



# Parent/Student Handbook 2023-2024

Chico  
(530) 872- 4100 (option 1)  
(530) 872- 4105 (FAX)  
1494 East Ave, Chico, CA 95926

Paradise  
(530) 872-4100 (option 2)  
(530) 413-9442 (FAX)  
771 Elliott Rd, Paradise, CA 95969

[www.achievecharter.org](http://www.achievecharter.org)

Policies in this handbook, will be the final authority for school discipline at Achieve Charter School of Paradise and Chico. This School Handbook has been updated to reflect our most recent charter document language adopted by the Paradise Unified School District Board of Directors effective April 18, 2023, and by Chico Unified School District on May 19, 2021.

## **TABLE OF CONTENTS**

Mission and Vision	3
General Organization	3
General Information	4
After School Program	5
Food Service/Department of Agriculture Prevention of Discrimination	5
Parent Involvement	6
Attendance	7
Health and Safety Procedures	8
Academic Policies and Information	11
School Discipline	13
Communication Policy and Procedures	14
Visitor and Volunteer Policy and Procedures	15
Uniform and Dress Code	16
Electronic Devices and Internet Use	18
Emergency Procedures	20
Parent Handbook Acknowledgment	21

## **APPENDIX**

Family Educational Rights and Privacy Act	22
Suicide Prevention Policy	23
Suspension and Expulsion Policy	24
E.L.O.P After School Program Handbook	46
Local School Wellness Policy	49
Uniform Complaint Policy and Procedures and Form	52
Internal Complaint Procedures - Special Education	60

## **ACHIEVE CHARTER SCHOOL'S MISSION AND VISION**

Achieve Charter School is a network of K-8 public schools committed to quality standards-based instruction through individual learning opportunities. Our character-building small school environments focus on building resilience and empowering every student to be a positive contributor to society.

The organizational vision for Achieve Charter School of Paradise Inc. is to play a role in driving change that improves the quality of life, education level, economic development, and mindset of the Ridge, Chico, and surrounding communities.

The Achieve organization will positively affect the public education system as a whole by increasing educational options for students, increasing enrollment in Paradise, and by modeling best practices for decreasing the achievement gap, increasing the number of graduates prepared for college and/or career, engaging parents, inspiring students, empowering teachers, and involving the communities of Paradise and Chico.

## **GENERAL ORGANIZATION**

### **BOARD OF DIRECTORS**

Achieve Charter School of Paradise Inc. is organized as a not-for-profit 501c3 for the purpose of operating one or more public charter schools. Our Board of Directors is legally and fiscally responsible for the organization and approves all school policies and the annual budget. Regular board meetings are open to the public and held on the fourth Wednesday of each month at 4:00, alternating between our Chico and Paradise campuses. Check the school website for location, agendas, and minutes.

Heidi Elick, Community Member	Board President
Kim Guzzetti, Community Member	Board Vice President
Justin Miley, Paradise Parent Representative	Board Treasurer
Chuck Rough, Community Member	Board Secretary
Veronica Salinas, Community Member	Trustee

### **SUPERINTENDENT: Casey Taylor**

The Superintendent reports to the Board of Directors and is responsible for creating, communicating and implementing the organization's vision, mission, and overall direction. Mrs. Taylor leads the development and implementation of the organization's overall strategy.

### **CHIEF BUSINESS OFFICER: Korin Baber**

The Chief Business Officer (CBO) is delegated by the Board of Directors to administer and supervise all fiscal matters and oversee human resources and business operations.

### **PRINCIPALS: Erika Etchison, Paradise, and Steve Wright, Chico**

The Principals are delegated by the Executive Director to implement school policy, develop school programs, and supervise school staff.

**SPECIAL EDUCATION AND MENTAL HEALTH SERVICES DIRECTOR:** Mary Tickle  
The Special Education and Mental Health Services Director, oversees the Special Education and mental health programs and staff at both the Paradise and Chico campuses.

**ORGANIZATION CONFIDENTIAL EXECUTIVE ASSISTANT:** Nicole Maletic  
Provides support to the Superintendent, the CBO, and other members of the leadership team.

**OFFICE STAFF**

Michelle Sobrero      Chico Office Manager  
Mishawn Delgado      Paradise Office Manager

**GENERAL INFORMATION**

**SCHOOL HOURS - CHICO CAMPUS**

MORNING SUPERVISION BEGINS . . . . .7:30 am

**SCHOOL BEGINS**

6-8 . . . . . 8:00 am  
K-5 . . . . . 8:10 am

**MORNING SNACK RECESS**

K-3 . . . . . 9:50 - 10:10 am  
4-5 . . . . . 10:10 - 10:30 am  
6-8 . . . . . 10:45 - 11:00 am

**LUNCH**

K-3 . . . . . 11:35 am - 12:15 pm  
4-5 . . . . . 12:05 pm - 12:45 pm  
6-8 . . . . . 12:35 pm - 1:10 pm

**SCHOOL DISMISSAL**

K-3 . . . . . 2:30 pm  
4-5 . . . . . 2:45 pm  
6-8 . . . . . 3:15 pm

**STUDENT SUPERVISION ENDS (for students not enrolled in the after school program)**

K-5 . . . . . 3:00 pm  
6-8 . . . . . 3:30 pm

**MINIMUM DAY DISMISSAL**

Every Friday . . . . . 12:30 pm  
SCHOOL OFFICE HOURS . . . . 7:45 am – 3:30 pm  
STUDENT SUPERVISION ENDS (for students not enrolled in the after school program)  
K-8. . . . . 1:00 pm

**SCHOOL HOURS - PARADISE CAMPUS**

MORNING SUPERVISION BEGINS . . . . . 7:30 am

SCHOOL BEGINS

5-6 . . . . . 8:00 am  
K-4 . . . . . 8:10 am

MORNING SNACK RECESS

K-2. . . . . 9:50 - 10:10 am  
3-6 . . . . . 10:10 - 10:30 am

LUNCH

K-2 . . . . . 11:35 am - 12:15 pm  
3-6 . . . . . 12:05 pm - 12:45 pm

STUDENT SUPERVISION ENDS (for students not enrolled in the after school program)

K-6. . . . . 3:00 pm

MINIMUM DAY DISMISSAL

Every Friday . . . . . 12:30 pm  
SCHOOL OFFICE HOURS . . . . 7:45 am – 3:30 pm  
STUDENT SUPERVISION ENDS (for students not enrolled in the after school program)  
K-6. . . . . 1:00 pm

**E.L.O.P AFTER SCHOOL PROGRAM**

The E.L.O.P After School Program provides an extension of the academic and social-emotional learning program offered at Achieve Charter School. We provide a safe, caring, and fun learning environment while encouraging your child’s social, physical, academic, and mental well-being. The program starts directly after school and runs until 5:30 pm. For more information, see the E.L.O.P After School Program Handbook in the Appendix.

**FOOD SERVICE**

MORNING SNACK

Please send your child a healthy morning snack every day. Students will be encouraged to choose something healthy from their lunch for a snack if it is not designated by their parents. Students will not be allowed to bring candy, soda (caffeinated or not), or any other caffeinated drinks onto the school campus.

#### **BREAKFAST AND LUNCH PROGRAM**

Achieve Charter School utilizes the Paradise and Chico Unified Breakfast and Lunch Program and offers free meals to all students through the National School Lunch and Breakfast Program. Breakfast and lunch are available Monday through Friday. Breakfast can be ordered and picked up in the kitchen each morning. Lunch count will be taken in classrooms by 8:30 am. Please call the school office before 8:30 am if your child will be tardy and needs a lunch ordered for that day.

#### **FORGOTTEN LUNCHES**

If your child has forgotten lunch, a free lunch will be ordered for him or her. If you would like to bring your child's lunch, please drop it off in the office and identify your child's name and grade. Please do not disturb the classroom by taking it to your child.

#### **DEPARTMENT OF AGRICULTURE PROHIBITS DISCRIMINATION**

The U.S. Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities).

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at the U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email [program.intake@usda.gov](mailto:program.intake@usda.gov).

Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (Spanish).

“USDA is an equal opportunity provider and employer.”

#### **PARENT INVOLVEMENT**

Parents are encouraged to support their children's education and partner with Achieve to ensure student success. Parents are expected to attend 3 annual Personalized Learning Plan Conferences

with their child and their child's teacher. PLPs take place the week before school starts and after the first and second trimesters. Please work with your child's teacher to schedule a time that works for your family. Parents are also expected to attend back-to-school night and open house events where students present their learning to the community.

#### **PARENT VOLUNTEERS**

Parent volunteers are always welcome and are needed in classrooms, the school library, as coaches, field trip drivers and chaperones, as room parents, and to help at special events and fundraisers. Check the school and classroom newsletters for ways you can help. See the visitor and volunteer policy and procedure section of this handbook for more details.

#### **PARENT ADVISORY COUNCIL**

In an effort to promote and increase parental involvement and leadership, Achieve Charter School developed the Parent Advisory Council (PAC).

Each school campus will have a PAC that acts as an advisor to the staff and to the Board of Directors, suggesting items for action or attention. Both the Paradise and Chico PACs report directly to the site Principal. The PACs shall also support parent volunteers and fundraising events. PAC meeting schedules can be found in the school newsletters.

#### **ACHIEVE BOARD OF DIRECTORS**

The Achieve Board of Directors is composed of community members and parents. Parent board members' seats are two-year terms. Check the school office for board member requirements and openings.

#### **ATTENDANCE**

##### **ARRIVAL**

Students may be on campus at 7:30 am. There will be no supervision provided before 7:30 am.

##### **DISMISSAL**

Unless attending the after-school program, all students K-5 must be picked up after school by 3:00 pm, and middle school students must be picked up by 3:30 pm. K-5 students with middle school siblings may be picked up between 3:15-3:30 pm along with middle school students. Please be prompt in picking up your child(ren). Our staff may have other obligations after 3:30 pm. Children will only be released to parents/guardians and other adults named in your registration packet. Please contact the office if your child will be picked up by someone other than a parent or guardian. We will not release students to adults we don't recognize as parents or guardians unless specifically informed to do so by the parent/guardian.

##### **TARDIES**

Students who are tardy for school for any reason must check into the office. Students must obtain a tardy slip before being admitted to class. Tardiness will be excused for professional appointments. Other situations may also be considered excused and are left to the Principal's

discretion. Arriving while morning assembly is in progress or after it has begun is considered tardy. Students may not join the assembly until they have checked in at the office.

### **ATTENDANCE GUIDELINES**

Regular attendance is compulsory and mandated by California Education Code. Achieve Charter School encourages and acknowledges students who display a 97% attendance rate each month. We strongly recommend that all vacations and pleasure trips be scheduled during school vacation days and not during scheduled school days. If the need should arise that an absence is due to a non-school vacation, the student will be expected to make up their missed assignments upon return. If a student is absent due to illness, his/her homework may be picked up after school.

- Thirty days of absenteeism during a school year may constitute a reasonable cause for retention. This may also be interpreted as 10 days per trimester. When work has been made up, report cards may be distributed.
- In order to meet requirements for promotions, class work missed because of absenteeism (or its equivalent substituted by the teacher) must be completed satisfactorily. Please refer to the classroom teacher.
- State Law requires a written excuse whenever a child is ABSENT or TARDY. A child is marked tardy when he/she arrives after the morning assembly has begun (8:00 for Middle School and 8:10 for Elementary School). In the event of being tardy five times in a trimester, a notice will be sent to the parents/guardians.
- Students leaving campus early for any reason must be signed out in the office by an adult specified on the student's emergency contact list.

### **NOTIFICATION OF ABSENCE**

- Notify the school of absence by 9:00 am indicating why your student is absent.
- Notify the school immediately if a child has a communicable disease.
- ALWAYS KEEP A CHILD HOME WHO IS OBVIOUSLY SICK OR WHO HAS A TEMPERATURE OF 100 DEGREES OR HIGHER
- An absence note is required upon return to school.

### **HEALTH & SAFETY PROCEDURES**

#### **EMERGENCY INFORMATION**

Each child must have emergency contacts on file in the school office and in Aeries. Emergency contacts are appointed during registration and during Aeries Parent Data Confirmation. These contacts must be kept accurate and up to date. If there are any changes in contacts, addresses, phone numbers, etc., they must be reported to the office. This is important to your child in the event of an accident or illness. Please be sure to put cell phone numbers on file.

In case of illness, a child may not be sent home unless there is someone there to receive him/her. If you wish for another person to perform this duty for you, please indicate this on your emergency contacts.

## COMMUNICABLE DISEASES

The school office MUST be notified immediately in the case of any of the communicable diseases listed below.

- CHICKEN POX: A child must stay home until 7 days or longer after the appearance of the first crop of vesicles (crusts are contagious). If new vesicles continue to appear, this may mean not returning to school until 24 hours after the last vesicle has made its appearance.
- CONJUNCTIVITIS (PINK EYE): A child may be in school 24 hours after a physician has been advised and the stated active treatment has been given.
- HEAD LICE: Infections with lice and mites are treatable with over-the-counter drugs. Please consult your child's physician or pharmacist. The student must be checked by school personnel before returning to school. We have a NO NIT POLICY.
- IMPETIGO: A common name for skin hypodermal. The organisms most commonly implicated as causing this disease are Streptococcus and Staphylococcus. As this disease is highly contagious, no child shall be permitted to return to school until appropriate systemic antibiotic therapy has been stated or until free of disease. The area should be covered if oozing.
- GERMAN MEASLES: A child must stay home until clinical recovery at least four days from the onset of the catarrhal system or until the rash is clear.
- MUMPS: A child must stay at home until asymptomatic or released by a physician with a minimum of nine days exclusion.
- PINWORMS: A student diagnosed with pinworms should not return to school until a physician has started appropriate treatment.
- RINGWORMS OF SCALP AND BODY: Microsporum species are highly contagious by both direct and indirect contact. Children before the age of puberty are very susceptible. Any child diagnosed as having ringworm shall not be allowed to return to school unless he/she has been placed on an effective therapeutic regimen for 48 hrs.
- PERTUSSIS (WHOOPIING COUGH): Whooping Cough is a highly contagious bacterial illness spread by coughs and sneezes. People sick with pertussis have severe coughing attacks that can last for months.
- COVID-19: Anyone who is ill should stay home. Symptoms of COVID-19 include but are not limited to fever or chills, congestion or runny nose, the new loss of taste or smell, fatigue, cough, nausea or vomiting, sore throat, shortness of breath or difficulty breathing, muscle or body aches, diarrhea. Please check our COVID-19 policy on our website and <https://www.cdc.gov/coronavirus/2019-ncov/your-health/isolation.html> for more information.

Everyone is at risk of getting COVID-19, but some people are at higher risk for more severe illness, including hospitalization and death. Persons who are at higher risk include those who are over 65 years of age and people with serious underlying medical conditions, particularly if not well controlled. More details regarding people who may be at higher risk can be found online at

<https://www.cdc.gov/coronavirus>

In case of an illness or accident at school, the office personnel will contact the parent/guardian by phone. If a student has a temperature of 100 degrees or higher, the parent will be contacted and will need to pick up their child.

## MEDICATIONS

Medical treatment is the responsibility of the parent and the family health care provider. Medications are RARELY to be given at school. The parent is urged, with the help of the family health care provider, to work out a schedule of giving medication outside school hours. The only exceptions involve special or serious problems where it is deemed absolutely necessary to give the medication, which must be in the original container and marked with the child's name on it, during school hours. No member of the faculty is permitted to administer any medication without:

- A WRITTEN STATEMENT FROM THE PARENT OR GUARDIAN OF THE CHILD
- A WRITTEN STATEMENT FROM THE PHYSICIAN DETAILING THE METHOD, AMOUNT, AND SCHEDULE BY WHICH THE CHILD SHOULD RECEIVE THE MEDICATION
- Specific instructions should be included for the emergency treatment if an allergic reaction should occur, (i.e., localized, generalized, severe, mild)

## MEDICATION FORMS

The school office provides the appropriate medication forms that cover the above requirements upon request. These forms must be updated annually. NO medication will be kept over the summer months.

All such medication must be brought to the office where it will be stored and to which the child will come at the designated time to receive it. Medication shall be brought to the school by the parent in the original container. No medication (prescription or non-prescription) may be transported by a student or be in the student's possession while at school.

## MEDICINE LOG PROCEDURE

1. Students must have a form signed by a parent on file in the office for dispensing of medicine.
2. Please send medicine in the original container.
3. Staff members log ALL medicine dispensed to students in a Medicine Log Book.

## ENTRANCE REGULATIONS

The California School Immunization Law requires that children receive a series of immunizations before entry to schools, child care centers, or family child care homes. In addition, the California School Immunization Law requires schools, child care centers, and family child care homes to enforce immunization requirements, maintain immunization records of all children enrolled, and submit reports to the health department. All students entering Achieve Charter School are required to provide:

- Proof of Birth (copy of a birth certificate, passport, state-issued ID)
- Report of Health Examination for School Entry (Kindergarten only)
- Registration Health Records

- Emergency Information
- Oral Health Assessment Form (Kindergarten only)
- Immunization Record

## IMMUNIZATIONS AND STUDENT MEDICAL EXAMINATIONS

A child's health has an important effect on his or her performance. A checkup of all students within 18 months prior to entering Kindergarten or first grade is required. Immunization Records must be on file in the school office prior to the start date. Any student that doesn't have a current immunization record with the required immunizations on file by their first day of school will be excluded from attendance. Students entering 7<sup>th</sup> grade will not be able to attend school until proof of the Tdap is on record. All students attending Achieve Charter School are required to be immunized for the following:

1. Polio - 4 doses
2. Diphtheria, Tetanus, and Whooping Cough (DTP) - 5 doses
3. Measles, Mumps, Rubella (MMR) - 2 doses
4. Hepatitis B - 3 doses
5. Chicken Pox (Varicella) - 2 doses
6. Tdap (Whooping Cough booster) before entry into 7<sup>th</sup> grade

Parents are required to keep dental and health information current. Please contact the school office with any changes.

## MEDICAL-DENTAL APPOINTMENTS

Appointments during school hours are to be kept to a minimum. If it is unavoidable, the child MUST be signed-out and signed back in at the school office.

## SCREENING TESTS

In the interests of the student's health, the school provides certain health services. In the course of the year, each student (unless opted out by a parent/guardian) will participate in the following health examinations: Hearing and vision in grades K, 2, 5, and 8 (color blind screening for 1st-grade boys only)

## ACADEMIC POLICIES AND INFORMATION

### TESTING

All students 3<sup>rd</sup> grade through 8<sup>th</sup> grade will participate in the State-mandated California Assessment of Student Performance and Progress (CAASPP) State Standards Test in the spring. These assessments consist of computer-based Science assessments for 5<sup>th</sup> and 8<sup>th</sup> grades and Math and English Language Arts assessments for 3<sup>rd</sup> - 8<sup>th</sup> grade. In addition, Achieve Charter School uses many different forms of assessment during the school year to measure students' academic progress. Different forms of assessment include NWEA MAP interim assessments in Reading and Math, teacher generated tests, curriculum based unit tests and quizzes, student portfolios, presentations, and projects. These assessment results will be shared with parents during Personalized Learning Plan Conferences every trimester or semester.

## REPORT CARDS AND PROGRESS REPORTS

Report cards and progress reports shall provide parents with tangible evidence of students' growth and development. Achieve Charter School uses California State Standards based report cards. Numbers representing proficiency levels will be given for each subject area and individual standards for math and language arts in grades Kindergarten - 3rd grade each trimester. Proficiency levels are as follows:

- 5 - Advanced (mastering above grade-level material)
- 4 - Proficient (subject mastery)
- 3 - Basic (developing proficiency)
- 2 - Below grade level
- 1 - Far below grade level

Each student, grades K-3 will receive 3 report cards and students grades 4th - 8th will receive 2 progress reports and 1 report card. These will be given out two weeks after the trimester or semester ends at your child's PLP conference. Your child's report card may be held in the office if your child has overdue library books or outstanding account balances.

## PERSONALIZED LEARNING PLANS

In order to ensure that every student is benefiting from the pedagogical practices and social-emotional supports at Achieve, Achieve will create a Personalized Learning Plan for each student. The PLP process serves as a type of "student study team" for each student, tracking student strengths and areas for growth, supports or additional challenges needed, academic and wellness data, and trimester goals and objectives. PLPs are developed with parents, students, and teachers before the school year begins and then are reviewed and revised after each trimester. Every student has a personal trimester goal based on academic and wellness assessment data. Achieve uses a universal academic screener, NWEA MAP, given 3 times per year for K - 8th, to measure functioning levels for reading and mathematics. Social-emotional wellness is measured using a universal wellness screener at the beginning of the year, and various student and/or parent wellness surveys are administered throughout the year. CAASPP, CAST, ELPAC, BPST, and iReady assessment data are also tracked and used to develop the PLP.

Personalized supports and interventions are documented and tracked in the PLP. Likewise, additional opportunities for advancement or challenges are also tracked. The PLP is revised as necessary to meet the student's needs and current levels of performance. Teachers, parents, and students will meet on a more frequent basis if needed. Students' PLPs follow them through the grade levels, building on goals and successes and tracking data and progress through the years.

By working closely with each student and family to develop an appropriate PLP, Achieve will respond to the needs of every individual student, including those who are achieving above or below expected levels.

Achieve Charter School Staff views parents as the primary educator and asks for your assistance and input in your child's PLP. Parents are encouraged to take the initiative to keep themselves

informed of their children's progress and work in partnership with their child's teacher at all times during the school year. If an issue or concern comes up mid-trimester or semester, parents should request extra parent/teacher conferences to make adjustments to their child's PLP. Please see the Middle School Handbook for Middle School PLP details.

#### **STUDENT RECOGNITION PROGRAM**

Achieve Charter School students will be celebrated and recognized for perfect attendance, returning homework, academic achievement, and displaying virtuous behavior on the playground and in the classroom. Students will receive rewards, recognition, and prizes at morning assemblies, school spirit assemblies, and academic awards assemblies. Parents are welcome to attend all these events.

#### **CHARACTER EDUCATION**

Achieve Charter School participates in the Virtues Project Program. Each week the student body will focus on a different virtue. The weekly virtue will be discussed daily at morning assembly\* and practiced in classrooms and on the playground. Every Friday, one student from each class will be recognized for displaying the virtue at school. The Virtues Project Program is available for review in the office, or visit the website at [www.virtuesproject.com](http://www.virtuesproject.com).

#### **MORNING ASSEMBLY**

Each morning when school begins, the students and staff meet as a school community with the Principal for morning assembly. This daily event is extremely important to establishing a positive culture at Achieve Charter School. The Principal welcomes the school community, students salute the flag, the virtue of the week is discussed, and announcements about school events are given. Students are reminded about expectations and recognized for accomplishments. Please make sure your child is on time to participate in this significant daily school event. It sets the tone for a successful academic and social experience for your child.

#### **LIBRARY PROGRAM**

Students are permitted to borrow books from the library once a week for a two (2) week period. Writing in library books is not permitted. Lost, damaged, or overdue books are the responsibility of the borrower, and a fine will be charged for lost or damaged books. Reference materials are for the use of the students while they are in the library and may not be checked out.

#### **SCHOOL DISCIPLINE**

##### **ACHIEVE CHARTER SCHOOL POSITIVE REINFORCEMENT/DISCIPLINE POLICY**

The primary purpose of our discipline plan is to provide a clear and direct process regarding discipline for the staff, students and parent(s)/guardian(s) of Achieve Charter School.

#### **RULES OF BEHAVIOR**

1. Be respectful
2. Follow directions

3. Be safe
4. Keep hands, feet, objects, and voice to self
5. Eat or play in designated areas only (no gum)
6. Use playground equipment properly
7. Walk in the halls

### **POSITIVE REWARDS FOR GOOD BEHAVIOR**

Achieve Charter School Staff emphasizes and rewards good choices. During the school year, there are awards and rewards for students displaying good behavior. Students can earn “Achieve It” awards for exhibiting virtuous behavior. “Achieve It” slips are put into grade-level boxes and drawn from on a weekly basis. “Students of the Week” will be recognized each Friday at the morning assembly\* for displaying the virtue of the week. Students will also be recognized through encouragement, verbal acknowledgment, or special privileges.

### **SHOULD A CHILD CHOOSE TO BREAK A RULE**

Consequence Level will be determined by the severity of the action.

Level 1: Verbal Warning.

Level 2: Benched or removed from the situation for an age-appropriate time.

Level 3: Parents will be contacted if a student receives a Level 3 warning. Consequences will be decided on an individual basis by the adult in charge.

Level 4: As a result of severe disruption, students will be sent to the Principal, and parents will be notified. Consequences will be decided on an individual basis by the Principal. Severe disruptions include but are not limited to fighting, crude or offensive language, leaving school grounds without permission, vandalizing property, sexual harassment, possession of drugs, alcohol, tobacco, knives, and firearms. Such consequences include but are not limited to a Parent conference, school service, in-school suspension, at-home suspension, loss of special privileges, and filing of police reports. See the appendix for the Suspension and Expulsion Procedures.

## **COMMUNICATION POLICY AND PROCEDURES**

### **FROM HOME TO SCHOOL**

The single most important factor in successful school relations is effective communication. Parents with any concerns regarding classroom instruction or the learning environment are asked to bring such concerns to the attention of the classroom teacher first. If the discussion between the parent and teacher does not resolve the concern, please notify the Principal.

Parents are encouraged to speak with the classroom teacher regularly. The Principal encourages parents and teachers to use notes, emails, and before or after school meetings to facilitate regular communication. Please **DO NOT** “DROP IN” during instruction time, as this disrupts the learning environment.

School concerns outside the classroom can be brought to the Principal’s attention. The Principal encourages parents to share their concerns. In order to ensure that the Principal can give parents the time and attention they deserve, it is important to schedule a meeting in advance. When you

call for such an appointment, please leave your name, the nature of your concern, and a number where you can be reached.

Any concerns or issues for the Achieve Charter School Board of Directors must be made in writing and must be signed and dated. A director will follow up with the individual once the written complaint is received.

#### CONFIDENTIALITY

Members of the Achieve Charter School staff cannot, by law, divulge information concerning any student to anyone who does not have what the law defines as a clear “need to know.” In disciplinary or academic situations, the only persons who meet this definition are the parent(s)/guardian(s) of the children involved. In addition, Achieve contracts with the Butte County Office of Education to handle student records.

#### FROM SCHOOL TO HOME

To facilitate communication between school and home, K-5th students will bring home a Monday folder. Monday folders will have upcoming event information and multiple other items for parents. Your child’s schoolwork from the previous week will be included in the Monday folder. Please make a habit of sitting down with your child on Monday nights to look at and talk about your child’s work. Parents should find something to praise their child for and something to encourage them to work on the next week. This is a good time to discuss the goals your child set in his/her PLP at the beginning of the year and at each trimester. This communication between school to parent and parent to child is vital for student success. In addition, school and classroom newsletters, reminders, and information will be e-mailed to families who provide e-mail addresses. These communication tools are our primary link from school to your home and our greatest way to foster a partnership. Please visit our website at [www.achievecharter.org](http://www.achievecharter.org) for more information.

### **VISITOR AND VOLUNTEER POLICY AND PROCEDURES**

#### VISITING THE SCHOOL – PARENTS/GUARDIANS\*

Parents/guardians are welcome to visit their children’s classrooms if arrangements have been made in advance with the teacher. Parents are encouraged to volunteer in the classroom. Please check with your child’s teacher about the best times to volunteer. Parents are invited and encouraged to attend all school functions. All parents/guardians must sign in and out at the office and receive a visitor’s badge before entering and exiting the school grounds during school hours.

Halls and playgrounds are supervised by school personnel to ensure the safety of students. All volunteers in contact with children will show proof of fingerprint clearance or be accompanied by a paid employee of the school at all times. All volunteers and visitors must sign in at the school office upon arrival and sign out when leaving.

#### VOLUNTEER GUIDELINES

1. Volunteers must check in through the office and pick up a Volunteer ID badge.

2. School volunteers are not permitted to be in charge of students without an Achieve staff member present unless fingerprints have been cleared by DOJ and FBI.
  - Fingerprint forms available in the office.
  - Contact the police department or a licensed fingerprinting agency to schedule a Live Scan appointment (the office has contact phone numbers).
  - Bring a completed copy of the Fingerprint Live Scan back to the school office.
3. Authority given to a volunteer is at the discretion of the teacher, who is directly responsible for the instruction, safety, and discipline of the students.
4. The classroom teacher will specify what the Volunteer's responsibilities are for that particular visit.
5. Volunteers may not divulge confidential information to which they may have access in the classroom or in the school. It is a state law that the rights of students are to be respected and that personal information about them is not to be revealed.

#### RIGHTS OF NON-CUSTODIAL PARENTS

In the absence of a court order to the contrary, the school will provide all the child's parents, custodial or non-custodial, with equal access to the child and equal access to academic records and other school-related information regarding the child. If there is a court order specifying that there is no information to be given, no contact with the child, etc., it is the responsibility of the custodial parent to provide the school with an official copy of the court order.

#### FIELD TRIP DRIVER POLICY

All parents/guardians who wish to drive children for school-sponsored activities must:

- 1) Have fingerprint clearance through the DOJ and FBI.
- 2) Have a valid, unrestricted driver's license and driving record subject to review by the Principal.
- 3) Provide proof of insurance for the vehicle with a minimum of \$100,000 per person/\$300,000 per accident for Liability for Bodily Injury or Property Damage.
- 4) Understand that according to California State Law, in any motor vehicle accident, insurance claims will first be pursued with the driver of the vehicle.
- 5) Provide one seat belt for each vehicle occupant.

Parents are reminded only to transport the number of people for which the car was constructed, and all children must wear a seat belt. The car seat law is 8 years old or 4'9". Field trip drivers must strictly adhere to the itinerary of the planned trip. If the driver deviates from the itinerary, the driver and students become ineligible for the school's liability insurance coverage. All cars must travel the same route to the destination.

Parents wishing to attend field trips and bring younger siblings should discuss the situation with the classroom teacher for the appropriateness and safety of each trip. If a parent attends a field trip with a sibling, they will be unable to drive other students from the class or be a chaperone for other students while on the trip (see Middle School Handbook for overnight field trip policies and chaperone expectations).

## UNIFORM AND DRESS CODE

### UNIFORM POLICY

Achieve Charter School policy requires all students to wear uniforms. Achieve Charter School is committed to creating a culture of academic rigor. A uniform dress code encourages this atmosphere. Implementing this policy will reduce distractions and disruptions caused by clothing, make economic disparities between students less obvious, minimize the use of clothing to signal gang affiliation and other risks to student safety, promote student achievement, and create an orderly learning environment. Because Achieve Charter School is a school of choice, there will be no exemptions for students. Achieve Charter School offers uniform scholarships and has a uniform closet to support families who may need assistance in meeting uniform requirements. Students who do not dress in appropriate uniform attire will be sent to the office to call home. Parents will need to bring the appropriate uniform before the student is allowed to return to class. If the student does not have the appropriate uniform, one will be furnished from the uniform closet.

### SCHOOL UNIFORM

Achieve's uniform is a logoed T-shirt available for purchase online: <https://diamondsandsilk.net>. K-5 T-shirts are navy blue, and middle school T-shirts are gray. School sweatshirts are also available for purchase online.

Students may wear any bottom pieces that follow the general school dress code. No pajamas shall be worn as bottoms. Sweatshirts, sweaters, socks, tights, and shoes do not have to be uniform color.

During PE, students may wear (1) an Achieve shirt and (2) bottoms and shoes that do not restrict their ability to participate in physical activities. Shoes must have closed toes and fit securely for safety during PE. Optional ACMS PE shirts are available to order online: <https://diamondsandsilk.net>.

### STUDENT DRESS CODE FOR UNIFORMS AND FREE DRESS DAYS

- Students K-5 must wear closed-toe and closed-heel shoes.
- Students K-5 are not to bring or wear make-up.
- Make-up worn by 6-8<sup>th</sup> graders should not be distracting.
- Clothing may not be obscene, vulgar, or likely to have a disruptive effect on the educational process.
- Gang-related clothing is considered to be hazardous to the health and safety of the school environment and shall be prohibited at all times.
- Attire that condones, advertises, or encourages gang activity, violence, or the use of drugs, tobacco, or alcohol is not allowed.
- Tube tops and midriff-baring tops are not allowed.
- All clothing must cover all parts of the student's buttocks, genitals, and nipples.
- All undergarments must be completely covered.

## WILDCAT WEDNESDAYS

Each Wednesday, students may wear an Achieve spirit shirt. Wildcat Wednesday shirts are available to order online: <https://diamondsandsilk.net>. Students may also wear other special Achieve event T-shirts on Wednesdays (sports jerseys, musical or play T-shirts, etc.).

## FREE DRESS DAYS

Every Friday, the students will be allowed to wear free dress. The dress code applies to free dress as well as uniform days. Students may also earn special free dress passes throughout the school year.

## LOST AND FOUND

Parents can help us return missing items by

1. Marking articles of clothing clearly with the child's name and grade.
2. Labeling name and grade on lunch boxes.
3. Writing names and grades daily on lunch bags.

The school is not responsible for lost items, nor can it be held responsible for unmarked personal belongings. Items that are not labeled will be stored for a period of time and then donated to the uniform closet or to a thrift store.

## ELECTRONIC DEVICES AND INTERNET USE

No toys or electronics (cell phones, video games, musical devices, etc.) are allowed at school during school hours without expressed permission from teachers. If your child needs to carry an electronic device to school, it should remain turned off and kept in a backpack or in the office until school is out or otherwise instructed by school staff. Any unauthorized electronic devices visible during school hours will be taken from the student and kept in the office until retrieved by a parent or guardian. Please see the Middle School Handbook for the middle school cell phone policy.

## RULES FOR STUDENT INTERNET USE

- Students are responsible for good behavior on school computer networks just as they are in the classroom and on the school grounds.
- The network is provided to conduct research and access academic resources such as curriculum sites. All internet use will be under the direction of the teacher. Access is restricted to teacher directed assignments. **NO STUDENT MAY USE THE INTERNET** in any other capacity.
- Parent permission is required.
- Achieve uses GoGuardian to filter inappropriate web content and also track inappropriate student internet use.
- Network administrators retain the right to review files and communications to maintain system integrity and ensure that users are using the system responsibly.

- Users should not expect that files stored on the school server will remain private.
- Outside school use of the Internet is a family responsibility.
- NO disks and/or CDs of any kind may be brought to school and installed on the school's controlled network. Our goal is to maintain a sterile environment.
- The following are NOT permitted: (This list shall not be considered exhaustive)
  - Violating copyright laws.
  - Using another person's password.
  - Trespassing in another person's folder, work, or files.
  - Damaging computers, computer systems, or the school network. (Parents will be charged for repairs)
  - Wasting time or limited resources.
  - Sending or displaying offensive messages, pictures, or obscene language.
  - Using the network for any non-academic or personal purposes. Violations will result in loss of access or any other disciplinary or legal action as needed.

## GOOGLE APPLICATIONS FOR EDUCATION

Achieve Charter School utilizes Google Apps for Education for students in K through 8<sup>th</sup> grades. Google offers a free (and ad-free) set of customizable tools that enable teachers and students to work together and learn more effectively. The account established at Achieve Charter School is a service provided by Google that allows users to communicate and collaborate effectively in a digital educational environment. Students use Google Apps for educational purposes only. The Google Apps account assigned to your child will be created and administered by Achieve Charter School personnel. No student personal information will be collected by Google or the School in creating these accounts. As per Achieve Charter School Student Internet Use Policy (included in student registration packets), all activities requiring Internet access will be supervised by the teacher. According to the Internet Use Policy, teacher supervision, school filters, and spot checking student accounts will be used to ensure students' use of digital tools adhere to school policy.

Achieve Charter School will provide students a Google Apps for Education account with a username and password. This account will be available to students at school and at home and is compatible with Macintosh and Windows based computers. The purpose of using Google Application for Education tools is to help students keep organized, prevent lost homework, and allow students to work individually or collaboratively on school assignments. When using Google Apps for Education, students work in a safe environment, as others outside the school account cannot participate in the assignment.

Achieve Charter School has a registered Google Apps domain. Students will be assigned a school email username and password. In 4<sup>th</sup> -8<sup>th</sup> grade, this will serve as both the student's Google Apps for Education account username and password and the student's school-based email account. E-mail capabilities will only be turned on for 4<sup>th</sup> -8<sup>th</sup> graders. These students will be able to email and receive emails from other users within the school domain only. Students can collaborate on assignments and projects using Google Apps by adding others within the school user domain as a "shared collaborator." Students cannot collaborate with or communicate with users outside the school domain.

4<sup>th</sup> -8<sup>th</sup> grade students' emails will be monitored when using Google Apps at school. Achieve Charter School will keep all usernames and passwords secure. Parents may request their students' password. The administrator of the domain can turn off a student's services based on the items stated in this Acceptable Use Policy and the Achieve Charter School Student Internet Use Policy. This Acceptable Use Policy extends to all students for the duration of their enrollment at Achieve Charter School. This policy must be read and signed before students will be given a school hosted Google Apps account.

#### GOOGLE APPS ACCEPTABLE USE POLICY

Student (K -8<sup>th</sup> grade) agrees that he or she will use his or her Google Apps for Education account and school-based email accounts (4<sup>th</sup> -8<sup>th</sup> grade) in the following manner:

#### RULES OF ETIQUETTE

All Students at Achieve Charter School must:

- Be polite at all times.
- Use appropriate "school" language at all times.
- Not type abusive, hurtful, or gossip-type messages.
- Respect other students' privacy. Don't reveal the name, home address, email address, or phone number of yourself or another student.
- Respect all security issues and don't share passwords with other students.
- Not delete another student's data.

#### PROPER AND ETHICAL USE

All Students at Achieve Charter School must:

- Practice appropriate ethical use of Google Apps and abide by the accepted rules of etiquette.
- Accept responsibility for reporting any misuse of Google Apps to the school principal or a teacher.
- Accept responsibility for reporting any knowledge of students being made fun of, harassed, or cyber-bullied by any comment made on a Google document.

#### INFORMATION LITERACY ISSUES: PLAGIARISM AND FAIR USE

Achieve Charter School expects students to use a variety of sources to conduct research. The purpose of research is to learn more about a topic and share that information with others in a variety of ways. When participating in a research or collaborative project, Achieve Charter School students must adhere to the following guidelines:

- Plagiarism will not be tolerated. Copying a paragraph and then just changing a few words is plagiarism. Plagiarism is using someone else's ideas without giving them credit.
- All research projects require a "Works Cited" section.
- If work is found to be copied from anyone else, the work that the student indicates is his/her own will obtain zero credit for the project. Disciplinary consequences might also occur.

## EMERGENCY PROCEDURES

Please refer to the Achieve Charter School Comprehensive School Safety Plan (CSSP) available in the office for an extensive list of emergency procedures. Each room at Achieve is equipped with emergency supplies, including an emergency bucket, an emergency backpack, including a clipboard with escape routes and directions for different types of emergency situations.

### EMERGENCY ACTIONS

Emergency Actions are in place depending on the type of situation (Evacuate, Reunification, Shelter, Stay, Secure, and Lockdown). In the event that the buildings require immediate evacuation due to an emergency (fire, bomb threat, etc.), an “Evacuate Action” would be activated. Clearly marked exit routes are posted in each classroom. In the event of an earthquake or other natural disaster, students will remain in their classrooms under a “Shelter Action.” In the event of an intruder on campus, the school will activate a “Lockdown Action.” Drills are practiced with the students throughout the school year.

### PARENT NOTIFICATION

Achieve Charter School’s Emergency Response Plan has been prepared so that, in the event of a disaster, all conceivable actions which can be taken to ensure the safety and welfare of the students and staff will be implemented. Our first priority of notification will be for the health and safety of the children and school personnel (911).

Our priorities in the event of an emergency are as follows:

- Safety of the children and school personnel
- Effective leadership during and after the crisis
- Appropriate and timely communication (notification)
- Support services for students, parents, and staff

In the event of an emergency such as weather, flood, or earthquake, bomb or terrorist threat, Achieve Charter School will follow Chico Unified School District and/or Paradise Unified School District Policy with respect to school closing. Tune into your local T.V. and radio stations listed below for this information. In the event of an emergency school closure, a message will be sent by phone, text, and/or email by our school emergency contact system, Please keep your contact information up to date in the office so we may contact you in the event of an emergency.

T.V. Stations	Radio Stations			
KRCR- Channel 7	KPAY- AM	1290	KRQR- FM	106.7
KHSL- Channel 12	Town of Paradise	1500	KHSL- FM	103.5
KNVN- Channel 24	Upper Ridge- AM	1460	KCEZ-FM	102.1
	KLRS- FM	92.7	KALF- FM	95.7
	KFMF- FM	93.9	KMXI- FM	95.1

---

## Achieve Charter School Parent Handbook Acknowledgment

The \_\_\_\_\_ Family has read and understood the 2023-2024 Achieve Charter School Parent/Student Handbook. We will strive to follow all policies and procedures as described therein.

---

Parent/Guardian Signature

Date

### APPENDIX

#### FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

Please access this link:

[FERPA Information](https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=rn) (https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=rn)

The Family Educational Rights and Privacy Act (FERPA) is a federal privacy law that gives parents certain protections with regard to their children's education records such as report cards, transcripts, disciplinary records, contact and family information, and class schedules. As a parent, you have the right to review your child's education records and to request changes under limited circumstances. To protect your child's privacy, the law generally requires schools to ask for written consent before disclosing your child's personally identifiable information to individuals other than you.

47073-79078. Establishes the right of parents to have access to and privacy of information about their children--information which has been entrusted to school officials. The point made by the legislation is that school officials must keep pupil information for parents and not from them. It is important to protect the rights of the individual and to reemphasize the concept of free flow of information between parents, pupils, and school. Appropriate employees of Achieve Charter School are urged to proceed in a positive manner, to use good judgment and to follow the advice of legal counsel when in doubt.

1. School administrators should interpret "parents" to mean those who have custody of the pupil, guardians, or the pupils themselves if they are 18 years of age or older.
2. "Pupil information" should include all official written records which pertain to the pupil.
3. The Superintendent/ Principal is identified as the local school official responsible for all official written records of pupils at a school.
4. Only the designated school official shall make the records available upon the request of the persons who have the right to access. They shall do so within 45 days.
5. School officials shall assist those who have the right of access and who are requesting to review pupil records by interpreting pupil information contained in the official written record.
6. School administrators shall, at their discretion, provide copies for a nominal fee of the official written records to those who have the right of access. The nominal fee shall be \$0.10 per page (one side only).
7. Parents or guardians may include a written statement or response concerning disciplinary action to be placed in the pupil's written record.
8. Cumulative folders are released from the Achieve Charter School office to any school district, when parents' signed approval is received, but all other public agencies and/or private individuals must obtain approval through the Superintendent/Principal.

## **SUICIDE PREVENTION POLICY**

Protecting the health and well-being of all students is of utmost importance to Achieve Charter School. The school Board has adopted a suicide prevention policy which will help to protect all students through the following steps:

1. Students will learn about recognizing and responding to warning signs of suicide in friends, using coping skills, using support systems, and seeking help for themselves and friends. This will occur in all health classes for middle school students. Developmentally-appropriate education for Kindergarten - 5th grade students will be integrated throughout the curriculum, to include using coping skills, using support systems, and seeking help for themselves and friends.
2. The school will designate a suicide prevention coordinator to serve as a point of contact for students in crisis and to refer students to appropriate resources.
3. When a student is identified as being at risk, they will be assessed by a mental health professional who will work with the student and help connect them to appropriate local resources.
4. Students will have access to national resources which they can contact for additional support, such as:

- 988 Suicide and Crisis Hotline  
Call or text 988,  
988lifeline.org

- The Trevor Lifeline  
1.866.488.7386  
Text 'START' to 678-678  
thetrevorproject.org

5. All students will be expected to help create a school culture of respect and support in which students feel comfortable seeking help for themselves or friends. Students are encouraged to tell any staff member if they, or a friend, are feeling suicidal or in need of help.

6. Students should also know that because of the life or death nature of these matters, confidentiality or privacy concerns are secondary to seeking help for students in crisis.

7. For a more detailed review of policy changes, please see the district's full suicide prevention policy.

## **SUSPENSION AND EXPULSION PROCEDURES**

*Governing Law: The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:*

*(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story.*

*(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:*

*(I) provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.*

*(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.*

*(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five school days before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a homeless child or youth, or a foster child or youth, in the native language[1] of the homeless or foster child's educational rights holder. In the case of a foster child or youth, the written notice shall also be provided to the foster child's attorney and county social worker. If the pupil is a Indian child, as defined in Section 224.1 of the Welfare and Institutions Code, the written notice shall also be provided to the Indian child's tribal social worker and, if applicable, county social worker. The written notice shall inform the pupil, the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, or county social worker, or the Indian child's tribal social worker or, if applicable, county social worker initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).*

*(iv) A foster child's educational rights holder, attorney, and county social worker and an Indian child's tribal social worker and, if applicable, county social worker shall have the same rights a parent or guardian of a child has to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, and other documents and related information.*

*Education Code Section 47605(c)(5)(J)*

This Pupil Suspension and Expulsion Policy has 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 describes the non charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 et seq. The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students.

This Policy and its Procedures shall be printed and distributed as part of the Student Handbook and shall clearly describe discipline expectations.

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

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

The Charter School administration shall ensure that students and their parents/guardians<sup>[1]</sup> are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that these Policy and Administrative Procedures are available on request at the Principal's office.

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

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

#### **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 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 Charter School campus; d) during, going to, or coming from a school sponsored activity.

#### **B. Enumerated Offenses**

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:

- 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 his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) 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 subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.

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 section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

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

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 classwork, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

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

1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.

ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.

iii. Causing a reasonable student to experience substantial interference with his or her academic performance.

iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) "Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

i. A message, text, sound, video, or image.

ii. A post on a social network Internet Web site including, but not

limited to:

(a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.

(b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to

knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. An act of cyber sexual bullying.

(a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(b) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

u) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).

v) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated Charter School employee, with the Principal or designee's concurrence.

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

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated Charter School employee, with the Executive Director 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 or committed a sexual battery 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 for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.

h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.

i) Committed an obscene act or engaged in habitual profanity or vulgarity.

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

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

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 section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property,

which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

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

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 classwork, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

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

1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.

ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.

iii. Causing a reasonable student to experience substantial interference with his or her academic performance.

iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) "Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

i. A message, text, sound, video, or image.

ii. A post on a social network Internet Web site including, but not limited to:

(a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.

(b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. An act of cyber sexual bullying.

(a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

u) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).

v) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee’s concurrence.

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

a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal 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 or committed a sexual battery 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, onto campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

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

### **C. Suspension Procedure**

Suspensions shall be initiated according to the following procedures:

#### **1. Conference**

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

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

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

#### **2. Notice to Parents/Guardians**

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

### 3. Suspension Time Limits/Recommendation for Placement/Expulsion

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

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

### 4. Homework Assignments During Suspension

In accordance with Education Code Section 47606.2, 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 8, 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.

### **D. Authority to Expel**

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 or 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 members who are certificated and neither a teacher of the pupil nor a member of the Charter School Board of Directors. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

#### **E. Expulsion Procedures**

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

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

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

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges and offenses upon which the proposed 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 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 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.

## **F. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses**

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

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

exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

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

9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

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

#### **G. 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.

#### **H. Presentation of Evidence**

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

If, due to a written request by the expelled pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as

defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

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

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

#### **I. Written Notice to Expel**

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

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

The Principal or designee shall send a copy of the written notice of the decision to expel to the District. This notice shall include the following:

1. The student's name
2. 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 District upon request.

#### **K. No Right to Appeal**

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

#### **L. Expelled Pupils/Alternative Education**

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

### **M. Rehabilitation Plans**

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

### **N. Readmission**

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

### **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 and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

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

#### 4. Due Process Appeals

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

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

In accordance with 20 USC 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 Principal or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

- a. Carries or possesses a weapon, as defined in 18 USC 930, to or at school, on school premises, or to or at a school function;
- b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or

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

#### 6. Interim Alternative Educational Setting

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

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

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

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

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

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

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

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

[1] The Charter School shall ensure that a homeless child or youth's educational rights holder; a foster child or youth's educational rights holder, attorney, and county social worker; and an Indian child's tribal social worker and, if applicable, county social worker have the same rights as a parent or guardian to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, involuntary removal notice, and other documents and related information. For purposes of this Policy and its Procedures, the term "parent/guardian" shall include these parties.

## **Achieve More! E.L.O.P After School Program**

### **Objective:**

To provide an after school experience that supports the academic, social, and emotional growth of each student engaged in the program. To utilize various methods of learning modules, teaching practices, and a nurtured heart approach. To promote a safe environment that allows students to thrive while sharing experiences, joy, and learning new skills and tools.

### **Basic Structure:**

The Achieve More, A.S.P. will start immediately following the regular school day. Students will begin Homework Club/Tutor Time as an opportunity to complete homework, practice academic skills such as creative writing, reading, typing, learning games, computers and more. They will be greeted at the door by a familiar, caring staff member. Students will also have time to play outdoor group games and sports as well as unstructured outside time. Throughout each day there will be a variety of engaging and enriching activities from academic support, games, S.T.E.A.M. activities, reading, social-emotional learning, and performing arts.

### **Registration:**

Families are expected to register and pay for the dates they need for the upcoming month by the fifth of each month. This can be done by filling out the form sent to your email and paying online through the PayPal link in the email or on the school website. Adults can also sign up and pay in the school office. Unfortunately, if your child is absent on a date paid for, a refund will not be given.

**Cost:**

***Free for qualifying families.***

Monday-Thursday = \$8.00 per day    Friday = \$10 per day    Minimum Days = \$10 per day

**Snack**

The program will provide a small snack based on the California Nutrition guidelines.

- 200 calories for snacks
- Total fat. 35% of total calories.
- Saturated fat. 10% of total calories.
- Trans fat. 0 grams.

\*It's a good idea to have an extra snack if you have a child that will be in the program for a longer duration of the day.

**Pick Up:**

Students need to be picked up no later than 5:30pm. Please be considerate of our staff. We understand things happen, but if you are late more than three times in one month, we may ask you to take a break from the program for 30 days. If someone will be picking up your child who is not on the list for pick up, please notify the school office or the A.S.P. Director.

**Emergency Contact:**

The Achieve More A.S.P. staff will administer basic first aid to children in need. If the child requires emergency treatment, A.S.P Director will notify the parent (or emergency contact if the parent cannot be reached) and emergency personnel will take the child to the hospital. The After School Program also has permission to allow the child to leave the school with one of the Emergency Contacts listed on the emergency card if the parent is unable to be located. In the event there is an emergency on campus, staff will follow emergency procedures designated by ACS.

**Student Behavior and Discipline:**

The staff at Achieve More A.S.P. recognizes that the school day can be a long day for some students. Therefore, attending school for additional hours can be trying for a tired child. We will do our very best to create an environment that is caring, loving, creative, engaging, and supportive. We will have a number of individual and whole group positive behavior plans in place to encourage our students to be kind, respectful members of the group. However, we all have bad days. When behavior

challenges arise, we will do our very best to recognize behaviors before they escalate. We want to give the student the support they need to calm their body and return to the group when they feel ready. If all of our support measures haven't worked, then the A.S.P. director will step in to assist or call a parent to do an early pick. If the staff has repeatedly dealt with a particular behavior or harm was caused to another child or staff member, then we will contact you to discuss future steps.

## **Parent Agreement**

My student(s), \_\_\_\_\_, will be attending the Achieve More After School Program during the the 2023-2024 school year. I have read the Achieve More After School Program handbook and agree with the policies, procedures, and behavior expectations required for participation in the Program.

Please circle which campus your child(ren) attends:    Chico            Paradise

\_\_\_\_\_  
Parent/Guardian's Name

\_\_\_\_\_  
Parent/Guardian's Signature

Please list the names of people allowed to pick up your child from the After School Program. In the event you need someone who is not on this list to pick up your child, please call the school office or notify the After School Program director.

**Name**

**Relationship to Child**

---

---

---

---

---

---

## **LOCAL SCHOOL WELLNESS POLICY**

### **BOARD POLICY**

- A. The Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for students. The Executive Director/designee shall coordinate and align school efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the Executive Director/designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students’ understanding and appreciation of the importance of a healthy lifestyle.

### **School Health Council/Committee**

- B. The Executive Director/designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, school staff, and members of the public to participate in the development, implementation, periodic review and update of the school’s Local School Wellness Policy (LSWP).
- C. The school’s Parent Advisory Council (PAC) will be utilized to fulfill this requirement. The PAC shall conduct public hearings to solicit input from stakeholders and may also invite participation of other groups or individuals, such as health educators, curriculum directors, counselors, health practitioners, and/or others interested in school health issues.

### **Goals for Nutrition, Physical Activity, and Other Wellness Goals**

- D. Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by school staff, teachers, parents, students, and the community.
- E. Achieve Charter School will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will occur through:
- a. Implementing evidence-based healthy food promotion techniques through the school meal programs using marketing and merchandising techniques; and
  - b. Ensuring foods and beverages promoted to students during the school day meet the USDA Smart Snacks in School nutrition standards.
- F. Achieve Charter School will teach, model, encourage, and support healthy eating by all students. The school will provide nutrition education and engage in nutrition promotion that is designed to provide students with the knowledge and skills necessary to promote and protect their health.
- G. Achieve Charter School's nutrition education and physical education programs shall be based on research, consistent with the expectations established in the state's curriculum frameworks and content standards, and designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.
- H. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program.
- I. Professional development shall be regularly offered to health education and physical education teachers, coaches, activity supervisors, food services staff, and other staff as appropriate to enhance their health knowledge and skills.
- J. The Executive Director/designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.
- K. All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and may also be provided through school athletic programs, extra-curricular programs, programs encouraging students to walk or bicycle, daily physical activity breaks, and other structured and unstructured activities.
- L. In order to ensure that students have access to comprehensive health services, Achieve Charter School may provide access to health services at or near the school and/or may provide referrals to

community resources.

- M. The Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.

#### **Nutritional Guidelines for Foods Available at School**

- N. All foods served on each campus during the school day will meet nutritional guidelines and support the objectives of promoting student health and reducing childhood obesity.
- O. The Executive Director/designee may exercise discretion in allowing items offered but not sold to students on the school campus during the school day.
- P. Achieve Charter School believes that foods and beverages served to students should support the health curriculum and promote optimal health, taking into consideration the needs of students with special dietary needs. All foods and beverages served to students during the school day shall meet or exceed state and federal nutritional standards.
- Q. School marketing of food and beverage items must meet the federal competitive food and beverage standards called Smart Snacks in School (SSIS).
- R. The school shall provide access to free potable water during meal times in the food service area and shall encourage students' consumption of water by educating them about the health benefits of water and serving water in an appealing manner.
- S. School staff shall encourage parents/guardians or other volunteers to support the nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties.
- T. The Executive Director/designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes. He/she shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

#### **Program Implementation and Evaluation**

- U. The Executive Director/designee shall ensure that each school site complies with this policy.
- V. The Executive Director/designee shall inform and update the public, including parents/guardians, students, and others in the community, about the contents and implementation of this policy. He/she shall periodically measure and make available to the public an assessment of the extent to which Achieve Charter School is in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy.

#### **Posting Requirements**

- W. Each school shall post the Local School Wellness Policy in public view within all food service and central eating areas. The school shall also post a summary of nutrition and physical activity laws and regulations prepared by the California Department of Education.

## **UNIFORM COMPLAINT POLICY AND PROCEDURES**

### Scope

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

- (1) Complaints of 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, disability, ethnic group identification, gender expression, gender identity, gender, genetic information, 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 Charter School program or activity; and
- (2) Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: Adult Education Programs, After School Education and Safety Programs, Agricultural Vocational Education Programs, American Indian Education Centers and Early Child Education Program Assessments, Consolidated Categorical Aid Programs, Career Technical and Technical Education and Career Technical and Technical Training Programs, Child Care and Development Programs, Child Nutrition Programs, Foster and Homeless Youth Services, Migrant Education Programs, No Child Left Behind Act (2001) Programs (Titles I-VII), including improving academic achievement, compensatory education, limited English proficiency, and migrant education, Regional Occupational Centers and Programs, Special Education Programs, State Preschool, and Tobacco-Use Prevention Education.

(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 the Charter School 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 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. If the Charter School finds merit in a complaint, or if the Superintendent finds merit in an appeal, the Charter School shall provide a remedy to the affected pupil.

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 Superintendent 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 Officers

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:

Casey Taylor  
Executive Director  
1494 East Ave.  
Chico, CA 95926  
530-872-4100

The Superintendent 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 Superintendent or designee.

Should a complaint be filed against the Superintendent, the compliance officer for that case shall be the President of the Charter School Board of Directors.

### Notifications

The Superintendent or designee 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, and when necessary, in the primary language, pursuant to section 48985 of the Education Code if fifteen (15) percent or more of the pupils enrolled in the Charter School speak a single primary language other than English.

The Superintendent 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 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 § 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. Compliance officers shall maintain a record of each complaint and subsequent related actions.

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

- **Step 1: Filing of Complaint**

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

A complaint alleging unlawful discrimination, harassment, intimidation or bullying shall be initiated no later than six (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 written report of the Charter School's investigation and decision, 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 Superintendent 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 5 CCR 4622. Achieve Charter School of Paradise – Uniform Complaint Policy and Procedures

**UNIFORM COMPLAINT PROCEDURE FORM**

Last Name: \_\_\_\_\_ First Name/MI: \_\_\_\_\_  
 Student Name (if applicable): \_\_\_\_\_ Grade: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 Street Address/Apt. #: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_  
 School/Office of Alleged Violation: \_\_\_\_\_

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

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Adult Education            | <input type="checkbox"/> After School Education and Safety | <input type="checkbox"/> Agricultural Vocational Education |
| <input type="checkbox"/> American Indian Education  | <input type="checkbox"/> Consolidated Categorical Aid      | <input type="checkbox"/> Career/Technical Education        |
| <input type="checkbox"/> Child Development Programs | <input type="checkbox"/> Child Nutrition                   | <input type="checkbox"/> Foster/Homeless Youth             |
| <input type="checkbox"/> Migrant Education          | <input type="checkbox"/> No Child Left Behind Programs     | <input type="checkbox"/> Regional Occupational Programs    |
| <input type="checkbox"/> Special Education          | <input type="checkbox"/> State Preschool                   | <input type="checkbox"/> Tobacco-Use Prevention Education  |
| <input type="checkbox"/> Pupil Fees                 | <input type="checkbox"/> Local Control Funding Formula     | <input type="checkbox"/> Lactating Pupils                  |

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

- Age
- Ancestry
- Color
- Disability (Mental or physical)
- Ethnic Group Identification

- Race or Ethnicity
- Gender/Gender Expression / Gender Identity
- Genetic Information
- National Origin

- Religion
- Sex (Actual or Perceived)
- Sexual Orientation (Actual or Perceived)

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

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

---



---



---



---

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

---



---



---



---



---



---

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

I have attached supporting documents.  Yes  No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Mail complaint and any relevant documents to:

Casey Taylor  
 Executive Director  
 1494 East Ave.  
 Chico, CA 95926  
 530-872-4100

## **INTERNAL COMPLAINT PROCEDURES FOR COMPLAINTS RELATING TO SPECIAL EDUCATION**

It is the policy of the **Achieve Charter School** (the “School”) to maintain a positive and productive educational environment. The School is primarily responsible to ensure that it is compliant with all applicable federal and state special education laws and regulations. There are some circumstances, however, when parents/guardians or students over the age of 18 believe that a violation of federal or state special education law is occurring in the following areas: 1) violations of Part B of the IDEA, and regulations implementing Part B; or 2) violations of Part 30 of the Education Code and the related regulations; or 3) complaints that an LEA or other public agency has violated the terms of a settlement agreement relating to the provision of a free, appropriate public education (an allegation relating to an attorney fees provision in a settlement agreement is expressly excluded); 2) complaints that the LEA or other public agency has failed or refused to implement a due process hearing order to which that LEA or other public agency is subject; 3) complaints that a public agency, other than an LEA, fails or refuses to comply with a law or regulation applicable to that public agency as it pertains or relates to the provision of a free appropriate public education to individuals with disabilities; or 4) complaints that allege facts that indicate that physical safety concerns interfere with the provision of a free appropriate public education.

Additionally, the School shall not directly or indirectly use or attempt to use the official authority or influence of the School employee for the purpose of intimidating, threatening, coercing, or attempting to intimidate, threaten, or coerce, any person, including, but not limited to, a teacher, a provider of designated instruction and services, a paraprofessional, an instructional aide, a behavioral aid, a health aid, other educators or staff of the School, a private individual or entity under contract with the School, or a subordinate of the employee, for the purpose of interfering with the action of that person at any time, to assist a parent or guardian of a pupil with exceptional needs to obtain services or accommodations for that pupil.

If the parent/guardian/student has a complaint relating to an evaluation or plan under section 504 of the Rehabilitation Act of 1973 (“section 504 plan”), the parent/guardian/student may complain to the School’s administration. If that does not resolve the issue, the parent/guardian/student may make a formal complaint to the School’s section 504 designee:

Casey Taylor, Executive Director  
1494 East Ave  
Chico, CA 95926  
(530)872-4100

### **Filing a Complaint:**

If the parent/guardian/student/organization believes that a violation of state or federal special education laws or regulations is occurring, and the issue is not resolved informally, the parent/guardian/student/organization may file a signed written complaint with the California Department of Education (“CDE”). All parties involved in the allegations will be notified when a complaint is filed, when a complaint meeting or hearing is scheduled and when a decision is made. If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or a disability, the school staff will assist the person with filing the complaint.

The complaint filed must include the following: 1) a statement that an Local Education Agency (“LEA”) or other public agency has violated or failed to comply with any provision set forth above; 2) the facts on which the statement is based; 3) the signature and contact information for the complainant; and 4) if alleging violations with respect to a specific child: A) the name and address of the residence of the child; B) the name of the school the child is attending; C) in the case of a homeless child or youth, available contact information for the child, and the name of the school the child is attending; D) a description of the nature of the problem of the child, including facts relating to the problem; and E) a proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed.

The complaint must allege a violation that occurred not more than one year prior to the date that the complaint is received in accordance with federal regulations. The party filing the complaint must forward a copy of the complaint to the LEA or public agency serving the child at the same time the party files the complaint with the CDE.

The state complaint procedures, investigations, and reports include those provisions set forth in 34 C.F.R. sections 300.151 through 300.153.

Refusal by the complainant to provide the investigator, at any level of the investigation, with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of lack of evidence to support the allegations.

### **Appeal of CDE’s Investigation Report**

Within 30 days of the date of the CDE Investigation Report, either party may request reconsideration by the Superintendent of Public Instruction (“SPI”) or the SPI’s designee. The request for reconsideration shall specify and explain why: 1) relative to the allegation(s) of the complaint, the CDE Investigation Report lacks material findings of fact necessary to reach a conclusion of law; and/or 2) the material findings of fact in the CDE Investigation Report are not supported by substantial evidence; and/or 3) the legal conclusion in the CDE Investigation Report is inconsistent with the law; and/or 4) in a case in which the CDE found noncompliance, the required corrective actions fail to provide a proper remedy.

The CDE shall respond in writing to the request for consideration within 60 days of the receipt of the request.

### **Dissemination**

The School will send to students, employees, parents or guardians of its students, school advisory committees, and other interested parties a notice of rights under this policy on an annual basis. Upon request, a copy of this policy will be made available free of charge and is also available on the School’s website.

Parent Handbook 2023-24 and Appendix - Approved by the Board of Directors: May 24, 2023  
Please visit [achievethecharter.org](http://achievethecharter.org) for full policies and procedures or contact the school site Principal.