes or comments or slurs.
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with school because of sex, race or any other protected basis.
- Retaliation for reporting or threatening to report harassment.
- Deferential or preferential treatment based on any of the protected classes above.

Prohibited Unlawful Harassment under Title IX

Title IX (20 U.S.C. § 1681 et. seq; 34 C.F.R. § 106.1 et. seq) and California state law prohibit harassment on the basis of sex. In accordance with these existing laws, discrimination on the basis of sex in education institutions is prohibited. All persons, regardless of sex, are afforded equal rights and opportunities and freedom from unlawful discrimination in education programs or activities conducted by SVA.

SVA is committed to providing an educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action.

Sexual harassment consists of sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, education, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of employment, educational or academic decisions affecting the individual; (c) the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

It is also unlawful to retaliate in any way against an individual who has articulated a good faith concern about sexual harassment against themselves or against another individual.

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
 - Rape, sexual battery, molestation or attempts to commit these assaults.
 - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body.
- Unwanted sexual advances, propositions, or other sexual comments, such as:
 - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience.
 - Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
 - Subjecting or threats of subjecting a student to unwelcome sexual attention or conduct or intentionally making the student's academic performance more difficult because of the student's sex.
- Sexual or discriminatory displays or publications anywhere in the educational environment, such as:
 - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view in the educational environment.
 - Reading publicly or otherwise publicizing in the educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning, or pornographic.
 - Displaying signs or other materials purporting to segregate an individual by sex in an area of the educational environment (other than restrooms or similar rooms).

The illustrations of harassment and sexual harassment above are not to be construed as an all-inclusive list of prohibited acts under this Policy.

Harassment means conduct based upon one or more of the protected characteristics listed above that is severe or pervasive, which unreasonably disrupts an individual's educational or work environment or that creates a hostile educational or work environment. Harassment includes, but is not limited to:

- Verbal conduct such as epithets, derogatory jokes, comments or slurs.
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work or school based on any of the protected characteristics listed above.
- Retaliation for reporting or threatening to report harassment.
- Deferential or preferential treatment based on any of the protected characteristics listed above.

Prohibited Bullying

Bullying is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act. Bullying includes one or more acts committed by a student or group of students that may constitute as sexual harassment, hate violence, or creates an intimidating and/or hostile educational environment, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing a reasonable pupil* or pupils in fear of harm to that pupil's or those pupils' person or property.
2. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
3. Causing a reasonable pupil to experience a substantial interference with his or her academic performance.
4. Causing a reasonable pupil to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by SVA.

** "Reasonable pupil" is defined as a pupil, including, but not limited to, an exceptional needs pupil, who exercises care, skill and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.*

Cyberbullying is an electronic act that includes the transmission of harassing communication, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Electronic act means the creation and/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:

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above.
 - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the

- purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
- c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of “bullying,” 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.
3. An act of “Cyber sexual bullying” including, but not limited to:
 - a. 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 definition of “bullying,” above. 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. “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.
 4. Notwithstanding the definitions of “bullying” and “electronic act” 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.

Education

Charter School employees cannot always be present when bullying incidents occur, so educating students about bullying is a key prevention technique to limit bullying from happening. Charter School advises students that hateful and/or demeaning behavior is inappropriate and unacceptable in our society and at Charter School and encourages students to practice compassion and respect each other.

Charter School educates students to accept all student peers regardless of protected characteristics (including but not limited to actual or perceived sexual orientation, gender identification, physical or cognitive disabilities, race, ethnicity, religion, and immigration status) and about the negative impact of bullying other students based on protected characteristics.

Charter School’s bullying prevention education also discusses the differences between appropriate and inappropriate behaviors and includes sample situations to help students learn and practice appropriate behavior and to develop techniques and strategies to respond in a non-aggressive way to bullying-type behaviors. Students will also develop confidence and learn how to advocate for themselves and others, and when to go to an adult for help.

Charter School informs Charter School employees, students, and parents/guardians of this Policy and encourages parents/guardians to discuss this Policy with their children to ensure their children understand and comply with this Policy.

Professional Development

Charter School annually makes available the online training module developed by the California Department of Education pursuant Education Code section 32283.5(a) to its certificated employees and all other Charter School employees who have regular interaction with students.

Charter School informs certificated employees about the common signs that a student is a target of bullying including:

- Physical cuts or injuries
- Lost or broken personal items
- Fear of going to school/practice/games
- Loss of interest in school, activities, or friends
- Trouble sleeping or eating
- Anxious/sick/nervous behavior or distracted appearance
- Self-destructiveness or displays of odd behavior
- Decreased self-esteem

Charter School also informs certificated employees about the groups of students determined by Charter School and available research to be at elevated risk for bullying and provides its certificated employees with information on existing school and community resources related to the support of these groups. These groups include but are not limited to:

- Students who are lesbian, gay, bisexual, transgender, or questioning youth (“LGBTQ”) and those youth perceived as LGBTQ; and
- Students with physical or learning disabilities.

Charter School encourages its employees to demonstrate effective problem-solving, anger management, and self-confidence skills for Charter School’s students.

Complaint Procedures

Scope of the Complaint Procedures

Charter School will comply with its Uniform Complaint Procedures (“UCP”) policy when investigating and responding to complaints alleging unlawful harassment, discrimination, intimidation or bullying against a protected group or on the basis of a person’s association with a person or group with one or more of the protected characteristics set forth in the UCP that:

- Are written and signed;
- Filed by an individual who alleges that they have personally suffered unlawful discrimination, harassment, intimidation or bullying, or by one who believes any specific class of individuals has been subjected to discrimination, harassment, intimidation or bullying based on a protected characteristic, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying; and
- Submitted to the Charter School UCP Compliance Officer not later than six (6) months from the date the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

Charter School will comply with its Title IX Policy when investigating and responding to complaints alleging sex discrimination, including sex-based harassment, in its education program or activity, as applicable.

The following procedures shall be utilized for complaints of misconduct prohibited by this Policy that do not fall within the scope of Charter School’s Title IX Policy or comply with the writing, timeline, or other formal filing requirements of the UCP. A copy of Charter School’s Title IX Policy and UCP is available in the main office.

Submitting a Report or Complaint

All staff are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of misconduct prohibited by this Policy, to intervene when safe to do so,

call for assistance, and report such incidents. The Board requires staff to follow the procedures in this Policy for reporting alleged acts of misconduct prohibited by this Policy.

Reports and complaints of misconduct prohibited by this Policy shall be submitted to the Principal (or the President of the Board if the complaint is against the Principal) as soon as possible after the incidents giving rise to the report or complaint.

Complaints regarding such misconduct may also be made to the U.S. Department of Education, Office for Civil Rights. Civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders may also be available to complainants.

Grievance Procedures

1. Reporting

All staff are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of misconduct prohibited by this Policy, to intervene as soon as it is safe to do so, call for assistance, and report such incidents. The Board requires staff to follow the procedures in this policy for reporting alleged acts of misconduct prohibited by this Policy.

Any student who believes they have been subject to misconduct prohibited by this Policy or has witnessed such prohibited misconduct is encouraged to immediately report such misconduct to the Coordinator:

Kristi McCullough, Principal
1 Ralph Bettcher Drive
Hopland CA 95449
(707)744-1489 ext. 102
kristi@shanelvalleyacademy.com

Complaints regarding such misconduct may also be made to the U.S. Department of Education, Office for Civil Rights.

While submission of a written report is not required, the reporting party is encouraged to submit a written report to the Coordinator. Oral reports shall also be considered official reports. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report, **but formal disciplinary action cannot be based solely on an anonymous report.**

Students are expected to report all incidents of misconduct prohibited by this Policy or other verbal, or physical abuses. Any student who feels she/he is a target of such behavior should immediately contact a teacher, counselor, the Coordinator, a staff person or a family member so that she/he can get assistance in resolving the issue in a manner that is consistent with this Policy.

SVA acknowledges and respects every individual's right to privacy. All reports shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This includes keeping the identity of the reporter confidential, as appropriate, except to the extent necessary to carry out the investigation and/or to resolve the issue, as determined by the Coordinator or administrative designee on a case-by-case basis.

SVA prohibits any form of retaliation against any reporter in the reporting process, including but not limited to a reporter's filing of a complaint or the reporting of instances of misconduct

prohibited by this Policy. Such participation shall not in any way affect the status, grades, or work assignments of the reporter. **A reporter alleging retaliation in violation of this Policy may file a grievance using the procedures set forth in this Policy.**

All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years thereafter. All staff will receive sexual harassment training and/or instruction concerning sexual harassment as required by law.

2. Investigation

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of SVA, the Coordinator or administrative designee will promptly initiate an investigation. In most cases, a thorough investigation will take no more than seven (7) school days. If the Coordinator, or administrative designee determines that an investigation will take longer than seven (7) school days, he or she will inform the complainant and any other relevant parties and provide an approximate date when the investigation will be complete.

At the conclusion of the investigation, the Coordinator or administrative designee will meet with the complainant and, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation, including any actions necessary to resolve the incident/situation. However, in no case may the Coordinator or administrative designee reveal confidential information related to other students or employees, including the type and extent of discipline issued against such students or employees.

All records related to any investigation of complaints under this Policy are maintained in a secure location.

Investigation and Response

Upon receipt of a report or complaint of misconduct prohibited by this Policy, the Principal or designee will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty-five (25) school days.

At the conclusion of the investigation, the Principal or designee will, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation and resolution of the incident/situation. However, the Principal or designee will not reveal confidential information related to other students or employees.

If the complaint is against the Principal, a non-employee Board member who is annually designated as the Complaint Officer will conduct a fact-finding investigation and provide the complainant with information about the investigation and resolution of the incident/situation.

3. Consequences

Students or employees who engage in misconduct prohibited by this Policy will be subject to disciplinary action **up to and including expulsion from Charter School or termination of employment.**

4. Uniform Complaint Procedures

~~When harassment or bullying is based upon one of the protected characteristics set forth in this Policy, a complainant may also fill out a Uniform Complaint Procedures complaint form at any time during the process.~~

Shanél Valley Academy (“SVA” or the “Charter School”) policy is to comply with applicable federal and state laws and regulations. SVA 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 unlawful discrimination, harassment, intimidation or bullying against any protected group, including actual or perceived discrimination, on the basis of the actual or perceived characteristics of age, ancestry, color, mental disability, physical disability, ethnic group identification, gender expression, gender identity, gender, genetic information, immigration status/citizenship, marital status, medical condition, nationality, national origin, race or ethnicity, religion, sex, or sexual orientation, 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 SVA program or activity.
- (2) Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils, and Pupils from Military Families, Local Control and Accountability Plans (LCAP), Migrant Education Programs, Every Student Succeeds Act / No Child Left Behind Act (2001), Programs (Titles I-VII), including improving academic achievement, compensatory education, limited English proficiency, and migrant education, Special Education Programs, State Preschool, Bilingual Education Comprehensive School Safety Plans,
- (3) A complaint may also be filed alleging that a pupil enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below.
 - a. “Educational activity” means an activity offered by a school, school district, charter school or county office of education that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.
 - b. “Pupil fee” means a fee, deposit or other charge imposed on pupils, or a pupil’s parents or guardians, in violation of Section 49011 of the Education Code and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all pupils without regard to their families’ ability or willingness to pay fees or request special waivers, as provided for in *Hartzell v. Connell* (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:
 - i. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.

ii. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.

iii. A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.

c. A pupil fees complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees.

d. If SVA finds merit in a pupil fees complaint the Charter School shall provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts by the Charter School to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.

e. Nothing in this section shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or school districts, school, and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.

(4) Complaints of noncompliance with the requirements governing the Local Control Funding Formula, Local Control and Accountability Plans, or Sections 47606.5 and 47607.3 of the Education Code, as applicable.

(5) Complaints of noncompliance with the requirements of Education Code Section 222 regarding the rights of lactating pupils on a school campus.

(6) Complaints of noncompliance with the requirements of Education Code Section 48645.7 regarding the rights of juvenile court school pupils when they become entitled to a diploma.

(7) Complaints of noncompliance with the Charter School's Safety Plan

The Charter School acknowledges and respects every individual's rights to privacy. Unlawful discrimination, harassment, intimidation or bullying 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. The Charter School cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, the Charter School will attempt to do so as appropriate. The Charter School may find it necessary to disclose information regarding the complaint/complainant to the extent necessary to carry out the investigation or proceedings, as determined by the Principal 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 unlawful discrimination, harassment, intimidation or bullying. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

Compliance Officer

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

Kristi McCullough, Principal
1 Ralph Bettcher Drive
Hopland CA 95449
(707)744-1489 ext. 102
principal@shanelvalleyacademy.com

The Principal 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 Principal or designee.

Should a complaint be filed against the Principal, the compliance officer for that case shall be the Chair of the SVA Board of Directors.

Notifications

The Charter School shall annually provide written notification of the Charter School's uniform complaint procedures to employees, students, parents and/or guardians, advisory committees, private school officials, and other interested parties (e.g., Adult Education).

The annual notice shall be in English. Pursuant to Education Code Section 48985, if fifteen (15) percent or more of the pupils enrolled in the Charter School speak a single primary language other than English, this annual notice will also be provided to the parent or guardian of any such pupils in their primary language.

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

The annual notice shall include the following:

- (a) A statement that the Charter School is primarily responsible for compliance with federal and state laws and regulations.
- (b) A statement that a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.
- (c) A statement identifying the responsible staff member, position, or unit designated to receive complaints.
- (d) A statement that the complainant has a right to appeal the Charter School's decision to the California Department of Education ("CDE") by filing a written appeal within 15 days of receiving the Charter School's decision.
- (e) A statement advising the complainant of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal pursuant to Education Code Section 262.3.

(f) A statement that copies of the local educational agency complaint procedures shall be available free of charge.

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. The Compliance Officer shall maintain a record of each complaint and subsequent related actions.

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

STEP 1: FILING OF COMPLAINT

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

A complaint alleging unlawful discrimination, harassment, intimidation or bullying shall be initiated no later than six (6) months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or six (6) months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination, harassment, intimidation or bullying. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination, harassment, intimidation or bullying.

Pupil fee complaints shall be filed not later than one (1) year from the date the alleged violation occurred.

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, the Charter School staff shall assist him/her in the filing of the complaint.

STEP 2: MEDIATION

Within three (3) 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 an unlawful discrimination, harassment, intimidation or bullying 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 (5) 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

Unless extended by written agreement with the complainant, the Compliance Officer shall prepare and send to the complainant a final written decision of the Charter School's investigation and disposition, as described in Step 5 below, within sixty (60) days of the Charter School's receipt of the complaint.

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 unlawful discrimination, harassment, intimidation or bullying complaints arising under state law, notice that the complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.
8. For unlawful discrimination, harassment, intimidation or bullying 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 Principal 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 sixty (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 unlawful discrimination, harassment, intimidation or bullying complaints arising under state law, however, a complainant must wait until sixty (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 Title 5, California Code of Regulations, Section 4622.

Adopted: 9/6/21

Amended: 8/18/22

5. Right of Appeal

~~Should the reporting individual find the Coordinator's resolution unsatisfactory, he/she may follow the Dispute Resolution Process found in UCP.~~

Should a complainant find Charter School's resolution unsatisfactory, for complaints within the scope of this Policy, the complainant may, within five (5) business days of notice of Charter School's decision or resolution, submit a written appeal to the President of the Charter School Board, who will serve as the decision maker for the appeal or designate a decisionmaker for the appeal. The decisionmaker for the appeal will notify the complainant of the final decision.

Adopted: 9/6/21

Amended: 06/27/24

Consequences

Students or employees who engage in misconduct prohibited by this Policy may be subject to disciplinary action up to and including expulsion from Charter School or termination of employment.

Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator ("Coordinator"):

Kristi McCullough, Principal
1 Ralph Bettcher Drive
Hopland CA 95449
(707)744-1489 ext. 102
kmac@shanelvalleyacademy.com

Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

SVA shall maintain safe and secure methods of ingress and egress for pupils, parents, and staff to and from the school property which are ADA compliant. Safe ingress and egress will be maintained by periodic reviews of the procedures for ingress and egress. SVA will ensure that all passageways to and from school buildings, corridors within school buildings, and emergency exits remain clear of all obstruction to allow the flow of pedestrian and vehicular traffic. Drivers are expected to follow all motor vehicle laws and speed limits and be cautious when children are present.

Facilities shall be inspected regularly by school staff and any necessary modifications shall be made in a timely fashion. Facilities shall be inspected annually by the Hopland Fire Department. The school will also ensure that potential obstructions and hazards are removed from such areas. In the event of an injury, SVA staff should be notified as well as appropriate medical personnel as necessary.

Through the joint efforts of the Board of Directors, Staff, Parent Advisory Council, Hopland Fire District and other consultants, SVA has developed a plan to ensure the safe arrival and departure of students, staff and visitors. SVA encourages input from our community and reviews this plan on an annual basis. Any problems associated with safe ingress and egress will be addressed immediately.

A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Every student who attends SVA will be provided with an environment where they not only feel physically safe, but an environment characterized by a positive school climate and culture.

Our small school focuses on positive school culture and inclusion, and a commitment to a system of continuous improvement. At SVA we develop our STRENGTHS, design a common VISION, and together we ACHIEVE. This motto applies to our discipline practices as well. Evidence-based practices that promote inclusive, trauma-informed approaches to student behavior are shown to be supportive of student achievement and engagement, which in turn contributes to a positive school climate overall.

The staff working to support student success and experience at SVA are trained in youth development, trauma-responsive approaches, cultural competency, restorative practices and PBIS. SVA promotes nonviolent resolution techniques in order to encourage attitudes and behaviors that foster harmonious relations. SVA remains in compliance with existing laws related to school safety. This CSSP outlines several elements critical to maintaining a safe school environment.

School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

SVA recognizes that students do not learn in isolation, but rather through interaction with teachers, peers and their school environment. It is part of SVA's mission to provide and foster positive interactions and relationships between students and their fellow students, educators and the community in general. In order to achieve this goal, SVA has implemented a restorative approach to school discipline and avoids traditional zero-tolerance discipline procedures.

Restorative Practices have been shown to address the needs of the school and surrounding community by building healthy relationships between educators, students, families and community members.

Restorative practices seek to reduce, prevent and improve harmful behavior by repairing harm caused by a student's actions and restoring positive relationships while still holding students accountable for their actions.

School discipline and behavioral expectations at SVA are derived from evidence-based restorative practices with the expectation of markedly reduced suspension and expulsion rates, increased attendance and a positive school culture and climate.

Practices at SVA include, but are not limited to:

1. Minor Behaviors

a) Documentation of incidents by adults involved are used when there is a minor incident that involves negative student behavior. They provide specific details about each incident, where the incident takes place, and what time the incident takes place. This allows SVA to better understand behavioral patterns, allowing for specific intervention to be implemented.

2. Major Behaviors

a) When a student has a major behavioral concern that cannot be addressed with other interventions, or if they are having continual behavior issues, the incident is documented and action is taken with administration. At this time the principal, student, teacher and family member meet to go over the incident, plan for ways to repair harm, and then decide as a support team on next steps such as making agreements for behaviors, repairing the harm, etc. The meeting is also documented

and all data is sent home to the parents/guardians.

i. For example, if a student is calling another student names, a restorative practice would include a meeting with each participant, plan of action to repair harm, agreements for behaviors, and family engagement. A restorative consequence could include writing a letter to the other student and reading it to them, making a card for restoring the relationship, coming back to the classroom with a presentation of what was learned while away and sharing the agreements going forward. These types of actions help students learn to be accountable for their actions and helps them understand the effect their behavior has on others in their community.

3. Reflection Sheets

a) When a student has done harm to another, or did not follow the B.E.A.R expectations, they are given a reflection sheet that uses restorative questions to promote behavioral self-awareness. These sheets are sent home so the parent and student can work on the behaviors together. They returned the next day. SVA actively seeks out partnerships with organizations whose services can help make the connection between SVA's academic and school climate goals. These include youth mental health agencies such as Mendocino County Youth Project, seeking support from the Hopland Band of Pomo Indians Tribal council, and experts in restorative practices and PBIS.

SVA actively seeks out partnerships with organizations whose services can help make the connection between SVA's academic and school climate goals. These include youth mental health agencies such as Mendocino County Youth Project, [Redwood Community Services](#), seeking support from the Hopland Band of Pomo Indians Tribal council, and experts in restorative practices and PBIS.

SVA's discipline and school climate goals include the implementation of trauma-Informed approaches to discipline and student engagement. We are continuously improving and learning about restorative practices through trainings and building our PBIS systems with our climate coach from Mendocino Office of Education. Evidence that zero-tolerance discipline also leads to higher rates of disengagement is the driving force for SVA's commitment to restorative practices in our small community school setting.

Each classroom, teaching team has collaboratively established norms for behavior and conditions supportive to learning. [Highlights of our behavior guidelines](#) These include:

Cafeteria:

- B- Indoor voices
- E- Pick up after self and others
- A- Separate Trash, Recycling, Compost correctly
- R- Listen and Follow Directions

Classroom:

- B- Listen to others
- E- Participate in class activities and [bomb](#) discussions
- A- Pay attention (look, listen, do)
- R- Listen and Follow Directions

Playground:

- B- Use playground equipment properly
- E- Play with other appropriately
- A- Know and follow Playground rules ([Bell-Freeze, Whistle-walk to class](#))

R- Use Kind Words and actions

Bathrooms:

- B- Be aware of surroundings, provide privacy and personal space
- E- Walking Feet
- A- Quiet Voices
- R- Clean up after yourself and others

In- Line:

- B- Eyes Forward
- E- Remain Calm
- A- Hands to yourself
- R- Keep voices down

Library:

- B- Walking Feet
- E- Listen and Follow directions
- A- Put books away, where they belong
- R- Whisper Voices

Hallway's:

- B- Waiting before entering/exiting doors, avoid yellow lines by doors
- E- Walking feet
- A- Quiet voices
- R- Hands, feet and body to self

Even the youngest students are capable of contributing in this way, and implementing these proactive approaches to classroom culture and school climate build a foundation for respectful collaboration among peers. When students, staff or anyone in the SVA community falls out of these collaboratively established norms, Restorative Practices call for a pull-in rather than push-out approach. Restorative circles, empathy and active listening are all skills that students, staff and teachers are currently developing at SVA.

SVA students come from a community that is no stranger to natural disasters and complex historical inequities. For this reason a trauma informed and trauma responsive approach is appropriate to support the goals and mission of SVA. This approach includes building a school culture of trust, support and collaboration. Our morning begins with a mindful moment to help students and teachers adjust to the school setting and transition from home. Regular check-ins, mini wellness and emotional check-ins are woven throughout each day to instill students with a sense of self-awareness and self-efficacy. Restorative circles and compassionate listening are skills all SVA educational staff are trained to facilitate, and students in our youth leadership roles also keep the integrity of our respectful culture thriving.

Charter School Safety Procedures—Tactical Responses to Criminal Incidents [EC47605(6)(F)(ii)]

Overview

Shanel Valley Academy has a General Emergency Response Plan developed in conjunction with Law Enforcement, the Hopland Fire District and first responders.

Extreme Heat Procedures

Who will take lead: Kristi McCullough

Check: Temperature predictions and severe weather warnings

Criteria: Temperatures above 90 degrees

Actions:

- Turn air conditioning on in morning to cool all rooms
- Ensure all water fountains and water bottle fillers are operating
- Staff announce times to drink water throughout the day
- Ensure all students have access to water bottles, cups, or drinking fountains
- Encourage students to use misters outside to cool off
- Encourage students to use shade of trees and shade structures while outside
- If necessary, decrease time outside
- Principal informs families each day about the weather, plans for school safety and ways to keep safe

School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

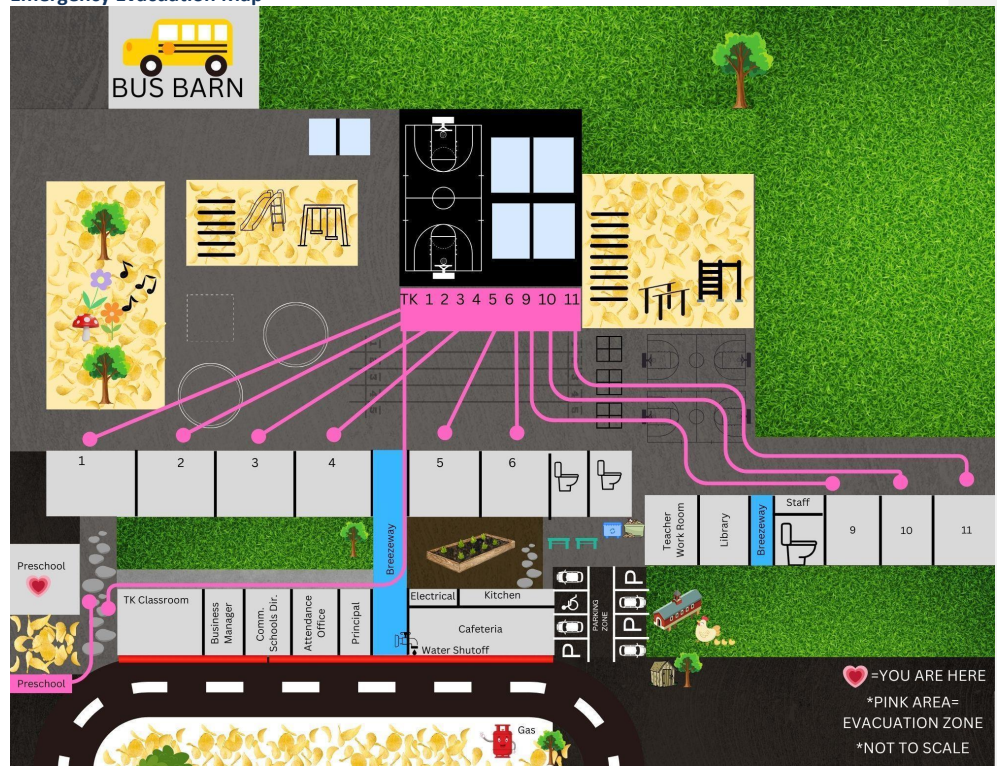
SVA does not have a schoolwide dress code for its students. Staff is responsible for evaluating the appropriateness of clothing and/or students items. These shall be free of writing, pictures, or any other insignia which are crude, vulgar, profane, or sexually suggestive, which bear drug, alcohol, or tobacco company advertising, promotions and likenesses, or which advocate racial, gender, sexual orientation, religious prejudice, or gang related activity.

Emergency Contact Numbers

DIAL 9-1-1 for all EMERGENCIES

Cal-Fire Hopland Station	(707) 744-1111
Hopland Fire Department	(707) 744-1222
Highway Patrol	(707) 467-4420
Health and Human Services	(707) 467-2600
Hospital: Adventist Health Ukiah Valley	(707) 462-3111
Mental Health	(707) 472-2300
MCOE Emergency Operations	(707) 463-4874 or (707) 463-4821
MCOE Emergency Service Commander: Steve Turner	(707) 467-5021
MCOE Superintendent	(707) 467-5001
Mendocino County Office of Emergency Services (OES)	211
Sheriff	(707) 463-4411
UUSD District Office Superintendent: Nicole Glentzer	(707) 472-5002
UUSD District Office	(707) 472-5052
SVA Board President: Amy Frost	(707) 670-3544
SVA Principal: Kristi McCullough	(707) 291-3576
SVA Business Manager: Melissa Kendall	(707) 621-0966
SVA Community Schools Liaison: Julie Alvarez	(707) 530-1398
SVA Attendance Secretary: Julie Alvarez	(707) 530-1398

Emergency Evacuation Map



Shanél Valley Academy

2023/2024 Safety Drill Schedule

Commented [2]: redo

September 13

Fire Drill

Emergency Preparedness Week	
October 19	CA Shakeout
November 9	Lockdown
December 11	Fire
January 25	Shelter in Place
February 12	Lockdown
March 21	Earthquake
April 3	Fire
May 9	Lockdown
June 3	Earthquake

Emergency-Drill-Schedule

September 1, 2022	Fire, Evacuation Drill
November 17, 2022	Fire, Evacuation Drill
November 20, 2022	Earthquake Drills (Duck, Cover, Hold)
January 19, 2023	Lockdown Drills
February 16, 2023	Shelter In-Place Drills
March 16, 2023	Lockdown Drills
April 28, 2023	Fire, Evacuation Drill
May 18, 2023	Earthquake Drills (Duck, Cover, Hold)
May 26, 2023	Fire, Evacuation Drill

2024-25 Safety Drill Schedule			
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<u>Month</u>	<u>Date</u>	<u>Time</u>	<u>Type</u>
<u>October</u>	<u>1</u>	<u>8:30</u>	<u>Fire</u>
		<u>3:45</u>	<u>Fire</u>
<u>October</u>	<u>17</u>	<u>10:17</u>	<u>Earthquake- Great California Shake Out</u>
		<u>3:45</u>	<u>Earthquake</u>
<u>November</u>	<u>21</u>	<u>8:30</u>	<u>Fire</u>
		<u>3:45</u>	<u>Fire</u>
<u>December</u>	<u>17</u>	<u>12:15</u>	<u>Lockdown</u>
<u>January</u>	<u>23</u>	<u>8:30</u>	<u>Shelter In Place</u>
		<u>3:45</u>	<u>Shelter in Place</u>
<u>February</u>	<u>20</u>	<u>9:55</u>	<u>Earthquake</u>
		<u>3:45</u>	<u>Earthquake</u>
<u>March</u>	<u>18</u>	<u>9:50</u>	<u>Fire</u>
		<u>3:45</u>	<u>Fire</u>
<u>April</u>	<u>24</u>	<u>8:30</u>	<u>Shelter In Place</u>
		<u>3:45</u>	<u>Shelter In Place</u>
<u>May</u>	<u>20</u>	<u>9:55</u>	<u>Lockdown</u>
		<u>3:45</u>	<u>Lockdown</u>