

Southern Humboldt Charter Schools  
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# **Agnes J. Johnson Charter School**

Board of Directors Policies

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## **BOARD GOVERNANCE – BOARD DUTIES AND RESPONSIBILITIES; DELEGATION OF POWER**

The Charter School is governed by a Board, not by individual board members. While understanding their separate roles, the Board of Directors and the Executive Director work together as a governance team in operating **Southern Humboldt Charter Schools, Inc. dba Agnes J. Johnson Charter School (“Charter School” or “School”)**. The governance team assumes collective responsibility for building unity and creating a positive organizational culture in order to govern effectively. In consideration of these guiding principles, the following policy identifies the role of the Board and the role of the Executive Director.

### **Role of the Board of Directors**

#### *Vision and Strategic Plan:*

- The Board delegates to Management the drafting, and then modifies and approves the School Mission and in each subsequent year, reevaluates the School Mission;
- The Board reviews, provides input and approves the one- and five-year Strategic Plans submitted by the Executive Director;
- The Board adopts policies to successfully implement the School Mission and Strategic Plans.
- The Board oversees the Executive Director to ensure that the School Mission and Strategic Plans are reflected in the day-to-day operations of the school, including ensuring that the curriculum aligns with the School Mission.

#### *Academic Performance Monitoring:*

- The Board, or a committee thereof, annually reviews student performance based on state- and federally-mandated assessments and sets goals for student achievement;
- The Board, or a committee thereof, periodically reviews student performance based on school level assessments and sets goals for student achievement on school level assessments;
- The Board reviews and adopts academic policies to achieve the student achievement goals;
- The Board approves all academic performance reports to all federal, state and local agencies as required by law;
- The Board, or a committee thereof, researches or develops student data collection systems and periodically reviews them to ensure their effectiveness.

#### *Staffing and Personnel:*

- The Board reviews and approves personnel policies and any amendments thereto;
- The Board delegates hires and terminations to the Executive Director of all personnel. When the Board does not agree with personnel decisions by the Executive Director, the decision of the Board is final after further consideration appropriate to the circumstances.

- The Board hires, evaluates, and terminates the employment of the Executive Director.
- The Board establishes performance goals for the Executive Director and communicates the goals to the Executive Director;
- The Board annually reviews the Executive Director's performance;
- The Board annually reviews the Executive Director's employment contract, and reevaluates it yearly;
- The Board establishes and annually reviews the Executive Director succession and recruitment plans;
- The Board approves the salaries and compensation policies for all School personnel in compliance with any applicable state laws;
- The Board hears and decides employee grievances (only applicable if employees are given grievance rights under a contract).

#### *Parent, Student and Community Relations*

- The Board, or a committee thereof, hears and decides student expulsion appeals;
- The Board reviews and approves student and parent policies and any proposed amendments thereto;
- As needed, the Board communicates with the media and community at large consistent with the School's Mission and Vision;

#### *Finance and Budget*

- The Board reviews and approves the fiscal management and internal controls policies and any proposed amendments thereto;
- The Board reviews and approves the school's annual academic calendar and class schedule;
- The Board, or a committee thereof, solicits and selects the school's independent financial auditor, oversees the auditor's work, and receives the auditor's report(s);
- The Board, or a committee thereof, reviews and adopts and amends the annual budget as well as interim and annual financial statements;
- The Board, or a committee thereof, reviews and approves the audit report;
- The Board monitors the responses to the audit report and implementation thereof.

#### *Facilities*

- The Board enters into financing and building contracts;
- The Board approves construction and remodeling of facilities;

- The Board, or a committee thereof, researches school sites as needed, and funding and facilities options;
- The Board, or a committee thereof, makes recommendations on facilities needs and policies.

#### *Board Internal Business*

- The Board drafts, reviews and approves board policies and amendments thereto;
- The Board recruits prospective Board members;
- The Board orients new Board members;
- The Board, as needed, provides training to its members;
- The Board develops and yearly implements a Board self-evaluation. From time to time, the Board re-evaluates its self-evaluation process.

#### *Charter Performance and Renewal*

- The Board annually reviews the school performance reports;
- The Board, as needed, reviews the Charter School renewal proposals and reports.

#### **Delegation of Power to the Executive Director**

The Board delegates the following powers to the Executive Director, or his/her delegate:

#### *Vision and Strategic Plan:*

- The Executive Director provides input to the Board when it drafts, modifies and approves the School Mission and in each subsequent year when it reevaluates the School Mission;
- The Executive Director drafts and submits to the Board the School's one- and five-year Strategic Plans;
- The Executive Director implements the Board-adopted policies to implement the School Mission and Strategic Plans, by among other things adopting appropriate procedures and training staff on the policies and procedures.

#### *Academic Performance Monitoring:*

- The Executive Director creates a report reflecting student performance based on state- and federally-mandated assessments, provides a copy to the Board, reviews the performance with the Board, or a committee thereof, and provides input to the Board when setting goals for student achievement on state and federal assessments. The Executive Director implements the goals for student achievement on such assessments;
- The Executive Director quarterly creates a report reflecting student performance based on school level assessments, provides a copy to the Board, reviews the performance with the Board, or a committee thereof, and provides input to the Board when setting goals for student assessment on school level assessments. The Executive Director implements the goals for student achievement on school level assessments;

- The Executive Director implements Board adopted policies to achieve the student achievement goals, by among other things, adopting appropriate procedures and training staff on policies and procedures;
- The Executive Director creates all academic performance reports required by all federal, state and local agencies as required by law and provides them to the Board for approval;
- The Executive Director develops the school calendar and class schedule and provides them to the Board for approval.

#### *Staffing and Personnel:*

- The Executive Director drafts all personnel policies and presents them to the Board for review and approval. The Executive Director also recommends any proposed amendments to the personnel policies and presents them to the Board for review and approval;
- The Executive Director hires and terminates all school personnel other than the Executive Director. The Executive Director is responsible for all recruitment activities associated with the hiring of school personnel;
- The Executive Director recommends the salaries for all School personnel in compliance with any applicable state laws to the Board for final approval;
- The Executive Director ensures that all school personnel are evaluated on a yearly basis and creates the process for such evaluation;
- The Executive Director implements all personnel policies, including the school's internal complaint procedures. If applicable, the Executive Director presents employee grievances to the Board, which hears and decides them.

#### *Parent, Student and Community Relations*

- The Executive Director implements the policies and procedures adopted for student expulsion, upon completion of the school-level procedures.
- The Executive Director follows the policies and procedures adopted for student suspensions and fields any student appeals;
- The Executive Director drafts, and subsequently implements the Board adopted student and parent policies, by, among other things, adopting appropriate procedures and training staff on the policies and procedures. The Executive Director drafts amendments to the student and parent policies, and presents them to the Board for approval;
- At the request of the Board, the Executive Director communicates with the media and community at large in a fashion that is consistent with the School's Mission and Vision;

#### *Finance and Budget*

- The Executive Director drafts and subsequently implements the Board adopted fiscal policies, by, among other things, adopting appropriate procedures and training staff on the policies and procedures. The Executive Director drafts amendments to the fiscal policies, and presents them to the Board for approval;

- The Executive Director drafts and submits to the Board, or a committee thereof, the quarterly and yearly budget drafts;
- The Executive Director drafts and submits to the Board the final quarterly and yearly budgets and other required financial statements;
- The Executive Director implements the responses to the audit report as instructed by the Board.

#### *Facilities*

- The Executive Director conducts school site needs assessments at the direction of the Board;
- The Executive Director conducts capital campaigns as needed;
- The Executive Director implements any facilities policies.

#### *Charter Performance and Renewal*

- The Executive Director annually drafts any required school performance reports for Board review;
- The Executive Director, as needed, drafts Charter School renewal proposals and reports.

**Approved: June 23, 2021**



## **BOARD GOVERNANCE – ANNUAL ORGANIZATIONAL MEETING**

### **Time and Place for Meeting**

In accordance with the Bylaws, the Board shall meet at its Executive Director executive office at least once annually within thirty (30) days of the beginning the Academic school year for the purpose of reorganizing the Board.

### **Order of Business**

In accordance with the Bylaws, the order of business at this meeting shall be:

- A. Call to order.
- B. Elect Directors to fill vacancies.
- C. Elect Chairperson.
- D. Elect Vice-Chairperson.
- E. Elect Secretary.
- F. Set regular meetings (time, place and day).
- G. Elect any representatives to serve on any applicable advisory boards and/or committees as appropriate.
- H. Recognize departing Board members.
- I. Readopt in resolution form School policy regarding the Board's Code of Ethics.
- J. Such other business as may be determined to be necessary by the Board.
- K. Adjournment.

**Approved: June 23, 2021**

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## **BOARD GOVERNANCE – PROCEDURE FOR POLICY ADOPTION**

The successful operation of the Charter School requires that the actions of the Board and administrative staff be known and understood by students, employees, and members of the community. These groups as well as individuals should also have an opportunity to affect Charter School action.

The process for adoption and publication of policies in the Charter School includes the following elements:

### **Raising a Policy Issue**

Any person within the Charter School community, including teachers, administrative staff, other staff members, students, parents and interested community members, may raise a potential policy issue. At the Charter School level, the individual that raises the policy issue shall communicate that policy issue to the Executive Director, or his/her designee, on a form approved by the Board of Directors for that purpose. The Executive Director, or his/her designee, shall communicate the policy issue to the Chair of the Board of Directors (“Board”) within one week of receiving the policy issue.

Any member of the Board of Directors may raise a potential policy issue by communicating that policy issue to the Chair using a form approved by the Board of Directors for that purpose. If a policy issue is raised during a regular or special meeting of the Board of Directors, the Board shall record it using the form approved by the Board of Directors.

The Board may raise a policy issue itself and record it on the form approved by the Board of Directors for that purpose.

### **Investigating a Policy Issue**

Once the Board receives notification of a policy issue, the Board shall determine the appropriate means to investigate the policy issues. The Board may, in its discretion, investigate the matter itself or delegate the investigation to an appropriate person or group of persons.

### **Policy Drafting**

Once the Board has investigated the policy issue, the Board shall convene a meeting to discuss whether to draft the policy and decide any outstanding issues relating to drafting the policy. The Board shall then undertake to draft the policy itself, or delegate the drafting to an appropriate person or group of persons.

### **Adoption, Revision and Repeal of Policies**

Policies shall ordinarily be submitted by the Board to the Board at a regular or special board meeting and shall be adopted, revised or repealed by a majority vote.

The adoption, revision or repeal of policy shall be made in an open and public manner at a regular or special board meeting.

### **Communication and Public Involvement in Policy Adoption**

An opportunity for interested parties to be heard before adoption, revision or repeal of policy shall be made.

Retention and organization of adopted policies, rules, regulations and procedures shall be made in

a policy binder maintained by the Secretary of the Board with the assistance of school staff.

Publication and availability of all policies, currently in effect within the Charter School, shall be made to any interested person during the regular business hours of the Charter School. To ensure a basic level awareness and institutional understanding, a copy of the policy binder shall be provided to all new members of the Board who shall be personally briefed on key aspects of the policies by a member of the Charter School's staff.

**Review and/or Revision of Existing Policies**

No later than September 30 of any school year, the Board shall complete a review of all of the existing policies of the school. Upon completion of the review, the Board shall notify the Board of Directors at its next regular meeting of the policies that require revision. The Board shall follow the procedures required for policy creation in the revision of existing policies. The Board may receive assistance of individuals or groups of individuals, as it deems necessary, in reviewing the existing policies of the Charter School to determine whether a policy requires revision.

**Approved: June 23, 2021**

## **BOARD GOVERNANCE – CODE OF ETHICS FOR BOARD MEMBERS**

As a member of the Board, I shall promote the best interests of the Charter School as a whole and, to that end, shall adhere to the following ethical standards:

### Equity in Attitude

- I will be fair, just, and impartial in all my decisions and actions.
- I will accord others the respect I wish for myself.
- I will encourage expressions of different opinions and listen with an open mind to others' ideas.

### Trustworthiness in Stewardship

- I will be accountable to the public by representing Charter School policies, programs, priorities, and progress accurately.
- I will be responsive to the community by seeking its involvement in Charter School affairs and by communicating its priorities and concerns.
- I will work to ensure prudent and accountable use of Charter School resources.
- I will make no personal promise or take private action that may compromise my performance or my responsibilities.

### Honor In Conduct

- I will tell the truth.
- I will share my views while working for consensus.
- I will respect the majority decision as the decision of the Board.
- I will base my decisions on fact rather than supposition, opinion, or public favor.

### Integrity Of Character

- I will refuse to surrender judgment to any individual or group at the expense of the Charter School as a whole.
- I will consistently uphold all applicable laws, rules, policies, and governance procedures.
- I will not disclose information that is confidential by law or that will needlessly harm the Charter School if disclosed.

Commitment To Service

- I will focus my attention on fulfilling the Board's responsibilities of goal setting, policymaking, and evaluation.
- I will diligently prepare for and attend Board meetings.
- I will avoid personal involvement in activities the Board has delegated to the Executive Director.
- I will seek continuing education that will enhance my ability to fulfill my duties effectively.

Student-Centered Focus

- I will be continuously guided by what is best for all students of the Charter School.

Board of Directors expects Charter School employees to maintain the highest ethical standards, to follow Charter School policies and regulations, and to abide by state and national laws. Employee conduct should enhance the integrity of the Charter School and the goals of the educational program - academic excellence and Student Unity.

**Approved: June 23, 2021**

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## **BOARD GOVERNANCE – CHARTER SCHOOL BOARD MEETINGS – BROWN ACT COMPLIANT**

### **Types of Meetings**

#### ***Regular Meetings***

Regular meetings of the Board of Directors of the Charter School (“Board”) shall be held consistent with the calendar for such meetings as established by the Board each year.

If at any time any regular meeting falls on a holiday, (Federal, State or local), such regular meeting shall be held on the next business day.

When required by law, meetings of advisory committees or standing committees, for which an agenda is posted at least 72 hours in advance of the meeting in accordance with law shall be considered regular Board meetings.

#### ***Special Meetings***

The Executive Director or a majority of the members of the board may call special meetings on an as-needed basis, consistent with legal requirements.

#### ***Emergency Meetings***

A Board majority may call emergency meetings when an emergency situation arises involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities in accordance with law.

### **Notification of Meetings**

#### ***Regular Meetings***

Notice of the time and place of regular meetings, along with the agenda and supporting documentation, will be provided to all Board members and those persons or entities who have previously requested notice of such meetings, not later than 72 hours prior to a regular meeting. The notice and agenda will also be posted in a location that is freely accessible to members of the public not later than 72 hours prior to a regular meeting. It is the Executive Director’s responsibility to provide notice and copies of the agenda and supporting documentation for regular meetings.

#### ***Special Meetings***

Notice of the time and place of special meetings, along with the agenda and supporting documentation, will be provided to all Board members and those persons who have previously requested notice of such meetings, not later than 24 hours prior to a regular meeting. Board members and media outlets (local newspapers, radios and/or television stations), that have requested notice in writing, will be provided written notice delivered personally or by any other means to ensure receipt at least 24 hours before the time of the special meeting. The agenda packet will be mailed to all other persons requesting a copy of the agenda, and supporting documents under Government Code SECTION 54954.1 at the time the materials are distributed to all members of the Board if possible or, if not a majority of the Board.

The notice and agenda will be posted in a location that is freely accessible to members of the public not later than 24 hours prior to a special meeting.

It is the Executive Director’s responsibility to provide notice and copies of the agenda and

supporting documentation for special meetings.

### ***Emergency Meetings***

In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, notice to the Board will be provided as soon as is reasonably practicable under the circumstances. All media outlets that have requested notice of special meetings shall be notified one hour prior to the emergency meeting, or in the case of a dire emergency, at or near the time that the Board members are notified of the emergency meeting. The notice shall be given by telephone and all telephone numbers provided by the media outlet in the request for notice shall be exhausted. If telephones are not working, the notice requirement is waived and the media shall be notified of the fact of the holding of the emergency meeting, the purpose of the meeting and any action taken at the meeting as soon after the meeting as possible.

### **Agendas**

#### ***Preparation of Agenda and Process***

The Executive Director shall be responsible for preparing the agendas for all meetings of the Board.

The Executive Director shall include on the agenda items that relate to Charter School business as are requested for inclusion by Board members, and determined by the Executive Director to be appropriate for discussion at that meeting. In addition, a citizen may request that a topic directly related to Charter School business be placed on the agenda. The Executive Director and/or Board **Chair** shall determine, in his/her discretion, whether the citizen request is or is not an item directly related to Charter School business. No citizen-requested item shall be placed on the agenda if it is repetitive of a previous item placed on an agenda and considered by the Board.

Requests for items to be included on the agenda by Board members, Charter School employees or citizens shall be in writing and submitted to the Executive Director's office no later than seven (7) working days prior to the next regularly scheduled Board meeting.

At a Board meeting, Board members or the Executive Director may request that a topic be placed on the agenda, which topic had been recently considered and acted upon by the Board, provided there is new and relevant information on the topic. Discussion at the meeting is limited to determination of whether to reconsider the agenda topic at the next Board meeting.

#### ***Contents of the Agenda***

In preparing the agenda, the Executive Director shall include the following:

- Time and location of the meeting, including, if applicable, any teleconferencing location(s);
- A brief general description of all items of business to be transacted or discussed at the meeting, including those items to be discussed in closed session; Closed session items must be described in accordance with Government Code SECTION 54954.5;
- An opportunity for members of the public to directly address the Board in accordance with the Board's public comment policy (addressed below);

- If teleconference locations are being utilized, an opportunity for members of the public to address the Board directly at each teleconference location; and
- Information regarding how, to whom and when a request for disability related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

### ***Supporting Information Relating to Agenda Items***

The Executive Director is responsible for preparing all supporting information that may accompany each agenda topic originating from the administration or the Board.

The purpose of preparing supporting information is to facilitate decision-making on the part of the Board members by having available to them in advance of Board meetings comprehensive data pertaining to each agenda topic. The supporting information shall accompany the agenda and be delivered to the Board members concurrently with the agenda.

If supporting materials are distributed to Board members during a public meeting, such materials will be made available for public inspection at the meeting if prepared by the Executive Director. If such materials are prepared by some other person, they shall be made available after the meeting at which they were distributed. The Board may charge a fee or deposit for a copy of such materials.

These materials will be made available in appropriate alternative formats upon request by a person with a disability, as required by the Americans with Disabilities Act. No surcharge will be imposed on persons with disabilities in violation of the Americans with Disabilities Act.

Citizens who request to have a topic placed on the agenda are encouraged to submit, in writing, supporting information detailing their reason for having the topic placed on the agenda and what is being requested of the Board. This is intended to provide background information for Board members to help expedite the Board's handling of the topic at the Board meeting.

### **Board Meetings**

#### ***Open Session***

All regular, special and emergency meetings of the Board shall be open to the public and the media, except Closed Sessions as authorized by law.

#### ***Public Participation at Meetings***

**Public comment generally:** At a regular meeting, any person may address the Board concerning any item on the agenda and any other matters under the Board's jurisdiction. At a special meeting, any person may address the Board only concerning the items on the agenda. The total time devoted to presentations to the Board on all public comment (including agenda items and non-agenda items at regular meetings) shall not exceed one-half hour, unless additional time is granted by the Board. At the discretion of the Chairperson of the Board, individuals may be granted 5 minutes to make a presentation to the Board. Normally, individuals may be granted 2 minutes each for public comment.

**Limits on public comment:** The Chairperson may curtail individual presentations if repetitive of points raised by others, particularly if it appears the total allotted time may be exceeded. Any person who addresses the Board shall not make impertinent, slanderous or profane remarks to any Board member, staff or general public. Any person who makes such remarks, or who utters loud,



threatening, personal or abusive language, or engages in any other disorderly conduct that disrupts, disturbs or otherwise impedes the orderly conduct of any Board meeting shall, at the discretion of the Chairperson of the Board or a Board majority, be barred from further audience before the Board during that meeting.

In the event that any meeting is willfully interrupted by a group(s) of persons so as to render the orderly conduct of such meeting unfeasible, and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the Board may order the meeting room cleared and continue the session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other media, if not participating in the disturbance, shall be allowed to attend any such session

Citizens desiring Board action on an item are required to seek placement of the issue on the Board agenda in accordance with policy rather than presenting the matter during general public comment. This will facilitate discussion and expedite resolution.

**Time for public comment:** All public comment concerning all matters shall be heard immediately after the meeting is called to order and prior to the formal discussion of the agenda topics by the Board and consideration of action.

**Recording and/or broadcasting of meeting:** Persons attending an open meeting have the right to record or broadcast the proceedings with an audio or video tape recorder or a still or motion picture camera unless the Board reasonably finds that the recording or broadcast cannot continue without noise, illumination or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings.

**Requests to address the Board:** Prior to the beginning of the meeting, citizens seeking to address the Board on an item on the agenda or during time allocated for public comment shall complete the card, "Request to Address the Board" (located in the Board Meeting Room), and give it to the Chairperson of the Board or Board Secretary, or their designee.

### ***Board Members at Meetings***

**Board discussion and action:** For regular and special meetings, no action or discussion shall be taken on any item not appearing on the posted agenda. At a regular meeting, however, Board members or staff may briefly respond to statements made or questions posed by persons during public comment. At regular meetings, a Board member may, on his/her own initiative or in response to a question posed by the public, ask a question for clarification, make a brief announcement or make a brief report on his/her own activities. Additionally, a Board member may provide a reference to staff or other resources for factual information, request staff to report back to the Board at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

**Exceptions in regular meetings:** In regular meetings, the Board may take action on items of business not appearing on the posted agenda if any of the following conditions apply: 1) A majority of the Board determines that an emergency situation exists; 2) A determination by a two-thirds vote of the Board members present at the meeting, or if less than two-thirds are present, a unanimous vote of those Board members present, that there is a need to take immediate action and that the need for action came to the attention of the Board after the agenda was posted; or 3) The item was properly posted for a prior meeting occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting, the item was continued to the meeting

at which action is being taken. If items are discussed under these conditions, the Chairperson of the Board shall publicly identify the item(s).

**Closed session:** Prior to holding any closed session, the Board shall disclose, in an open meeting, the item(s) to be discussed in the closed session. The disclosure may take the form of a reference to the item(s) as they are listed by number or letter on the agenda. In the closed session, the Board may consider only those matters covered in its statement.

After any closed session, the Board shall reconvene into open session prior to adjournment and make a report of any action taken in closed session and the vote or abstention of every Board member present thereon in accordance with Government Code SECTION 54957.1.

### ***Minutes of Board Meetings***

**Open session meetings:** The minutes of open session meetings of the Board shall record all motions, show the names of Board members making and seconding motions and state the vote upon the motion. In the event that Board members are participating via teleconferencing, all votes during the meeting shall be by roll call and will be reflected in the minutes. The open session minutes shall also record all resolutions, the recommendations of the administration and the substance of the Board's discussion or the substance of statements pertinent to Board's business made by members of the staff or public. The minutes shall follow the generally accepted pattern in form.

The original copy of the open session minutes shall be signed by the Secretary of the Board and approved by the Clerk. Original minutes shall be bound in chronological order, volumed by fiscal year and paged consecutively.

**Closed session meetings:** The Board designates **the Executive and Deputy Executive Directors** to attend each closed session of the Board and keep and enter in a minute book a record of topics discussed and decisions made at the meeting. The minute book for closed session is not a public record subject to inspection and shall be kept confidential. The minute book shall be available only to Board members, or when otherwise required by law. The minute book may, but need not, consist of a recording of the closed session.

**Minutes for Emergency Meetings:** Any time an emergency meeting is held, the minutes must provide a list of persons who were notified or attempted to be notified, a copy of the roll call vote, and any actions taken at the meeting. The minutes will be posted for a minimum of 10 days in a public place as soon after the meeting as possible.

**Storing the minutes:** The official minutes of the Board (for open and closed sessions) shall be kept in fireproof storage. The following documents shall be bound with the official minutes and referred to in the text of the minutes to which they apply:

- Original copies of all resolutions unless required by other agencies, in which case photocopies of the originals may be substituted;
- Original copy of all budget transfers;
- Copies of any document determined by the Board to be attached to the official minutes; and
- Other documents which, in the opinion of the Secretary, are necessary to fully substantiate

or record Board action.

In addition to the official minutes, an additional copy of all minutes and attached documents shall be maintained in the office of the Secretary of the Board. This set of minutes shall be bound, indexed by those categories detailed above and by subject.

### **Quorum Requirements**

A majority of the voting members of the Board shall constitute a quorum of the Board, which is necessary for the Board to transact business. All motions, in order to pass, need positive action by at least a majority of the Board. Should there be fewer than a majority of the Board present at any meeting, the meeting shall be adjourned.

### **Continuances and Adjournment**

#### ***Continuances***

Items appearing on agendas for regular meeting may be continued to another meeting, to be held within 5 calendar days from the date of the originally posted meeting, without triggering the requirement that the agenda item be re-posted with the requisite notice.

If the Board is holding, has noticed or ordered a hearing, at any meeting, the Board may, by order or notice, continue or reconvene to any subsequent meeting of the Board in the same manner and to the same extent that a meeting may be adjourned (see below). If the hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be conspicuously posted on or near the door immediately following the meeting at which the continuation was adopted or made.

#### ***Adjournment***

The Board may adjourn any regular or special meetings to a time and place specified in an order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular meeting, the Board Secretary may declare the meeting adjourned to a stated time and place and he/she shall cause a written notice of adjournment to be given in the same manner as provided for special meetings, unless such notice is waived for special meetings. A copy of the notice of adjournment shall be conspicuously posted on or near the door of the place where the regular or special meeting was held within 24 hours after the time of adjournment. When a regular meeting is adjourned, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings.

**Approved: June 23, 2021**

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## **BOARD GOVERNANCE – BOARD OPERATIONS**

### **Roberts Rules of Order**

Absent a policy to the contrary, the business of the Board of Directors (the “Board”) of **the Charter School** at its meetings will be conducted in accordance with the specifications of Roberts Rules of Order. Any member may rise to a point of order under these rules, which action shall take precedence over all other business before the Board.

### **Polling of Board of Trustees**

Voting on resolutions shall be by the polling of voting Board members. The minutes shall record the person making the motion, the person seconding it, and the names of the trustees voting for and against the motion or abstaining, as well as Board members who are absent. Secret ballots and proxies are prohibited.

### **Board Member Compensation and Reimbursement of Actual and Necessary Expenses**

Board members shall serve without compensation. Board members may, however, be reimbursed for actual and necessary expenses related to Charter School business in accordance with the Charter School’s fiscal policies and budget.

### **Officers, Directors and Charter School Liability Insurance**

The Charter School will maintain adequate insurance to protect the Charter School against loss because of fire, damage to Charter School property, loss to other property, or general liability resulting as a responsibility of the Charter School and its Board members or officers while acting on behalf of the Charter School.

### **Appointment of Board Committees**

Consistent with the charter, bylaws, and any other applicable provisions of contract or law, the Board may appoint committees for any purpose deemed appropriate by the Board. The resolution establishing the committee shall clearly define the range of the committee’s responsibility and authority and shall specify whether the committee shall be a standing or limited-term committee. In meeting and carrying out designated purposes, any such committee shall comply with any applicable legal or contractual requirements. Specifically, unless otherwise specified in Board by-laws, parent/teacher associations and/or parent committees shall be advisory only.

### **Board Election/Nomination Process**

The Board shall carry out its election and nomination process consistent with the requirements of its charter and bylaws. Should the charter and bylaws not address any issue which may arise, the Board may adopt regulations which address such concerns. Should the Board wish to alter its election or nomination process, it must do so consistent with any requirements of its charter, unless the charter is revised.

### **Board Member Resignations**

Board members may submit a resignation at any time during their term but should give due consideration, as to the timing of the resignation, concerning the impact the resignation may have upon the Board. While a resignation must be acknowledged by the Board at the next regularly scheduled meeting following notice of the resignation, assuming it may be properly agendized, a Board member’s resignation need not be accepted by the Board. The resignation becomes effective once brought to the attention of the Board.

### **Board Member Removal From Office**

A Board member may be removed from office by vote of two-thirds of the Board following a motion made in open session for the removal of the Board member. A motion to remove a Board member may not be made in closed session.

**Dispute Resolution with Granting Agency**

Any dispute that may arise with the granting agency must be handled in strict accordance with the dispute resolution process outlined in the charter. Should the Board wish to amend the dispute resolution process it must amend the charter to do so.

**Approved: June 23, 2021**

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**BOARD GOVERNANCE – CONFLICTS OF INTEREST CODE PURSUANT TO  
CALIFORNIA CORPORATIONS CODE****SOUTHERN HUMBOLDT CHARTER SCHOOLS, INC.****CONFLICT OF INTEREST CODE****I. ADOPTION**

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, et seq., Southern Humboldt Charter Schools, Inc. (“SHCS” or “Charter School”) hereby adopts this Conflict of Interest Code (“Code”), which shall apply to all governing board members and all other designated employees of SHCS, as specifically required by California Government Code Section 87300.

**II. DEFINITION OF TERMS**

As applicable to a California public charter school, the definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission, specifically California Code of Regulations Section 18730, and any amendments or modifications to the Act and regulations are incorporated by reference to this Code.

**III. DESIGNATED EMPLOYEES**

Employees of SHCS, including uncompensated governing board members, who hold positions that involve the making or participation in the making, of decisions that may foreseeably have a material effect on any financial interest, shall be “designated employees.” The designated positions are listed in “Exhibit A” attached to this policy and incorporated by reference herein.

**IV. STATEMENT OF ECONOMIC INTERESTS: FILING**

Each designated employee, including governing board members, shall file a Statement of Economic Interest (“Statement”) at the time and manner prescribed by California Code of Regulations, title 2, section 18730, disclosing reportable investments, interests in real property, business positions, and income required to be reported under the category or categories to which the employee’s position is assigned in “Exhibit A.”

An investment, interest in real property or income shall be reportable, if the business entity in which the investment is held, the interest in real property, the business position, or source of income may foreseeably be affected materially by a decision made or participated in by the designated employee by virtue of his or her position. The specific disclosure responsibilities assigned to each position are set forth in “Exhibit A.”

Statements Filed with SHCS. All Statements shall be supplied by SHCS. All Statements shall be filed with SHCS. SHCS’s filing official shall make and retain copies of the originals of all Statements and submit the originals to the Humboldt County Board of Supervisors.

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**SOUTHERN HUMBOLDT CHARTER SCHOOLS, INC.**  
**CONFLICT OF INTEREST CODE****PAGE 1 OF 2****V. DISQUALIFICATION**

No designated employee shall make, participate in making, or try to use his/her official position to influence any Charter School decision which he/she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family.

**VI. MANNER OF DISQUALIFICATION****A. Non-Governing Board Member Designated Employees**

When a non-Governing Board member designated employee determines that he/she should not make a decision because of a disqualifying interest, he/she should submit a written disclosure of the disqualifying interest to his/her immediate supervisor. The supervisor shall immediately reassign the matter to another employee, the process of making the decision shall start over with the new employee and shall forward the disclosure notice to the Executive Director, who shall record the employee's disqualification. In the case of a designated employee who is head of an agency, this determination and disclosure shall be made in writing to his/her appointing authority.

**B. Governing Board Member Designated Employees**

The Charter School shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor shall the Charter School enter into any contract or transaction with any other corporation, firm, association, or other entity in which one or more of the Charter School's directors are directors and have a material financial interest).

APPROVED AND ADOPTED by the Board of Directors of on the \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Chairperson, Board of Directors  
Southern Humboldt Charter Schools, Inc.

ATTEST:

\_\_\_\_\_  
Secretary to the Board of Directors  
Southern Humboldt Charter Schools, Inc.

**APPENDIX TO  
CONFLICT OF INTEREST CODE OF  
SOUTHERN HUMBOLDT CHARTER SCHOOLS, INC.**

**Preamble**

Any person designated in Section I of this Appendix who is unsure of any right or obligation arising under this Code may request a formal opinion or letter of advice from the FPPC or an opinion from Southern Humboldt Charter Schools general counsel. (Gov. Code§ 83114; Title 2 Cal. Code of Regs. § 18730(b)(II).) A person who acts in good faith in reliance on an opinion issued to him or her by the FPPC shall not be subject to criminal or civil penalties for so acting, provided that all material facts are stated in the opinion request. (Gov. Code§ 83114(a).)

Opinions rendered by general counsel do not provide any statutory defense to an alleged violation of conflict of interest statutes or regulations. The prosecuting agency may, but is not required to, consider a requesting party's reliance on general counsel's opinion as evidence of good faith. In addition, Southern Humboldt Charter Schools may consider whether such reliance should constitute a mitigating factor to any disciplinary action that Southern Humboldt Charter Schools may bring against the requesting party under Government Code§ 91003.5.

**I.**

**Designated Employees**

<u>Designated Employees</u>	<u>Categories Disclosed</u>
Members of Board of Directors	1 through 3
Executive Director	1 through 3

**II.**

**Disclosure Categories**

Category 1. Reportable Investments

A designated employee in this category shall report all reportable investments, as defined in Government Code § 82034, in business entities located in, doing business in, planning to do business in, or having done business in the previous two (2) years in Humboldt County, which business entities operate or provide facilities, goods, supplies, equipment and/or machinery, vehicles, personnel or services of a type utilized by Southern Humboldt Charter Schools, Inc.

Category 2. Reportable Interests in Real Property



A designated employee in this category shall disclose all interests in real property, as defined in Government Code §§ 82033 and 82035, that are within two (2) miles of any facility or real property owned or used by Southern Humboldt Charter Schools, Inc.

Category 3. Reportable Income

A designated employee in this category shall disclose all income as defined in Government Code § 82030 of the designated employee from business entities or other sources located in, doing business in, planning to do business in, or having done business in the previous two (2) years in Humboldt County during the reporting period which business entities operate or provide facilities, goods, supplies, equipment and/or machinery, vehicles, personnel or services of a type utilized by Southern Humboldt Charter Schools, Inc.

**Approved:**

**Conflict of Interest Disclosure Statement**

This Conflict of Interest Disclosure Statement is intended to help the Charter School’s officers and members of the Board of Directors ensure that they are not compromising their ability to act in the Charter School’s best interest by placing themselves in a position of an actual or potential conflict of interest. Please initial following Item A or Item B, whichever is appropriate, and provide a detailed explanation if you answered Item B (attach additional sheets if necessary). Please review the Conflicts of Interest Policy when completing these items.

**Item A:** I am not aware of any relationship or interest or situation involving myself or my immediate family or any entity with which I am affiliated that might result in a conflict of interest between me and the Charter School.

Initial Here: \_\_\_\_\_

**Item B:** There may be relationships or interests or situations involving myself or my immediate family or any entity with which I am affiliated that either currently or is likely to result in a conflict of interest between me and the Charter School.

Initial Here: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Immediate family is an individual’s brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law.

**Item C:** I am a board member, a committee member, an officer or an employee of the following organization(s) which may present a real or potential conflict:

\_\_\_\_\_

\_\_\_\_\_

I have read and understand the Charter School’s conflicts of interest policy and agree to be bound by it. I will promptly inform the Board of Directors of any material change that develops in the information contained in the foregoing statement.

\_\_\_\_\_  
 Typed/Printed Name

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

## **BOARD GOVERNANCE - ACCEPTANCE OF GIFTS**

All gifts or donations must be accepted by the Board at a regularly scheduled Board meeting.

**Adopted: June 23, 2021**

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## **BOARD GOVERNANCE - PUBLIC RECORDS REQUESTS – PUBLIC RECORDS ACT COMPLIANT**

### **Public Records**

#### **Public Records Defined**

The Charter School provides the public with access to its public records in accordance with legal requirements. Public records are those writings containing information relating to the conduct of the Charter School's business that are prepared, owned, used or retained by the Charter School regardless of physical form or characteristics. Certain public records, however, are exempt from disclosure by express provision of law. These records will not be provided to the public. The Charter School may not deny disclosure of records based on the purpose for which the record is being requested.

#### **Records Exempt from Disclosure**

Some of the records that are exempt from disclosure include the following categories. This is not an exhaustive list.

- Preliminary drafts, notes or inter/intra-School memoranda that are not retained by the Charter School in the ordinary course of business;
- Records pertaining to pending litigation to which the Charter School is a party or to claims made pursuant to the Tort Claims Act.
- Personnel, medical, student records, or similar files.
- Test questions, scoring keys and other examination data used to administer an examination for employment or academic examination, unless specifically authorized by law.
- The content of real estate appraisals or engineering or feasibility estimates, and evaluations made for or by the Charter School relative to the acquisition of property, until all of the property has been acquired.
- Records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege.
- A document prepared by or for the Charter School that assesses its vulnerability to terrorist attack or other criminal acts intended to disrupt the Charter Schools operations and that is for distribution or consideration in a closed session.
- Trade secrets.
- Computer software developed by the Charter School.
- Records where, on the facts of the particular case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.

The Charter School may, in its discretion and as permitted by law, waive the applicable exemption

to the records. In this case, the disclosure constitutes a waiver for all requesters of that public record and will be open to inspection by all requesters.

## **Process for Requesting Public Records**

### **Requests for Public Records**

Any person wishing to inspect the Charter School's public records shall make the request, preferably in writing, to the:

Executive Director  
Agnes J. Johnson Charter School  
PO Box 116  
Weott, CA 95571  
707-946-2347  
[admin@ajjcharter.com](mailto:admin@ajjcharter.com)

The request must reasonably describe an identifiable public record(s) and must be specific and focused.

To the extent reasonable under the circumstances, the Charter School will assist the requester to make a focused and effective request by:

- Assisting the member of the public to identify records and information that are responsive to the request or to the purpose of the request, if stated.
- Describing the information technology and physical location in which the records exist.
- Providing suggestions for overcoming any practical basis for denying access to the records or information sought.

If the Charter School is unable to identify the requested information after making a reasonable effort to elicit additional clarifying information from the requester that will help identify the record(s), the Charter School will not provide further assistance to the requester.

### **Response to Public Records Request**

The **Executive Director** will, within 10 days of receipt of the request, provide a written response to the requester of public records. The written response shall contain the following information:

- Notice informing the requester whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the Charter School and the reasons for the determination.
- If the Charter School denies any request for records, in whole or in part, and the request was in writing, the notification of denial will set forth the names and titles or positions of each person responsible for the denial.
- The date and time when the records will be made available.
- If the request identifies information which is contained in both electronic format and hard copy, the notice may inform the requester that the information is available in either format.
- If the requester seeks copies of the records, the Charter School may identify a fee covering the direct costs of duplication.

- If the requester seeks copies in electronic format, the Charter School may charge the requester the direct cost of producing a copy of the record in that format. If, in order to comply with these requirements relating to electronic formatted records described below, the Charter School is required to produce a copy of an electronic record and the record is one that is produced only at otherwise regularly scheduled intervals or the request would require data compilation, extraction or programming to produce the record, the Charter School may charge the requester the cost to construct a record, the cost of programming and computer services necessary to produce the record.

### **Records Inspections or Copies**

**Time and Place of Inspection:** A person who has made a public records request may inspect the records after the date and time identified in the response to the request. Generally, records inspections may take place at Executive Director

Agnes J. Johnson Charter School

PO Box 116

Weott, CA 95571

707-946-2347

[admin@ajjcharter.com](mailto:admin@ajjcharter.com)

during office hours of the Charter School, which are **8AM to 4 PM**.

**Electronic Formatted Records:** If the Charter School has information that constitutes an identifiable public record not exempt from disclosure that is in an electronic format, and it has been requested in an electronic format, the Charter School will make that information available in an electronic format. The Charter School will make the information available for inspection in any electronic format in which it holds the information. If the requested format is one that the Charter School uses to create copies for its own use or for provision to other agencies, the Charter School will provide a copy of the electronic record. The Charter School will not, however, provide electronic records in the electronic form in which it is held by the Charter School if its release jeopardizes or compromises the security or integrity of the original record or of any proprietary software in which it is maintained.

If the Charter School no longer has the record in electronic format, the Charter School will not reconstruct the record in electronic format.

**Partial Disclosure:** If the requested records may only partially be disclosed because some are exempt from disclosure, the reasonably segregable portion of the record(s) will be made available for inspection.

**Adopted: June 23, 2021**

## BOARD GOVERNANCE - INTERNAL COMPLAINT PROCEDURES

It is the policy of the Charter School to maintain a positive and productive working and educational environment where The Charter School is compliant with all applicable federal and state laws and regulations. There are some circumstances, however, when employees may take issue with other employees or supervisors, or employees or students believe that a violation of federal or state law is occurring in certain educational programs. Employees that have complaints against other employees or supervisors that do not involve complaints of discrimination or harassment or violations of law, are encouraged to first address the issue with the person directly using conflict resolution skills without the intervention of a supervisor or other Charter School administrator. If, however, the employee does not feel comfortable with this approach or the complaint is made by a student and/or involves harassment, discrimination or other violation of state or federal, the employee or student must use the below identified complaint procedure.

### **Internal Procedures:**

School Level Investigation: Each Executive Director, Director or Administrator has the responsibility to maintain a workplace and educational environment free from any form of sexual or other unlawful harassment, discrimination or conduct. Consequently, should Executive Director, Director or Administrator become aware of any conduct that may constitute sexual harassment or other prohibited behavior, immediate action will be taken to address and remediate such conduct.

Any employee or student who has experienced or is aware of a situation that is believed to be sexually and/or otherwise unlawfully harassing or otherwise unlawful has a responsibility to report the situation immediately to the Executive Director. If the employee or student is not comfortable contacting the Executive Director or if that individual is not available, the employee or student should contact the Chairperson of the Board. A Harassment/Retaliation/Unlawful Conduct Complaint Form may be obtained from the Executive Director.

The Executive Director will conduct a prompt investigation and take appropriate corrective action where warranted. Complaints will be handled as discreetly as possible, consistent with the need to investigate effectively and promptly resolve the matter. Complaints relating to discrimination, other than employment discrimination, must be filed within six months of the alleged discrimination or when the complainant first obtained knowledge of the alleged discrimination, unless an extension has been obtained from the Chairperson of the Board of Directors. Such extension by the Chairperson or his/her designee shall be made in writing. The period for filing may be extended by the Chairperson or his/her designee for good cause for a period not to exceed 90 days following the expiration of the six month time period. The Executive Director shall respond immediately upon a receipt for extension.

### Board of Directors Level Investigation:

**Claims of discrimination or failure to comply with applicable state and federal laws and regulations:** If the employee is not satisfied with the outcome of a school level investigation of a discrimination claim or allegations of failure to comply with applicable state and federal laws and regulations, the employee, in writing, should bring the matter to the attention of the Executive Director of Agnes J. Johnson Charter School located at 73 School Rd., Weott, CA 95571 or calling 707-946-2347.

If the parties mutually agree, the complainant and the Board of Directors may resolve the matter through mediation or informally before a written complaint is filed. If mediation fails to resolve the matter, or the parties do not agree to mediate the matter, the formal complaint procedure identified below shall be followed.

If the complaint alleges wrongdoing involving discrimination, other than employment discrimination, or claims of failure to comply with applicable state or federal laws or regulations, within 60 days of receipt of the complaint, the Executive Director will complete an investigation where the complainant, his/her representative or both, and representatives of the Charter School, have the opportunity to present the complaint and evidence or information leading to evidence to support the allegations of non-compliance with state or federal laws and/or regulations. The 60 day timeframe may be extended by the written consent of the complainant.

Refusal by the complainant to provide the investigator 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, and result in the dismissal of the complaint because of lack of evidence to support the allegations.

The Executive Director shall prepare a written decision, which decision shall contain the following: 1) findings of fact based on the evidence gathered; 2) conclusions of law; 3) disposition of the complaint; 4) the disposition of the complaint; 5) the corrective actions, if any are warranted; 6) notice of the complainant's right to appeal the Charter School's decision to the California Department of Education; and 7) the procedures to be followed for initiating an appeal to the Department of Education. Within 60 days of receipt of the complaint, the Executive Director will send a copy of the written decision to the complainant.

Complaints will be handled as discreetly as possible, consistent with the need to investigate effectively and promptly resolve the matter. The Executive Director will be knowledgeable of the laws/programs that he/she is assigned to investigate. If the complaint alleges employment discrimination, the Board of Directors will send it to the Department of Fair Employment and Housing (the "DFEH") for investigation as required by law.

Any employee found to have participated in improper harassment will be subject to disciplinary action, up to and including possible dismissal.

**External Procedures: Filing a Complaint with the DFEH.**

Employees or job applicants who believe that they have experienced unlawful employment discrimination may file a complaint directly with the DFEH. The DFEH serves as a neutral fact-finder and attempts to help the parties voluntarily resolve disputes. If the DFEH finds sufficient evidence to establish discrimination occurred and settlement efforts fail, the DFEH may file a formal accusation. The accusation will lead to either a public hearing before the Fair Employment and Housing Commission (the "Commission") or a lawsuit filed by the DFEH on behalf of the complaining party.

If the Commission finds that discrimination has occurred, it can order remedies including fines or damages for emotional distress from each employer or person found to have violated the law; hiring or reinstatement; back pay or promotion; changes in the policies or practices of the involved employer.

Employees can also pursue the matter through a private lawsuit in civil court after a complaint has



been filed with the DFEH and a Right to Sue Notice has been issued. For more information, contact the DFEH and Commission toll free at (800) 884-1684, in the Sacramento area and out of state at (916) 227-0551 or visit its website at [www.dfeh.ca.gov](http://www.dfeh.ca.gov). To contact the nearest field office of the Equal Employment Opportunity Commission (“EEOC”), call 1-800-669-4000. You should be aware that state and federal law provide time limits within which complaints must be filed. Contact the relevant agency to determine the applicable time limit.

### **Retaliation Policy**

It is in violation of the Charter School’s policy for the Charter School or any employee to demote, suspend, reduce, fail to hire or consider for hire, fail to give equal consideration in making employment decisions, fail to treat impartially in the context of any recommendations for subsequent employment that the Charter School may make, adversely affect working conditions or otherwise deny any employment benefit to an individual because that individual has opposed practices prohibited by law or has filed a complaint, testified, assisted or participated in any manner in an investigation, proceeding or hearing conducted by the Commission or DFEH or their staff. Any employee retaliating against another employee, applicant or student will be disciplined, up to and including termination.

Examples of protected activities under the Charter School’s retaliation policy include seeking advice from the DFEH or Commission; filing a complaint with the DFEH or Commission, irrespective of whether the complaint is actually sustained; opposing employment practices the employee reasonably believes to exist and believes to be a violation of the law; participating in an activity that is perceived by the Charter School as opposition to discrimination, whether or not so intended by the employee expressing the opposition; participating in the proceeding of a local human rights or civil rights agency on a legal basis.

Nothing in this policy shall be construed to prevent the Charter School from enforcing reasonable disciplinary policies and practices, nor from demonstrating that the actions of an applicant or employee were either disruptive or otherwise detrimental to legitimate business interests so as to justify the denial of an employment benefit.

**Adopted: June 23, 2021**

## FISCAL - BUDGET

### **Budgets and Financial Reporting**

AJCS shall provide reports to the County Superintendent of Schools as follows in accordance with Education Code Section 47604.33, and shall provide additional fiscal reports as requested by the County:

1. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code Section 47605(g) will satisfy this requirement.
2. By July 1, a local control and accountability plan and an annual update to the local control and accountability plan required pursuant to Education Code Section 47606.5.
3. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the State Controller, California Department of Education, and County Superintendent of Schools.
4. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
5. By September 15, a final unaudited report for the full prior year. The report submitted to the County shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.

AJCS shall provide reporting to the County as required by law and as requested by the County including, but not limited to, the following: California Basic Educational Data System ("CBEDS"), actual Average Daily Attendance reports, all financial reports required by Education Code Sections 47604.33 and 47605(m), the School Accountability Report Card ("SARC"), and the LCAP.

### **Budget Development, Oversight Calendar and Responsibilities**

The Charter School will develop and monitor its budget in accord with the annual budget development and monitoring calendar as specified below.

January – February

- The Board will work with the Executive Director and the back office service provider to review the Governor's proposed state budget for the upcoming fiscal year and identify the likely range of revenues for the Charter School's upcoming fiscal year (July 1-June 30).
-

- Develop rough planning budget for upcoming fiscal year, including projected enrollment and any proposed staffing changes.
- The Executive Director and the back office service provider develops five-year budget projection in accord with the Charter School's established strategic and growth plans.
- Ongoing monitoring and revision of current year budget.

#### March – April

- The Executive Director and the back office service provider working in conjunction with staff and Board members, prepares a formal budget plan for upcoming fiscal year. The plan is reviewed by the Board.
- Ongoing monitoring and revision of current year budget.

#### May – June

- The Executive Director and back office service provider reviews revenue projections subsequent to the Governor's annual "May Revise" budget figures, fine-tunes the upcoming fiscal year budget to accommodate any changes. This budget will include monthly cash flow projections. The Finance Committee reviews and finalizes the proposed budget for the upcoming fiscal year and forwards to the Board.
- The Board reviews and formally adopts a budget for upcoming fiscal year before June 30. A copy of the final budget is provided to the chartering authority.
- Ongoing monitoring and revision of current year budget.

#### July – August

- Books for prior fiscal year are closed, all transactions are posted, and records assembled for audit.
- Budget is reviewed subsequent to the adoption of the state Budget Act and necessary adjustments are made. A copy of the revised final budget is provided to the chartering authority.
- Independent auditor performs audit of the just-closed fiscal year and prepares audit report for submission to the Board.

#### September – December

- At the end of the first full week of school, the Executive Director will review the Charter School's actual attendance figures and notifies the Board and the back office service provider if actual attendance is below budget projections. If needed, the Charter School's budget is again revised to match likely revenues.

- The Board reviews a copy of the audit. The Executive Director address any audit exceptions or adverse findings. Audit report and any follow-up plans are submitted to the Chartering authority.
- The Board reviews the monthly financial statements of budget and actual versus budgeted revenues and expenditures. The Board approves any revisions to the annual budget.
- Ongoing monitoring and revision of current year budget.

### **Annual Independent Financial Audit**

An annual independent financial audit of the books and records of the Charter School will be conducted as required by Education Code Sections 47605(b)(5)(I) and 47605(m). The books and records of the Charter School will be kept in accordance with generally accepted accounting principles, and as required by applicable law, the audit will employ generally accepted accounting procedures. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller's K-12 Audit Guide.

The AJJCS Board will select an independent auditor through a request for proposal format. The auditor will have, at a minimum, a CPA and educational institution audit experience and will be approved by the State Controller on its published list as an educational audit provider. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

The annual audit will be completed and forwarded to the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Executive Director, along with the audit committee, if any, will review any audit exceptions or deficiencies and report to the SHCS Board of Directors with recommendations on how to resolve them. The Board will submit a report to the HCBOE describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the HCBOE along with an anticipated timeline for the same. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel ("EAAP") in accordance with applicable law.

The independent financial audit of the Charter School is a public record to be provided to the public upon request.

### **Controls, Budget, and Fiscal Management**

The Charter School will maintain in effect the following principles in its ongoing fiscal management practices to ensure that, (1) expenditures are authorized by and in accord with amounts specified in the board-adopted budget, (2) the Charter School's funds are managed and held in a manner that provides a high degree of protection of the Charter School's assets, and (3) all transactions are recorded and documented in an appropriate manner.

## **Segregation of Duties**

The Charter School will develop and maintain simple check request and purchase order forms to document the authorization of all non-payroll expenditures. All proposed expenditures must be approved by the Executive Director who will review the proposed expenditure to determine whether it is consistent with the Board-adopted budget and sign the pre-check run.

All transactions will be posted in an electronic general ledger. The transactions will be posted on the ledger by the back office service provider.

All non-payroll, non-budgeted purchase orders and check requests in excess of \$2,500 shall require two signatures for authorization. Two of three of the Executive Director, the Board President and the Board Treasurer shall be authorized co-signers.

All non-budgeted purchase orders of \$2,500 or more require Board of Directors approval. If approved, two of three of the Executive Director, the Board President and the Board Treasurer shall be authorized to sign the check request form.

The Executive Director is authorized to grant prior approval for any purchase orders for less than \$2,500 after verifying that the proposed expenditure is consistent with the board adopted budget. Either the Executive Director, the Board President or the Board Treasurer shall sign the check request form.

SHCS will contract with a third-party provider to provide accounting and budget services.

## **Budget Line Transfers**

The Executive Director may transfer up to \$10,000 from one unrestricted budget item to another without Board approval, but shall notify the Board of the transfer at the next regularly scheduled meeting.

## **Banking Arrangements**

The Charter School will maintain its accounts either in the County Treasury or at a federally insured commercial bank or credit union. Funds will be deposited in non-speculative accounts including federally insured savings or checking accounts or invested in non-speculative federally backed instruments or in the County's Pooled Money Investment Fund. If funds are held in accounts outside of the County Treasury, the Board must appoint and approve all individuals authorized to sign checks or warrants in accord with these policies. Checks may be signed by the Executive Director.

The Charter School's Director of Finance will reconcile the Charter School's ledger(s) with its bank accounts or accounts in the county treasury on a monthly basis and prepare (1) a balance sheet, (2) a comparison of budgeted to actual revenues and expenditures to date, and (3) a cash flow statement. The Executive Director and the Board will regularly review these statements. The Charter School will deposit all funds received as soon as practical upon receipt. A petty cash fund, not to exceed \$100, may be established with an appropriate ledger to be reconciled twice monthly by the school site secretary, who shall not be authorized to expend petty cash.

All funds received shall be deposited or transferred into the Charter School's accounts at the earliest possible convenience and in no event later than 48 hours after receipt.

### **Purchasing Procedures**

All purchases over \$250 must include documentation of a good faith effort to secure the lowest possible cost for comparable goods or services. The Executive Director shall not approve purchase orders or check requests lacking such documentation. Documentation shall be attached to all check and purchase order requests showing that at least three vendors were contacted, and such documentation shall be maintained for three years.

### **Record Keeping**

The Charter School maintains a policy of retaining all accounting records for a minimum of 7 years. Accounting documents include:

- Cancelled checks (where applicable) and supporting documentation for all check requests
- Deposits
- Bank reconciliations and supporting documentation
- Journal entries
- Payroll registers and pay records, including quarterly and annual tax filings
- Capital additions schedules and supporting documentation
- Depreciation schedules
- Grants and other pertinent financial correspondence from third parties
- Year-end work papers and audit correspondence
- IRS correspondence

### **Property Inventory**

The Executive Director shall establish and maintain an annual inventory of all non-consumable goods and equipment worth over \$500. This inventory shall include the original purchase price and date, a brief description, serial numbers, and other information appropriate for documenting the Charter School's assets. This property will be inventoried on an annual basis and lists of any missing property shall be presented to the Board.

All non-consumable Charter School property lent to students shall be returned to the Charter School no later than 5 working days after end of the school year.

Any excess or surplus property owned by the Charter School may be sold or auctioned by the Executive Director provided the Executive Director engages in due diligence to maximize the value of the sale or auction to the Charter School. The sale or auction of property owned by the Charter School with a fair market value in excess of \$15,000 shall be approved in advance by the Board.

### **Payroll Services**

The Charter School will contract with PayCom or a reputable, bonded, and insured payroll contractor to prepare payroll checks, tax and retirement withholdings, tax statements, and to perform other payroll support functions. The Executive Director will establish and oversee a

system to prepare time and attendance reports and submit payroll check requests. The Executive Director and Board will review payroll statements annually to ensure that (1) the salaries are consistent with staff contracts and personnel policies and (2) the proper tax, retirement, disability, and other withholdings have been deducted and forwarded to the appropriate authority. All staff expense reimbursements will be on checks separate from payroll checks.

The Executive Director will establish and oversee a system to prepare employee time and attendance reports and submit payroll check requests. All staff expense reimbursements will be on checks separate from payroll checks. Upon hiring of staff, a personnel file will be established with all appropriate payroll-related documentation including a federal I-9 form, tax withholding forms, retirement data and use of sick leave. SHCS may contract with a third-party provider to prepare payroll checks, tax and retirement withholdings, tax statements and to perform other payroll support functions.

### **Attendance Accounting**

The Executive Director will establish and maintain an appropriate attendance accounting system to record the number of days students are actually in attendance at the Charter School and engaged in the activities required of them by the Charter School. The annual audit will review actual attendance accounting records and practices to ensure compliance. The attendance accounting practices will be in conformance with Charter School Act and the applicable California Administrative Code defining the Charter School's Average Daily Attendance. Therefore:

- ADA will be computed by dividing the actual number of days of student attendance by the number of calendar days of instruction by the Charter School.
- The School's instructional calendar will include at least 175 days of instruction to avoid the fiscal penalty for providing fewer than 175 days of instruction as provided by the Administrative Code regulation. The calendar must also document that the Charter School offers the number of annual minutes of instruction as required pursuant to applicable law.
- Independent study must be pre-arranged by the student's adult guardian and the Charter School, and that the adult guardian will be required to complete and submit documentation of engagement in instructional activity to the Charter School on forms prepared by the Charter School. As applicable, such study shall be in full compliance with law governing independent study.

chartering authority

### **Negotiating Funding Entitlements**

The Executive Director shall prepare a set of negotiating principles for Board approval prior to engaging in negotiations over funding entitlements with the chartering authority and state. The Executive Director will take lead responsibility for negotiating all revenue arrangements with the chartering authority and appropriate state education agency staff. These arrangements will be documented in appropriate and detailed Memorandum of Understanding for approval by the Board.

## **Required Budget and Other Fiscal Reports**

The Executive Director will produce and submit to the Chartering authority any and all required fiscal reports as may be required by state or federal law or mandated by the terms of the school's charter. These include, but are not limited to, attendance reports, enrollment and other data reports required by the California Basic Education Data System, and other related data.

## **Property and Liability Insurance**

AJCS shall acquire and finance general liability, workers' compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance. Coverage amounts will be based on recommendations provided by the County and the Charter School's insurer. HCOE and HCBOE shall be named as an additional insured on all policies of the Charter School. AJCS shall provide HCOE with certificates of insurance annually on July 1st of each year or as needed upon request by HCOE.

## **Board Compensation**

Board members shall serve without compensation but may be reimbursed for actual and necessary expenses. Travel expenses reimbursed shall not exceed levels that would be subject to federal or state income tax. All expenses reimbursed shall be documented by receipts and in no event may reimbursements exceed actual expenses.

## **Authority to Enter Into Contracts and Agreements**

All professional consulting services shall operate under a contract agreement. Contracts for goods and services exceeding \$40,000 on an annual basis shall be presented to the Board for approval prior to signing. The term of the contract shall be the discretion of the Board. Agreements entered into by the Charter School which obligate the Charter School to more than \$20,000 must be approved by the Board President or Treasurer. All facility projects must be undertaken through a contract agreement.

## **Fundraising, Grant Solicitation, and Donation Recognition**

All fundraising or grant solicitation activities on behalf of the Charter School must be approved in advance by the Executive Director. The Board shall be informed of any conditions, restrictions, or compliance requirements associated with the receipt of such funds, including grants or categorical programs sponsored by the state or federal government. The Board shall be notified no later than the next regular board meeting of the award or receipt of any funds and shall approve the receipt of any grants, donations, or receipts of fundraising proceeds prior to their deposit in the Charter School's accounts.

Additional information may be found in the Fiscal Policies and Procedures Manual.

**Adopted: April 21, 2022**



## **CURRICULUM - CURRICULUM DEVELOPMENT AND MODIFICATION**

Development and implementation of curriculum shall be a top priority of the Board and an on-going process which is part of the routine operation of the Board. The Board shall provide a comprehensive instructional program to serve the educational needs of the Charter School's students. The Board accepts responsibility for establishing what students should learn. Therefore, the Board shall adopt a curriculum which reflects the goals and objectives of the community to the greatest extent possible and which is compliant with State-adopted curriculum standards and the requirements of the law.

The Executive Director of the Charter School or his/her designee shall have the general coordinating authority over the design and development of the curriculum. The Executive Director of the Charter School or his/her designee shall develop a process for curriculum review and development, which shall include the participation of teachers, administrators, students, parents/guardians and members of the community.

The Executive Director of the Charter School or his/her designee shall keep the Board informed regarding current curriculum efforts and student achievement. The Executive Director of the Charter School or his/her designee shall provide all necessary assistance to the Board in reviewing reports, information and data on each curriculum area for evaluation and adoption by the Board. Prior to adoption of curriculum, the Board shall discuss its findings with teachers, administrators, students, parents/guardians and members of the community.

Curriculum improvement is to be based upon:

1. Research that is educationally sound;
2. Change in legislation;
3. Needs of students, teachers, and parents.

The following are to be considered when making any changes in program or curriculum:

1. Costs within budget approved by the Board;
2. Available facilities, material and personnel.

The Executive Director of the Charter School or his/her designee shall have the responsibility for implementing an instructional program which is articulated at all levels.

The Board shall adopt all curriculum; elimination of curriculum must also be approved by the Board.

The Executive Director of the Charter School or his/her designee shall form a joint study committee of teachers, administrators, students, parents/guardians and members of the community.

The committee is to develop an information sheet describing the curriculum/program change.

Committee shall give its findings and recommendations to the Board. The Board shall either approve or reject the Committee's findings and recommendations. Any rejections must be in writing with the reasons for rejecting the Committee's findings and recommendations.

**Adopted: June 23, 2021**

## CURRICULUM - ASSESSMENTS AND EXAMINATIONS

The purpose of examinations is to help students, parents/guardians and teachers identify each student's educational performance, growth and areas needing improvement in order to enhance teaching and learning. Examinations of student progress are based on numerous measures of student performance that provide a thorough evaluation and therefore, an extensive scope of the student's learning.

### **Examinations Required by the State and Federal Governments**

The Charter School students shall participate in all state and federal required examinations. Such examinations provide the Charter School with information for evaluation and future planning. State and federal examinations also indicate the Charter School's effectiveness in carrying out its educational mission.

Whenever examinations required by law are administered, the Executive Director of the Charter School or his/her designee shall provide parents/guardians written notice of the date of the examination, the uses and importance of the examination, and the student's test results.

All examinations required by the state or federal law will be administered according to law on the dates required by law.

Special Education students shall participate in state and federal examinations according to their Individualized Education Program.

Parents/guardians may obtain for their student an exemption from the state and federal examinations only by written request sent to the Executive Director of the Charter School or his/her designee.

### **Academic and Citizenship Grading**

Student progress evaluation provides information on student learning and where the student needs improvement. Parents/guardians are integral to student educational accomplishments. Therefore, parent/teacher conferences will be conducted quarterly. Parents/guardians will receive report cards indicating their student's educational and citizenship progress. Parents/guardians will be notified of deficiencies in their student's educational program.

At parent/teacher conferences, parents/guardians will be informed as to the goals and objectives of the class, grading procedures for academic and citizenship grades, classroom practices and procedures, and parent/guardian responsibilities.

Teachers are responsible for setting objective standards for grading academics and citizenship and shall make these standards known to the parents/guardians. Teachers are responsible for assigning grades to the students in their classes. In the absence of fraud, mistake, bad faith or incompetency, the grade shall be final. A grade change may not be made as the result of coercion by any person(s).

If a student or parent/guardian believes a grade is unfair or inappropriate, the student or parent/guardian may appeal to the teacher of the class. If the issue cannot be resolved with the teacher, the student or parent/guardian may request a meeting with the Executive Director. Any meeting with the Executive Director and student or parent/guardian shall include the teacher who assigned the grade in dispute.

If the matter is still unresolved, the student or parent/guardian shall appeal in writing to the Board. The appeal shall allege specifically how the teacher's grading system reflects fraud, mistake, bad faith or incompetency.

Students' grades will not be changed by the Board or the Executive Director without the input of the teacher who assigned the grade.

The decision of the Board shall be final and binding.

Only in cases of illness or lack of transfer grades for new students will a definite grade not be assigned. In such cases, the student shall receive an "incomplete" unless the work required to complete the class is not completed within a specified reasonable period of time given by the teacher, in which case the student shall receive a "failure."

Citizenship grades shall not be reflected in academic progress reports or grades.

**Adopted: June 23, 2021**

## CURRICULUM - CURRICULUM ASSESSMENT

The Board recognizes that it is accountable to the students, parents/guardians and community for conducting ongoing evaluation of the curriculum and educational program of the Charter School. Appropriate means for continuing evaluation of the entire educational program shall be established.

The Executive Director of the Charter School or his/her designee shall review the effectiveness of the curriculum in meeting the Charter School's educational program needs. He/she shall provide the Board and with regular reports on student progress in reaching the Charter School's educational goals, including professional development of staff. Based on these evaluations, the Board shall take appropriate actions to maintain the effectiveness of programs and to improve the quality of education delivered by the Charter School.

Elements of the evaluation may include the following:

1. Test, surveys, inventories, checklist, etc. of student behavior;
2. Observing pupil behavior that can be assessed subjectively by teachers, peers or the student himself/herself;
3. Planning and carrying out experiences for students that are designed to bring about the desired outcomes;
4. Tests, measurements and observations during or after the learning experience;
5. Comparing outcomes with objectives;
6. Comparing the Charter School curriculum with the standards formulated by the State Department of Education and other federal law and regulations;
7. Assessment including the CAASPP, ELPAC, or other required assessments;
8. Student writing samples and end-of-course grades.

Each year the Executive Director of the Charter School or his/her designee shall evaluate and provide the Board with the results of the evaluation so that the Board will be able determine the extent to which the Charter School has accomplished or made significant progress toward achieving its professional development and educational goals.

**Adopted: June 23, 2021**

## CURRICULUM – ENGLISH LEARNER RECLASSIFICATION

### OVERVIEW

The Agnes J. Johnson Charter School’s Board of Directors has reviewed and adopted the following English Learner Reclassification Policy to support the mission of the organization to ensure the most effective use of resources and to ensure EL students are provided appropriate support.

Reclassification is the process whereby a student is reclassified from English learner (EL) status to fluent English proficient (RFEP) status. Local educational agencies (LEAs) determine when the student has met the four criteria listed in *Education Code (EC) Section 313 (f)*. To complete the reclassification process, each criterion must be considered for every eligible student ([Following the Reclassification Rainbow](#)(PPTX)).

Reclassification can take place at any time during the academic year. In order to be included in the 2020–21 RFEP Count, reclassification prior to June 30, 2021, is recommended. In 2020–21 the official RFEP count transitioned from a count of students who were reclassified from Census Day to Census Day, to a count of students reclassified during the school year, from July 1 to June 30. This will align the RFEP count with the timeframe used for the English Learner Progress Indicator (ELPI) on the California School Dashboard. More information is also available on the [California Longitudinal Pupil Achievement Data System \(CALPADS\) Update Flash #189](#).

RFEP counts are determined as follows:

- **2020–21 RFEP Count:** Students with RFEP start dates from July 1, 2020, through June 30, 2021 (as certified on a report available in the spring of 2021)
- **2021–22 RFEP Count:** Students with RFEP start dates from October 2, 2020, through October 7, 2021 (as certified on the 2021–22 Fall 1 Submission)

### Reclassification Criteria


The reclassification criteria set forth in California *EC* Section 313 and Title 5 *California Code of Regulations (5 CCR)* Section 11303 remain unchanged. LEAs should continue using the following four criteria to establish reclassification policies and procedures:

### **Criterion 1: Assessment of English Language Proficiency**

Assessment of language proficiency using an objective assessment instrument, including, but not limited to, the English language development test that is developed pursuant to [EC Section 60810](#):


- The English Language Proficiency Assessments for California (ELPAC) constitute the required state assessments for English language proficiency (ELP) administered to students whose primary language is a language other than English.
  - The ELPAC Overall Performance Level (PL) 4 was approved by the State Board of Education as the statewide standardized ELP criterion (1). LEAs shall use ELPAC Overall PL 4 to determine whether a student has met that criterion.
  - In practice, this means that all students with an ELPAC Overall PL 4 are eligible to be considered for reclassification in conjunction with other locally determined criteria.
  - Some EL students with unique needs, or dually-identified students, may need specific considerations for this criterion as described in the student’s individualized learning plan (IEP); see the "Establishing Criteria" tab.

## **Resources to Support Criterion 1**





- The [CDE ELPAC Web Page](#)  
The ELPAC web page provides information and links regarding the ELPAC and additional resources.
- [2020–21 ELPAC Information Guide](#)(PDF)  
The ELPAC 2020–21 Information Guide is designed to provide local educational agencies (LEAs) with information about ELPAC implementation and includes reclassification guidance.
- [2020–21 Spring Summative Assessment Administration Flexibility Guidelines](#)(DOCX)  
California will continue to provide Summative ELPAC and CAASPP statewide assessments through the extended statewide testing window of July 30, 2021.
- [ELPAC Test Administration Coordination Website](#)  
The ELPAC website, maintained by Educational Testing Services, serves as the portal for resources that an LEA will need to administer the ELPAC.
- [California Practitioners' Guide for Educating English Learners with Disabilities](#)(PDF)  
The California Practitioners' Guide for Educating English Learners with Disabilities is a guide to identifying, assessing, supporting, and reclassifying English learners with unique needs.

## **Criterion 2: Teacher Evaluations**

Teacher evaluations, including, but not limited to, a review of the pupil's curriculum mastery:

- This criterion remains locally determined and LEAs should continue using teacher evaluations per local policy to establish reclassification policies and procedures for Criterion 2.
- The CDE is in the process of developing a standardized resource for this criterion. The [Observation Protocol for Teachers of English Learners \(OPTTEL\)](#) is an observation protocol currently under development to meet the conditions of [EC Section 313.3](#), per California Assembly Bill 1808 requirements.

## **Resources to Support Criterion 2**

- [Addressing Unfinished Learning After COVID-19 School Closures](#) (PDF) (Council of the Great City Schools, 2020)  
This resource presents an instructional framework for addressing unfinished learning and learning loss.
- [RESTART & RECOVERY: Assessment Considerations for Fall 2020](#) (PDF) (Marion et al., 2020)  
This paper discusses assessment considerations for fall 2020, focusing on specific use-cases associated with key education stakeholders.
- [Discerning—and Fostering—What English Learners Can Do with Language](#) (PDF) (Molle, Linquanti, MacDonald & Cook, 2016)  
This guidance covers gathering and interpreting complementary evidence of classroom language uses for reclassification decisions.
- [Webinar Series: Supporting Multilingual and English Learner Students During Distance Learning](#) (Region 15 Comprehensive Center, the California Teachers Association, and the California Department of Education, 2020)  
This WestEd web page provides guidance on how LEAs can use California's approved assessments to evaluate where students are academically at the start of and throughout the school year.

- [Guidance on Diagnostic and Formative Assessments](#)

This CDE web page provides guidance on how LEAs can use California's approved assessments to evaluate where students are academically at the start of and throughout the school year.

### **Criterion 3: Parent Consultation**

Parental opinion and consultation:

- This criterion remains locally determined for the 2020–21 school year and LEAs should continue using parental opinion and consultation per local policy to establish reclassification policies and procedures for Criterion 3.
- The CDE is in the process of developing a standardized resource for use when addressing this criterion. The [OPTEL](#) is an observation protocol currently under development to meet the conditions of California *EC* Section 313.3, per California AB 1808 requirements.

### **Resources to Support Criterion 3**

The following resources may be helpful for LEAs looking for tools to support parent consultations during the COVID-19 pandemic.

- [English Learner Toolkit, Chapter 10: Ensuring Meaningful Communication with Limited English Proficient Parents](#) (PDF) (U.S. Department of Education, Office of English Language Acquisition, 2017)  
This toolkit helps state and local educational agencies meet their obligations to English learners.
- [English Learner Toolkit, Chapter 5: Tools and Resources for Creating an Inclusive Environment for and Avoiding the Unnecessary Segregation of English Learners](#) (PDF) (U.S. Department of Education, Office of English Language Acquisition, 2016)  
This fifth chapter of the English Learner Tool Kit is intended to help state and local education agencies (SEAs and LEAs) meet their obligations to English Learners.
- [Webinar Series: Supporting Multilingual and English Learner Students During Distance Learning](#) (Region 15 Comprehensive Center, the California Teachers Association, and the California Department of Education, 2020)  
This webinar series addresses the ways educators can support multilingual and English Learner students in distance learning.  
[Distance Learning Parent Newsletter](#) (California Department of Education)  
The monthly Distance Learning Parent Newsletter provides information for parents regarding the education of their children and resources for parents. The newsletter is translated into the top five languages in the state.

### **Criterion 4: Basic Skills Relative to English Proficient Students**

Comparison of the performance of the pupil in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient pupils of the same age, which demonstrates whether the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English:

- LEAs establish the empirical range of performance in basic skills when setting the locally established criteria for reclassification and consider the overall achievement goals set for all students. In doing so, the following definitions of related terms may be helpful:



- **Performance in basic skills:** The score and/or performance level resulting from a recent administration of an objective assessment of basic skills in English (e.g., Smarter Balanced assessments, district benchmarks).
- **Range of performance in basic skills:** A range of scores on the assessment of basic skills in English that corresponds to a performance level or a range of scores within a performance level.
- **Students of the same age:** English-proficient students who are enrolled in the same grade as the student who is being considered for reclassification.

#### **Resources to Support Criterion 4**

The following resources may be helpful for LEAs looking for tools to support the basic skills criterion during the COVID-19 pandemic.

#### [Smarter Balanced Website](#)

The Smarter Balanced assessment system is designed to support instruction and give teachers better information about their students' progress.

#### [California Assessment of Student Performance and Progress \(CAASPP\)](#)

Students in grades three through eight and grade eleven will receive full-length summative tests for both English language arts/literacy and mathematics, with approximately seven to eight hours of total testing time for each student.

#### [2020–21 Spring Summative Assessment Administration Flexibility Guidelines](#)(DOCX)

California will continue to provide Summative ELPAC and CAASPP statewide assessments through the extended statewide testing window of July 30, 2021.

#### [State Board of Education Approved Content Standards](#)

Content standards were designed to encourage the highest achievement of every student, by defining the knowledge, concepts, and skills that all students should acquire at each grade level.

#### **Following the Reclassification Rainbow**

The reclassification rainbow reminds us to always consider all of the criteria when making reclassification decisions.

The following process is suggested for LEAs to conjunctively consider student results for all of the four reclassification criteria discussed above for every eligible student under consideration. At a minimum, decision-makers should progress through all three of the following steps for all English learners who score at an ELPAC Overall PL 4.

1. Review student performance on **Criterion 1: Assessment of ELP**. A student's ELPAC score is the primary indicator of whether a student is ready for reclassification.
  1. **Students who score at ELPAC Overall PL 4** should be identified and considered for reclassification.
  2. **Students who score at ELPAC Overall PL 3 or lower** should not be identified or considered for reclassification. However, LEAs are encouraged to convene stakeholders for a larger conversation to inform planning, placement, and personal goals for the short term and the next school year. These convenings should

- include parents whenever possible and focus on strengths, growth areas, and opportunities for the student.
2. Review student performance on **Criterion 2: Teacher Evaluation** and **Criterion 4: Comparison of Performance in Basic Skills**.
    1. **For students who score at ELPAC Overall PL 4**, LEAs should establish a local policy and process to collect feedback on an eligible student's mastery of the curriculum provided by that student's teachers.
  3. Connect with EL families to address **Criterion 3: Parent Opinion and Consultation**, discuss student performance status on all of the criteria (**Criteria 1–4**), as well as address parental questions, goals, and concerns for the next school year. An interpreter should be provided for the parent when necessary.
    1. **For students who score at ELPAC Overall PL 4**, LEAs are encouraged to convene relevant stakeholders including the student's current teachers, teachers from the previous school year, and relevant academic coordinators to discuss the eligible student's performance and set goals for the next school year. These consultations should lead to a reclassification discussion, include parents of the eligible student, and yield collaboratively developed plans for any support to be provided to the student during the four-year RFEP monitoring period, when appropriate.
    2. Please note, deficits in motivation and academic success unrelated to ELP may indicate academic deficits incurred while learning English, but do not preclude a student from reclassification as long as the student is provided ongoing academic support and any other necessary support during the four-year RFEP monitoring period designed to recuperate and remedy any such deficits.
      1. If other reclassification criteria suggest that a student who scored at ELPAC Overall PL 4 has learning deficits in other areas (or in certain linguistic subdomains within the ELPAC), decision-makers are encouraged to discuss these results with adults who know the student (e.g., classroom teachers, parents, instructional specialists or coaches), to identify needed services (ELP or something else) so as not to preclude a student from reclassification, if merited.

### **Reclassified Fluent English Proficient (RFEP) Monitoring**

State and federal laws require LEAs to monitor students who have exited EL status for a period of four years after they have been reclassified to fluent English proficient status (20 *U.S.C.* Section 6841(a)(4)(5); 5 *CCR* Section 11304). In December 2019, the CDE released guidance regarding RFEP monitoring in a [Letter to Local Educational Agencies Regarding the Monitoring of Reclassified Students](#).

After students have exited an EL program, LEAs must monitor the academic progress of former EL students for at least four years to ensure that:

- The students have not been prematurely exited;
- Any academic deficit they incurred as a result of learning English has been remedied; and
- The students are meaningfully participating in the standard instructional program comparable to their English-only peers.

In preparation for and during the four-year RFEP monitoring period, LEAs can continue to use the results of **Criteria 2–4** to inform areas of focus for reclassified students. To this end, LEAs should establish rigorous monitoring systems that include benchmarks for expected growth in acquiring

academic content knowledge during the academic year and take appropriate steps to assist students who are not adequately progressing toward those goals. During this monitoring time, LEAs must ensure that RFEP students have met the same academic achievement goals set for all students.

If RFEP students do not yet meet the same academic achievement goals set for all students, intervention and support is to be provided. These services are not dependent on specialized funds. When an LEA's monitoring of an exited EL student indicates that academic deficits were incurred while the student learned English, the LEA should take affirmative steps to provide remedy of those deficits. For example, reclassified students who score below the adjusted range of performance on Criterion 4 during the four-year monitoring period should receive focused support to ensure that they reach and maintain parity with native-English peers.

### **EL Students with IEPs**

The decision to reclassify an English Learner with an IEP will be determined by the IEP Team.

**Adopted: August 25, 2021**

## CURRICULUM - GRADUATION REQUIREMENTS

### *AJCS Diploma Graduation and College Prep Requirements*

SUBJECT CATEGORY	High School Graduation Requirements 210 credits	College Prep/A-G Requirements 220 credits
<b>English</b>	<b>40 credits</b>	<b>40 credits</b>
English 9 A/B	10 Credits	10 Credits
English 10 A/B	10 Credits	10 Credits
English 11 A/B	10 Credits	10 Credits
English 12 A/B	10 Credits *Exception Possible: with alternate proficiency, substitute with 10 elective credits.	10 Credits
<b>Mathematics</b>	<b>20 credits</b>	<b>30 credits (must include Algebra II)</b>
Algebra I A/B	10 credits	10 credits
Math (Geometry A/B or Algebra II A/B equivalent or higher.)	10 credits	10 credits-Geometry A/B
Algebra II A/B		10 credits-Algebra II A/B
<b>Social Science</b>	<b>30 credits</b>	<b>30 credits</b>
World History A/B (grade 10)	10 credits	10 credits
US History A/B (grade 11)	10 credits	10 credits
Am. Government (grade 12)	5 credits	5 credits
Economics (grade 12)	5 credits	5 credits
<b>Science</b>	<b>20 credits</b>	<b>20 credits</b>
Biological/Life Science	10 credits	10 credits –must be Bio Lab
Physics/Physical/Earth Science	10 credits	10 credits-Phys or Chem

<b>Physical Education</b>	<b>20 credits</b>	<b>20 credits</b>
<b>Health</b>	<b>5 credits</b>	<b>5 credits</b>
<b>Foreign Language</b>	<b>20 credits</b> <b>Two years same Foreign Language.</b>	<b>20 credits</b> <b>Two years same Foreign Language.</b>
Spanish I	10 credits	10 credits
Spanish II	10 credits	10 credits
<b>Visual and Performing Arts</b>	<b>10 credits</b> <b>One year of visual and performing arts.</b>	<b>10 credits</b> <b>One year of visual or performing arts.</b>
<b>Career Technical Education</b>	<b>10 credits</b> <b>One year of career technical education.</b>	<b>10 credits</b> <b>One year of career technical education.</b>
<b>Elective Community Service</b>	<b>10 credits</b>	<b>10 credits</b>
<b>Electives/Special Interest</b> <b>One year (or two semesters) of a course approved specifically in the “g” subject area, including courses that combine any of the “a-f” subject areas in an interdisciplinary fashion; or</b> <b>One year (or two semesters) of an additional approved “a-f” course beyond the minimum required for that subject area.</b>	<b>25 Credits</b>	<b>25 credits</b>
<b>TOTAL CREDITS</b>	<b>210</b>	<b>220</b>

**Adopted: June 23, 2021**

## CURRICULUM – MATHEMATICS PLACEMENT

This policy of the Charter School has been adopted to establish a fair, objective, and transparent protocol for placement in mathematics courses for students entering 9th grade, in order to ensure the success of every student and to meet the Legislative intent of the California Mathematics Placement Act of 2015.

1. In determining the mathematics course placement for entering 9th grade students, the Charter School systematically takes multiple objective academic measures of student performance into consideration, including:
  - a. Statewide mathematics assessments, including interim and summative assessments through the California Assessment of Student Performance and Progress (“CAASPP”);
  - b. Placement tests that are aligned to state-adopted content standards in mathematics;
  - c. Recommendation, if available, of each student’s 8th grade mathematics teacher based on classroom assignment and grades;
  - d. Recommendation, if any, of each student’s 9th grade mathematics teacher based on classroom assignments and grades provided at the beginning of the school year;
  - e. Final grade in mathematics on the student’s official, end of the year 8th grade report card;
  - f. Results from all placement checkpoints, including at least one (1) placement checkpoint within the first month of the school year as described in Section 2, below.
2. The Charter School will provide at least one (1) placement checkpoint within the first month of the school year to ensure accurate placement and permit reevaluation of individual student progress. All mathematics teachers responsible for teaching 9th grade students will assess the mathematics placements for each 9th grade student assigned to the teacher’s mathematics class. The teacher’s assessment will take into consideration factors which may include, but are not limited to, the student’s classroom assignments, quizzes, tests, exams, and grades, classroom participation, and any comments provided by the student, the student’s parent/legal guardian, and/or the student’s other teachers regarding the student’s mathematics placement. Based on the assessment, the teacher will then recommend that the student remain in the current mathematics placement or be transferred to another mathematics placement, in which case the teacher shall specify the mathematics course or level recommended for the student.
3. The Charter School Executive Director, or his or her designee, shall examine aggregate student placement data annually to ensure that students who are qualified to progress in mathematics courses based on their performance on objective academic measures included in Section 1 of this policy are not held back in a disproportionate manner on the basis of their race, ethnicity, gender, or socioeconomic background. The Charter School shall annually report the aggregate results of this examination to the Charter School Board.
4. The Charter School offers clear and timely recourse for each student and his or her parent or legal guardian who questions the student’s placement, as follows:

- a. A parent/legal guardian of any 9th grade student may submit a written request to the Charter School Executive Director, or his or her designee, that:
    - i. Requests information regarding how the student's mathematics placement was determined. Within five (5) days of receipt, the Charter School Executive Director or designee shall respond in writing to the parent/legal guardian's request by providing the information, including the objective academic measures that the Charter School relied upon in determining the student's mathematics placement.
    - ii. Requests that the student retake the placement test, in which case the Executive Director or designee will attempt to facilitate the retest within two (2) weeks.
    - iii. Requests that the student retake the 8th grade end of course final mathematics assessment, in which case the Executive Director or designee will attempt to facilitate the retest within two (2) weeks.
    - iv. Requests reconsideration of the student's mathematics placement based on objective academic measures. Within five (5) school days of receipt, the Charter School Executive Director or designee shall respond in writing to the parent/legal guardian's request. The Executive Director or designee and the student's mathematics teacher must assess the objective academic measures provided by the parent in conjunction with the objective academic measures identified in Section 1 and 2 of this policy. Based on this assessment, the Executive Director or designee must determine whether the most appropriate mathematics placement for the student is the student's current placement or another placement, in which case the Executive Director shall specify the mathematics course or level recommended for the student. The Executive Director's or designee's response must provide the determination as well as the objective academic measures that the Executive Director or designee relied upon in making that determination.
  - b. Notwithstanding the foregoing, if the Executive Director or designee requires additional time to respond to a parent/legal guardian's request, the Executive Director or designee will provide a written response indicating that additional time is needed. In no event shall the Executive Director's or designee's response time exceed one (1) month.
  - c. If, after reconsideration of the student's mathematics placement by the Executive Director or designee, the parent/legal guardian is dissatisfied with the student's mathematics placement, the parent/legal guardian may choose to sign a voluntary waiver requesting that the student be placed in another mathematics course against the professional recommendation of the Executive Director or designee, acknowledging and accepting responsibility for this placement.
5. The Charter School shall ensure that this mathematics placement policy is posted on its website.
  6. This policy is adopted pursuant to the Mathematics Placement Act of 2015, enacted as Education Code Section 51224.7.

**Adopted: June 23, 2021**

## CURRICULUM - INTERSCHOLASTIC SPORTS

The California Interscholastic Federation regulates sports in grades K-12. Although membership is not legally required, it is required to compete with other public schools in California.

The Board recognizes that the educational program can best be achieved through a diversity of learning experiences. Competitive sports can enhance Charter School spirit and student morale and impact positively on students' social growth, development and physical well-being provided the athletic programs are carefully planned.

Athletic activities do not take precedence over academics but rather supplement academic study. Therefore, interscholastic sports must not conflict with or jeopardize the academic program of the Charter School. Interscholastic sports must not exploit the students participating in such activities and must always be conducted in a manner that promotes students' health and welfare.

The goal of interscholastic sports is the development of motor skills, the maintenance of physical fitness, development of self-awareness and socially desirable behavior and to develop recreation skills and positive character traits such as discipline, commitment, sportsmanship and co-operation.

Every student, coach and advisor is a representative of the Charter School. Therefore, they must be exemplary role models. All students participating in interscholastic sports must maintain a good citizenship record and passing grades in all academic classes.

The Board shall maintain and provide accident insurance including medical and hospital service for students injured during interscholastic sport activities. Parents/guardians will be required to receive a notice that:

1. They are aware of the risk inherent in interscholastic sports and that the Charter School cannot guarantee that their student will not be injured despite the Charter School's commitment to provide for students' health and safety;
2. It is imperative that the student strictly adhere to all safety rules, regulations and instructions as well as rules and guidelines related to sportsmanship and citizenship.

All parents/guardians will be required to sign a statement that they have received the notice, understand its contents and give permission for their student to participate in interscholastic sports.

The Board will maintain membership in the California Interscholastic Federation ("CIF"), will appoint a Charter School representative to CIF and comply with all rules and regulations of CIF.

The Board will approve participation in all interscholastic sports and the schedule of all interscholastic sports, ensuring that the playing season is of reasonable duration.

The Executive Director of the Charter School shall be responsible to the Board for compliance with all CIF rules and regulations and all federal and state law including, but not limited to, Title IX, Educational Amendments of 1972, Prohibition of Sex Discrimination. The Executive Director will approve all interscholastic sports and arrange for all bus transportation. The Executive Director of the Charter School will be present at all interscholastic sports events hosted by the



Charter School and ensure that the presence or ready availability of emergency medical treatment is available at all sporting activities.

All students participating in interscholastic sports must first obtain a medical clearance. Any injured students must receive medical clearance prior to again participating in any interscholastic sports.

All participating students are required to wear appropriate safety equipment in the manner approved by the manufacturer.

Coaches and full-time members of the Charter School staff will be knowledgeable and competent in first-aid and emergency procedures, coaching techniques and adolescent psychology as it relates to sports participation. Coaches will ensure that training and competition will not over-tax the physical capabilities of the participating students and that students are instructed in safety, health and proper training.

**Adopted: June 23, 2021**

## CURRICULUM - INDEPENDENT STUDY

Agnes J. Johnson Charter School (hereinafter “AJJCS” or “Charter School”) may offer independent study only in the following circumstances:

- 1) Students in grades 9 and 10 who are enrolled in the full-time AJJCS independent study program;
- 2) A student who is unable to attend in-person instruction due to a quarantine due to exposure to, or infection with, COVID-19, pursuant to local or state public health guidance;
- 3) A student with a physical impairment or an immediate family member in the same household with a physical impairment which would prevent the student from attending in-person instruction due to the health risk related to possible exposure to COVID-19. Immediately family member includes (mother, father, sibling and stepparents or step siblings residing in the same household);
- 4) A student who is unable to attend in-person instruction due to unavoidable travel. For these students, a request for independent study shall be made in writing to the Executive Director at least five (5) schooldays prior to the first day of requested independent study. Approval of the requested independent study is in the sole discretion of the Executive Director and shall be limited to fourteen (14) schooldays in a school year;
- 5) A student who was not exposed to, or infected with, COVID-19, pursuant to local or state public health guidance, but who was in the same class as a student or staff member who was exposed to, or infected with COVID-19;
- 6) A student whose immediate family member was exposed to, or infected with, COVID-19, pursuant to local or state public health guidance;
- 7) In the case of independent study required to be offered due to school closure or material decrease in attendance under one or more of the circumstances described in Education Code Sections 46392 and 46393 for which the Charter School files an affidavit seeking an allowance of attendance due to emergency conditions.

Independent study shall include the provision of content aligned to grade level standards that is substantially equivalent to in-person instruction, thus enabling students enrolled in independent study to complete AJJCS’s adopted course of study within the customary time frame. (5 C.C.R. § 11701.5.)

This independent study policy has been established by AJJCS in alignment with Education Code § 51745 et seq., and Assembly Bill 130 (2021) and Assembly Bill 167 (2021) and Assembly Bill

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181 (2022) and adopted pursuant to Education Code § 51747 and 5 C.C.R. § 11701. The following policies are effective as of the start of AJJCS's 2021-2022 school year:

1. The Executive Director or designee is responsible for managing the independent study program, which includes reviewing and granting requests for short-term independent study from AJJCS students. The Executive Director or designee will determine if a student qualifies for short-term or long-term independent study based on criteria including the below:
  - a. Experienced certificated staff are available to effectively supervise students in independent study;
  - b. Ensuring the enrollment does not result in noncompliance with independent study ADA -to-Certificated Teacher Ratio per Education Code § 51745.6;
  - c. Ensuring at least 81% of ADA generated by AJJCS is from classroom-based instruction per Education Code § 47612.5 to ensure AJJCS is not classified as a nonclassroom based charter school;
  - d. No individual with exceptional needs, as defined in Education Code § 56026, may participate in independent study unless his/her Individualized Education Program ("IEP") specifically provides for such participation.
  - e. No student that is referred or assigned to AJJCS pursuant to Education Code § 48915 or Education Code § 48917, may be provided with instruction through independent study unless they are offered the alternative of classroom instruction and they choose independent study.
  - f. In accordance with Education Code § 51747.3(b), students enrolling in the independent study program must be residents of Humboldt County or an adjacent county.

The Executive Director or designee is responsible for establishing the number of available seats for short-term and full-time independent study and must consider the independent study ADA requirements (see Section 1(b)-(c)) in making these determinations. The Executive Director or designee may consider factors under Section 1(a)-(f) and other factors in determining the total number of full-time independent study seats and enrollment eligibility.

2. For students in all grade levels offered by AJJCS, the maximum length of time that may elapse between the time an assignment is made and the date by which the student must complete the assigned work shall be ten (10) schooldays. (Education Code § 51747(a).
3. When any student fails to complete ten (10) assignments during any period of ten (10) schooldays, or fails to make satisfactory educational progress (defined below in Section 4), AJJCS will conduct an evaluation to determine whether it is in the best interests of the

student to remain in independent study, or whether the student should return to or otherwise be placed in a regular in-person school program. A written record of the findings of any evaluation made pursuant to this subdivision shall be maintained in the student's permanent record and treated as a mandatory interim student record. This record will be maintained for a period of three years from the date of the evaluation and if the student transfers to another California public school, the record will be forwarded to that school. (Education Code § 51747(b).) .

4. For purposes of conducting the evaluation in Section 3, a student is deemed to be making satisfactory educational progress if:
  - a. The student's achievement and engagement in the independent study program, as indicated by the student's performance on student-level measures of student achievement and student engagement set forth in Education Code § 52060(d)(4)-(5).
  - b. The completion of assignments, assessments, or other indicators that show the student is working on assignments.
  - c. Learning required concepts, as determined by the supervising teacher.
  - d. Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher. (Education Code § 51747(b)(2).)
5. AJJCS shall provide content aligned to grade level standards that is substantially equivalent to in-person instruction. For high school grade levels this shall include access to all courses offered by the Charter School for graduation and approved by the UC or CSU as credible under the A-G admissions criteria. (Education Code § 51747(b)(2).)
6. AJJCS has adopted tiered reengagement strategies intended to address chronic absenteeism, as applicable for the following students:
  - a. all students participating in independent study for 15 or more schooldays in a school year and who are not generating attendance for more than 10 percent of required minimum instructional time over four continuous weeks of the Charter School's approved instructional calendar,
  - b. students found not participatory in required synchronous instructional offering for more than 50% of the scheduled days of synchronous instruction in a school month as applicable by grade span,
  - c. or students who are in violation of the written agreement pursuant to Education Code Section 51747(g).

These procedures shall include, but are not necessarily limited to, all of the following:

- a. Verification of current contact information for each enrolled student.
- b. Notification to parents or guardians of lack of participation within one (1) school day of the recording of a non-attendance day or lack of participation.
- c. A plan for outreach from the school to determine student needs, including connection with health and social services, as necessary.
- d. A clear standard for requiring a student-parent-educator conference to review a student's written agreement, and reconsider the independent study

program's impact on the student's achievement and well-being, consistent with the policies regarding the maximum amount of time allowed between the assignment and completion of student's assigned work, satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether the student should be allowed to continue in independent study pursuant to paragraph (4) of subdivision (g) of Education Code Section 517471.

For the purposes of this policy, "student-parent-educator conference" means a meeting involving, at a minimum, all parties who signed the student's written independent study agreement.

7. Based on each student's grade level, their assigned teacher of record will schedule and offer opportunities for live interaction and synchronous instruction as follows for all students participating in independent study for 15 or more schooldays in a school year at least as frequently as set forth in subsections a-b below. (EC § 51747(e).)<sup>2</sup>
  - a. For students in grades TK-3, inclusive, their assigned teacher of record will offer opportunities for daily synchronous instruction for all students throughout the year.
  - b. For students in grades 4-8, inclusive, their assigned teacher of record will offer opportunities for both daily live interaction and at least weekly synchronous instruction for all students throughout the year.
  - c. For students in grades 9-12, inclusive, their assigned teacher of record will offer opportunities for at least weekly synchronous instruction for all students throughout the year.

For the purposes of this policy, "live interaction" means interaction between the student and certificated or non-certificated staff, and may include peers, provided for the purpose of maintaining school connectedness, including but not limited to wellness checks, progress monitoring, provision of services, and instruction. This live interaction may take place in-person, or in the form of internet or telephonic communication.

For the purposes of this policy, "synchronous instruction" means classroom-style instruction or designated small group or one-on-one instruction delivered in-person, or in the form of internet or telephonic communications, and involving live two-way communication between the teacher of record and the student.

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<sup>2</sup> The plan for synchronous instruction and live interaction shall not apply to students that participate in an independent study program for fewer than 15 school days in a school year. The plan for synchronous instruction and live interaction shall not apply to independent study offered due to school closure or material decrease in attendance for 15 school days or less for affected students under one or more of the circumstances described in Education Code Sections 46392 and 46393 for which the Charter School files an affidavit seeking an allowance of attendance due to emergency conditions.

AJCS shall document each student's participation in live interaction and synchronous instruction pursuant to each schoolday, as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study program. A student who does not participate in scheduled live interaction or synchronous instruction shall be documented as nonparticipatory for that schoolday for purposes of student participation reporting and tiered reengagement pursuant to Education Code Section 51747. (Education Code § 51747.5(c).)

8. A student's parent or guardian who participate in independent study for 15 or more schooldays in a school year may request their student return to an in-person instructional program from independent study by making a written request to Executive Director or designee or their assigned teacher of record. AJCS shall allow the student to return expeditiously, and in no case later than five schooldays. (Education Code § 51747(e).<sup>3</sup>)

**Exceptions for Students Under Professional Care:** Students enrolled in a comprehensive school for classroom-based instruction who, under the care of appropriately licensed professionals, participate in independent study due to necessary medical treatments or inpatient treatment for mental health care or substance abuse, are not subject to the tiered reengagement, live interaction, synchronous instruction, nor return to in-person instruction provisions described above. The Charter School shall obtain evidence from appropriately licensed professionals of the need for students to participate in independent study pursuant to this subdivision.

9. A current written independent study agreement for each independent study student will be maintained on file for each participating student.

For a student participating in an independent study program that is scheduled for more than 14 school days, each written agreement shall be signed, before the commencement of independent study, by the student, the student's parent, legal guardian, or caregiver, if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the student, as applicable.

For a student participating in an independent study program that is scheduled for less than 15 school days, each written agreement shall be signed within 10 school days of the commencement of the first day of the student's enrollment in independent study, by the student, the student's parent, legal guardian, or caregiver, if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the student, as applicable.

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<sup>3</sup> The plan to transition students whose families wish to return to in-person instruction shall not apply to students that participate in an independent study program for fewer than 15 school days in a school year. The plan to transition students whose families wish to return to in-person instruction shall not apply to independent study offered due to school closure or material decrease in attendance for 15 school days or less for affected students under one or more of the circumstances described in Education Code Sections 46392 and 46393 for which the Charter School files an affidavit seeking an allowance of attendance due to emergency conditions.

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The independent study agreement for a student will require and cover a study plan that represents the same amount of study that would be required of a student in the classroom and be consistent with the School curriculum and course of study of students participating in the regular classroom setting. Written agreements may include subsidiary agreements, such as course contracts and assignment and work records. Each written agreement will contain the following:

1. The manner, time, frequency, and place for submitting a student's assignments, for reporting the student's academic progress, and for communicating with a student's parent or guardian regarding a student's academic progress.
2. The objectives and methods of study for the student's work, and the methods used to evaluate that work.
3. The specific resources, including materials and personnel, which will be made available to the student. These resources will include confirming or providing access to all students to the connectivity and devices adequate to participate in the educational program and complete assigned work.
4. A statement of the policies adopted herein regarding the maximum length of time allowed between the assignment, the level of satisfactory educational progress, and the number of missed assignments allowed prior to an evaluation of whether or not the student should be allowed to continue in independent study. The level of satisfactory educational progress and missed assignments shall conform to the requirements specified above in this policy.
5. The duration of the independent study agreement, including beginning and ending dates for the student's participation in independent study under the agreement. No independent study agreement will be valid for any period longer than one school year.
6. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion.
7. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, individuals with exceptional needs in order to be consistent with the student's IEP or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), students in foster care or experiencing homelessness, and students requiring mental health supports.
8. The inclusion of a statement in each independent study agreement that independent study is an optional educational alternative in which no student may be required to participate. In the case of a student who is referred or assigned to any school, class or program pursuant to EC § 48915 or 48917, the agreement also will include the statement that instruction may be provided to the student through independent study only if the student is offered the alternative of classroom instruction. (Education Code § 51747(g).
9. AJJCS will comply with the written independent study agreement signature requirements set forth in Education Code § 51747(g)(9), including:

a. Written agreements may be maintained electronically along with and may include subsidiary agreements, such as course contracts and assignment and work records. Written agreements may be signed using electronic signatures that comply with applicable state and federal standards and are intended by the signatory to have the same effect as a handwritten signature.

b. Before signing a written agreement pursuant to this policy, a parent or guardian may request that the Charter School conduct a phone, videoconference, or in-person student-parent-educator conference or other school meeting during which the student, parent or guardian, and, if requested by the student or parent, an education advocate, may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study, before making the decision about enrollment or disenrollment in the various options for learning. (Education Code § 51747(h)(2).)

AJJCS will comply with all applicable law regarding independent study, including ADA-to-certificated employee ratio requirements and course-based independent study requirements (if applicable). (EC § 51745 et seq.; 5 C.C.R. 11700 et seq.)

**Adopted: September 14, 2022**



**Agnes J. Johnson Charter School  
Independent Study Master Agreement  
2021-2022**

	Grade:	Birth Date:
Student Name:		
Street Address:		
City:	Zip Code:	Phone:
Parent/Guardian Name:	Email:	
Start Date of Agreement:	End Date of Agreement: TBD	

**Manner, Time, Frequency, and Place for Submitting Assignments and Reporting/Communicating About Student’s Academic Progress:**

- Manner: Independent Study will be conducted through one-on-one meeting (virtual or in-person), small group instruction, email/phone communication, progression through online courses
- Time: 8:30A.M. and 3:00P.M.
- Frequency: AJJCS will offer opportunities for live interaction and synchronous instruction to the student per Education Code section 51747(c).\*

\*Not required for student on Independent Study for 15 school days or fewer in a school year, like in the case of quarantining.

Pursuant to School’s Independent Study Board Policy, for pupils in all grade levels offered by the School, the maximum length of time that may elapse between the time an assignment is made and the date by which the pupil must complete the assigned work shall be the same as allowed by the classroom teacher to those students participating on campus. There is no extended time for independent study.

**Objectives, Methods of Study, Methods of Evaluation, and Resources:** The student will complete the courses listed below. All independent study objectives will be consistent with School’s charter and State content standards. The major educational objectives include enabling the Student to progress with their gradespecific studies, successfully complete assignments, and learn required concepts as determined by the School. It is Agnes J. Johnson Charter School’s goal to provide an exceptional education to a diverse student body through individual attention in a supportive and dynamic environment.

AJJCS will offer educational activities targeted to reach the objectives including, but not limited, to core curriculum instruction, reading, research, essays, oral reports, demonstrations, homework assignments, lesson exercises, games, projects, discussions, and other educational activities. The method of study is determined by the supervising teacher, and may require the student to complete tasks assigned by the student’s teacher or designee, meet with the teacher or designee, participate in instructional activities (e.g., one-on-one, small group, classroom instruction) and other educational activities deemed appropriate by the School to meet the students’ educational needs.

Student’s course work and assignments will be evaluated by one or more of the following criteria: presentation of evidence showing assignment completion; written tests/quizzes; demonstration of skills; oral presentation; California Assessment of Student Performance and Progress and other similar assessments; progress/report cards; portfolios, labs, and other methods of evaluation.

## CURRICULUM - SCHOOL CALENDAR

As the Executive Director drafts the school calendar, it is important to maximize the number of school days at high attendance levels in order to maximize funding.

The Executive Director of the Charter School or his/her designee shall annually present to the Board at its first meeting in April the proposed school calendar for the following school year.

The school calendar shall comply with all requirements of the law, needs of the community, students, staff and parents/guardians. The school calendar shall indicate the beginning and end of school dates, regular school days, number of teaching days, legal and local holidays, vacation periods, and other pertinent dates.

The Executive Director of the Charter School may request of the Board time during the regular school year to advise students or conduct staff development programs.

**Adopted: June 23, 2021**

## **FACILITIES/OPERATIONS - FACILITIES DEVELOPMENT**

### Capital Improvement Planning

The Board of Director's policy is to provide a systematic and comprehensive planning process for the development of facilities to meet the capital needs of the Charter School. The Board of Director's obligation is to provide facilities of the kind and size that will best support and accommodate the Charter School's educational program for the current and projected enrollment. The Board of Directors shall annually review the facilities needs and student accommodation needs of the school system and consider the Executive Director's recommendations to address those needs.

When the Board of Directors deems necessary, the Board of Directors may obtain assistance in analyzing the Charter School's capital needs. Such assistance may be in the form of an appointed advisory group representing the full complement of community interests and/or hiring professional consultants, as the Board of Directors determines in its sole discretion.

### Executive Director's Report

The Executive Director shall present to the Board of Directors annually a multi-year Capital Improvement Program which will include recommendations regarding timing, location, costs and savings associated with new building requirement and restoration and renewal of existing Charter School facilities. The Superintendent's report will:

1. Provide five-year enrollment projections prepared under the direction of the Executive Director and which have been reviewed and brought up-to-date annually.
2. Provide an assessment for all Charter School facilities related to building renewal, reconfiguration or expansion to meet educational program needs.
3. Identify interim and long-term options that address the identified needs.
4. Articulate a rationale for recommended solutions.
5. Provide a detailed scope of work (e.g., number of rooms, extent of building system improvements) for each recommended project.
6. Provide a cost estimate for each recommended project that achieves compliance with approved educational specifications. This estimate will include all project costs (e.g., architect/engineering fees, project management, hazardous material abatement, installation of technology infrastructure, contingency, equipment).

### Board of Directors Action

The Board of Directors shall review and approve all architect/engineer contracts, schematic and final building plans, and construction/renewal contracts for all bond funded projects. For each bond funded capital project, the Board of Directors shall receive an updated project budget for approval at the time of construction contract award. In addition, the Board of Directors shall receive periodic written reports on the physical and fiscal progress of all funded projects in the Capital Plan.

### Facilities Development

It is the policy of the Board of Directors to provide facilities which offer safe, comfortable, accessible, efficient, and attractive spaces to accommodate and facilitate the organizational and instructional pattern that support the Charter School's educational philosophy and instructional goals.

It is the policy of the Board of Directors to develop educational specifications for new buildings and those undergoing extensive remodeling with a high level of input from the full staff and the community.

It is the policy of the Board of Directors to provide for the systematic maintenance of major and critical building infrastructure components.

It is the policy of the Board of Directors to provide for the systematic renewal of the Charter School facilities.

It is the policy of the Board of Directors to use building design and construction that will provide decreased maintenance costs and the conservation of energy, consistent with current and future budgetary considerations. The following factors will also be given special consideration.

Each Charter School building will have:

1. Safe, effective and efficient mechanical systems, including electrical, plumbing, wiring, ventilation, and air conditioning.
2. Sound structural elements including roof, doors, floors, walls, and windows.
3. Effective and efficient illumination.
4. Adequate classroom space for all students.
5. Adequate, safe, outdoor space for the physical education/recreation activities of the Charter School program.
6. Adequate supplementary space to support the programs required for instruction of the students required to attend the Charter School, including space for itinerant staff and staff who provide special programs in addition to the regular instructional program and/or on a resource basis.
7. Infrastructure required to support instructional and administrative technology.
8. Full compliance with all current building safety codes at the time of construction or renovation.
9. Full compliance with the access requirements specified in the Americans with Disabilities Act.

**Adopted: June 23, 2021**

## FACILITIES/OPERATIONS - COMMUNITY USE OF FACILITIES

### Fee Schedule

Charges for use of meeting rooms at a time when the Charter School personnel are not present shall be as follows:

1. Weekday meetings that begin before 8:00 a.m. or end after 10:00 p.m. shall be assessed in half-hour increments at a rate of \$ \_\_\_\_\_ per one-half hour.
2. For Saturday and Sunday meetings there will be an hourly security fee. The security fee shall be:
  - a. First 7 hours: \$ \_\_\_\_\_
  - b. Over 7 hours: \$ \_\_\_\_\_
3. Failure to provide five (5) days' notice of cancellation for Saturday or Sunday meetings will result in a charge of \$ \_\_\_\_\_.
4. All damage and/or abuse of meeting rooms will be charged for according to the direct time and materials involved to return the meeting room to its original condition. Damage and cost involved will be determined by the Executive Director and the user billed.

### Priority of Uses

Because the Charter School has a limited number of rooms, demand for use that exceeds the number of rooms available shall be satisfied according to the priority ranking (highest to lowest). If a request for a higher priority use is received for a given facility ten or more workdays prior to the date on which a tentative use has been granted, the tentative assignment shall be canceled, and the facility assigned a higher use.

1. Activities required by, or in furtherance of, the responsibilities of the Charter School.
2. The State Superintendent of Public Instruction, the State Board of Education, or federal educational agencies.
3. Elementary, secondary, unified, and community college districts in the Charter School's county.
4. Private nonprofit organizations serving handicapped children in the Charter School's county.
5. Other Charter School-related private nonprofit organizations.
6. Public universities in the Charter School's county.
7. Other local government.
8. Agencies other than state and federal agencies.
9. Other private, nonprofit organizations.
10. Other private groups or individuals.

### Prohibited Uses

The following public uses are prohibited:

1. The operation of any powered machinery of any type except for office and audiovisual

- equipment.
2. The use of open flame except as part of an established ritual under adult supervision.
  3. Any use by employees of the Charter School for profit or other personal benefit.
  4. The sale, deliver, or consumption of alcoholic beverages.
  5. Any use in such a fashion as to institute a monopoly on such use by any organization or individual.
  6. Any use for which an admission fee is charged, except where such fee is charged by a nonprofit organization or governmental agency.
  7. Any use which interferes with or is likely to interfere with the instruction of students or other operations of the Charter School.
  8. No alcoholic beverages or controlled substances are to be consumed, sold, given away or delivered to any person on the property of the Charter School. Any person deemed to be under the influence of alcoholic beverages or controlled substances will be denied participation in the activity being conducted on the Charter School property and may be barred from having or receiving any future privilege of use of the Charter School facility.
  9. Smoking is not allowed inside any of the buildings. The Charter School facility is a designated “No Smoking” facility.
    10. Any City or County ordinances governing such activities will be applicable to activities under these rules and regulations.
  11. Profane language, gambling, or fighting, will be considered misconduct and will be cause for cancellation of permission for use.
  12. Any activity prohibited by federal or state law shall not be permitted on the Charter School premises at any time. Any such activity will be considered misconduct and will be cause for cancellation of permission for use. The Charter School will notify the appropriate law enforcement authority in the event such misconduct occurs.

**Available Facilities**

The following facility or portion of facility will be made available for public use: school/grounds.

**Adopted: June 23, 2021**

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## FACILITIES/OPERATIONS - CAPITAL EXPENDITURES

### **Definition**

#### 1. Capital

The term *capital* shall mean equipment with a useful life of more than one year and valued at one thousand dollars (\$1,000) or more, including actual or estimated tax, shipping and handling, and land, buildings, and improvements, other than buildings valued at five thousand dollars (\$5,000) or more. All items over one thousand dollars (\$1,000) with a useful life of more than one year shall be capitalized. Assets under one thousand dollars (\$1,000) with a useful life of more than one year may be capitalized only upon permission of the Executive Director.

#### 2. Equipment Classified as Capital

In addition, in order to maintain property control, the following are recorded and tracked the same as capital even though they may be less than one thousand dollars (\$1,000) or have a useful life of less than a year: (1) equipment purchased with grant funds or required by the terms of the grant to be tracked as capital; (2) furnishings for new spaces; (3) cameras; (4) musical instruments; and (5) television sets, VCR units, AV projectors, computer systems (PC, keyboard, monitor, printer and hard drives).

#### 3. Capital Improvements and Expenses

A guiding principle for distinguishing between a capital improvement and a repair and maintenance expenditure is that a capital improvement results in an improved asset. If expenditure increases the utility or significantly extends the useful life of an asset, the expenditure should be capitalized. If an expenditure only maintains the original condition of the asset, the expenditure should be classified as an expense.

### **Budget: Capital Expenditures**

Except in emergencies or for reasons of economy, the purchase of major pieces of equipment classified as capital shall be scheduled so that annual budgetary appropriations for capital purposes either will be of similar size or will show a continuous trend without severe fluctuations.

The Board of Directors in cooperation with the Executive Director shall draft a capital improvements program which will project the Charter School needs for a six-year period. Individual capital projects shall be assigned priorities. The schedule shall be reviewed and updated annually. Copies shall be provided to the Board of Directors for review and consideration.

In addition to items specifically included in the Charter School Annual Budget, the Executive Director may purchase capital items costing up to one thousand dollars (\$1,000). The purchase of capital equipment exceeding these limits, which has not received prior budget approval must be approved by the Board of Directors.

**Adopted: June 23, 2021**

## FACILITIES/OPERATIONS - PUBLIC SOLICITATIONS ON SCHOOL GROUNDS

### Purpose

The property, buildings, or facilities owned or controlled by the Charter School are not open for assembly, speech, or other activities as are the public streets, sidewalks, parks and other public places. The Charter School's legal duty to operate and maintain a safe and secure campus requires that the time, place, and manner of assembly, speech, and other activities on the Charter School premises be regulated. Accordingly, it is against the Charter School policy for anyone to solicit, peddle, canvass, or otherwise engage in contacting the Charter School faculty, staff, or students for any purpose not specifically approved in advance by the Charter School governing board.

### Solicitation on Campus

1. The term *solicitation* shall mean (1) the sale, lease, rental or offer for sale, lease, rental of any property, product, merchandise, publication, or service, whether for immediate or future delivery; (2) an oral statement or the distribution or display of printed material, merchandise, or products designed to encourage the purchase, use, or rental of any property, product, merchandise, publication, or service; (3) an oral or written appeal or request to support or join an organization other than a registered student, faculty, or staff organization; (4) the receipt of or request for any gift or contribution; or (5) the request to support or oppose or to vote for or against a candidate, issue, or proposition appearing on a ballot at any election held pursuant to state or federal law or local ordinances.
2. To cooperate in publicizing community services, special events, and public meetings of interest to students and parents/guardians, the Charter School Board of Directors or its designee will approve or reject the distribution and/or posting of printed materials to students and/or through the Charter School which extend the community's cultural, recreational, artistic, or service educational opportunities.
3. Materials to be distributed shall not include any which:
  - a. Are obscene, libelous, slanderous, or which incite students to commit unlawful acts, violate the Charter School's policies, procedures, and rules, or disrupt the Charter School's orderly operations.
  - b. Discriminate on the basis of sex, race, color, ancestry, national origin, religion, or disability.
  - c. Attack or disparage any group or person based upon sex, race, color, ancestry, national origin, religion, or disability.
  - d. Request students or other family members to contribute in any way to the funds of, or become members of, or to work for, any organization not directly under the control of the Charter School authorities, unless the organization is a nonpartisan, charitable organization organized for charitable purposes by an act of Congress or under the laws of the State of California, the purpose of the solicitation is nonpartisan and charitable and the solicitation has been approved by the Charter School governing board or designee. To qualify as an organization exempted in this Section [II][C][4], the organization must present to the Charter School governing board or designee written evidence from the Internal Revenue Service that the organization has been granted tax-exempt status under Internal Revenue Code Section 501(a) as an organization described in Internal Revenue Code Section 501(c)(3). Solicitation must be conducted only in an area designated by the Charter



School governing board or designee. Any person soliciting on behalf of such organizations must have credentials identifying him or her as authorized agents of the organization. Permission to solicit may not be used by the organization as an endorsement of the Charter School.

- e. Express support for or against specific political campaigns, issues, or activities, including statewide ballot initiatives and other ballot measures
  - f. Express support for or against a specific religion or religious viewpoint, church, or denomination.
4. Advertising of commercial products or services may be conducted only when prior approval has been granted by the Charter School Board of Directors. In no event shall any material be distributed advertising alcohol or tobacco products or otherwise encouraging students to consume alcohol or tobacco products. Students shall not be asked or otherwise be required to distribute commercial advertising materials.
  5. No handbills or fliers shall be distributed or placed in/on cars parked on the Charter School premises. No loudspeakers are to be used at any time during class hours.

#### **Permission Procedures**

1. All materials to be distributed or posted shall first be submitted to the Charter School Board of Directors or designee for approval. All materials shall bear the name and contact location of the sponsoring organization.
2. Materials which have not been approved by the Charter School Board of Directors or designee shall be removed if posted. Any person distributing materials that have not been approved by the Charter School Board of Directors or designee shall cease distribution immediately upon demand by a Charter School official.

**Adopted: June 23, 2021**

## **FACILITIES/OPERATIONS - REGISTRATION OF VISITORS/GUESTS**

### **Posting of Notice**

The Charter School Executive Director or his or her designee shall post at every entrance a notice setting forth school hours, visitor registration location and requirements, penalties for refusing to leave the Charter School premises, and any other announcements required by the local law enforcement agency in order to pursue the arrest of persons found loitering or trespassing.

### **Procedures for Visitors**

1. Any person who is not a student of the Charter School or an officer or employee of the Charter School shall report his or her presence and the reason for visiting the Charter School to the Executive Director or designee immediately upon entering the Charter School premises.
2. The Executive Director or designee shall provide identification to be used by all visitors at all times while on the Charter School premises. The visitor shall make this identification visible at all times.
3. All visitors registering with the Executive Director or designee will provide the Executive Director or designee with his or her name, address, occupation, age, if less than twenty-one years-old, his or her purpose for entering the Charter School premises, and present proof of identity.
4. No person who furnishes the information set forth in this policy and who provides proof of identity shall be denied registration except if the Executive Director or designee has reasonable basis for concluding that the visitor's presence will or is likely to disrupt the Charter School, its students, its teachers, or its other employees or volunteers or result in damage to property or will result in the distribution or use of unlawful or controlled substances.
5. The Executive Director or designee may revoke a visitor's registration if the Executive Director or designee has reasonable basis for concluding that the visitor's presence on the Charter School premises would likely interfere or is interfering with the peaceful conduct of Charter School activities or is disrupting the Charter School, its students, its teachers, or its other employees or volunteers.
6. The Charter School employees and volunteers should at all times watch for strangers on the Charter School premises. Employees or volunteers who encounter a visitor not displaying the appropriate identification should ask the visitor whether he or she has registered with the Executive Director or designee. Employees and volunteers should immediately inform the Executive Director or designee of any visitor who refuses to comply with registration requirements.
7. Any possession of unauthorized dangerous instruments, weapons, or devices on school grounds shall be reported immediately to the Executive Director or designee and may be reported to the local law enforcement agency.
8. Any person who fails to register within a reasonable time after entering the Charter School premises, who fails to leave upon the request of the Executive Director or designee, or who returns after leaving pursuant to such a request has committed an unlawful act and may be prosecuted according to law.

**Adopted: June 23, 2021**

## FACILITIES/OPERATIONS – VOLUNTEERS

**Volunteer help** is defined as an adult providing help and performing duties for students at a school site without compensation.

In order to safeguard students, an **approved Volunteer Information Form is required for all visitors and volunteers** on campus. A Volunteer Information Form must be completed and approved each year. **ALL visitors and volunteers are required to sign in and obtain a visitor's badge from the office.** If you are able to visit or volunteer in your child's classroom, please complete the attached Volunteer Information Form.

When completing the Volunteer Information Form:

- Fill out form completely.
- TB clearance is only required for those volunteers who work 5 or more hours per week, on a regular basis. *If you think you will be volunteering 5 or more hours per week, on a regular basis, please come to the office to obtain TB test information.*
- You may use one form for multiple children. Be sure to include their names and teacher's names.
- Use school year for dates or days volunteer services will be performed. You can let the individual teacher(s) know which days you are available. **Teachers will schedule classroom volunteers as needed.**
- Description of services to be performed should include "class help" and if you would like to drive on a field trip, indicate "field trips"
- Attach a clear copy of your **Driver's License or other picture I.D.**
- If volunteer is someone other than parent or legal guardian (i.e., grandparent, aunt, uncle, etc.) a letter from parent or legal guardian giving permission to volunteer is required.

In addition to volunteering in the classroom, parents are sometimes needed to drive and chaperone students on field trips. Only parents and legal guardians may drive on field trips. All drivers must have an approved Volunteer Form on file, Field Trip by Private Vehicle Driver's Statement Form on file, a valid California driver's license, carry \$100,000//\$300,000/\$25,000 in liability insurance, and be the owner of the vehicle. This information must be on file with the office no less than 5 school days prior to field trip. At this time, we would like to encourage parents wishing to drive on field trips to bring a copy of the declaration page of your insurance policy and current registration to the office to have on file.

### Types of Volunteers

#### 1. Parent Club or Special Event Volunteers

These volunteers provide assistance with snack bars, chaperone dances, help set up special activities, drive field trips and other limited events or special occasions. They work with other volunteers, are supervised by certificated staff, and do not have direct responsibility for supervising students.

These volunteers are required to complete the Volunteer Information Form that includes names, address and phone number, a brief description of service to be provided, a copy of

their driver's license, and name of supervisor: teacher or Executive Director. Volunteers who are driving on field trips must also complete the Field Trip By Private Vehicle Driver's Statement Form.

## **2. Program, Classroom, or Office Volunteers**

These volunteers provide assistance in administrative and/or academic areas on a regular or frequent basis (five hours or more each week), such as a three-day-per-week after-school volunteer, daily assisting with a class, or a two-day-per-week office assistant. These volunteers are generally supervised by certificated staff and may work alone with students. These volunteers are required to meet the following conditions:

- a) Completion of a Volunteer Information Form that includes names, address and phone number, a brief description of service to be provide, a copy of their driver's license, and name of supervisor: teacher or Executive Director.
- b) A valid tuberculosis (TB) clearance.
- c) Live Scan Fingerprint Verification
- d) No volunteer may provide services until the form, Live Scan and TB clearance are completed and on file with the Office.

**Adopted: June 23, 2021**

## **FACILITIES/OPERATIONS - DROP OFF AND PICK UP OF STUDENTS & PARKING**

### **Introduction**

The safe arrival and departure of students is of paramount concern to the Charter School. The Charter School has promulgated the following policy and requests that students and parents adhere to its procedures in order to ensure the safety of all students and staff.

In addition, the Charter School desires to be a good neighbor to the residents surrounding the Charter School premises. Parents can help the Charter School to be a good neighbor by following the rules of the road and exercising courtesy to neighborhood residents.

### **General Guidelines**

All visitors to the Charter School are expected to adhere to the rules of the road when driving on or around the Charter School premises. All visitors are expected to drive slowly when students are present.

Motor vehicles of any kind, including but not limited to, motorcycles, motor scooters, and motorized skateboards, are not allowed on the Charter School premises in any area except the parking lot or designated drop-off and pick-up areas.

### **Arrival and Departure of Students**

Parents are requested to adhere to the following rules:

1. Drive slowly through the school zone.
2. Pay close attention to the directions of any crossing guard at any crosswalk or traffic light. He or she is trying to help get students to school safely.
3. When approaching the area designated for student pick-up and drop-off, remain patient and stay to the right side of the area. There shall be no passing around other vehicles.
4. Unless the parking lot has been designated a student drop-off and pick-up area, please enter the parking lot only if you plan to get out and walk your child to school. Otherwise, the parking lot is not a safe drop-off and pick-up area.
5. When you pull to the curb of the designated pick-up and drop-off area, the first car should pull at least one or two car lengths past the entrance before stopping.
6. When leaving, pull out slowly and look carefully for students and other cars.
7. For afternoon pick-ups, if you arrive early, park in the order of arrival and wait patiently. After the children are dismissed, the first car should pull forward as far as possible to wait for his or her child.

### **Procedures**

Students to be picked-up and dropped-off must report to the designated area when they are dismissed from class.

### **Parking**

Parking spaces designated for employee use and visitor use shall be utilized accordingly.

**Adopted: June 23, 2021**

## **FACILITIES/OPERATIONS – DOCUMENT RETENTION/DESTRUCTION POLICY**

### **1) Purpose**

The purpose of this Policy is to ensure that necessary records and documents of the Charter School is adequately protected and maintained and to ensure that records that are no longer needed by the Charter School or are of no value are discarded at the proper time. This Policy is also for the purpose of aiding employees of the Charter School in understanding their obligations in retaining electronic documents - including e-mail, Web files, text files, sound and movie files, PDF documents, and all Microsoft Office or other formatted files.

### **2) Policy**

This Policy represents the Charter Schools' policy regarding the retention and disposal of records and the retention and disposal of electronic documents.

### **3) Administration**

Attached as Appendix A is a Record Retention Schedule that is approved as the initial maintenance, retention and disposal schedule for physical records of the Charter School and the retention and disposal of electronic documents. The Executive Director (the "Administrator") is the officer in charge of the administration of this Policy and the implementation of processes and procedures to ensure that the Record Retention Schedule is followed. The Administrator is also authorized to: make modifications to the Record Retention Schedule from time to time to ensure that it is in compliance with local, state and federal laws and includes the appropriate document and record categories for the Charter School; monitor local, state and federal laws affecting record retention; annually review the record retention and disposal program; and monitor compliance with this Policy.

### **4) Suspension of Record Disposal In Event of Litigation or Claims**

In the event the Charter School is served with any subpoena or request for documents or any employee becomes aware of a governmental investigation or audit concerning The Charter School or the commencement of any litigation against or concerning The Charter School, such employee shall inform the Administrator and any further disposal of documents shall be suspended until shall time as the Administrator, with the advice of counsel, determines otherwise. The Administrator shall take such steps as is necessary to promptly inform all staff of any suspension in the further disposal of documents.

### **5) Applicability**

This Policy applies to all physical records generated in the course of The Charter School's operation, including both original documents and reproductions. It also applies to the electronic documents described above.

**Adopted: June 23, 2021**

## APPENDIX A - RECORD RETENTION SCHEDULE

The Record Retention Schedule is organized as follows:

### SECTION TOPIC

- A. Accounting and Finance
- B. Contracts
- C. Corporate Records
- D. Correspondence and Internal Memoranda
- E. Electronic Documents
- F. Grant Records
- G. Insurance Records
- H. Legal Files and Papers
- I. Miscellaneous
- J. Payroll Documents
- K. Pension Documents
- L. Personnel Records
- M. Property Records
- N. Tax Records
- O. Contribution Records
- P. Programs & Services Records
- Q. Fiscal Sponsor Project Records
- R. Student Records

### A. ACCOUNTING AND FINANCE

<b>Record Type</b>	<b>Retention Period</b>
Accounts Payable ledgers and schedules	7 years
Accounts Receivable ledgers and schedules	7 years
Annual Audit Reports and Financial Statements	Permanent
Annual Audit Records, including work papers and other documents that relate to the audit	7 years after completion of audit
Annual Plans and Budgets	2 years
Bank Statements and Canceled Checks	7 years
Employee Expense Reports	7 years
General Ledgers	Permanent
Interim Financial Statements	7 years

Notes Receivable ledgers and schedules	7 years
Investment Records	7 years after sale of investment
Credit card records (documents showing customer credit card number)	2 years

1. Credit card record retention and destruction

A credit card may be used to pay for the following The Charter School products and services: Office supplies, instructional materials, travel, other operating expenses.

All records showing customer credit card number must be locked in a desk drawer or a file cabinet when not in immediate use by staff.

If it is determined that information on a document, which contains credit card information, is necessary for retention beyond 2 years, then the credit card number will be cut out of the document.

**B. CONTRACTS**

<b>Record Type</b>	<b>Retention Period</b>
Contracts and Related Correspondence (including any proposal that resulted in the contract and all other supportive documentation)	7 years after expiration or termination

**C. CORPORATE RECORDS**

<b>Record Type</b>	<b>Retention Period</b>
Corporate Records (minute books, signed minutes of the Board and all committees, corporate seals, articles of incorporation, bylaws, annual corporate reports)	Permanent
Licenses and Permits	Permanent



## D. CORRESPONDENCE AND INTERNAL MEMORANDA

**General Principle:** Most correspondence and internal memoranda should be retained for the same period as the document they pertain to or support. For instance, a letter pertaining to a particular contract would be retained as long as the contract (7 years after expiration). It is recommended that records that support a particular project be kept with the project and take on the retention time of that particular project file.

Correspondence or memoranda that do not pertain to documents having a prescribed retention period should generally be discarded sooner. These may be divided into two general categories:

1. Those pertaining to routine matters and having no significant, lasting consequences should be discarded *within two years*. Some examples include:
  - Routine letters and notes that require no acknowledgment or follow-up, such as notes of appreciation, congratulations, letters of transmittal, and plans for meetings.
  - Form letters that require no follow-up.
  - Letters of general inquiry and replies that complete a cycle of correspondence.
  - Letters or complaints requesting specific action that have no further value after changes are made or action taken (such as name or address change).
  - Other letters of inconsequential subject matter or that definitely close correspondence to which no further reference will be necessary.
  - Chronological correspondence files.

Please note that copies of interoffice correspondence and documents where a copy will be in the originating department file should be read and destroyed, unless that information provides reference to or direction to other documents and must be kept for project traceability.

2. Those pertaining to non-routine matters or having significant lasting consequences should generally be retained permanently.

## E. ELECTRONIC DOCUMENTS

1. **Electronic Mail:** Not all email needs to be retained, depending on the subject matter.
  - All e-mail—from internal or external sources—is to be deleted after 12 months.
  - Staff will strive to keep all but an insignificant minority of their e-mail related to business issues.
  - The Charter School will archive e-mail for six months after the staff has deleted it, after which time the e-mail will be permanently deleted.
  - All Charter School's business-related email should be downloaded to a service center or user directory on the server.
  - Staff will not store or transfer The Charter School's related e-mail on non-work-related computers except as necessary or appropriate for The Charter School's purposes.
  - Staff will take care not to send confidential/proprietary Charter School's information to outside sources.
  - Staff with more than 500MB in their e-mail account will be unable to send or

receive messages until the size of their account is reduced. Staff will be notified by IT as their account size approaches 500 MB.

- Any e-mail staff deems vital to the performance of their job should be copied to the staff’s H: drive folder, and printed and stored in the employee’s workspace.
2. Electronic Documents: including Microsoft Office Suite and PDF files. Retention also depends on the subject matter.
- **PDF documents** – The length of time that a PDF file should be retained should be based upon the content of the file and the category under the various sections of this policy. The maximum period that a PDF file should be retained is 6 years. PDF files the employee deems vital to the performance of his or her job should be printed and stored in the employee’s workspace.
  - **Text/formatted files** - Staff will conduct annual reviews of all text/formatted files (e.g., Microsoft Word documents) and will delete all those they consider unnecessary or outdated. After five years, all text files will be deleted from the network and the staff’s desktop/laptop. Text/formatted files the staff deems vital to the performance of their job should be printed and stored in the staff’s workspace.
3. **Web Page Files: Internet Cookies**
- All workstations: Internet Explorer should be scheduled to delete Internet cookies once per month.

The Charter School does not automatically delete electronic files beyond the dates specified in this Policy. It is the responsibility of all staff to adhere to the guidelines specified in this policy.

Each day the Charter School will run a tape backup copy of all electronic files (including email) on the Charter School’ servers, as specified in the Charter School Disaster Recovery Plan. This backup tape is a safeguard to retrieve lost information within a one-year retrieval period should documents on the network experience problems. The tape backup copy is considered a safeguard for the record retention system of the Charter School but is not considered an official repository of the Charter School’s records. All monthly and yearly tapes are stored offsite according to the Charter School’s Disaster Recovery Policy.

In certain cases, a document will be maintained in both paper and electronic form. In such cases the official document will be the electronic document.

**F. GRANT RECORDS**

<b>Record Type</b>	<b>Retention Period</b>
Original grant proposal	7 years after completion of grant period
Grant agreement and subsequent modifications, if applicable	7 years after completion of grant period
All requested IRS/grantee correspondence	7 years after completion of grant

including determination letters and “no change” in exempt status letters	period
Final grantee reports, both financial and narrative	7 years after completion of grant period
All evidence of returned grant funds	7 years after completion of grant period
All pertinent formal correspondence including opinion letters of counsel	7 years after completion of grant period
Report assessment forms	7 years after completion of grant period
Documentation relating to grantee evidence of invoices and matching or challenge grants that would support grantee compliance with the grant agreement	7 years after completion of grant period
Pre-grant inquiry forms and other documentation for expenditure responsibility grants	7 years after completion of grant period
Grantee work product produced with the grant funds	7 years after completion of grant period

**G. INSURANCE RECORDS**

<b>Record Type</b>	<b>Retention Period</b>
Annual Loss Summaries	10 years
Audits and Adjustments	3 years after final adjustment
Certificates Issued to the Charter School	Permanent
Claims Files (including correspondence, medical records, injury documentation, etc.)	Permanent
Group Insurance Plans - Active Employees	Until Plan is amended or terminated
Group Insurance Plans – Retirees	Permanent or until 6 years after death of last eligible participant
Inspections	3 years
Insurance Policies (including expired policies)	Permanent
Journal Entry Support Data	7 years

Loss Runs	10 years
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Releases and Settlements	25 years
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## H. LEGAL FILES AND PAPERS

### Record Type

### Retention Period

Legal Memoranda and Opinions (including all subject matter files)	7 years after close of matter
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Litigation Files	1 year after expiration of appeals or time for filing appeals
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Court Orders	Permanent
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Requests for Departure from Records Retention Plan	10 years
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## I. MISCELLANEOUS

### Record Type

### Retention Period

Consultant's Reports	2 years
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Material of Historical Value (including pictures, publications)	Permanent
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Policy and Procedures Manuals – Original	Current version with revision history
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Policy and Procedures Manuals - Copies	Retain current version only
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Annual Reports	Permanent
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## J. PAYROLL DOCUMENTS

### Record Type

### Retention Period

Employee Deduction Authorizations	4 years after termination
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Payroll Deductions	Termination + 7 years
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W-2 and W-4 Forms	Termination + 7 years
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Garnishments, Assignments, Attachments	Termination + 7 years
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Labor Distribution Cost Records	7 years
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Payroll Registers (gross and net)	7 years
Timecards/Sheets	2 years
Unclaimed Wage Records	6 years

#### **K. PENSION DOCUMENTS AND SUPPORTING EMPLOYEE DATA**

**General Principle:** Pension documents and supporting employee data shall be kept in such a manner that Donors Forum can establish at all times whether or not any pension is payable to any person and if so the amount of such pension.

<b>Record Type</b>	<b>Retention Period</b>
Retirement and Pension Records	Permanent

#### **L. PERSONNEL RECORDS**

<b>Record Type</b>	<b>Retention Period</b>
Commissions/Bonuses/Incentives/Awards	7 years
EEO- I /EEO-2 - Employer Information Reports	2 years after superseded or filing (whichever is longer)
Employee Earnings Records	Separation + 7 years
Employee Handbooks	1 copy kept permanently
Employee Medical Records	Separation + 6 years
Employee Personnel Records (including individual attendance records, application forms, job or status change records, performance evaluations, termination papers, withholding information, garnishments, test results, training and qualification records)	6 years after separation
Employment Contracts – Individual	7 years after separation
Employment Records - Correspondence with Employment Agencies and Advertisements for Job Openings	3 years from date of hiring decision
Employment Records - All Non-Hired	2-4 years (4 years if file contains

Applicants (including all applications and resumes - whether solicited or unsolicited, results of post-offer, pre-employment physicals, results of background investigations, if any, related correspondence)	any correspondence which might be construed as an offer)
Job Descriptions	3 years after superseded
Personnel Count Records	3 years
Forms I-9	3 years after hiring, or 1 year after separation if later

**M. PROPERTY RECORDS**

<b>Record Type</b>	<b>Retention Period</b>
Correspondence, Property Deeds, Assessments, Licenses, Rights of Way	Permanent
Original Purchase/Sale/Lease Agreement	Permanent
Property Insurance Policies	Permanent

**N. TAX RECORDS**

**General Principle:** Donors Forum must keep books of account or records as are sufficient to establish amount of gross income, deductions, credits, or other matters required to be shown in any such return.

These documents and records shall be kept for as long as the contents thereof may become material in the administration of federal, state, and local income, franchise, and property tax laws.

<b>Record Type</b>	<b>Retention Period</b>
Tax-Exemption Documents and Related Correspondence	Permanent
IRS Rulings	Permanent
Excise Tax Records	7 years
Payroll Tax Records	7 years
Tax Bills, Receipts, Statements	7 years

Tax Returns - Income, Franchise, Property	Permanent
Tax Workpaper Packages - Originals	7 years
Sales/Use Tax Records	7 years
Annual Information Returns - Federal and State	Permanent
IRS or other Government Audit Records	Permanent

#### **O. CONTRIBUTION RECORDS**

<b>Record Type</b>	<b>Retention Period</b>
Records of Contributions	Permanent
The Charter School's or other documents evidencing terms of gifts	Permanent

#### **P. PROGRAM AND SERVICE RECORDS**

<b>Record Type</b>	<b>Retention Period</b>
Food Program, Other docs	7 years
Charter School's convening	Permanent (1 copy only)
Research & Publications	Permanent (1 copy only)

#### **Q. FISCAL SPONSOR PROJECT RECORDS**

<b>Record Type</b>	<b>Retention Period</b>
Sponsorship agreements	Permanent

#### **R. STUDENT RECORDS**

<b>Record Type</b>	<b>Retention Period</b>
Cumulative Student files	Permanent

Discipline logs

Permanent

Attendance records

7 years



## **PERSONNEL**

Please refer to the Personnel Handbook and Personnel policies which are incorporated as a part of these Board Policies.

**Adopted: June 23, 2021**

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## SCHOOL SAFETY - EMERGENCY PLANS

### **Oath**

Public employees are disaster service workers. Before taking up their duties, employees must take the oath or affirmation required by law. (Government Code Section 3100-3109)

In the event of natural, manmade or war-caused emergencies, which result in conditions of disaster or extreme peril to life, property and resources, all Charter School employees are subject to disaster service activities as assigned to them by their superiors. (Government Code Section 3100)

The Superintendent or designee shall administer this oath to Charter School employees. (Education Code Section 60) Legally employed aliens shall be exempt from this requirement. (Government Code Section 3101)

At the advice of legal counsel, the Superintendent or designee may exempt a perspective C employee from taking the above oath if he/she raises a valid religious objection.

### **Disaster Plan**

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

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

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

#### Teacher Will:

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

Assigned Charter School Director Will:

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

Assigned Charter School Director Will:

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

Charter School Secretary Will:

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

**Special Information For Parents****Telephones/Communications**

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

**Dismissal**

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

**Student Release Procedure**

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

leave children with their classes and not sign student release form until they are ready to leave.

**If You Can't Get to the School**

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

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

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

**Food and Water**

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

**Fire Drills and Evacuation**

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

**Bomb Threats**

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

**Adopted: June 23, 2021**

## SCHOOL SAFETY - FIELD TRIPS & EXCURSIONS

The Board recognizes that field trips and excursions are important components of a student's development. Field trips and excursions are educationally sound and an important ingredient to the instructional program of the Charter School. Such activities supplement and enrich classroom learning and encourage new interests among students, make them more aware of community resources and help students relate their educational experience to the outside world. Properly planned and executed, field trips and excursions enrich the Charter School's educational program and the social development of the Charter School's students.

Field trips and excursions are to be planned and carried out with safety as a priority and in a manner that minimizes the Charter School's legal liability and financial cost.

### Monitoring Field Trips and Excursions

The Deputy Executive Director of the Charter School shall ensure that the effectiveness of field trips and excursions are monitored and continually evaluated to ensure that such activities continue to promote the goals and objectives of the Charter School's educational program. Teachers are to have a considerable degree of flexibility and innovation in planning field trips.

### Field Trip and Excursion Planning and Approval

All field trips and excursions that take place during school hours must receive prior written approval by the Deputy Executive Director of the Charter School. The Deputy Executive Director of the Charter School shall ensure that the sponsoring teacher has set out in writing the educational objective of the activity and how the proposed field trip or excursion relates to the Charter School's educational program, the ratio of adult/students for the activity, and plans showing the best use of the students' learning time. Such plans must also provide for adequate restroom facilities, that proper food and water will be available during the activity and the means of transportation to and from the activity.

Field trips and excursions, including but not limited to California Interscholastic Federation ("CIF") trips, lasting longer than the school day require the above procedure and Board approval.

If the Deputy Executive Director of the Charter School or the Board does not approve the field trip or excursion, the reasons for not approving the activity must be stated in writing.

The Deputy Executive Director of the Charter School may exclude from the field trip or excursion any student whose presence on the field trip or excursion would pose a safety or disciplinary risk.

The Deputy Executive Director of the Charter School shall not approve activities that he/she considers to be inherently dangerous to students.

### Permission Slips

No student will be permitted to go on a field trip or excursion without a permission slip signed by the student's parent or guardian. The permission slip shall include a waiver of all claims against the Charter School, its employees and the State of California for injury, accident, illness or death occurring during or by reason of the field trip or excursion. In addition, the permission slip shall include an emergency telephone number for the student; any medications the student is required to take, along with the time and dosage required; and any medications the student is allergic to or

other medical information necessary to ensure the student's safety.

One copy of the permission slip shall be filed with the Deputy Executive Director of the Charter School and one copy shall be given to the teacher to take on the field trip or excursion.

#### Accident and Medical Insurance

The Charter School does not provide student accident or medical insurance. However, information and applications for student injury and medical insurance are available from the Deputy Executive Director of the Charter School. Applications and payments must be sent directly to the insurance company.

#### Supervision of Field Trips and Excursions

The sponsoring teacher must be present to supervise the field trip or excursion. The Deputy Executive Director of the Charter School or his/her designee shall be designated as the emergency contact for the group on the field trip or excursion. The sponsoring teacher or the Charter School employee accompanying the group shall have completed a first aid course which is certified by the American Red Cross.

A first aid kit shall be in the possession of the sponsoring teacher or accompanying Charter School employee at all times during the field trip or excursion. If the field trip or excursion is conducted in areas known to be infested with poisonous snakes, the first aid kit must contain medically accepted snakebite remedies. The sponsoring teacher or Charter School employee must also be certified in a first aid course emphasizing treatment of snakebites.

Charter School employees shall not consume alcohol or use controlled substances (except for medications taken under a physician's orders) while accompanying and supervising students on a field trip or excursion.

Any injuries or unusual incidents occurring during the field trip or excursion shall be documented in writing by the sponsoring teacher or other Charter School employee accompanying the field trip or excursion.

#### Adult/Student Ratio

Adult/student supervision ratio must be observed at all times during the field trip or excursion. Students are under the jurisdiction of the Board at all times during the field trip or excursion and Charter School rules are to be adhered to at all times. Horseplay, practical jokes, harassment, taunting, rough play, aggressive or violent behavior, profanity, viewing of pornographic material and use of alcohol or controlled substances during the field trip or excursion are strictly prohibited.

#### Parent/Guardian Participation in Field Trips and Excursions

Parents/guardians are encouraged to participate in field trips and excursions to assist with supervision of students. Parents/guardians accompanying Charter School group shall receive clear information regarding their responsibilities from the sponsoring teacher. Prior to the field trip or excursion, the Deputy Executive Director of the Charter School or his/her designee may hold a meeting for parents/guardians accompanying the Charter School group as supervisors to discuss, among other things, safety and the importance of safety-related rules for the field trip or excursion, how to keep a group together and what to do if an emergency occurs.

Parents/guardians will be assigned a specific group of students and shall be responsible for the continuous monitoring of these students at all times. Parents/guardians shall not consume alcohol or use controlled substances (except for medications taken under a physician's orders) while accompanying and supervising students on a field trip or excursion.

### Transportation

Consideration will be given to the safest mode of transportation and the safest routes of travel. If travel is by van, the legal occupancy limit must not be exceeded. Seat belts are to be used at all times while traveling.

If transportation for the field trip or excursion is provided by parents/guardians, such parents/guardians shall provide proof of liability insurance. A copy of the insurance policy shall be given to the Deputy Executive Director of the Charter School or his/her designee. The parents/guardians shall acknowledge in writing that their insurance carrier is the primary agent responsible for insurance for the field trip or excursion.

Under no circumstances shall students transport other students except siblings with parental permission.

Charter School shall take reasonable precautions to ensure that individuals volunteering to transport students are responsible and capable operators of the vehicles to be used.

Parents/guardians will be reimbursed the costs for use of their private vehicles when used for field trips or excursions at the rate allowed by the Internal Revenue Service for vehicle expense. To receive reimbursement the parent/guardian must submit a report indicating the destination and purpose of the trip and miles traveled. The report must be co-signed by the sponsoring teacher.

### Defraying Expenses of Field Trips and Excursions

Students may help defray field trip and excursion costs through donations. A student may not be denied the privilege of participating in a field trip or excursion due to lack of funds. Other approved funding may also offset expenses of field trips and excursions. The sponsoring teacher must provide alternative educational activities for those students not participating in the field trip or excursion due to choosing not to attend or whose parents/guardians do not give permission for the student to participate in the field trip or excursion.

**Adopted: June 23, 2021**

**SCHOOL SAFETY - INJURY AND ILLNESS PREVENTION PROGRAM GUIDANCE**

Please refer to the SAFETY MANUAL & INJURY AND ILLNESS PREVENTION PROGRAM which are incorporated as a part of these Board Policies.

**Adopted: February 24, 2021**



## SCHOOL SAFETY – TRANSPORTATION SAFETY PLAN

Because AGNES J. JOHNSON CHARTER SCHOOL (“AJJCS” or the “Charter School”) provides transportation to or from a AJJCS school activity, the AJJCS Board of Directors (“Board”) approved the following transportation safety plan, which contains procedures for AJJCS personnel to follow to ensure the safe transportation of students. A copy of this Plan will be kept at each AJJCS school and will be made available upon request to an officer of the Department of the California Highway Patrol. Students shall be informed that any violation of AJJCS policies and procedures, including violation of safety procedures on a school bus or school activity bus, could result in discipline pursuant to the AJJCS discipline policy.

### Definitions

- “*School bus*” is any motor vehicle designed, used, or maintained for the transportation of a AJJCS student to or from AJJCS or to and from AJJCS activities. “School bus” does not include a passenger vehicle designed for and when actually carrying not more than 10 persons, including the driver, except any vehicle or truck transporting two or more students who use wheelchairs.
- “*School activity bus*” is any motor vehicle, other than the school bus, operated by a common carrier, or by and under the exclusive jurisdiction of a publicly owned or operated transit system, or by a passenger charter-party carrier, used under a contractual agreement between AJJCS and carrier to transport AJJCS students to or from a AJJCS activity, or used to transport students from residential schools, when the students are received and discharged at off-highway locations where a parent or adult designated by the parent is present to accept the student or place the student on the bus.

### Determining Whether a Student Requires an Escort

If the school site or school activity destination is located on the opposite side of the street of the actual bus stop, then AJJCS and California Vehicle Code section 22112(d) require the student to be physically escorted by the bus driver across that street and under the bus drivers’ direction and supervision. The bus driver will be required to activate the school bus red flashing crossover lights and if so equipped, the stop arm, and physically get out of the bus to assist the students safely across the street. AJJCS requires ALL students who cross the street, be physically escorted by the bus driver with crossover lights and signs being activated.

### Procedures for Kindergarten through Eighth Grade Students Regarding Boarding and Exiting the Bus

AJJCS has created the following procedures to govern the safe entry and exit of kindergarten through eighth grade students to and from the school bus. AJJCS is not required to use the services of an onboard school bus monitor in addition to the driver to ensure these procedures are followed.

#### Boarding:

1. Students shall board or exit the school bus ONLY at their assigned bus stop or school activity destination.

2. Students shall board in an orderly manner and utilize the handrails for their safety while loading and unloading.
3. Students are to find their seat as quickly as possible and sit down facing the front of the bus.
4. Students are to remain seated at all times while the bus is in motion.
5. Students are to maintain a noise level which will allow the bus driver to hear approaching traffic.
6. Students are to follow the directions of the bus driver while they are aboard the bus.
7. Students are responsible to follow all rules and regulations.

#### Exiting:

1. Students shall stay seated until the bus comes to a complete stop.
2. Once the driver has stopped the bus completely and opened the door, students are to unload seat by seat starting with the front of the bus and continuing seat by seat until the bus is empty.
3. Students remaining on the bus are to remain seated until the bus stops at their assigned bus stop or school activity destination.
4. Students will unload in an orderly manner using the handrails.
5. Students shall exit the bus only at their assigned bus stop or school activity destination. Exceptions will only be allowed when the student presents the bus driver with a note signed by the student's parent and endorsed by the Executive Director
6. Students are to move away from the bus as they unload. Students shall not get underneath the bus to retrieve a book, paper or some other article. The student should always tell the bus driver and have the bus driver get the article for them.
7. Students should always use crosswalks and controlled intersections when available and should not cross in the middle of the block.
8. Students must avoid trespassing on other people's property, stay on sidewalks when possible.

#### **Procedures for All Students to Follow as They Board or Exit a School Bus at AJJCS or Other School Activity Location**

AJJCS has created the following procedures to govern the safe entry and exit of all students at AJJCS or other school activity location.

#### Boarding Buses at School Site or School Activity Location:

1. The school bus driver may not activate the flashing amber warning light system, the flashing red light signal system, and stop signal arm at any school.
2. The driver will monitor the students' entry onto the bus to ensure an orderly and safe entry for all students.
3. The group of students, along with the teacher(s) and any other adult personnel attending a school activity, shall assemble in an area away from the school bus to wait. When the students are ready to load, the AJJCS staff shall inform the driver, and the driver will begin the boarding process.
4. Upon completion of the boarding process, the driver will proceed with the bus evacuation and safety presentation, described below. This shall include an explanation and demonstration of all emergency exits, first aid kits, fire extinguishers, etc.

5. Upon completion of the presentation, the driver shall have the AJJCS teacher or head chaperone sign a trip sheet, acknowledging the presentation has been given. The driver will then depart when safe to do so.

#### Exiting Buses at School Site or School Activity Location:

1. Upon arrival at AJJCS, the driver shall take the bus to the designated student drop off area.
2. Upon reaching the designated area, the driver will park the bus and open the door when it is clear and safe to do so. The flashing red signal lights will not be activated.
3. Upon arrival at the school or school activity destination, the driver will select an area where the bus can be lawfully parked and the boarding/exiting of students can be reasonably controlled.
  - a. The driver will confer with the AJJCS teacher/head chaperone regarding the time and location where the group will assemble to reload the bus.
  - b. When it is clear and safe to do so, the driver will have the students disembark the bus. The flashing red signal lights will not be activated.
  - c. When the AJJCS teacher/head chaperone has confirmed all students are accounted for, the group may proceed to the trip.
4. Students exiting the bus at either AJJCS or a school activity location should do so in an orderly, respectful, and appropriate manner, following all instructions from AJJCS staff and the bus driver.

#### **Procedures for School Staff to Ensure a Student is Not Left Unattended on a School Bus or School Activity Bus**

AJJCS staff members should always be involved and active in the supervision of the loading and unloading of students at AJJCS and on activity trips to ensure no student is left unattended on the school bus or school activity bus.

To do this, AJJCS staff shall adhere to the following procedures:

1. Before leaving the school site for a school activity, the AJJCS teacher/head chaperone for the trip shall ensure they have a copy of the class roster with all student names.
2. Once the bus reaches the destination, a AJJCS teacher/head chaperone shall be the first person off the bus and will note each student who exits the bus by comparing the exiting students against the class roster.
3. A AJJCS staff member/chaperone shall be the last person to exit the bus at each stop to ensure no students are left on board. Before exiting the bus, the staff member/chaperone will walk up the aisle, checking each seat and area on the floor by each seat to ensure no students are present.
4. Once all students and staff/chaperones have exited the bus, but before leaving for the designated activity, the AJJCS teacher/head chaperone will conduct another roll call by calling out each student's name and waiting for verbal and visual confirmation from the student of being present.
5. The AJJCS teacher/head chaperone will discuss with the bus driver a way to contact each other in the event it is later discovered a student is still on the bus.

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## **Procedures and Standards for Designating an Adult Chaperone, Other than the Bus Driver, to Accompany Students on a School Activity Bus**

AJJCS shall follow its applicable policies and procedures, including its visitor and volunteer policy, for designating an adult chaperone other than the school bus driver to accompany students on a bus or a school activity bus. All appropriate background checks will be conducted on any chaperone prior to the chaperone's attending a school trip or school activity bus.

### **Instruction in School Bus or School Activity Bus Emergency Procedure and Passenger Safety**

AJJCS shall ensure that all students who are transported in a school bus or school activity bus receive instruction in school bus emergency procedures and passenger safety.

### **Instruction for Students who were not Previously Transported in a School Bus**

Upon registration, the parents/guardians of students who were not previously transported in a school bus or school activity bus and who are in kindergarten through grade 6, inclusive, shall be provided with written information on school bus safety. This information shall include, but not be limited to, the following:

1. A list of school bus stops near the student's home.
2. General rules of conduct at school bus loading zones, such as:
  - a. While waiting for the school bus to arrive, students must stand single file in an orderly and well-behaved line.
  - b. Students are not to play in or be in the street or private property.
  - c. Students shall be on the proper side of the street before the bus arrives at the bus stop.
  - d. Students should arrive at their bus stop five minutes prior to the scheduled leaving time.
  - e. If the student is late and needs to cross the street that the bus is stopped on, the student must wait for the bus driver to escort the student across the street.
  - f. Students should not approach the bus until it comes to a complete stop at the stop;
  - g. Students should board and exit the bus in an orderly fashion, with no pushing or shoving.
  - h. Students should understand the bus driver is in charge at all times, and students should follow the bus driver's directions.
  - i. The driver will immediately activate the red flashing crossover lights and stop arm if so equipped.
  - j. Animals, birds, reptiles, fish, insects, breakable containers, weapons, or any object or substance that could be hazardous will not be transported on the bus.
3. Red light crossing instructions, consistent with this Plan.
4. School bus danger zone(s).
5. Walking to and from school bus stops.

### **Instruction for all Students Prior to Departure on School Trip**

Finally, prior to departure on a school activity trip, AJJCS shall provide safety instruction to all students riding in a school bus or school activity bus. This instruction shall include, but not be limited, to the following:

1. Location of emergency exits; and
2. Use of emergency equipment.
  - a. Instruction may also include responsibilities of passengers seated next to an emergency exit.
3. Instruction on how to use the passenger restraint systems, including but not limited to the following:
  - a. Proper fastening and release of the passenger restraint system;
  - b. Acceptable placement of passenger restraint systems on students;
  - c. Times when the passenger restraint systems should be fastened and released; and
  - d. Acceptable placement of the passenger restraint systems when not in use.

### **Operation of School Bus or School Activity Bus when Visibility Reduced to 200 Feet or Less**

Pursuant to Vehicle Code section 34501.6, AJJCS is required to adopt procedures that limit the operation of school buses and school activity buses when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home to school transportation service. Bus drivers of school activity buses shall have the authority to discontinue school activity bus operation if the driver determines that it is unsafe to continue operation because of reduced visibility.

For purposes of this Plan, the procedures for school bus drivers shall be as follows:

1. The school bus driver will notify the Executive Director that atmospheric conditions have reduced visibility to 200 feet or less.
2. The Executive Director may consult with legal counsel as needed.
3. The Executive Director may direct that school bus activity will be suspended or delayed for a minimum of one (1) hour through an indefinite suspension or delay if required by the conditions. The length of time for the suspension or delay of school bus services shall be at the discretion of the Executive Director.

**Adopted: June 23, 2021**

## STUDENT POLICY – SCHOOL WELLNESS

This policy outlines the Charter School’s approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. Specifically, this policy establishes goals and procedures to ensure that:

- Students in the Charter School have access to healthy foods throughout the school day—both through reimbursable school meals and other foods available throughout the school campus—in accordance with Federal and state nutrition standards;
- Students receive quality nutrition education that helps them develop lifelong healthy eating behaviors;
- Students have opportunities to be physically active before, during, and after school;
- Charter School will engage in nutrition and physical activity promotion and other activities that promote student wellness;
- Charter School staff are encouraged and supported to practice healthy nutrition and physical activity behaviors in and out of school;
- The community is engaged in supporting the work of the Charter School in creating continuity between school and other settings for students and staff to practice lifelong healthy habits; and
- The Charter School establishes and maintains an infrastructure for management, oversight, implementation, communication about, and monitoring of the policy and its established goals and objectives.

This policy applies to all students, staff, and schools in the Charter School.

*[Recommended Optional language includes:*

- *The Charter School will coordinate the wellness policy with other aspects of school management, including the Charter School’s School Improvement Plan, when appropriate.*
- *NOTE: Will also include any relevant data or statistics from state or local sources supporting the need for establishing and achieving the goals in this policy.]*

### **I. School Wellness Committee**

#### ***Committee Role and Membership***

The Charter School will convene a representative school wellness committee (hereto referred to as the SWC or work within an existing school health committee) that meets at least four times per year to establish goals for and oversee school health and safety policies and programs, including development, implementation, and periodic review and update of this school-level wellness policy (heretofore referred as “wellness policy”).

The SWC membership will represent all school levels (elementary and secondary schools) and include (to the extent possible), but not be limited to: parents and caregivers; students; representatives of the school nutrition program (ex., school nutrition director); physical education teachers; health education teachers; school health professionals (ex., health education teachers, school health services staff [i.e., nurses, physicians, dentists, health educators, and other allied health personnel who provide school health services], and mental health and social services staff [i.e., school counselors, psychologists, social workers, or psychiatrists]; school administrators (ex., superintendent, Executive Director, vice Executive Director), school board members; health

professionals (ex., dietitians, doctors, nurses, dentists); and the general public. To the extent possible, the SWC will include representatives from each school building and reflect the diversity of the community.

### ***Leadership***

The Food Services Director or designee(s) will convene the SWC and facilitate development of and updates to the wellness policy, and will ensure the Charter School's compliance with the policy.

The Charter School will designate a school wellness policy coordinator, who will ensure compliance with the policy. Refer to Appendix A for a list of school level wellness policy coordinators.

## **II. Wellness Policy Implementation, Monitoring, Accountability, and Community Engagement**

### ***Implementation Plan***

The Charter School will develop and maintain a plan for implementation to manage and coordinate the execution of this wellness policy. The plan delineates roles, responsibilities, actions, and timelines specific to the Charter School, and includes information about who will be responsible to make what change, by how much, where, and when, as well as specific goals and objectives for nutrition standards for all foods and beverages available on the school campus, food and beverage marketing, nutrition promotion and education, physical activity, physical education, and other school-based activities that promote student wellness.

This wellness policy and the progress reports can be found at: [www.ivyacademia.com](http://www.ivyacademia.com)

### ***Recordkeeping***

The Charter School will retain records to document compliance with the requirements of the wellness policy on the "cloud" and a hard copy in the Business Office. Documentation maintained in this location will include but will not be limited to:

- The written wellness policy;
- Documentation demonstrating compliance with community involvement requirements, including (1) Efforts to actively solicit SWC membership from the required stakeholder groups; and (2) These groups' participation in the development, implementation, and periodic review and update of the wellness policy;
- Documentation of annual policy progress reports for the Charter School under its jurisdiction; and
- Documentation of the triennial assessment\* of the policy for the Charter School under its jurisdiction;
- Documentation demonstrating compliance with public notification requirements, including: (1) Methods by which the wellness policy, annual progress reports, and triennial assessments are made available to the public; and (2) Efforts to actively notify families about the availability of wellness policy.

### ***Annual Progress Reports***

The Charter School will compile and publish an annual report to share basic information about the wellness policy and report on the progress in meeting wellness goals. This annual report will be published around the same time each year in June, and the report will include, but is not limited to:

- The website address for the wellness policy and/or how the public can receive/access a copy of the wellness policy;
- A description of the Charter School's progress in meeting the wellness policy goals;
- A summary of the Charter School's events or activities related to wellness policy implementation;
- The name, position title, and contact information of the designated Charter School policy leader(s) identified in Section I; and
- Information on how individuals and the public can get involved with the SWC or SCC.

The annual report will be available in Spanish.

The Charter School will actively notify households/families of the availability of the annual report. The SWC, in the form of the School Site Council will establish and monitor goals and objectives for the Charter School.

### ***Triennial Progress Assessments***

At least once every three years, the Charter School will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

- The extent to which the Charter School is in compliance with the wellness policy;
- A description of the progress made in attaining the goals of the Charter School's wellness policy.

The position/person responsible for managing the triennial assessment and contact information is the Executive Director of Food Services.

The SWC, in the form of the School Site Council, will monitor the Charter School's compliance with this wellness policy.

The Charter School will actively notify households/families of the availability of the triennial progress report.

### ***Revisions and Updating the Policy***

The SWC will update or modify the wellness policy based on the results of the annual progress reports and triennial assessments, and/or as Charter School priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. **The wellness policy will be assessed and updated as indicated at least every three years, following the triennial assessment.**

### ***Community Involvement, Outreach, and Communications***

The Charter School is committed to being responsive to community input, which begins with awareness of the wellness policy. The Charter School will actively communicate ways in which representatives of SWC and others can participate in the development, implementation, and periodic review and update of the wellness policy through a variety of means appropriate for the Charter School. The Charter School will also inform parents of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs and how to apply, and a description of and compliance with Smart Snacks in School nutrition standards. The Charter School will use electronic mechanisms, such as email or displaying notices on the Charter School's website, as well as non-electronic mechanisms, such as newsletters, presentations to parents, or sending information home to parents, to ensure that all



families are actively notified of the content of, implementation of, and updates to the wellness policy, as well as how to get involved and support the policy. The Charter School will ensure that communications are culturally and linguistically appropriate to the community, and accomplished through means similar to other ways that the Charter School is communicating other important school information with parents.

The Charter School will actively notify the public about the content of or any updates to the wellness policy annually, at a minimum. The Charter School will also use these mechanisms to inform the community about the availability of the annual and triennial reports.

### **III. Nutrition**

#### ***School Meals***

The Charter School is committed to serving healthy meals to children, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk; moderate in sodium, low in saturated fat, and zero grams *trans*-fat per serving (nutrition label or manufacturer's specification); and to meet the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns, and support healthy choices while accommodating cultural food preferences and special dietary needs.

The Charter School may participate in USDA child nutrition programs, including the National School Lunch Program (NSLP), the School Breakfast Program (SBP), the Charter School is committed to offering school meals through the NSLP and SBP programs, and other applicable Federal child nutrition programs, that:

- Are accessible to all students;
- Are appealing and attractive to children;
- Are served in clean and pleasant settings;
- Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations. (The Charter School offers reimbursable school meals that meet [USDA nutrition standards](#).)
- Promote healthy food and beverage choices using at least ten of the following [Smarter Lunch area techniques](#):
  - Whole, sliced or cut fruit is available daily
  - Daily fruit options are displayed in a location in the line of sight and reach of students
  - Daily vegetable options are bundled into all grab and go meals available to students
  - All staff members, especially those serving, have been trained to politely prompt students to select and consume the daily vegetable options with their meal
  - White milk is placed in front of other beverages in all coolers
  - Monthly menus, student assemblies, and announcements in the classroom are used to promote and market menu options
- Menus will be posted on the Charter School website, and will include nutrient content and ingredients.
- Menus will be created SNP and reviewed by SNP/The Charter School.
- Students will be allowed at least 10 minutes to eat breakfast and at least 20 minutes to eat lunch, counting from the time they have received their meal and are seated (meets HSP Gold level). All students are served lunch at a reasonable and appropriate time of day.

- Participation in Federal child nutrition programs will be promoted among students and families to help ensure that families know what programs are available in their children's school.

### ***Staff Qualifications and Professional Development***

The Charter School's nutrition program directors and staff will meet or exceed hiring and annual continuing education/training requirements in the [USDA professional standards for child nutrition professionals](#). These Charter School nutrition personnel will refer to [USDA's Professional Standards for School Nutrition Standards website](#) to search for training that meets their learning needs.

### ***Water***

To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the school day\* and throughout every school campus\* ("school campus" and "school day" are defined in the glossary). The Charter School will make drinking water available where school meals are served during mealtimes. In addition, students will be allowed to bring and carry (approved) water bottles filled with only water with them throughout the day.

### ***Competitive Foods and Beverages***

The Charter School is committed to ensuring that all foods and beverages available to students on the school campus\* during the school day\* support healthy eating. The foods and beverages sold and served outside of the school meal programs (i.e., "competitive" foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day, and create an environment that reinforces the development of healthy eating habits. A summary of the standards and information are available at: <http://www.fns.usda.gov/healthierschoolday/tools-schools-smart-snacks>. The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at [www.healthiergeneration.org/smartsnacks](http://www.healthiergeneration.org/smartsnacks).

To support healthy food choices and improve student health and well-being, all foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet nutrition standards. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to student stores, and snack or food carts.

### ***Celebrations and Rewards***

All foods offered on the school campus will meet or exceed the USDA Smart Snacks in School nutrition standards including through:

1. Celebrations and parties. The Charter School will provide a list of healthy party ideas to parents and teachers, including non-food celebration ideas. Healthy party ideas from the [Alliance for a Healthier Generation](#) and from the [USDA](#).
2. Classroom snacks brought by parents. The Charter School will provide to parents a [list of foods and beverages that meet Smart Snacks](#) nutrition standards; and

### ***Fundraising***

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus\* during the school day\*. The Charter School will make available to parents and teachers a list of healthy fundraising ideas [examples from the [Alliance for a Healthier Generation](#) and the [USDA](#)].

***Nutrition Promotion***

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. 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 and teachers, parents, students, and the community.

The 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 at least:

- Implementing evidence-based healthy food promotion techniques through the school meal programs using [Smarter Lunchroom techniques](#); and
- Promoting foods and beverages that meet the USDA Smart Snacks in School nutrition standards. Additional possible promotion techniques that the Charter School may use are available at [www.healthiergeneration.org/smartsnacks](http://www.healthiergeneration.org/smartsnacks).

***Nutrition Education***

The Charter School aims to teach, model, encourage, and support healthy eating by students.

- Is designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Is part of not only health education classes, but also integrated into other classroom instruction through subjects such as math, science, language arts, social sciences, and elective subjects;
- Promote fruits, vegetables, whole-grain products, low-fat and fat-free dairy products, and healthy food preparation methods;
- Emphasize caloric balance between food intake and energy expenditure (promotes physical activity/exercise);
- All health education teachers will provide opportunities for students to practice or rehearse the skills taught through the health education curricula.

***Essential Healthy Eating Topics in Health Education***

The Charter School will include in the health education curriculum the following essential topics on healthy eating:

- The relationship between healthy eating and personal health and disease prevention
- Reading and using USDA's food labels
- Eating a variety of foods every day
- Balancing food intake and physical activity
- Eating more fruits, vegetables, and whole grain products
- Choosing foods that are low in fat, saturated fat, and cholesterol and do not contain *trans* fat
- Choosing foods and beverages with little added sugars
- Eating more calcium-rich foods
- Preparing healthy meals and snacks
- Risks of unhealthy weight control practices
- Accepting body size differences

- Food safety
- Importance of water consumption
- Importance of eating breakfast
- Making healthy choices when eating at restaurants
- Eating disorders
- The Dietary Guidelines for Americans
- Reducing sodium intake
- Social influences on healthy eating, including media, family, peers, and culture
- How to find valid information or services related to nutrition and dietary behavior
- How to develop a plan and track progress toward achieving a personal goal to eat healthfully
- Resisting peer pressure related to unhealthy dietary behavior
- Influencing, supporting, or advocating for others' healthy dietary behavior

[USDA's Team Nutrition](#) provides free nutrition education and promotion materials, including standards-based nutrition education curricula and lesson plans, posters, interactive games, menu graphics, and more.

### ***Food and Beverage Marketing in Schools***

The Charter School is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The Charter School strives to teach students how to make informed choices about nutrition, health, and physical activity. These efforts will be weakened if students are subjected to advertising on school property that contains messages inconsistent with the health information the Charter School is imparting through nutrition education and health promotion efforts. It is the intent of the Charter School to protect and promote student's health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the school campus, consistent with the Charter School's wellness policy.

Any foods and beverages marketed or promoted to students on the school campus\* during the school day\* will meet or exceed the state nutrition standards, such that only those foods that comply with or exceed those nutrition standards are permitted to be marketed or promoted to students.

Food advertising and marketing is defined<sup>4</sup> as an oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product. This term includes, but is not limited to the following:

- Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.
- Corporate brand, logo, name, or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans, and other food service equipment; as well as on posters, book covers, pupil assignment books, or school supplies displayed, distributed, offered, or sold by the Charter School.

- Advertisements in school publications or school mailings.
- Free product samples, taste tests, or free samples displaying advertising of a product.

#### **IV. Physical Activity**

Children and adolescents should participate in 60 minutes of physical activity every day. A substantial percentage of students' physical activity can be provided through a comprehensive, school-based physical activity program (CSPAP) that includes these components: physical education, recess, classroom-based physical activity, walk and bicycle to school, and out-of-school time activities and the Charter School is committed to providing these opportunities. The Charter School will ensure that these varied opportunities are in addition to, and not as a substitute for, physical education (addressed in "Physical Education" subsection). The Charter School will be encouraged to participate in *Let's Move! Active Schools* ([www.letsmoveschools.org](http://www.letsmoveschools.org)) in order to successfully address all CSPAP areas.

Physical activity during the school day **will not be withheld** as punishment for any reason. Any student involved in disciplinary restrictions will be provided with equivalent physical activities. This does not include participation on sports teams that have specific academic requirements. To the extent practicable, the Charter School will ensure that its grounds and facilities are safe and that equipment is available to students to be active. The Charter School will conduct necessary inspections and repairs.

##### ***Physical Education***

The Charter School will provide students with physical education, using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits, as well as incorporate essential health education concepts.

All students will be provided equal opportunity to participate in physical education classes. The Charter School will make appropriate accommodations to allow for equitable participation for all students and will adapt physical education classes and equipment as necessary.

The Charter School's physical education program will promote student physical fitness through individualized fitness and activity assessments (via the [Presidential Youth Fitness Program](#) or other appropriate assessment tool) and will use criterion-based reporting for each student.

##### ***Essential Physical Activity Topics in Health Education***

The Charter School will include in the health education curriculum the following essential topics on physical activity

- The physical, psychological, or social benefits of physical activity
- How physical activity can contribute to a healthy weight
- How physical activity can contribute to the academic learning process
- How an inactive lifestyle contributes to chronic disease.
- Health-related fitness, that is, cardiovascular endurance, muscular endurance, muscular strength, flexibility, and body composition
- Differences between physical activity, exercise, and fitness
- Phases of an exercise session, that is, warm up, workout, and cool down
- Overcoming barriers to physical activity

- Decreasing sedentary activities, such as TV watching
- Opportunities for physical activity in the community
- Preventing injury during physical activity
- Weather-related safety, for example, avoiding heat stroke, hypothermia, and sunburn while being physically active
- How much physical activity is enough, that is, determining frequency, intensity, time, and type of physical activity
- Developing an individualized physical activity and fitness plan
- Monitoring progress toward reaching goals in an individualized physical activity plan
- Dangers of using performance-enhancing drugs, such as steroids
- Social influences on physical activity, including media, family, peers, and culture
- How to find valid information or services related to physical activity and fitness
- How to influence, support, or advocate for others to engage in physical activity
- How to resist peer pressure that discourages physical activity

### ***Recess (Elementary)***

All elementary schools will offer at least **15 minutes of recess** on all or most days during the school year. This policy may be waived on early dismissal or late arrival days. If recess is offered before lunch, schools will have appropriate hand-washing facilities and/or hand-sanitizing mechanisms located outside the lunch line to ensure proper hygiene prior to eating and students are required to use these mechanisms before eating.

**Outdoor recess** will be offered when weather is feasible for outdoor play. In the event that the school must conduct **indoor recess**, teachers and staff will follow the indoor recess guidelines that promote physical activity for students, to the extent practicable. Recess will complement, not substitute, physical education class. Yard Supervisors or teachers will encourage students to be active and will serve as role models by being physically active alongside the students whenever feasible.

### ***Physical Activity Breaks (Elementary and Secondary)***

The Charter School recognizes that students are more attentive and ready to learn if provided with periodic breaks when they can be physically active or stretch. Thus, students will be offered **periodic opportunities** to be active or to stretch throughout the day on all or most days during a typical school week. The Charter School recommends teachers provide short (2-3 minute) physical activity breaks to students during and between classroom time. These physical activity breaks will complement, not substitute, for physical education class, recess, and class transition periods.

### ***Active Academics***

Teachers will incorporate movement and kinesthetic learning approaches into “core” subject instruction when possible (e.g., science, math, language arts, social studies, and others) and do their part to limit sedentary behavior during the school day.

The Charter School will support classroom teachers incorporating physical activity and employing kinesthetic learning approaches into core subjects by providing annual professional development opportunities and resources, including information on leading activities, activity options, as well as making available background material on the connections between learning and movement.

Teachers will serve as role models by being physically active alongside the students whenever

feasible.

#### **V. Other Activities that Promote Student Wellness**

The Charter School will coordinate and integrate other initiatives related to physical activity, physical education, nutrition, and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development, and strong educational outcomes.

Teachers at the Charter School are encouraged to coordinate content across curricular areas that promote student health, such as teaching nutrition concepts in mathematics, with consultation provided by either the Charter School or curriculum experts.

All efforts related to obtaining federal, state, or association recognition for efforts, or grants/funding opportunities for healthy school environments will be coordinated with and complementary of the wellness policy, including but not limited to ensuring the involvement of the SWC/SSC.

All school-sponsored events will adhere to the wellness policy. All school-sponsored wellness events will include physical activity opportunities.

#### ***Community Partnerships***

The Charter School will continue to develop relationships with community partners (i.e., hospitals, universities/colleges, local businesses, etc.) in support of this wellness policy's implementation. Existing and new community partnerships and sponsorships will be evaluated to ensure that they are consistent with the wellness policy and its goals.

#### ***Community Health Promotion and Engagement***

The Charter School will promote to parents/caregivers, families, and the general community the benefits of and approaches for healthy eating and physical activity throughout the school year. Families will be informed and invited to participate in school-sponsored activities and will receive information about health promotion efforts.

As described in the "Community Involvement, Outreach, and Communications" subsection, the Charter School will use electronic mechanisms (such as email or displaying notices on the Charter School's website), as well as non-electronic mechanisms, (such as newsletters, presentations to parents, or sending information home to parents), to ensure that all families are actively notified of opportunities to participate in school-sponsored activities and receive information about health promotion efforts.

#### ***Staff Wellness and Health Promotion***

The SWC, in the form of the School Site Council will have a staff wellness subcommittee that focuses on staff wellness issues, identifies and disseminates wellness resources, and performs other functions that support staff wellness in coordination with human resources staff. The Executive Director of Food Services shall function as the staff wellness representative.

The Charter School will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors. The Charter School promotes staff member participation in health promotion programs and will support programs for staff members on healthy

eating/weight management that are accessible and free or low-cost.

***Professional Learning***

When feasible, the Charter School will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and school (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class). Professional learning will help the Charter School staff understand the connections between academics and health and the ways in which health and wellness are integrated into ongoing Charter School reform or academic improvement plans/efforts.

**Adopted: June 23, 2021**



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## STUDENT POLICY - ATTENDANCE

### Excused Absences for Classroom Based Attendance

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as permitted by law or Board policy.

A student's absence shall be excused for the following reasons:

1. Personal illness;
2. Quarantine under the direction of a county or city health officer;
3. Medical, dental, optometrical, or chiropractic appointments;
4. Attendance at funeral services for a member of the immediate family:
  - a. Excused absence in this instance shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state.
  - b. "Immediate family" shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/ daughter-in-law, brother, sister or any relative living in the student's immediate household.
5. Jury duty in the manner provided by law;
6. Participation in religious instruction or exercises in accordance with Charter School policy:
  - a. In such instances, the student shall attend at least the minimum school day.
  - b. The student shall be excused for this purpose on no more than four school days per month.

In addition, a student's absence shall be excused for justifiable personal reasons. Advance written request by the parent/guardian and approval of the Executive Director or designee shall be required for absences for:

1. Appearance in court;
2. Attendance at a funeral;
3. Observation of a holiday or ceremony of his/her religion;
4. Attendance at religious retreats for no more than four hours during a semester;
5. Employment interview or conference.

In addition, if a student is the custodial parent of a child, his/her absence shall be excused when the child is ill or has a medical appointment during school hours.

### Method of Verification

When students who have been absent return to school, they must present a satisfactory explanation verifying the reason for the absence. The following methods may be used to verify student absences:

1. Written note from parent/guardian, parent representative, or student if 18 or older;
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the

following:

- a. Name of student;
  - b. Name of parent/guardian or parent representative;
  - c. Name of verifying employee;
  - d. Date or dates of absence; and
  - e. Reason for absence.
3. Visit to the student's home by the verifying employee, or any other reasonable method, which establishes the fact that the student was absent for the reasons stated. A written recording shall be made, including information outlined above.
  4. Physician's verification
    - a. When excusing students for confidential medical services or verifying such appointments, Charter School staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.
    - b. When a student has had 14 absences in the school year for illness verified by methods listed in #1-#3 above, any further absences for illness must be verified by a physician.

Insofar as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during non-school hours.

At the beginning of each academic year, notifications shall be sent to the parents/guardians of all students and to all students in grades 7 through 12, informing them that Charter School authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian.

Students in grades K-6 should not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency. Students in grades 7-12 should not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency or confidential medical appointment.

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to administrative regulations and law.

#### **Unexcused Absences/Truancy for Classroom Based Attendance**

The Director, or designee, shall implement positive steps to reduce truancy. Students who are habitual truants or habitually insubordinate or disorderly during attendance at school may be referred to the appropriate law enforcement agency.

When the student's attendance problems cannot be resolved or the student and parent/guardian have failed to respond to directives to correct the problem, a student who has been classified as truant may be referred to the district attorney or probation officer for truancy mediation. Further, the school attendance review board or probation officer may request a juvenile court petition on behalf of the student.

A student's grades may be affected by excessive unexcused absences.

1. Students shall be classified as truant if absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. Such students shall be reported to the Executive Director or designee.

The parent/guardian of a student classified as a truant shall be notified of the following:

- a. The student is truant;
  - b. The parent/guardian is obligated to compel the student to attend school;
  - c. The parent/guardian who fails to meet this obligation may be guilty of an infraction of the law and subject to prosecution;
  - d. The parent/guardian has the right to meet with appropriate Charter School personnel to discuss solutions to the student's truancy;
  - e. Alternative educational programs are available through the Charter School;
  - f. The student may be subject to arrest by a probation officer, a peace officer, a Charter School administrator, an attendance supervisor or his/her designee under Education Code 48264 if found away from home and absent from school without a valid excuse;
  - g. The student may be subject to suspension, restriction or delay of his/her driving privilege; and
  - h. It is recommended that the parent/guardian accompany the student to school and attend classes with the student for one day.
2. Upon his/her first truancy, a student may be given a written warning by a peace officer. A record of this warning may be kept at school for at least two years or until the student graduates or transfers from the Charter School. If the student transfers, the record may be forwarded to the new school.
  3. Upon his/her second truancy within the same school year, a student may be assigned to an after-school or weekend study program within the county. If the student fails to successfully complete this study program, he/she shall be subject to item #4 below.
  4. Upon his/her third truancy within the same school year, a student may be referred to, and required to attend, an attendance review board, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the Executive Director or designee. If the student does not successfully complete the truancy mediation program or other similar program, he/she shall be subject to item #5 below.
  5. Upon his/her fourth truancy within the same school year, the student shall be classified a habitual truant.

A habitual truant may be referred to a school attendance review board or to the probation department.

When a student is referred to a school attendance review board or to the probation department, the Executive Director or designee shall provide the student and parent/guardian, in writing, the name and address of the school attendance review board or probation department and the reason for the referral. This notice shall indicate that the student and parent/guardian will be required, along with a Charter School staff member, to meet with the school attendance review board or probation officer to consider a proper

disposition of the referral.

If the school attendance review board or probation officer determines that available community services can resolve the problem of the truant or insubordinate students, then the school attendance review board or probation officer shall direct the student and/or the student's parents/guardians to make use of these resources.

If the school attendance review board or probation officer determines that available community services cannot resolve the problem of the truant or insubordinate student or if the student and/or student's parents/guardians have failed to respond to the directives of the school attendance review board or probation officer or to services provided, the school attendance review board and/or probation officer may notify the county district attorney.

6. If a student in grades 7-12 has been judged by the county juvenile court to be a habitual truant or habitually insubordinate or disorderly at school, or if a student has been required by the court to attend school as a condition of probation, the Charter School shall inform the juvenile court and the student's probation or parole officer, within 10 days, whenever that student is insubordinate, disorderly at school, or truant or tardy without a valid excuse.

### **Reports**

The Director, or designee, shall gather and transmit to the Board the number of referrals and types of referrals made to the school attendance review board and the number of requests for petitions made to the juvenile court.

### **Non-Classroom-Based Programs**

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

**See also Attendance Plan approved 3/24/21.**

**Adopted: June 23, 2021**

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## STUDENT POLICY - BULLYING PREVENTION AND CONFLICT RESOLUTION

The Charter School believes that all students have a right to a safe and healthy school environment. The Charter School and community have an obligation to promote mutual respect, tolerance, and acceptance.

The Charter School will not tolerate behavior that infringes on the safety of any student. A student shall not intimidate, harass, or bully another student through words or actions. Such behavior includes direct physical contact, such as hitting or shoving; verbal assaults, such as teasing or name-calling; and social isolation or manipulation.

The Charter School expects students and/or staff to immediately report incidents of bullying to the Executive Director or designee. Staff who witness such acts take immediate steps to intervene when safe to do so. Each complaint of bullying should be promptly investigated. This policy applies to students on school grounds, while traveling to and from school or a school-sponsored activity, during the lunch period, whether on or off campus, and during a school-sponsored activity.

To ensure bullying does not occur on school campuses, the Charter School will provide staff development training in bullying prevention and cultivate acceptance and understanding in all students and staff to build the Charter School's capacity to maintain a safe and healthy learning environment

Teachers should discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying. Students who bully are in violation of this policy and are subject to disciplinary action up to and including expulsion.

The Charter School will adopt a Student Code of Conduct to be followed by every student while on school grounds, or when traveling to and from school or a school-sponsored activity, and during lunch period, whether on or off campus.

The Student Code of Conduct includes, but is not limited to:

- Any student who engages in bullying may be subject to disciplinary action up to and including expulsion.
- Students are expected to immediately report incidents of bullying to the Executive Director or designee.
- Students can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.
- If the complainant student or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached, the student or the parent of the student should contact the Executive Director or the Office of Student Services. The Charter School system prohibits retaliatory behavior against any complainant or any participant in the complaint process.

The procedures for intervening in bullying behavior include, but are not limited, to the following:

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- All staff, students and their parents will receive a summary of this policy prohibiting intimidation and bullying: at the beginning of the school year, as part of the student handbook and/or information packet, as part of new student orientation, and as part of the Charter School system's notification to parents.
  - The Charter School will make reasonable efforts to keep a report of bullying and the results of investigation confidential.
  - Staff who witness acts of bullying shall take immediate steps to intervene when safe to do so. People witnessing or experiencing bullying are strongly encouraged to report the incident; such reporting will not reflect on the target or witnesses in any way.

### **Conflict Resolution**

The Charter School believes that all students have a right to a safe and healthy school environment. Part of a healthy environment is the freedom to openly disagree. With this freedom comes the responsibility to discuss and resolve disagreements with respect for the rights and opinions of others.

To prevent conflict, the Charter School will incorporate conflict resolution education and problem solving techniques into the curriculum and campus programs. This is an important step in promoting respect and acceptance, developing new ways of communicating, understanding, and accepting differing values and cultures within the Charter School community and helps ensure a safe and healthy learning environment.

The Charter School will provide training to develop the knowledge, attitudes, and skills students need to choose alternatives to self-destructive, violent behavior and dissolve interpersonal and intergroup conflict. The Charter School will adopt a Student Code of Conduct to be followed by every student while on school grounds, when traveling to and from school or a school-sponsored activity, and during lunch period, whether on or off campus.

The Student Code of Conduct includes, but is not limited to, the following:

- Students are to resolve their disputes without resorting to violence.
- Students, especially those trained in conflict resolution and peer mediation, are encouraged to help fellow students resolve problems peaceably.
- Students can rely on staff trained in conflict resolution and peer mediation strategies to intervene in any dispute likely to result in violence.
- Students needing help in resolving a disagreement, or students observing conflict may contact an adult or peer mediators (*give location where listing of designated staff and students is posted*).
- Students involved in a dispute will be referred to a conflict resolution or peer mediation session with trained adult or peer mediators. Staff and mediators will keep the discussions confidential.
- Conflict resolution procedures shall not supplant the authority of staff to act to prevent violence, ensure campus safety, maintain order, and discipline students.

**Adopted: June 23, 2021**

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## **STUDENT POLICY -EDUCATION FOR HOMELESS CHILDREN AND YOUTH**

The Agnes J. Johnson Charter School (“AJJCS” or the “Charter School”) Governing Board desires to ensure that homeless children and youth are provided with equal access to its educational program, have an opportunity to meet the same challenging State academic standards, are provided a free and appropriate public education, are not stigmatized or segregated on the basis of their status as homeless, and to establish safeguards that protect homeless students from discrimination on the basis of their homelessness.

### **Definition of Homeless Children and Youth**

The term “*homeless children and youth*” means individuals who lack a fixed, regular and adequate nighttime residence and includes children and youth who (42 U.S.C. § 11434a):

1. Are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
2. Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings;
3. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and/or
4. Migratory children and unaccompanied youth (youth not in the physical custody of a parent or guardian) may be considered homeless if they meet the above definition of “homeless.”

Homeless status is determined in cooperation with the parent or guardian. In the case of unaccompanied youth, status is determined by the Charter School Liaison.

### **Charter School Liaison**

The Executive Director designates the following staff person as the Charter School Liaison for homeless students (42 U.S.C. § 11432(g)(1)(J)(ii)):

Executive Director  
Agnes J. Johnson Charter School  
PO Box 116  
Weott, CA 95571  
707-946-2347  
[admin@ajjcharter.com](mailto:admin@ajjcharter.com)

The Charter School Liaison shall ensure that the following requirements are fulfilled by the Charter School (42 U.S.C. § 11432(g)(6)):



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1. Homeless students are identified by school personnel and through outreach and coordination activities with other entities and agencies.
  2. Homeless students enroll in and have a full and equal opportunity to succeed at AJJCS.
  3. Homeless students and families receive educational services for which they are eligible, including: services through Head Start programs (including Early Head Start programs) under the Head Start Act; early intervention services under part C of the Individuals with Disabilities Education Act (“IDEA”); any other preschool programs administered by AJJCS, if any; and referrals to health care services, dental services, mental health services, substance abuse services, housing services, and other appropriate services.
  4. Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
  5. Public notice of the educational rights of homeless children is disseminated at places frequented by parents or guardians of such youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, and in a manner and form understandable to the parents and guardians of homeless youth and unaccompanied youth.
  6. Enrollment/admissions disputes are mediated in accordance with law, AJJCS charter, and Board policy.
  7. Parents/guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.
  8. Charter School personnel providing services receive professional development and other support.
  9. The Charter School Liaison collaborates with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.
  10. Unaccompanied youth are enrolled in school; have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth; and are informed of their status as independent students and that the youths may obtain assistance from the Charter School Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid.

The California Department of Education publishes a list of the contact information for the Homeless Education Liaisons in the state, which is available at: <https://www.cde.ca.gov/sp/hs/>

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**Enrollment**

AJCS shall immediately admit/enroll the student for which the Charter School is a School of Origin. "School of Origin" means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

AJCS shall also immediately enroll a homeless youth who seeks to enroll in the Charter School, if the youth would otherwise be eligible to attend and subject to the Charter School's capacity and pursuant to the procedures stated in the AJCS charter and Board policy. A homeless youth who is enrolled will have the right to attend classes and participate fully in school activities, including extracurricular activities.

The youth shall be immediately enrolled even if the student lacks records normally required for enrollment (such as previous academic records, records of immunizations, other required health records, proof of residency) or has missed application or enrollment deadlines during any period of homelessness. Records will immediately be requested from the previous school. (42 U.S.C. § 11432(g)(3)(C); Education Code Section 48850(a)(3)(A).)

If the student needs to obtain immunizations or does not possess immunization or other medical records, the Executive Director or designee shall refer the parent/guardian to the Charter School Liaison. The Charter School Liaison shall assist the parent/guardian in obtaining the necessary immunizations or records for the student. (42 U.S.C. § 11432(g)(3)(C).)

A homeless youth may remain in the student's school of origin for the entire period for which the youth is homeless. If a youth obtains permanent housing during an academic year, the youth will be permitted to remain in the school of origin through the end of the academic year.

**Enrollment Disputes**

If a dispute arises over admissions/enrollment, the student shall be immediately admitted (subject to Charter School's capacity and pursuant to the procedures stated in the Charter School charter and Board policy), pending final resolution of the dispute, including all available appeals. (42 U.S.C. § 11432(g)(3)(E).)

The parent/guardian shall be provided with a written explanation of the admission/enrollment decision, including an explanation of the parent/guardian's right to appeal the decision. The parent/guardian shall also be referred to the Charter School Liaison. (42 U.S.C. § 11432(g)(3)(E).)

The Charter School Liaison shall carry out the Board-adopted dispute resolution and complaint process as expeditiously as possible after receiving notice of the dispute. (42 U.S.C. § 11432(g)(3)(E).)

**Comparable Services**

Each homeless child or youth shall promptly be provided services comparable to services offered to other students in AJCS such as (42 U.S.C. § 11432(g)(4)):

- Transportation services

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- Educational services for which the child or youth meets eligibility criteria, such as educational programs for students with disabilities and educational programs for students with limited English proficiency
  - Programs in vocational and technical education
  - Programs for gifted and talented students
  - Charter School nutrition programs

### **Transportation**

In the event that AJJCS provides transportation services to all AJJCS students, AJJCS shall provide comparable transportation services to each homeless child or youth attending AJJCS, as noted above. (42 U.S.C. § 11432(g)(4).)

If the AJJCS does not otherwise provide transportation services to all AJJCS students, AJJCS shall ensure that transportation is provided for homeless students to and from AJJCS, at the request of the parent or guardian (or Charter School Liaison), if AJJCS is the student's school of origin. (42 U.S.C. § 11432(g)(1)(J).) Transportation provided by AJJCS will be adequate and appropriate for the Student's situation, but AJJCS does not commit to any one method of transportation for all youth.

### **Professional Development**

All administrators, teachers and employees of AJJCS will be provided professional development on the identification, services, and sensitivity necessary when dealing with homeless children and youth. (42 U.S.C. § 11433(d)(3).) All identified or suspected homeless children and youth will be referred to the Charter School Liaison.

### **High School Graduation Requirements**

Homeless students who transfer to AJJCS any time after the completion of their second year of high school shall be exempt from any of the Charter School's graduation requirements that are in excess of the California minimum graduation requirements specified in Education Code section 51225.3 ("additional graduation requirements") unless AJJCS makes a finding that the student is reasonably able to complete the Charter School's graduation requirements by the end of the student's fourth year of high school.

To determine whether a homeless student is in their third or fourth year of high school, either the number of credits the student has earned to the date of transfer, or the length of the student's school enrollment may be used, whichever will qualify the student for the exemption.

Within thirty (30) calendar days of the date that a student who may qualify for exemption under the above requirements transfers into the Charter School, the Charter School shall notify the student, the student's educational rights holder, and the Charter School Liaison of the availability of the exemption and whether the student qualifies for an exemption.

The Charter School shall notify students who are exempted from the Charter School's additional graduation requirements and the student's educational rights holder of how any of the requirements that are waived will affect the student's ability to gain admission to a postsecondary educational

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institution and provide information about transfer opportunities available through the California Community Colleges.

The Charter School shall not require any student who would otherwise be entitled to remain in attendance at the Charter School to accept the exemption from the Charter School's additional graduation requirements or deny the student enrollment in, or the ability to complete, courses for which the student is otherwise eligible. The Charter School shall not revoke an exemption and shall grant an eligible student's request for the exemption at any time if the student qualifies, regardless of whether the student previously declined the exemption. An eligible student's exemption from the Charter School's additional graduation requirements will continue to apply while the student is enrolled in the Charter School or if the student transfers to another school even after the student no longer meets the definition of a homeless child.

The Charter School shall not require or request that a student transfer schools in order to qualify the student for the exemption. Nor shall a student, a student's parent/guardian or educational rights holder, or a student's social worker or probation officer request a transfer solely to qualify for an exemption from the Charter School's additional graduation requirements.

If a student who is exempted from the Charter School's additional graduation requirements completes the California minimum coursework requirements specified in Education Code section 51225.3 before the end of the student's fourth year of high school and would otherwise be entitled to remain in attendance at the Charter School, the Charter School shall not require or request that the student graduate before the end of the student's fourth year of high school.

If the Charter School determines the student is reasonably able to complete the Charter School's graduation requirements by the end of the student's fifth year of high school, the Charter School shall do the following:

1. Inform the student of the student's option to remain at the Charter School for a fifth year to complete the Charter School's graduation requirements.
2. Inform the student, and the educational rights holder for the student, about how remaining in school for a fifth year to complete the Charter School's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution.
3. Provide information to the student about transfer opportunities available through the California Community Colleges.
4. Permit the student to stay at the Charter School for a fifth year to complete the Charter School's graduation requirements upon agreement with the student, if the student is 18 years of age or older, or, if the student is under 18 years of age, upon agreement with the educational rights holder for the student.

### **Acceptance of Course Work**

The Charter School will accept any coursework satisfactorily completed at any public school, a

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juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency by a homeless student.

The Charter School will provide homeless students credit for the partial completion of courses taken while attending a public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency. If the student did not complete the entire course, the Charter School shall not require the student to retake the portion of the course the student completed unless the Charter School, in consultation with the holder of educational rights for the student, finds that the student is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the homeless student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course. These students shall not be prevented from taking or retaking a course to meet California State University or the University of California admission eligibility requirements.

### **Notice**

For any homeless student who seeks enrollment at the Charter School, written notice will be provided to the parent/guardian at the time of enrollment and while the student is enrolled at the Charter School in alignment with the law. (42 U.S.C. § 11432(e)(3)(C).)

### **Annual Policy Review**

The Charter School shall annually review and revise any policies that may act as barriers to the identification of homeless children and youths or the enrollment of homeless children and youths at the Charter School. In reviewing and revising such policies, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship. Special attention shall be given to ensuring the identification, enrollment, and attendance of homeless children and youths who are not currently attending school.

**Adopted: August 25, 2021**

## STUDENT POLICY – EDUCATION FOR FOSTER AND MOBILE YOUTH

### Introduction

The Governing Board of Agnes J. Johnson Charter School (“AJJCS” or the “Charter School”) recognizes that Foster and Mobile Youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs. To enable such students to achieve state and charter school academic standards, the Charter School shall provide them with full access to the Charter School’s educational program and implement strategies identified as required by law and necessary for the improvement of the academic achievement of foster youth in the Charter School’s local control and accountability plan (“LCAP”).

### Definitions

- “*Foster youth*” means a child who has been removed from their home pursuant to California Welfare and Institutions Code section 309 and/or is the subject of a petition filed under Welfare and Institutions Code section 300 or 602. This includes children who are the subject of cases in dependency court and juvenile justice court.
- “*Former juvenile court school pupil*” means a pupil who, upon completion of the pupil’s second year of high school, transfers from a juvenile court school to the Charter School.
- “*Child of a military family*” refers to a student who resides in the household of an active duty military member.
- “*Currently Migratory Child*” refers to a child who, within the last 12-months, has moved with a parent, guardian, or other person having custody to the Charter School from another Local Educational Agency (“LEA”), either within California or from another state, so that the child or a member of the child’s immediate family might secure temporary or seasonal employment in an agricultural or fishing activity, and whose parents or guardians have been informed of the child’s eligibility for migrant education services. “*Currently Migratory Child*” includes a child who, without the parent/guardian, has continued to migrate annually to secure temporary or seasonal employment in an agricultural or fishing activity.
- “*Pupil participating in a newcomer program*” means a pupil who is participating in a program designed to meet the academic and transitional needs of newly arrived immigrant pupils that has as a primary objective the development of English language proficiency.
- “*Educational Rights Holder*” (“*ERH*”) means a parent, guardian, responsible adult appointed by a court to make educational decisions for a minor pursuant to Welfare and Institutions Code sections 319, 361 or 726, or a person holding the right to make

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educational decisions for the pupil pursuant to Education Code section 56055.

- “*School of origin*” means the school that the foster youth attended when permanently housed or the school in which the foster youth was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which the student was last enrolled, or if there is some other school that the foster youth attended within the immediately preceding 15 months, the Charter School liaison for foster youth, in consultation with and with the agreement of the foster youth and the ERH for the youth, shall determine, in the best interests of the foster youth, the school that shall be deemed the school of origin.
- “*Best interests*” means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, the opportunity to be educated in the least restrictive educational program and the foster youth’s access to academic resources, services, and extracurricular and enrichment activities that are available to all Charter School students.

Within this Policy, foster/juvenile court youth, former juvenile court school pupils, a child of a military family, a currently migratory child, and a pupil participating in the newcomer program will be referred to collectively as “Foster and Mobile Youth.”

### **Foster and Mobile Youth Liaison**

In order to help facilitate the enrollment, placement, and transfer of Foster and Mobile Youth to the Charter School, the Governing Board shall designate a Foster and Mobile Youth liaison. The Governing Board designates the following position as the Charter School’s liaison for Foster and Mobile Youth:

Executive Director  
Agnes J. Johnson Charter School  
PO Box 116  
Weott, CA 95571  
707-946-2347  
[admin@ajjcharter.com](mailto:admin@ajjcharter.com)

The Foster and Mobile Youth Liaison shall be responsible for the following:

1. Ensure and facilitate the proper educational placement, enrollment in the Charter School, and checkout from the Charter School of Foster and Mobile Youth.
2. Ensure proper transfer of credits, records, and grades when Foster and Mobile Youth transfer to or from the Charter School.
3. When a foster youth is enrolling in the Charter School, the Foster and Mobile Youth Liaison shall contact the school last attended by the student within two (2) business days to obtain all academic and other records. The last school attended by the foster youth shall provide all required records to the new school regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended. When a

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foster youth is transferring to a new school, the Foster and Mobile Youth Liaison shall provide the student's records to the new school within two (2) business days of receiving the new school's request, regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the Charter School.

4. When required by law, notify the foster youth's attorney and the appropriate representative of the county child welfare agency at least ten (10) calendar days preceding the date of the following:
  - a. An expulsion hearing for a discretionary act under the Charter School's charter.
  - b. Any meeting to extend a suspension until an expulsion decision is rendered if the decision to recommend expulsion is a discretionary act under the Charter School's charter. The foster youth's attorney and the agency representative will be invited to participate.
  - c. A manifestation determination meeting prior to a change in the foster youth's placement if the change in placement is due to an act for which the recommendation for expulsion is discretionary and the student is a student with a disability under state and federal special education laws. The foster youth's attorney and the agency representative will be invited to participate.
5. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973.
6. As needed, ensure that students in foster care receive appropriate school-based services, such as counseling and health services, supplemental instruction, and after-school services.
7. Develop protocols and procedures for creating awareness for Charter School staff, including but not limited to Executive Directors, deans, and attendance clerks, of the requirements for the proper enrollment, placement, and transfer of foster youth.
8. Collaborate with the county placing agency, social services, probation officers, juvenile court officers, and other appropriate agencies to help coordinate services for the Charter School's foster youth.
9. Monitor the educational progress of foster youth and provide reports to the Executive Director or designee and the Governing Board based on indicators identified in the Charter School's local control and accountability plan.

This Policy does not grant the Foster and Mobile Youth Liaison authority that supersedes the authority granted under state and federal law to a parent or legal guardian retaining educational rights, a responsible person appointed by the court to represent the child pursuant to Welfare and Institutions Code sections 319, 361 or 726, a surrogate parent, or a foster parent exercising



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authority under Education Code section 56055. The role of the Foster and Mobile Youth Liaison is advisory with respect to placement options and determination of the school of origin.

### **School Stability and Enrollment**

The Charter School will work with foster youth and their ERH to ensure that each foster youth is placed in the least restrictive educational programs and has access to the academic resources, services, and extracurricular and enrichment activities that are available to all students, including, but not limited to, interscholastic sports. All decisions regarding a foster youth's education and placement will be based on the best interest of the child and shall consider, among other factors, educational stability and the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress.

Foster youth, currently migratory children, and children of military families have the right to remain in their school of origin if it is their best interest. The Charter School will immediately enroll a foster youth, a currently migratory child, or child of a military family seeking reenrollment in the Charter School as their school of origin.

A foster youth, currently migratory child, or child of a military family who seeks to transfer to the Charter School will be immediately enrolled (subject to the Charter School's capacity, if the Charter School is not the student's school of origin, and pursuant to the procedures stated in the Charter School's charter and Board policy) even if the student has outstanding fees, fines, textbooks, or other items or monies due to the school last attended or is unable to meet normal enrollment documentation or school uniform requirements (e.g. producing medical records or academic records from a previous school).

At the initial detention or placement, or any subsequent change in placement, a foster youth may continue in their school of origin for the duration of the court's jurisdiction. A currently migratory child or child of a military family may continue in their school of origin as long as the student meets the definition of a currently migratory child or child of a military family as described above. Foster youth, currently migratory children, and children of military families have the right to remain in their school of origin following the termination of the court's jurisdiction or termination of the child's status as a currently migratory child or child of a military family, as follows:

1. For students in Kindergarten through eighth grade, inclusive, the student will be allowed to continue in the school of origin through the duration of the academic year in which the student's status changed.
2. For students enrolled in high school, the student will be allowed to continue in the school of origin through graduation.

If the foster youth, currently migratory child or child of a military family is transitioning between school grade levels, the youth shall be allowed to continue in the district of origin in the same attendance area to provide the youth the benefit of matriculating with their peers in accordance with the established feeder patterns of school districts. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

The Foster and Mobile Youth Liaison may, in consultation with and with the agreement of the foster youth and the ERH for the foster youth, recommend that the foster youth's right to attend the school of origin be waived and the student be enrolled in any district school that the student would otherwise be eligible to attend as a resident of the school district or in the Charter School consistent with current enrollment procedures. All decisions shall be made in accordance with the foster youth's best interests.

Prior to making any recommendation to move a foster youth from their school of origin, the Foster and Mobile Youth Liaison shall provide the foster youth and the foster youth's ERH with a written explanation of the basis for the recommendation and how the recommendation serves the foster youth's best interests.

If any dispute arises regarding a foster youth's request to remain in the Charter School as the foster youth's school of origin, the foster youth has the right to remain in the Charter School pending resolution of the dispute. The dispute shall be resolved in accordance with the existing Charter School dispute resolution process.

### **Transportation**

The Charter School shall not be responsible for providing transportation to allow a foster youth to attend school, unless there is an agreement with a local child welfare agency that the Charter School assumes part or all of the transportation costs in accordance with Section 6312(c)(5) of Title 20 of the United States Code, or unless required by federal law. The Charter School is not prohibited from providing transportation, at its discretion, to allow a foster youth to attend school.

In accordance with Section 6312(c)(5) of Title 20 of the United States Code, the Charter School shall collaborate with local child welfare agencies to develop and implement clear written procedures to address the transportation needs of foster youth to maintain them in their school of origin, when it is in the best interest of the youth.

For any student who has an individualized education program ("IEP"), the student's IEP team will determine if the student requires special education transportation as a related service regardless of the student's status.

### **Effect of Absences on Grades**

The grades of a foster youth shall not be lowered for any absence from the Charter School that is due to either of the following circumstances:

- a. A decision by a court or placement agency to change the student's placement, in which case the student's grades shall be calculated as of the date the student left school.
- b. A verified court appearance or related court-ordered activity.

### **Transfer of Coursework and Credits**

The Charter School shall accept coursework satisfactorily completed by a Foster and Mobile Youth

while attending another public school<sup>5</sup>, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school or agency even if the student did not complete the entire course and shall issue that student full or partial credit for the coursework completed.

If the Foster and Mobile Youth did not complete the entire course, the student shall be issued partial credit for the coursework completed and shall not be required to retake the portion of the course that the student completed at another school unless the Charter School, in consultation with the student's ERH, finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a Foster and Mobile Youth in any particular course, the student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course.

In no event shall the Charter School prevent a Foster and Mobile Youth from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California.

### **Applicability of Graduation Requirements**

To obtain a high school diploma from the Charter School, a student must complete all courses required by the Charter School and fulfill any additional graduation requirements prescribed by the Board. However, Foster and Mobile Youth who transfer to the Charter School any time after the completion of their second year of high school, and pupils participating in a newcomer program who are in their third or fourth year of high school, shall be exempt from any of the Charter School's graduation requirements that are in excess of the California minimum graduation requirements specified in Education Code section 51225.3 ("additional graduation requirements") unless the Charter School makes a finding that the student is reasonably able to complete the Charter School's graduation requirements by the end of the student's fourth year of high school.

To determine whether a Foster and Mobile Youth is in their third or fourth year of high school, either the number of credits the student has earned to the date of transfer, or the length of the student's school enrollment may be used, whichever will qualify the student for the exemption. For a pupil participating in a newcomer program, enrollment in grade 11 or 12 may be used to determine whether the student is in their third or fourth year of high school.

Within thirty (30) calendar days of the date that a student who may qualify for exemption under the above requirements transfers into the Charter School, the Charter School shall notify the student, the ERH, and where applicable, the student's social worker or probation officer, of the availability of the exemption and whether the student qualifies for the exemption. If the Charter School fails to provide timely notice of the availability of the exemption, the Foster and Mobile Youth shall be eligible for the exemption from the additional graduation requirements once notified, even if that notification occurs after the termination of the court's jurisdiction over the student, if the foster youth otherwise qualifies for the exemption.

If a student is exempted from the Charter School's additional graduation requirements pursuant to

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<sup>5</sup> For purposes of coursework completed by a student who is a child of a military family, "public school" includes schools operated by the United States Department of Defense.

this Policy and completes the statewide coursework requirements specified in Educational Code section 51225.3 before the end of their fourth year of high school and that student would otherwise be entitled to remain in attendance at the Charter School, the Charter School shall not require or request that the student graduate before the end of their fourth year of high school.

The Executive Director or designee shall notify a Foster and Mobile Youth and their ERH if the Charter School grants an exemption from the additional graduation requirements, how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges.

A Foster and Mobile Youth who would otherwise be entitled to remain in attendance at the Charter School shall not be required to accept the exemption from additional graduation requirements or be denied enrollment in, or the ability to complete, courses for which the student is otherwise eligible, including courses necessary to attend an institution of higher education, regardless of whether those courses are required for statewide graduation requirements.

If an eligible student is not exempted from additional graduation requirements or has previously declined the exemption pursuant to this Policy, the Charter School shall exempt the student at any time if an exemption is requested by the youth and the youth qualifies for the exemption. Likewise, if the youth is exempted, the Charter School may not revoke the exemption.

If a Foster and Mobile Youth is exempted from additional graduation requirements pursuant to this section, the exemption shall continue to apply after the termination of the court's jurisdiction over the student or after the termination of circumstances which make the Student eligible while he or she is enrolled in school or if the student transfers to another school, including a charter school, or school district.

The Charter School shall not require or request a Foster and Mobile Youth to transfer schools in order to qualify for an exemption from additional graduation requirements, and no Foster and Mobile Youth or any person acting on behalf of a Foster and Mobile Youth may request a transfer solely to qualify for an exemption from the Charter School's additional graduation requirements.

Upon making a finding that a Foster and Mobile Youth is reasonably able to complete the Charter School's graduation requirements within the student's fifth year of high school, the Executive Director or designee shall:

1. Inform the student and the student's ERH of the student's option to remain in school for a fifth year to complete the Charter School's graduation requirements, consistent with the laws regarding continuous enrollment and satisfactory progress for Charter School students over age 19.
2. Inform the student and the student's ERH how remaining in school for a fifth year will affect the student's ability to gain admission to a postsecondary educational institution.
3. Provide information to the student about transfer opportunities available through the California Community Colleges.

4. Upon agreement with the student or, if the student is under 18 years of age, the ERH, permit the student to stay in school for a fifth year to complete the Charter School's graduation requirements.

If a juvenile court youth satisfies the requirements for high school graduation while enrolled at a juvenile court school but has elected to decline the issuance of the diploma for the purpose of taking additional coursework, the Charter School will not prevent the juvenile court youth from enrolling in the Charter School and pursuing additional coursework if requested by the youth or by the youth's ERH.

### **Eligibility for Extracurricular Activities**

A student who is in foster care whose residence changes pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities.

### **Waiver of Fees for Afterschool Programs**

The Charter School shall not charge any student who the Charter School knows is currently in foster care any family fees associated with an After-School Education and Safety ("ASES") Program operated by the Charter School.

### **Student Records**

When the Charter School receives a transfer request and/or student records request for the educational information and records of a foster youth from a new LEA, the Charter School shall provide these student records within two (2) business days. The Charter School shall compile the complete educational record of the student, including but not limited to a determination of seat time, full or partial credits earned, current classes and grades, immunization and other records, and, if applicable, a copy of the student's special education records including assessments, IEPs, and/or 504 plans. All requests for student records will be shared with the Foster and Mobile Youth Liaison, who shall be aware of the specific educational record keeping needs of Foster and Mobile Youth.

In accordance with the Charter School's Educational Records and Student Information Policy, under limited circumstances, the Charter School may disclose student records or personally identifiable information contained in those records to certain requesting parties including but not limited to a foster family agency and state and local authorities within a juvenile justice system, without parental consent.

### **Complaints of Noncompliance**

Complaints of noncompliance with this Policy shall be governed by the Charter School's Uniform Complaint Procedures. A copy of the Uniform Complaint Policy and Procedures is available upon request at the main office.

**Adopted: August 25, 2021**

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## STUDENT POLICY – MISSING OR TRUANT STUDENTS

In the event that a Charter School employee witnesses a child abduction, he/she shall immediately contact law enforcement and provide the agency with information on the location of the abduction and a description of the victim, the suspect, and any vehicle involved. He/she shall also notify the Executive Director or designee who shall implement steps, as needed, to ensure the safety of other students.

### Students Reported as Lost or Missing - Walking Students

1. After the parent/guardian notifies the Charter School that a child is lost or missing, the Charter School shall notify the site administrator and Business Office.
2. The site administrator shall be the primary contact with the parent/guardian. He/she will:
  - a. Provide the parent and family with relevant information regarding the child's release from Charter School.
  - b. Advise and provide assistance, e.g., contacting the Police Department.
  - c. Maintain contact with the parent/guardian until the student is found.
3. In the event that the site administrator is not available, an administrative designee or other administrator shall assume the above stated responsibilities.

### Students Reported as Lost or Missing - Transported Students

1. After the parent/guardian notifies the Charter School that a child is lost or missing, the Charter School shall notify the site administrator who will also notify the Business Office.
2. The site administrator shall be the primary contact with the parent/guardian.
3. The police department will be notified as appropriate.

**Adopted: June 23, 2021**

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## STUDENT POLICY – STUDENT COMPLAINTS

### **Notification**

It is the intent of the Charter School to integrate conflict resolution skills into the curriculum. In accordance therewith, Students that have complaints against other students are encouraged to first address the issue with the person directly using the learned conflict resolution skills without the intervention of a Charter School employee. If, however, the student does not feel comfortable with this approach or the complaint involves sexual harassment or discrimination, the student may notify a teacher or other Charter School staff member. The teacher or staff member will notify the Executive Director of the complaint if it cannot be resolved immediately at that level. Further, the Executive Director of the Charter School shall notify the student's parents immediately of this complaint.

Students who have complaints against Charter School personnel or programs may notify a teacher or the Executive Director. If a teacher, or any other staff member, is notified of a student complaint against Charter School personnel or programs, the teacher shall notify the Executive Director.

### **Procedures**

Depending upon the nature of a complaint, the pupil will be provided information concerning the applicable policy and procedures to be followed. For instance, if the complaint is one of sexual harassment or other discrimination, the student will be provided with a copy of the Charter School's policy against harassment and discrimination and provided a complaint form and apprised of the procedures under the policy.

If the Charter School has no specific policy or procedures for the particular complaint, the Executive Director, or his/her designee, will undertake a responsible inquiry into the pupil's complaint to ensure it is reasonably and swiftly addressed. When appropriate a written statement of the pupil's complaint will be obtained from the student.

### **Confidentiality**

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

### **Non-Retaliation**

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

### **Resolution**

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

**Adopted: June 23, 2021**



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## STUDENT POLICY – STUDENT DRESS CODE

### **Board Philosophy**

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

### **Family Handbook**

Approved as a separate document, the dress code for students is more fully outlined in the Family Handbook as signed by the teacher, student and parents at the start of the School Year. The students and parents are to abide by that agreement for appropriate attire.

### **General Guidelines**

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

### **Review Process**

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

### **Sun Protective Clothes**

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

**Adopted: June 23, 2021**

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**STUDENT POLICY – EDUCATIONAL RECORDS AND STUDENT INFORMATION****Definitions****Education Record**

An education record is any written or computerized document, file, entry, or record containing information directly relating to a student that is compiled and maintained by the Charter School. Such information includes but is not limited to:

1. Date and place of birth; parent and/or guardian's address, and where the parties may be contacted for emergency purposes.
2. Grades, test scores, courses taken, academic specializations and school activities;
3. Special education records;
4. Disciplinary records;
5. Medical and health records;
6. Attendance records and records of past schools attended;
7. Personal information such as, but not limited to, student identification numbers, social security numbers, photographs, or any other type of information that aids in identification of a student.

An education record does not include any of the following:

1. Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
2. Records maintained by a law enforcement unit of the Charter School that were created by that law enforcement unit for the purpose of law enforcement;
3. Records relating to a Charter School employee that are made and maintained in the normal course of business, relate exclusively to the individual in that individual's capacity as an employee; and are not available for use for any other purpose;
4. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are: a) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity; b) made, maintained, or used only in connection with treatment of the student; and c) disclosed only to individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the Charter School; or
5. Records that only contain information about an individual after he

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or she is no longer a student at the Charter School.

### Directory Information

Part of the education record, known as directory information, includes personal information about a student that the Charter School may make public. Directory information includes a student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student.

### Parent

Parent means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.

### Eligible Student

Eligible student means a student who has reached 18 years of age.

### **Disclosure of Directory Information**

At the beginning of each year, the Charter School shall provide parents and eligible students with a notice containing the following information: 1) The type of personally identifiable information it designates as directory information; 2) The parent's or eligible student's right to refuse to let the Charter School designate any or all of those types of information about the student as directory information; and 3) The period of time within which a parent or student has to notify the Charter School in writing that he/she does not want any or all of those types of information about the student designated as directory information. The notice shall be in the form of **the same used in the Charter Plan**. Within 30 days of sending notice, any parent(s) who does not want his/her child's directory information made public without prior written consent must inform the Charter School in writing. This parental notice must identify what student directory information (any or all) is subject to the prior written consent requirement.

The Family Educational Rights and Privacy Act ("FERPA") affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 5 business days after the day the Charter School receives a request for access. Parents or eligible students should submit to the Charter School Executive Director or designee a written request that identifies the records they wish to inspect.

The Charter School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the Charter School to amend a record should write the Charter School Executive Director or designee, clearly identify the part of the record they want changed, and specify why it should be changed. If the Charter School

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decides not to amend the record as requested by the parent or eligible student, the Charter School will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the Charter School discloses personally identifiable information (“PII”) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to Charter School officials with legitimate educational interests. A Charter School official is a person employed by the Charter School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the School board. A Charter School official also may include a volunteer or contractor outside of the Charter School who performs an institutional service of function for which the Charter School would otherwise use its own employees and who is under the direct control of the Charter School with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another Charter School official in performing his or her tasks. A Charter School official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the Charter School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student’s enrollment or transfer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Charter School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW Washington, DC 20202

FERPA permits the disclosure of PII from student’s education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to Charter School officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the Charter School to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. The Charter School may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student:

1. To other Charter School officials, including teachers, within the educational agency or institution whom the Charter School has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the Charter School has outsourced institutional services or functions, provided that the

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conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1)).

2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2)).

3. To authorize representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35).

4. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4)).

5. To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7)).

6. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8)).

7. To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9)).

8. To appropriate officials in connection with a health or safety emergency, subject to §99.36.(§99.31(a) (10)).

9. Information the School has designated as "directory information" under §99.37. (§99.31(a) (11)).

"Directory Information" is information that is generally not considered harmful or an invasion of privacy if released. Directory information can be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish year books. The Charter School has designated the following information as directory information:

1. Student's name
2. Student's address
3. Parent's/guardian's address
4. Telephone listing
5. Student's electronic mail address
6. Parent's/guardian's electronic mail address
7. Photograph
8. Date and place of birth
9. Dates of attendance

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10. Grade level
  11. Weight and height of members of athletic teams
  12. Degrees, honors, and awards received
  13. The most recent educational agency or institution attended
  14. Student ID number, user ID, or other unique personal identified used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's social security number, in whole or in part, cannot be used for this purpose.)

If you do not want the Charter School to disclose directory information from your child's education records without your prior written consent, you must notify the School in writing at the time of enrollment or re-enrollment. Please notify the Executive Director at: [admin@ajjcharter.com](mailto:admin@ajjcharter.com) 707-946-2347, PO Box 116, Weott, CA 95571.

### **Annual Notification to Parents and Eligible Students**

At the beginning of each school year, in addition to the notice required for directory information, the Charter School shall provide parents and eligible students with a notice of their rights under FERPA. The notice shall inform the parents and eligible students that they have the right to:

- Inspect and review the student's education records;
- Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading or otherwise in violation of the student's privacy rights;
- Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA and the Code of Federal Regulations authorize disclosure without consent; and
- File with the Department of Education a complaint concerning alleged failures by the Charter School to comply with the requirements of FERPA and its promulgated regulations.
- Request that the Charter School not release student names, addresses and telephone listings to military recruiters or institutions of higher education without prior written parental consent.

The notice must also include the following:

- The procedure for exercising the right to inspect and review educational records;
- The procedure for requesting amendment of records;
- A statement that the Charter School forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll.

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- The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

### **Parental and Eligible Student Rights Relating to Education Records**

Parents and eligible students have the right to review the student's education records. In order to do so, parents and eligible students shall submit a request to review education records in writing to the Office Manager. Within 30 days, the Charter School shall comply with the request. If circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the education records, the Charter School will provide the parent or eligible student with a copy of the requested records or make other arrangements for inspection and review of the requested records.

#### Copies of Education Records

The Charter School will provide copies of requested documents within 10 days of a request for copies. The Charter School will charge reasonable fees for copies it provides to parents or eligible students, unless it effectively prevents a parent or eligible student from exercising the right to inspect and review the education records. The charge will not include a fee to search for or to retrieve the education records.

#### Request for Amendment to Education Records

If upon review, a parent or eligible student discovers any information or notation that is factually inaccurate, misleading or in violation of the student's right of privacy, he or she may request, in writing, that the Charter School amend the record. The request must be submitted within thirty (30) days of the discovery of the inaccurate or misleading information or a violation of the student's right of privacy. The Charter School will respond within ten (10) days of the receipt of the request to amend. The Charter School's response will be in writing and if the request for amendment is denied, the Charter School will set forth the reason for the denial and inform the parent or eligible student of his or her right to a hearing challenging the content of the education record.

#### Hearing to Challenge Education Record

If the Charter School denies a parent or eligible student's request to amend an education record, the parent or eligible student may request in writing that he/she be given the opportunity for a hearing to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading or in violation of the privacy rights of the student.

The hearing to challenge the education record shall be held within 30 days of the date of the request for a hearing, notice of the date, time and place of the hearing will be sent by the Charter School to the parent or eligible student no later than 20 days before the hearing.

Director and his/her other appointees will conduct the hearing. The parent or eligible student will be given a full and fair opportunity to present evidence relevant to the issues relating to the challenge to the education record. The parent or eligible student may also, at his/her own expense, be assisted or represented by one or more individuals of his/her choice, including an attorney. The Executive Director's decision will be based solely on the evidence presented at the hearing. Within 30 days of the conclusion of the hearing, the Charter School's decision regarding the challenge

will be made in writing and will include a summary of the evidence and the reasons for the decision.

If, as a result of the hearing, the Charter School decides that the information is inaccurate, misleading or otherwise in violation of the privacy rights of the student, it will amend the record accordingly and inform the parent or eligible student of the amendment in writing.

If, as a result of the hearing, the Charter School decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he/she disagrees with the decision of the Charter School, or both. If the Charter School places a statement by the parent or eligible student in the education records of a student, it will maintain the statement with the contested part of the record for as long as the record is maintained and disclose the statement whenever it discloses the portion of the record to which the statement relates.

### **Disclosure of Education Records and Directory Information**

The Charter School must have a signed and dated written permission from the parent or eligible student before releasing any information from a student's education record with the exceptions listed below and for directory information. With the exceptions listed below, the Charter School will not release educational records to any person or entity outside the Charter School without the written consent of a parent or eligible student. The written permission must specify the records that may be disclosed, the purpose of the disclosure and the party or class of parties to whom the disclosure may be made. When disclosure is made pursuant to written permission, the parent or eligible student may request a copy of the disclosed records. Signed and dated written consent may include a record and signature in electronic form if it identifies and authenticates a particular person as the source of the electronic consent and indicates such person's approval of the information contained in the electronic consent.

The Charter School will only disclose personally identifiable information on the condition that the receiving party not disclose the information to any party without the prior consent of the parent or eligible student and that the receiving party use it for the purposes for which the disclosure was made. This restriction does not apply to disclosures that fall within the disclosure exceptions listed below and the Charter School maintains the appropriate records, as described below. Except for disclosures pursuant to a judicial order or lawfully issued subpoena, of directory information or to parents or eligible students, the Charter School will inform a receiving party of the requirement that the party not disclose the information to any other party without the prior writing consent of the parent or eligible student and that the receiving party use it for the purpose for which the disclosure was made.

The Charter School will disclose education records, without consent, to the following parties:

- a. Charter School employees who have a legitimate educational interest as defined by 34 C.F.R. Part 99;
- b. Other schools to which a student seeks or intends to enroll;
- c. Certain government officials listed in 20 U.S.C. § 1232g(b)(1) in order to carry out lawful functions;



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- d. Appropriate parties in connection a student's application for, or receipt of, financial aid to a student if it is necessary to determine eligibility, amount of aid, conditions for aid or enforcing the terms and conditions of the aid;
  - e. Organizations conducting certain studies for the Charter School in accordance with 20 U.S.C. § 1232g(b)(1)(F);
  - f. Accrediting organizations in order to carry out their accrediting functions;
  - g. Parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1986;
  - h. Individuals who have obtained lawful court orders or subpoenas;
  - i. Persons who need to know in cases of health and safety emergencies;
  - j. State and local authorities, within a juvenile justice system, pursuant to specific State law.
  - k. A victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include final results of the disciplinary proceedings conducted by the Charter School with respect to that alleged crime or offense. The Charter School may disclose the final results of the disciplinary proceeding, regardless of whether the Charter School concluded a violation was committed.

### **Requirements in Specific Disclosure Situations**

If the Charter School education records pursuant to Section V.b. above without consent to officials of another school, school system or institution of postsecondary education where the student seeks or intends to enroll, the Charter School will make a reasonable attempt to notify the parent or eligible student at his/her last known address, unless the disclosure is initiated by the parent or eligible student. Additionally, the Charter School will give the parent or eligible student, upon request, a copy of the record that was disclosed and give the parent or eligible student, upon request, an opportunity for hearing pursuant to Section IV.C. above.

### **Record Keeping Requirements**

The Charter School will maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student for as long as the records are maintained. For each request, the record must include the following information: the parties who have requested or received the information and the legitimate interests the parties had in requesting or obtaining the information.

For disclosures of personally identifiable information to institutions that make disclosures of the information on behalf of the Charter School in accordance with 34 C.F.R. 99.33(b), the record must include the names of the additional parties to which the receiving party may disclose the information on behalf of the Charter School and the legitimate interests that each of the additional parties has in requesting or obtaining the information.

These record keeping requirements do not apply to requests from or disclosure to parents and eligible students, Charter School officials with a legitimate purpose of inspecting the records, a party with written consent from the parent or eligible student, a party seeking directory information, or a party seeking or receiving the records as directed by a court order or subpoena.

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The records relating to disclosures of personally identifiable student information may be inspected by parents and eligible students, Charter School officials (or their assistants) responsible for the custody of the records, and parties authorized by regulations for the purpose of auditing the recordkeeping procedures of the Charter School.

**Adopted: June 23, 2021**

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**STUDENT POLICY – DISCRIMINATION / HATE-MOTIVATED INCIDENTS AND  
HATE CRIMES / HAZING / HARASSMENT**

(Including Sexual Harassment), Intimidation, Bullying and Cyberbullying

The Board of Directors believes that teachers, administrators, and all other staff members have the right to perform their duties in a safe and civil environment. The Board prohibits discrimination, hate-motivated incidents and hate crimes, hazing, harassment (including sexual harassment), intimidation, bullying or cyberbullying against any teacher, administrator or staff member by a student, another employee, or any other person in the Charter School authorized to transact business or perform services on behalf of the Charter School.

Discrimination, hate-motivated incidents and hate crimes, hazing, harassment, and harassment (including sexual harassment), intimidation, bullying, or cyberbullying, like other disruptive or violent behaviors, disrupt the ability to teach and learn, and a school's ability to educate its students in a safe environment.

In addition, the Charter School shall not tolerate the unlawful discrimination against or tolerate any hate crime, hazing, harassment (including sexual harassment), intimidation bullying, or cyberbullying against students, employees or job applicants on the basis of ethnic group, religion, gender, gender identity or expression, sexual orientation, ancestry, national origin, color, race, or mental, physical or sensory handicap, age, marital status, pregnancy, medical condition, veteran status, or by any other distinguishing characteristic. This prohibition also includes such misconduct against anyone on the basis of their association or affinity with anyone who is directly protected, or against anyone in retaliation for reporting or attempting to stop such misconduct.

Equal employment opportunity shall be provided to all employees and applicants. Physically or mentally disabled employees or applicants may request reasonable accommodation.

The Board of Directors designates the following employee to receive and investigate complaints of discrimination, hate-motivated incidents and hate crimes, hazing, harassment (including sexual harassment), intimidation, bullying, or cyberbullying, and to ensure Charter School compliance with law:

Executive Director  
Agnes J. Johnson Charter School  
PO Box 116  
Weott, CA 95571  
707-946-2347  
[admin@ajjcharter.com](mailto:admin@ajjcharter.com)

**Annual Notification**

The Executive Director or designee shall annually publicize this policy and the availability of complaint procedures throughout the Charter School and the community.

Discrimination, harassment, intimidation, or bullying means any gesture or written, verbal or physical act that causes or threatens to cause bodily harm or emotional suffering that takes place on school property, at any school-sponsored function or on a school bus, that is one or more of the following:

- a. Acts motivated by any actual or perceived characteristic, such as ethnic group, religion, gender, gender identity and expression, sexual orientation, ancestry, national origin, color, race, or mental, physical or sensory handicap, or by any other distinguishing characteristic;
- b. Acts that a reasonable person should know, under the circumstances, will have the effect of harming a person or damaging the person's property, or placing a person in reasonable fear of harm to his /her person or damage to his/her property, to include extortion, and/or
- c. Acts that have the effect of insulting, demeaning, or ridiculing any person(s) or group of persons in such a way as to cause substantial disruption in, or substantial interference with the orderly operation of the Charter School.
- d. Acts that have the effect of insulting, demeaning, or ridiculing any teacher, administrator, staff member, or any other person in the Charter School authorized to transact business or perform services on behalf of the Charter School or group thereof in such a way as to cause substantial disruption in, or substantial interference with the orderly operation of the Charter School.
- e. Acts include those directed against someone because of their association or affinity with anyone who exhibits or is believed by the offender to exhibit any distinguishing characteristic protected by this policy, or in retaliation for their objection to or reporting of such misconduct.

### **Definition of Hate-Motivated Incidents and Hate Crimes**

A "hate-motivated incident" means an act or attempted act which constitutes an expression of hostility against a person, property, or institution because of the target's real or perceived race, color, national origin, religion, disability, sex, sexual orientation, or gender-identity. This may include using bigoted insults, taunts, or slurs in words or writing, distributing or posting hate group literature or posters, defacing, removing, or destroying posted materials or announcements, posting or circulating demeaning jokes or leaflets, or sending insulting or threatening messages by phone, e-mail, web sites, or any other electronic or written communication.

Some hate-motivated behavior may also be a crime as defined in State or Federal law. These crimes include, but are not limited to bomb threats, cross burnings, destruction or defacement of property, and certain types of vandalism and assaults.

(Education Code Section 233(e); Penal Code Sections 422.6, 422.7, 422.75). They may also include an act that willfully causes bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of the actual or perceived race, color, religion, or national origin of any person. (18 USC Section 249)

### **Definition of Hazing**

Hazing includes any method of initiation or preinitiation into a student organization or student body, or any pastime or amusement engaged in with respect to these organizations which causes, or is likely to cause, bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm, to any pupil or other person attending any school in this state. The term "hazing" does not include customary athletic events or other similar contests or competitions. (Ed Code Section 32050)

### **Definition of Sexual Harassment**

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone in the

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educational setting, under any of the following conditions:

- a. Submission to or rejection of the conduct is explicitly or implicitly used as the basis or condition of employment or continued employment;
- b. The conduct has the purpose or effect of having a negative impact upon the employee's performance, or of creating an intimidating, hostile, or offensive work environment;
- c. Submission to, or rejection of the conduct by the individual is used as the basis for any decision affecting the person regarding employment, services, honors, programs, or activities available at or through the work setting.

Other types of conduct which are prohibited in the Charter School, and which may constitute sexual harassment include:

- a. Verbal or written conduct: making derogatory comments, including epithets, slurs, jokes, etc.; sexual propositions or flirtations, graphic commentary about an individual's body; sexually degrading words used to describe an individual; suggestive or obscene letters, notes or invitations; spreading sexual rumors.
- b. Visual conduct: leering; making sexual gestures; displaying sexually suggestive objects, pictures, books, magazines, etc.
- c. Physical conduct: inappropriate touching or impeding one's movement.

### **Definition of Cyberbullying**

Cyberbullying includes the posting of harassing messages, direct threats, social cruelty, or other harmful text or images on the internet, social networking sites, or other digital technologies, as well as breaking into another person's account and assuming that person's identity in order to damage that person's reputation or friendships.

Charter School has the ability to monitor use of the Charter School's internet system and to conduct a search of person or possessions such as, but not limited to, computer, locker, backpacks, if there is reasonable suspicion that a user has violated Charter School policy or the law.

Cyberbullying conducted using Charter School-owned equipment or on school premises, as well as off-campus cyberbullying that impacts school activity or school attendance may be subject to discipline in accordance with Charter School policies and regulations.

### **Definition of Misconduct**

For economy of writing and ease of reading, the term "misconduct" is introduced below.

For purposes of this policy, "misconduct" means Discrimination, Hate-Motivated Incidents and Hate Crimes, Hazing, Harassment (including Sexual Harassment), Intimidation, Bullying, or Cyberbullying.

### **Type of Behavior Expected from Each Employee**

All employees are expected to carry out their responsibilities in a manner that is free from discriminatory statements or conduct. Employees who permit or engage in discrimination, hazing, harassment, sexual harassment, intimidation or bullying may be subject to disciplinary action up to and including dismissal.

The Charter School prohibits active or passive support for the misconduct prohibited by this policy and requires all such acts to be reported to the designated authority immediately by an employee who witnesses an incident. Failure of an employee to report an act shall be subject to disciplinary action, up to and including dismissal. In addition, criminal or civil charges may be brought against

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the alleged perpetrator of the misconduct; sexual harassment also may be considered a violation of laws relating to child abuse.

### **Procedures for Reporting Misconduct**

All school employees are required to report incidents that they experience or observe that they believe violate this policy as soon as is reasonably possible (within 24 hours) to the Executive Director or designee, even if the victim has not complained. All other members of the school community, including students, parents, volunteers and visitors, are encouraged to report any act that may be a violation of this policy.

Any employee or applicant for employment who feels that he/she has been the victim of misconduct prohibited by this policy should immediately contact his/her supervisor or the Executive Director or designee.

An employee may bypass his/her supervisor when the supervisor is the alleged offender. The Executive Director or designee is responsible for receiving complaints alleging violations of this policy. The reporting party is encouraged to use the Charter School's Uniform & General Complaint Form, which is available from the Executive Director or Designee or at the Charter School office, or on the Charter School's website. However, oral reports will also be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on an anonymous report. Information related to a complaint shall be confidential to the extent possible, and individuals involved in the investigation of such a complaint shall not discuss related information outside the investigation process.

The Executive Director and/or designee is responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the Executive Director and/or designee shall conduct a prompt, thorough and complete investigation of the alleged incident.

Complaints against a student can be directed to the site administrator who will follow the same process. Complaints against administrators can be directed to the Executive Director or designee will follow the same process. Complaints against the Executive Director can be directed to the Board of Directors, who will follow the same process.

### **Staff Training**

Executive Director or their designee will be responsible for training and preparing staff members in the prevention of these types of incidents toward students, and when necessary, providing positive behavioral intervention. Staff shall be alert and immediately responsive to any student conduct which may interfere with another student's ability to participate in or benefit from school services, activities or privileges.

Staff shall also be alert and immediately responsive to any teacher/staff conduct toward a student, another staff member, or other person in the Charter School authorized to transact business or perform services on behalf of the Charter School, which may interfere with their safety and/or well-being.

Information related to a complaint shall be confidential to the extent possible, and individuals involved in the investigation of such a complaint shall not discuss related information outside the investigation process.

**Retaliation for Reporting Acts of Misconduct**

The Charter School prohibits reprisal or retaliation against any employee or any participant in the complaint process who reports an act of misconduct.

**False Accusation of Misconduct**

Consequences and appropriate remedial action for a school employee found to have falsely accused another staff member or student of misconduct, as a means of misconduct shall be disciplined in accordance with Charter School policies, procedures.

**Remedial Action**

The Charter School will consider the following factors in determining the appropriate response to employees who commit or participate in one or more acts of misconduct:

1. levels of harm
2. surrounding circumstances
3. nature of the behaviors
4. past incidences or past or continuing patterns of behavior
5. relationships between the parties involved
6. context in which the alleged incidents occurred

Consequences and appropriate remedial action for employees who commit misconduct may range from positive behavioral interventions and/or disciplinary action up to and including suspension or termination.

**Investigation of Complaints at School (Site-Level Grievance Procedure)**

1. Procedures for investigation of complaints shall be consistent with all provisions covered under the respective collective bargaining agreement or memorandum of understanding.
2. The Executive Director or designee shall promptly investigate all complaints of misconduct. In so doing, he/she shall talk individually with:
  - a. The employee who has filed a complaint
  - b. The target of the misconduct, if different from the employee who filed the complaint
  - c. The person accused of misconduct
  - d. Anyone who witnessed the alleged misconduct
  - e. Anyone mentioned as having related information
  - f. All misconduct involving damage to property, i.e., graffiti, shall be photographed immediately and archived. The Executive Director or designee may report the activity to the appropriate legal authorities
3. The Executive Director or designee shall tell the employee who complained that he/she has the right to file a formal complaint at any time in accordance with the Charter School's uniform complaint procedures.
4. The employee who is complaining shall have an opportunity to describe the incident, present witnesses and other evidence of misconduct, and put his/her complaint in writing.
5. The Executive Director or designee shall discuss the complaint only with the people described above. When necessary to carry out his/her investigation or for other good reasons that apply to the particular situation, the Executive Director or designee also may discuss the complaint with the following persons:
  - a. The Executive Director or designee

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- b. A teacher or staff member whose knowledge of the people involved may help in determining who is telling the truth
  - c. Child protective agencies responsible for investigating child abuse reports (if applicable)
  - d. Legal counsel for the Charter School
  - e. Law enforcement agency responsible for investigating criminal activity, if necessary
6. When the employee who complained and the person accused of misconduct so agree, the Executive Director or designee may arrange for them to resolve the complaint informally with the help of an administrator or trained mediator.
7. In reaching a decision about the complaint, the Executive Director or designee may take into account:
- a. Statements made by the persons identified above
  - b. The details and consistency of each person's account
  - c. Evidence of how the complaining employee reacted to the incident
  - d. Evidence of past instances of misconduct by the accused person
  - e. Adversely affected complainant's employment opportunities
  - f. Evidence of past complaints of misconduct that were found to have been unfounded
8. To judge the severity of the misconduct, the Executive Director or designee may take into consideration:
- a. How the misconduct affected the safety, well-being or work performance of the victim or complainant, or created an intimidating, hostile or offensive work environment
  - b. The type, frequency, pattern, violence and duration of the misconduct
  - c. The number of persons involved
  - d. The age and sex of the person accused of misconduct
  - e. The subject(s) of misconduct
  - f. The place and situation where the incident occurred
  - g. Other incidents at the school, including incidents of misconduct that were not related to sexual harassment
  - h. According to the misconduct, a report may be obtained from the appropriate law enforcement agency.
  - i. The Executive Director or designee shall write a report of his/her findings, decision, and reasons for the decision and shall present this report to the employee who complained, and the person accused.
9. The Executive Director or designee shall give the Executive Director or designee a written report of the complaint and investigation. If he/she verifies that misconduct occurred, this report shall describe the actions he/she took to end the misconduct, address the effects of the misconduct on the victim, and prevent retaliation or further misconduct.
10. Within two weeks after receiving the complaint, the Executive Director or designee shall determine whether or not the employee who complained has been further harassed. The Executive Director or designee shall keep a record of this information and shall continue this follow-up at his/her discretion.

### **Enforcement**

The Executive Director or designee shall take appropriate actions to reinforce the Charter School's policy against misconduct. As needed, these actions may include any of the following:

1. Warning
2. Counseling
3. Reassignment
4. Transfer



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5. Disciplinary action up to and including suspension or termination

6. In addition, the Executive Director or designee may take disciplinary measures against any employee who is found to have made a complaint which he/she knew was unfounded.

### **Civil Law Remedies**

A victim (and in some circumstances a complainant) may pursue available civil law remedies outside of the Charter School's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For discrimination complaints, however, a complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education 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 Section 4622.

### **Annual Notification**

The Executive Director or appropriate designee shall provide to staff, annually, at the beginning of the school year, the rules of the District regarding staff conduct. The rules shall be posted in a prominent location near the Executive Director's office.

**Adopted: June 23, 2021**

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## **STUDENT POLICY – TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION, AND BULLYING POLICY**

Discrimination, sexual harassment, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn, negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, Agnes J. Johnson Charter School ("AJJCS" or the "Charter School") prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means.

As used in this policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of mental or physical disability, sex (including pregnancy and related conditions, and parental status), sexual orientation, gender, gender identity, gender expression, immigration status, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twist), religion (including agnosticism and atheism), religious affiliation, medical condition, genetic information, marital status, age or association with a person or group with one or more of these actual or perceived characteristics or based on any other characteristic protected under applicable state or federal law or local ordinance. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."

To the extent possible, the Charter School will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated, and/or bullied, and will take action to investigate, respond, address and report on such behaviors in a timely manner. AJJCS school staff who witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so.

Moreover, the Charter School will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with whom AJJCS does business, or any other individual, student, or volunteer. This Policy applies to all employees, students, or volunteer actions and relationships, regardless of position or gender. AJJCS will promptly and thoroughly investigate and respond to any complaint of misconduct prohibited by this Policy in a manner that is not deliberately indifferent and will take appropriate corrective action, if warranted. AJJCS complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports of misconduct prohibited by this Policy.

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

Executive Director

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Agnes J. Johnson Charter School  
PO Box 116  
Weott, CA 95571  
707-946-2347  
[admin@ajjcharter.com](mailto:admin@ajjcharter.com)

## **Definitions**

### **Prohibited Unlawful Harassment**

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

### **Prohibited Unlawful Harassment under Title IX**

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

AJJCS is committed to providing a work and educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action. Inquiries about the application of Title IX and 34 C.F.R. Part 106 may be referred to the Coordinator, the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

Sexual harassment consists of conduct on the basis of sex, including but not limited to unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct on the basis of sex, regardless of whether or not the conduct is motivated by sexual desire, when: (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, education, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of employment, educational or academic decisions affecting the individual; (c) the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

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

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:

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

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

### **Prohibited Bullying**

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

1. Placing a reasonable student<sup>6</sup> or students in fear of harm to that student's or those students' person or property.
2. Causing a reasonable student to experience a substantially detrimental effect on the student's physical or mental health.

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<sup>6</sup> "Reasonable student" is defined as a student, including, but not limited to, an exceptional needs student, who exercises care, skill and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

3. Causing a reasonable student to experience a substantial interference with the student's academic performance.
4. Causing a reasonable student to experience a substantial interference with the student's ability to participate in or benefit from the services, activities, or privileges provided by AJJCS.

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

**Electronic act** means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
  - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above.
  - b. Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
  - c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
3. An act of "Cyber sexual bullying" including, but not limited to:
  - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of "bullying," above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
  - b. "Cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
4. Notwithstanding the definitions of "bullying" and "electronic act" above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

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**Formal Complaint of Sexual Harassment** means a written document filed and signed by a complainant who is participating in or attempting to participate in AJJCS's education program or activity or signed by the Coordinator alleging sexual harassment against a respondent and requesting that AJJCS investigate the allegation of sexual harassment.

**Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

### **Bullying and Cyberbullying Prevention Procedures**

AJJCS has adopted the following procedures for preventing acts of bullying, including cyberbullying.

#### **1. Cyberbullying Prevention Procedures**

AJJCS advises students:

- a. To never share passwords, personal data, or private photos online.
- b. To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
- c. That personal information revealed on social media can be shared with anyone including parents, teachers, administrators, and potential employers. Students should never reveal information that would make them uncomfortable if the world had access to it.
- d. To consider how it would feel receiving such comments before making comments about others online.

AJJCS informs Charter School employees, students, and parents/guardians of AJJCS's policies regarding the use of technology in and out of the classroom. AJJCS encourages parents/guardians to discuss these policies with their children to ensure their children understand and comply with such policies.

#### **2. Education**

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

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

AJJCS's bullying prevention education also discusses the differences between appropriate and inappropriate behaviors and includes sample situations to help students learn and practice appropriate behavior and to develop techniques and strategies to respond in a non-

aggressive way to bullying-type behaviors. Students will also develop confidence and learn how to advocate for themselves and others, and when to go to an adult for help.

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

### **3. Professional Development**

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

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

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

Charter School also informs certificated employees about the groups of students determined by AJCS, and available research, to be at elevated risk for bullying. These groups include but are not limited to:

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

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

## **Grievance Procedures**

### **1. Scope of Grievance Procedures**

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

- a. Are written and signed;
- b. Filed by an individual who alleges that that individual has personally suffered unlawful discrimination, harassment, intimidation or bullying, or by one who believes any specific class of individuals has been subjected to discrimination, harassment, intimidation or bullying prohibited by this part, or by a duly authorized representative who alleges that

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an individual student has been subjected to discrimination, harassment, intimidation, or bullying; and

- c. Submitted to the AJJCS UCP Compliance Officer not later than six (6) months from the date the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

The following grievance procedures shall be utilized for reports of misconduct prohibited by this Policy that do not comply with the writing, timeline, or other formal filing requirements of a uniform complaint. For formal complaints of sexual harassment, AJJCS will utilize the following grievance procedures in addition to its UCP when applicable.

## 2. Reporting

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

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

Executive Director  
Agnes J. Johnson Charter School  
PO Box 116  
Weott, CA 95571  
707-946-2347  
[admin@ajjcharter.com](mailto:admin@ajjcharter.com)

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

While submission of a written report is not required, the reporting party is encouraged to submit a written report to the Coordinator. AJJCS will investigate and respond to all oral and written reports of misconduct prohibited by this Policy in a manner that is not deliberately indifferent. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

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

AJJCS acknowledges and respects every individual's right to privacy. All reports shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process to the greatest extent possible. This includes keeping the identity of the reporter



confidential, as appropriate, except to the extent necessary to comply with the law, carry out the investigation and/or to resolve the issue, as determined by the Coordinator or administrative designee on a case-by-case basis.

AJJCS prohibits any form of retaliation against any individual who files a report or complaint, testifies, assists, participates, or refuses to participate in any investigation or proceeding related to misconduct prohibited by this Policy. Such participation or lack of participation shall not in any way affect the status, grades, or work assignments of the individual. Individuals alleging retaliation in violation of this Policy may file a grievance using the procedures set forth in this Policy. Knowingly making false statements or knowingly submitting false information during the grievance process is prohibited and may result in disciplinary action.

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

### **3. Supportive Measures**

Upon the receipt of an informal or formal complaint of sexual harassment, the Coordinator will promptly contact the complainant to discuss the availability of supportive measures. The Coordinator will consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint of sexual harassment, and explain the process for filing a formal complaint of sexual harassment.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint of sexual harassment or where no formal complaint of sexual harassment has been filed. Such measures are designed to restore or preserve equal access to AJJCS's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or AJJCS's educational environment, or deter sexual harassment. Supportive measures available to complainants and respondents may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. AJJCS will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of AJJCS to provide the supportive measures.

### **4. Investigation and Response**

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of AJJCS, the Coordinator (or administrative designee) will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the Coordinator (or administrative designee) determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the Coordinator (or administrative designee) will inform the

complainant of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.

At the conclusion of the investigation, the Coordinator (or administrative designee) will meet with the complainant and, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation, including any actions necessary to resolve the incident/situation. However, the Coordinator (or administrative designee) will not reveal confidential information related to other students or employees.

For investigations of and responses to formal complaints of sexual harassment, the following grievance procedures will apply:

- Notice of the Allegations
  - Upon receipt of a formal complaint of sexual harassment, the Coordinator will give all known parties written notice of its grievance process, including any voluntary informal resolution process. The notice will include:
    - A description of the allegations of sexual harassment at issue and to the extent known, the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident;
    - A statement that the respondent is presumed not responsible for the alleged conduct until a final decision is reached;
    - A statement that the parties may have an advisor of their choice, who may be an attorney, and may inspect and review evidence; and
    - A statement that AJJCS prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process.
- Emergency Removal
  - AJJCS may place a non-student employee respondent on administrative leave during the pendency of a formal complaint of sexual harassment grievance process in accordance with AJJCS's policies.
  - AJJCS may remove a respondent from AJJCS's education program or activity on an emergency basis, in accordance with AJJCS's policies, provided that AJJCS undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.
  - This provision may not be construed to modify any rights under the IDEA, Section 504, or the ADA.
- Informal Resolution
  - If a formal complaint of sexual harassment is filed, AJJCS may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If AJJCS offers such a process, it will do the following:
    - Provide the parties with advance written notice of:
      - The allegations;

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- The requirements of the voluntary informal resolution process including the circumstances under which the parties are precluded from resuming a formal complaint of sexual harassment arising from the same allegations;
  - The parties' right to withdraw from the voluntary informal resolution process and resume the grievance process at any time prior to agreeing to a resolution; and
  - Any consequences resulting from participating in the voluntary informal resolution process, including the records that will be maintained or could be shared; and
    - Obtain the parties' advance voluntary, written consent to the informal resolution process.
  - AJJCS will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.
  - Investigation Process
    - The decision-maker will not be the same person(s) as the Coordinator or the investigator. AJJCS shall ensure that all decision-makers and investigators do not have a conflict of interest or bias for or against complainants or respondents.
    - In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the investigator determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the investigator will inform the complainant and any respondents in writing of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.
    - The parties will be provided with an equal opportunity to present witnesses, to inspect and review any evidence obtained that is directly related to the allegations raised, and to have an advisor present during any investigative meeting or interview.
    - The parties will not be prohibited from discussing the allegations under investigation or to gather and present relevant evidence.
    - A party whose participation is invited or expected at an investigative meeting or interview will receive written notice of the date, time, location, participants, and purpose of the meeting or interview with sufficient time for the party to prepare to participate.
    - Prior to completion of the investigative report, AJJCS will send to each party and the party's advisor, if any, a copy of the evidence subject to inspection and review, and the parties will have at least ten (10) days to submit a written response for the investigator's consideration prior to the completion of the investigation report.
    - The investigator will complete an investigation report that fairly summarizes all relevant evidence and send a copy of the report to each party and the party's advisor, if any, at least ten (10) days prior to the determination of responsibility.
  - Dismissal of a Formal Complaint of Sexual Harassment
    - If the investigation reveals that the alleged harassment did not occur in AJJCS's educational program in the United States or would not constitute sexual harassment even if proved, the formal complaint with regard to that conduct must be dismissed. However, such a dismissal does not preclude action under another applicable AJJCS policy.

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- AJJCS may dismiss a formal complaint of sexual harassment if:
    - The complainant provides a written withdrawal of the complaint to the Coordinator;
    - The respondent is no longer employed or enrolled at AJJCS; or
    - The specific circumstances prevent AJJCS from gathering evidence sufficient to reach a decision on the formal complaint or the allegations therein.
  - If a formal complaint of sexual harassment or any of the claims therein are dismissed, AJJCS will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties.
  - Determination of Responsibility
    - The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
    - Determinations will be based on an objective evaluation of all relevant evidence and credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
    - AJJCS will send a written decision on the formal complaint to the complainant and respondent simultaneously that describes:
      - The allegations in the formal complaint of sexual harassment;
      - All procedural steps taken including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
      - The findings of facts supporting the determination;
      - The conclusions about the application of AJJCS's code of conduct to the facts;
      - The decision and rationale for each allegation;
      - Any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
      - The procedures and permissible bases for appeals.

## 5. Consequences

Students or employees who engage in misconduct prohibited by this Policy, knowingly make false statements or knowingly submit false information during the grievance process may be subject to disciplinary action up to and including expulsion from AJJCS or termination of employment. The Coordinator is responsible for effective implementation of any remedies ordered by AJJCS in response to a formal complaint of sexual harassment.

## 6. Right of Appeal

Should the reporting individual find AJJCS's resolution unsatisfactory, the reporting individual may, within five (5) business days of notice of AJJCS's decision or resolution, submit a written appeal to the President of the AJJCS Board, who will review the investigation and render a final decision.

The following appeal rights and procedures will also apply to formal complaints of sexual harassment:

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- The complainant and the respondent shall have the same appeal rights and AJJCS will implement appeal procedures equally for both parties.
  - AJJCS will notify the other party in writing when an appeal is filed.
  - The decision-maker for the appeal will give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome; issue a written decision describing the result of the appeal and the rationale for the result; and provide the written decision simultaneously to both parties.

## **7. Recordkeeping**

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

AJJCS will maintain the following records for at least seven (7) years:

- Records of each sexual harassment investigation, including any determination of responsibility; any audio or audiovisual recording or transcript; any disciplinary sanctions imposed on the respondent; and any remedies provided to the complainant.
- Records of any appeal of a formal sexual harassment complaint and the results of that appeal.
- Records of any informal resolution of a sexual harassment complaint and the results of that informal resolution.
- All materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
- Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

**Approved: June 23, 2021**

**AGNES J. JOHNSON CHARTER SCHOOL**

**TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION & BULLYING  
COMPLAINT FORM**

Your Name: \_\_\_\_\_ Date: \_\_\_\_\_

Date of Alleged Incident(s): \_\_\_\_\_

Name of Person(s) you have a complaint against: \_\_\_\_\_

List any witnesses that were present: \_\_\_\_\_

Where did the incident(s) occur? \_\_\_\_\_

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e., specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I hereby authorize AJJCS to disclose the information I have provided as it finds necessary in pursuing its investigation. I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief. I further understand that providing false information in this regard could result in disciplinary action up to and including termination.**

\_\_\_\_\_  
Signature of Complainant

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

\_\_\_\_\_  
Print Name

**To be completed by the Charter School:**

Received by: \_\_\_\_\_

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

Follow up Meeting with Complainant held on: \_\_\_\_\_

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## STUDENT POLICY – PARENT AND FAMILY ENGAGEMENT

Agnes J. Johnson Charter School (“AJJCS” or the “Charter School”) has developed a written Parent and Family Engagement Policy (“Policy”) with input from Title I parents and families. AJJCS has distributed the Policy to parents of Title I students by keeping copies in the front office for easy access. This Policy describes the means for carrying out the following Title I parent and family engagement requirements.

### **Charter School Expectations and Objectives**

In establishing the Charter School’s expectations and objectives for meaningful parent and family involvement, AJJCS has established the following practices:

1. AJJCS involves parents and family members in the joint development of the Charter School’s Parent and Family Engagement Plan.
  - By preparing documents in advance for review and discussion at School Site Council Meetings.
2. AJJCS provides the coordination, technical assistance, and other support necessary to assist and build the capacity within the Charter School in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education.
  - The Charter School will conduct regular parent-teacher conferences.
  - The Charter School will require teachers to communicate weekly with parents.
  - The Charter School will send out weekly newsletters throughout the school year to keep parents informed and engaged.
3. AJJCS coordinates and integrates parent and family engagement strategies to the extent feasible and appropriate, with other relevant federal, state, and local laws and programs.
  - The Charter School will conduct regular parent-teacher conferences.
  - The Charter School will require teachers to communicate weekly with parents.
  - The Charter School will send out weekly newsletters throughout the school year to keep parents informed and engaged.
4. AJJCS conducts, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the Policy in improving the academic quality at the Charter School.

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- The Charter School will invite parents to yearly School Site Council meetings to discuss and review the Policy.
  - The Charter School will conduct a parent survey yearly to assess the needs and desires of parents and families in regard to the Policy.
5. AJJCS conducts, with the meaningful involvement of parents and family members, an annual evaluation of barriers to greater participation by parents/families (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background).
- The Charter School will perform an annual survey in English and Spanish to evaluate the barriers to greater participation by parents and families (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background).
6. AJJCS conducts, with the meaningful involvement of parents and family members, an annual evaluation of the needs of parents and family members to assist with the learning of their children, including engaging with Charter School personnel and teachers.
- AJJCS will perform a yearly survey to evaluate the needs of parents and family members to assist with the learning of their children, including engaging with Charter School personnel and teachers.
7. AJJCS conducts, with the meaningful involvement of parents and family members, an annual evaluation of strategies to support successful Charter School and family interactions.
- AJJCS will perform a yearly survey to evaluate strategies to support successful Charter School and family interactions.
8. AJJCS uses the findings of the annual evaluation to design evidence-based strategies for more effective parental and family engagement, and to revise, if necessary, the Parent and Family Engagement Policy.
- AJJCS will perform a yearly survey to design evidence-based strategies for more effective parental and family engagement, and to revise, if necessary, the Parent and Family Engagement Policy.
9. AJJCS involves parents in the activities of the Charter School to adequately represent the needs of the population.



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- Parents and families will be encouraged to participate in all school events via weekly newsletters, emails, and phone calls.
  - School events

### **Involvement of Parents in the Title I Program**

To involve parents in the Title I program at AJJCS, the following practices have been established:

1. AJJCS convenes an annual meeting to inform parents of Title I students about Title I requirements and about the right of parents to be involved in the Title I program.
  - AJJCS will contact families with updated information as needed via phone call and email.
2. AJJCS offers a flexible number of meetings for Title I parents, such as meetings in the morning or evening.
  - AJJCS will offer at least two meeting times to cater to different scheduling needs
3. AJJCS involves parents of Title I students in an organized, ongoing, and timely way, in the planning, review, and improvement of the Charter School's Title I programs and the Parent and Family Engagement Policy.
  - AJJCS will keep consistent communication with parents of Title I students and ask for insight before changing any Title I programs.
4. AJJCS provides parents of Title I students with timely information about Title I programs.
  - AJJCS will email or call parents of Title I students within 72 hours of any news of new information for Title I programs.
5. AJJCS provides parents of Title I students with a description and explanation of the curriculum used at the Charter School, the assessments used to measure student progress, and the proficiency levels students are expected to meet.
  - Parents will meet with teachers at least twice a year to receive a description and explanation of the curriculum used at the Charter School, the assessments used to measure student progress, and the proficiency levels students are expected to meet.

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6. If requested by parents of Title I students, AJJCS provides opportunities for regular meetings that allow the parents to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children.
    - These meetings can be scheduled as needed by the front office.

The Policy must be updated periodically to meet changing needs of parents and the Charter School. If AJJCS has a process in place for involving parents in planning and designing the Charter School's programs, the school may use that process if it includes adequate representation of parents of Title I children.

### **School-Parent Compact**

AJJCS distributes to parents of Title I students a School-Parent Compact (the "Compact"). The Compact, which has been jointly developed with parents, outlines how parents, the entire Charter School staff, and students will share the responsibility for improved student academic achievement. It describes specific ways the Charter School and families will partner to help children achieve the State's high academic standards. It addresses the following legally required items, as well as other items suggested by parents of Title I students:

1. AJJCS's responsibility to provide high-quality curriculum and instruction to meet the challenging State academic standards.
2. The ways parents will be responsible for supporting their children's learning, volunteering in the classroom, and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time.
3. The importance of ongoing communication between parents and teachers through, at a minimum, annual parent-teacher conferences; frequent reports on student progress; access to staff; opportunities for parents to volunteer and participate in their child's class; and opportunities to observe classroom activities and ensuring regular communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.

### **Building Capacity for Involvement**

AJJCS engages Title I parents in meaningful interactions with the Charter School. The Charter School supports a partnership among staff, parents, and the community to improve student academic achievement. To help reach these goals, AJJCS has established the following practices.

1. AJJCS provides Title I parents with assistance in understanding challenging state academic standards, state and local assessments, and how to monitor and improve the achievement of their children.

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- Parents will meet with teachers at least twice a year to receive assistance in understanding challenging state academic standards, state and local assessments, and how to monitor and improve the achievement of their children.
  - Additionally, parents may schedule meetings with teachers and other staff through the front office as needed for additional support.
2. AJJCS provides Title I parents with materials and training, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to foster parental involvement, to help them work with their children to improve their children's achievement.
    - Parents can request assistance from the front office at any time and the front office will ensure they receive the necessary materials and training. Additionally, parents can schedule meetings with the office at any time for more support.
  3. With the assistance of Title I parents, AJJCS educates staff members about the value of parent contributions, and in how to reach out, communicate with, and work with parents as equal partners to implement and coordinate parent programs and build ties between parents and the Charter School.
    - This will be a part of yearly professional development for certificated staff members and office staff.
  4. AJJCS coordinates and integrates the Title I parental involvement program with other programs, and conducts other activities, such as parent resource centers, to encourage and support parents in more fully participating in the education of their children.
  5. AJJCS distributes information related to Charter School and parent programs, meetings, and other activities to Title I parents in a format and language that the parents understand.
    - Documents will be produced in English and Spanish. Documents in other languages will be provided as needed.
  6. AJJCS provides support for parental involvement activities requested by Title I parents.

### **Accessibility**

AJJCS provides opportunities for the participation of all Title I parents and family members, including parents/family with limited English proficiency, parents/family with disabilities, and parents/family of migratory students. Information and school reports are provided in a format and language that parents/family understand.

**Adopted: June 23, 2021**

## STUDENT POLICY – HEALTH EXAMINATIONS AND IMMUNIZATIONS

### Health Examinations by the Charter School

*The Board of Directors recognizes that periodic health examinations of students may lead to the detection and treatment of conditions that impact learning. Health examinations also may help in determining whether special adaptations of the Charter School's program are necessary. The Charter School shall conduct health examinations of students as needed to insure proper care of the students.*

**Vision and Hearing Tests:** Upon first enrollment in the Charter School and at least every third year thereafter until the child has completed the eighth grade, the Charter School shall test the student's vision and hearing. The vision test shall include tests for visual acuity and color vision, although the color vision shall be appraised once and only on male students, the results of which shall be entered in the health records and need not begin until the student is in first grade. Classroom teachers are responsible for continuous observation of the appearance, behavior and complaints of students that might indicate vision problems. Where a student's school performance begins to give evidence that the existence of the problem might be caused by a visual difficulty, a visual evaluation shall be done in consultation with the school nurse.

The vision evaluation may be waived by the parents/guardians if they present a certificate from a physician and surgeon or an optometrist setting out the results of a determination of the child's vision, including visual acuity and color. Parents/guardians may also avoid the testing and observation if they file with the Executive Director or his/her designee a statement in writing that they adhere to the faith or teachings of any well-recognized religious sect, denomination, or organization and in accordance with its creed, tenets or principles depend for healing upon prayer in the practice of their religion.

A parent/guardian may file annually with the Executive Director or his/her designee a statement in writing, signed by the parent/guardian, stating that he/she will not consent to a physical examination of his/her child. The student will thereafter be exempt from physical examinations, but if there is good reason to believe that the student is suffering from a recognized contagious or infectious disease, the student will be sent home and not be permitted to return to school until the Executive Director or his/her designee is satisfied that any contagious or infectious disease does not exist.

### **Immunizations**

To protect the health of all students and staff and to curtail the spread of infectious diseases, the Board of Directors desires to cooperate with state and local health agencies to encourage immunization of all students against preventable diseases.

**Admission:** Students shall not be unconditionally admitted to the Charter School unless prior to his/her first admission to the Charter School, he/she presents an immunization record which shows at least the month and year of each immunization the student has received, in accordance with law. Students may be conditionally admitted in accordance with the regulations promulgated by the Department of Health Services. If a student conditionally admitted fails to fulfill the conditions

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of admission, the Charter School will prohibit the student from further attendance until that student has been fully immunized as required by law.

Immunization records shall be part of the mandatory permanent pupil record and shall be kept in accordance with the Charter School's record-keeping policy.

If the Charter School discovers that an admitted student has not received all required immunizations, the Charter School will notify his/her parent/guardian. If, within 10 school days of the notice, the child does not provide documentation of having received all required immunizations, the Charter School shall exclude the student from attendance. Medical waivers pursuant to law will be accepted.

The Charter School will file a written report on the immunization status of new entrants to the Charter School with the Department of Health Services as required by law.

**Adopted: June 23, 2021**

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## STUDENT POLICY – ADMINISTRATION OF MEDICATIONS, EMERGENCIES AND HEAD LICE

### Administration of Medications

The following policy regarding the administration of medications is applicable when the staff of the Charter School is responsible for the administration of, or assisting in the administration of, medication to students attending school during regular school hours, including before- or after-school programs, field trips, extracurricular and co-curricular activities, and camps or other activities that typically involve at least one overnight stay away from home, because administration of the medication is absolutely necessary during school hours and the student cannot self-administer or another family member cannot administer the medication at school.

**Requirements for Administration or Assistance:** Before the Charter School will allow a student to carry and self-administer prescription auto-injectable epinephrine, or inhaled asthma medication, or have authorized Charter School personnel administer medications or otherwise assist a student in administering his or her medication, the Charter School must receive a copy of the following:

A written statement executed by the student's authorized health care provider specifying the medication the student is to take, the dosage, and the period of time during which the medication is to be taken and a statement that the medication must be taken during regular school hours, as well as detailing the method, amount and time schedule by which the medication is to be taken;

- A written statement by the student's parent or guardian initiating a request to have the medication administered to the student or to have the student otherwise assisted in the administration of the medication, in accordance with the authorized health care provider's written statement. The written statement shall also provide express permission for the Charter School to communicate directly with the authorized health care provider, as may be necessary, regarding the authorized health care provider's written statement.
- In the cases of self-administration of asthma medication or prescription auto-injectable epinephrine, the Charter School must also receive a confirmation from the authorized health care provider that the student is able to self-administer the medication and a written statement from the parent/guardian consenting to the student's self-administration and releasing the Charter School and its personnel from civil liability if the self-administering student suffers an adverse reaction by self-administering his/her medication.

New statements by the parent/guardian and the authorized health care provider shall be required annually and whenever there is a change in the student's authorized health care provider, or a change in the medication, dosage, method by which the medication is required to be taken or date(s), or time(s) the medication is required to be taken. If there is not a current written statement by the student's parent or guardian and authorized health care provider, the Charter School may not administer or assist in administration of medication. The Charter School will provide each parent with a reminder at the beginning of each school year that they are required to provide the proper written statements.

Parent(s)/guardian(s) of students requiring administration of medication or assistance with administration of medication shall personally deliver (or, if age appropriate, have the student deliver) the medication for administration to the Executive Director or his/her designee.

**Termination of Consent:** Parent(s)/guardian(s) of students who have previously provided consent for the Charter School to administer medication or assist a student with the administration of medication may terminate consent by providing the Charter School with a signed written withdrawal of consent.

**Authorized Personnel:** A nurse who is employed by the Charter School and certified in accordance with Education Code section 44877 will administer or assist in administering the medication to students. If not available, a designated Charter School employee who is legally able to and has consented to administer or assist in administering the medication to students will administer the medication or otherwise assist the students.

**Storage of Medication:** Medication for administration to students shall be maintained in the office in a locked cabinet. It shall be clearly marked for easy identification. If the medication requires refrigeration, the medication shall be stored in a refrigerator in a locked office, which may only be accessed by authorized personnel. If stored medication is unused, discontinued or outdated, the medication shall be returned to the student's parent/guardian where possible. If not possible, the Charter School shall dispose of the medication by the end of the school year in accordance with applicable law.

**Confidentiality:** Charter School personnel with knowledge of the medical needs of students shall maintain the students' confidentiality. Any discussions with parents/guardians and/or authorized health care providers shall take place in an area that ensures student confidentiality. All medication records or other documentation relating to a student's medication needs shall be maintained in a location where access is restricted to the Charter School Director or other designated Charter School employees.

**Medication Record:** The Charter School shall maintain a medication record for each student that is allowed to carry and self-administer medication and for each student to whom medication is administered or other assistance is provided in the administration of medication.

The medication record shall contain the following: 1) The authorized health care provider's written statement; 2) The written statement of the parent/guardian; 3) A medication log (see below); 4) Any other written documentation related to the administration of the medication to the student or otherwise assisting the pupil in the administration of the medication.

The medication log shall contain the following information: 1) Student's name; 2) Name of the medication the student is required to take; 3) Dose of medication; 4) Method by which the pupil is required to take the medication; 5) Time the medication is to be taken during the regular school day; 6) Date(s) on which the student is required to take the medication; 7) Authorized health care provider's name and contact information; and 8) A space for daily recording of medication administration to the student or otherwise assisting the student, such as date, time, amount, and signature of the individual administering the medication or otherwise assisting in administration of the medication.

**Deviation from Authorized Health Care Provider's Written Statement:** If a material or significant deviation from the authorized health care provider's written statement is discovered, notification as quickly as possible shall be made as follows: 1) If discovery is made by a licensed health care professional, notification of the deviation shall be in accordance with applicable standards of professional practice; 2) If discovery is made by an individual other than a licensed

health care professional, notification shall be given to the Charter School Director, the student's parent/guardian, any Charter School employees that are licensed health care professionals and the student's authorized health care provider.

### **Specialized Physical Health Care Services for Individuals with Exceptional Needs:**

**Authorized Personnel:** The following individuals may assist students with exceptional needs who require specialized physical health care services during the regular school day:

- Qualified persons who possess an appropriate credential issued pursuant to Education Code sections 44267 or 44267.5
- Qualified designated school personnel trained in the administration of specialized physical health care if they perform those services under the supervision, pursuant to 5 C.C.R. § 3051.12, of a credentialed school nurse or licensed physician and surgeon and the services are determined by the credentialed school nurse or licensed physician and surgeon, in consultation with the physician treating the pupil, to include all of the following:
  - Routine for the pupil;
  - Pose little potential for harm for the pupil;
  - Performed with predictable outcomes, as defined in the Individualized Education Program of the pupil;
  - Does not require a nursing assessment, interpretation, or decision making by the designated school personnel
- Persons providing specialized physical health care services for students with exceptional needs shall demonstrate competence in basic cardiopulmonary resuscitation and shall be knowledgeable of the emergency medical resources available in the community in which the services are performed.

Specialized health care or other services for students with exceptional needs that require medically related training shall be provided pursuant to the procedures identified in this policy generally.

Specialized physical health care services include catheterization, gastric tube feeding, suctioning or other services that require medically related training.

### **Emergencies**

#### **Resuscitation Orders**

Charter School employees are trained and expected to respond to emergency situations without discrimination. If any student needs resuscitation, trained staff shall make every effort to resuscitate him/her. The Charter School does not accept or follow any parental or medical "do not resuscitate" orders. Charter School staff should not be placed in the position of determining whether such orders should be followed. The Charter School Director, or his/her designee, shall ensure that all parents/guardians are informed of this policy.

#### **Emergency Contact Information**

For the protection of a student's health and welfare, the Charter School shall require the parent/guardian(s) of all students to keep current with the Charter School emergency information



including the home address and telephone number, business address and telephone number of the parent/guardian(s), and the name, address and telephone number of a relative or friend who is authorized to care for the student in any emergency situation if the parent/guardian cannot be reached.

### **Emergency Aid to Students with Anaphylactic Reaction**

The Charter School will provide emergency epinephrine auto-injectors to trained Charter School personnel and those trained personnel may use those epinephrine auto-injectors to provide emergency medical aid to persons suffering from an anaphylactic reaction. The training provided to Charter School personnel shall be in compliance with the requirements of Education Code section 49414.

Trained Charter School personnel shall immediately administer an epinephrine auto-injector to a person exhibiting potentially life-threatening symptoms of anaphylaxis at school or a school related activity when a physician is not immediately available.

The Charter School Director shall create a plan addressing the following issues: 1) Designation of the individual(s) who will provide the training for administration of emergency epinephrine auto-injectors; 2) Designation of a licensed health care provider or local emergency medical services director for consultation for the prescription of epinephrine auto-injectors; 3) Documentation as to which Charter School personnel will obtain the prescription from the individual identified under subparagraph (2) and the medication from a pharmacist; and 4) Documentation as to where the medication is stored and how the medication will be made readily available in case of an emergency.

### **Head Lice**

To prevent the spread of head lice infestations, Charter School personnel shall report all suspected cases of head lice to the Executive Director, or designee, as soon as possible. The Executive Director, or designee, shall examine the student and any siblings of affected students or members of the same household in accordance with the Charter School's health examination policy. If nits or lice are found, the student(s) shall be excluded from attendance and parents/guardians informed about recommended treatment procedures and sources of further information.

In the event of one or more persons infested with lice, an exposure notice with information about head lice shall be sent home to all parents/guardians of the students that have been exposed to the head lice.

Charter School personnel shall maintain the privacy of students identified as having head lice and excluded from attendance.

Excluded students may return to school when reexamination by the nurse, a designee, or other authorized health care representative shows that all nits and lice have been removed. After returning, the student may be reexamined by the Executive Director as appropriate to ensure that re-infestation has not occurred.

**Adopted: June 23, 2021**

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**STUDENT POLICY – FREEDOM OF EXPRESSION POLICY AND PROCEDURES**

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

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

**Freedom of Expression Procedures****Circulation of Petitions and Other Printed Matter**

Students shall be allowed to distribute petitions and other printed matter subject to these procedures.

The time of distribution shall be limited to the half hour before school begins, during the lunch period, and the half hour after school is dismissed.

The manner of distribution shall be such that coercion is not used to induce students to accept the printed matter or to sign petitions. Materials are not to be left undistributed or stacked for pick-up while unattended at any place in the school or on school grounds.

**Buttons, Badges and Other Insignia of Symbolic Expression**

Students will be permitted to wear buttons, badges, armbands, and other insignia as a form of expression allowable under the dress code policy.

Students will be subject to disciplinary action when expressive activities such as the distribution of materials, wearing of buttons or displays, or posting of notices or other materials:

1. *Are obscene, libelous or slanderous;*
2. *Incite students so as to create a clear and present danger of the imminent commission of unlawful acts on school premises or of the violation of lawful school regulations or of the substantial disruption of the orderly operation of the school;*
3. *Express or advocate racial, ethnic or religious prejudice so as to create a clear and present danger of imminent commission of unlawful acts on school premises or of the violation of lawful school regulations or of the substantial disruption of the orderly operation of the school;*
4. *Are distributed in violation of the time, place and manner requirements;*
5. *Are in violation of current federal, state and local laws.*

**Unofficial School Publications**

Charter School officials may not ban the distribution of non-School-sponsored publications on

school grounds. Writers and editors of unofficial student publications who violate any state or federal law may be disciplined after distribution. Students distributing or posting any materials which are obscene, libelous or slanderous, or which demonstrably incite students to commit unlawful acts on school premises, violate school rules, or substantially disrupt the school's orderly operation will be subject to disciplinary action.

The following points apply to unofficial student publications:

1. Charter School may disassociate themselves from the material printed inasmuch as it is not an official publication of the Charter School.
2. Charter School officials may reasonably regulate the time, place and manner of distribution. This distribution will be limited to:
  - a. One half hour before school begins, during the lunch period, or the half hour after dismissal.
  - b. In locations that do not obstruct the normal flow of traffic within the school or at entrances.
  - c. Without undue noise.
3. No student shall use coercion to induce students or any other persons to accept printed matter or to sign petitions.
4. "Distribution" means dissemination of a publication to students at a time and place of normal school activity, or immediately prior to or subsequent thereto, by means of handing out free copies, selling or offering copies for sale, accepting donations for copies of the publication, or displaying the student publication in areas of the school which are generally frequented by students.

Charter School officials cannot:

1. Prohibit the distribution of anonymous literature or require that literature bear the name of the sponsoring organization or author.
2. Ban the distribution of literature because it contains advertising.
3. Create regulations that discriminate against non-School-sponsored publications or interfere with the effective distribution of non-sponsored publications provided such publications abide by time, place and manner regulations.

### **Other forms of Student Expression**

Forms of student expression may include, but are not limited to speech, debate, assemblies, posters, bulletin board announcements, and the wearing of buttons, badges and armbands. In general, the laws pertaining to all forms of student expression are the same. The rights of students to express their opinions are recognized by law and are not limited to verbal expression. The basic guidelines listed above for publications apply to all forms of student expression. No teacher or administrator shall interfere with such expression on the grounds that the message may be unpopular with students or faculty.

In conforming to state and federal laws, student expression must obey copyright laws; for example,

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student posters cannot use nationally registered and copyrighted characters such as those from Walt Disney or “Peanuts” publications.

### **Distribution of Procedures Governing Student Rights**

Site administrators will distribute copies of this Administrative Procedure to all teachers who are advisors of students who produce publications or present public performances. It is the responsibility of the Charter School and site administrators to see that these guidelines are kept up-to-date and accurate.

### **Appeals**

The pupil and a Charter School staff member shall attempt to resolve the problem before consulting the administrative staff. If the issue cannot be resolved between the staff member and the pupil, the pupil may appeal the decision to the site administrator, and then to the Charter School Director or his/her designee. As a final step, the pupil may follow the Charter School’s complaint procedures as outlined in the Family Handbook.

**Adopted: June 23, 2021**

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**STUDENT POLICY – POLICY AGAINST PLAGIARISM****Academic Honesty**

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

*Students, parents/guardians, staff and administrators shall be responsible for creating and maintaining a positive school climate that encourages honesty. Students found to have committed an act of academic dishonesty shall be subject to discipline, up to and including suspension or expulsion from school.*

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

**Adopted: June 23, 2021**

## **STUDENT POLICY – SUICIDE PREVENTION AND INTERVENTION**

The Board of Directors of AJJCS Agnes J. Johnson Charter School (“AJJCS” or the “Charter School”) recognizes that suicide is a major cause of death among youth and should be taken seriously. To attempt to reduce suicidal behavior and its impact on students and families, the Board of Directors has developed prevention strategies and intervention procedures.

In compliance with Education Code section 215, this policy has been developed in consultation with AJJCS and community stakeholders, AJJCS school-employed mental health professionals (e.g., school counselors, psychologists, social workers, nurses), administrators, other school staff members, parents/guardians/caregivers, students, local health agencies and professionals, the county mental health plan, law enforcement, and community organizations in planning, implementing, and evaluating AJJCS’s strategies for suicide prevention and intervention. AJJCS must work in conjunction with local government agencies, community-based organizations, and other community supports to identify additional resources.

To ensure the policies regarding suicide prevention are properly adopted, implemented, and updated, AJJCS shall appoint an individual (or team) to serve as the suicide prevention point of contact for AJJCS. The suicide prevention point of contact for AJJCS and the Executive Director shall ensure proper coordination and consultation with the county mental health plan if a referral is made for mental health or related services on behalf of a student who is a Medi-Cal beneficiary. This policy shall be reviewed and revised as indicated, at least annually in conjunction with the previously mentioned community stakeholders.

### **Staff Development**

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

Training shall be provided for all school staff members. It may also be provided, when appropriate, for other adults on campus (such as substitutes and intermittent staff, volunteers, interns, tutors, coaches, and afterschool staff). Training shall include the following:

1. All suicide prevention trainings shall be offered under the direction of mental health professionals (e.g., school counselors, school psychologists, other public entity professionals, such as psychologists or social workers) who have received advanced training specific to suicide. Staff training may be adjusted year-to-year based on previous professional development activities and emerging best practices.
2. At least annually, all staff shall receive training on the risk factors and warning signs of suicide, suicide prevention, intervention, referral, and postvention.
3. At a minimum, all staff shall participate in training on the core components of suicide prevention (identification of suicide risk factors and warning signs, prevention,

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intervention, referral, and postvention) at the beginning of their employment or annually. Core components of the general suicide prevention training shall include:

- a. Suicide risk factors, warning signs, and protective factors.
  - b. How to talk with a student about thoughts of suicide.
  - c. How to respond appropriately to the youth who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and an immediate referral for a suicide risk assessment.
  - d. Emphasis on immediately referring (same day) any student who is identified to be at risk of suicide for assessment while staying under constant monitoring by staff member.
  - e. Emphasis on reducing stigma associated with mental illness and that early prevention and intervention can drastically reduce the risk of suicide.
  - f. Reviewing the data annually to look for any patterns or trends of the prevalence or occurrence of suicide ideation, attempts, or death. Data from the California School Climate, Health, and Learning Survey (Cal-SCHLS) should also be analyzed to identify school climate deficits and drive program development. See the Cal-SCHLS Web site at <http://cal-schls.wested.org/>.
  - g. Information regarding groups of students judged by the school, and available research, to be at elevated risk for suicide. These groups include, but are not limited to, the following:
    - i. Youth affected by suicide.
    - ii. Youth with a history of suicide ideation or attempts.
    - iii. Youth with disabilities, mental illness, or substance abuse disorders.
    - iv. Lesbian, gay, bisexual, transgender, or questioning youth.
    - v. Youth experiencing homelessness or in out-of-home settings, such as foster care.
    - vi. Youth who have suffered traumatic experiences.
    - vii. Youth Vulnerable to Depression and Suicide.
4. In addition to initial orientations to the core components of suicide prevention, ongoing annual staff professional development for all staff may include the following components:
- a. The impact of traumatic stress on emotional and mental health.
  - b. Common misconceptions about suicide.
  - c. Charter School and community suicide prevention resources.
  - d. Appropriate messaging about suicide (correct terminology, safe messaging guidelines).
  - e. The factors associated with suicide (risk factors, warning signs, protective factors).
  - f. How to identify youth who may be at risk of suicide.
  - g. Appropriate ways to interact with a youth who is demonstrating emotional distress or is suicidal. Specifically, how to talk with a student about their thoughts of suicide and (based on AJJCS guidelines) how to respond to such thinking; how to talk with a student about thoughts of suicide and appropriately respond and provide support based on AJJCS guidelines.
  - h. Charter School-approved procedures for responding to suicide risk (including multi-tiered systems of support and referrals). Such procedures should emphasize

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- that the suicidal student should be constantly supervised until a suicide risk assessment is completed.
- i. Charter School-approved procedures for responding to the aftermath of suicidal behavior (suicidal behavior postvention).
  - j. Responding after a suicide occurs (suicide postvention).
  - k. Resources regarding youth suicide prevention.
  - l. Emphasis on stigma reduction and the fact that early prevention and intervention can drastically reduce the risk of suicide.
  - m. Emphasis that any student who is identified to be at risk of suicide is to be immediately referred (same day) for assessment while being constantly monitored by a staff member.

### **Employee Qualifications and Scope of Services**

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

### **Parents, Guardians, and Caregivers Participation and Education**

1. Parents/guardians/caregivers may be included in suicide prevention efforts. At a minimum, the Charter School shall share this Policy with parents/guardians/caregivers by notifying them where a complete copy of the policy is available.
2. This Suicide Prevention Policy shall be easily accessible and prominently displayed on the AJJCS Web page and included in the parent handbook.
3. Parents/guardians/caregivers should be invited to provide input on the development and implementation of this policy.
4. All parents/guardians/caregivers may have access to suicide prevention training that addresses the following:
  - a. Suicide risk factors, warning signs, and protective factors.
  - b. How to talk with a student about thoughts of suicide.
  - c. How to respond appropriately to the student who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and referral for an immediate suicide risk assessment.

### **Student Participation and Education**

Messaging about suicide has an effect on suicidal thinking and behaviors. Consequently, AJJCS along with its partners has carefully reviewed and will continue to review all materials and resources used in awareness efforts to ensure they align with best practices for safe messaging about suicide. Suicide prevention strategies may include, but not be limited to, efforts to promote



a positive school climate that enhances students' feelings of connectedness with AJJCS and is characterized by caring staff and harmonious interrelationships among students.

AJJCS's instructional and student support program shall promote the healthy mental, emotional, and social development of students including, but not limited to, the development of problem-solving skills, coping skills, and resilience. The instruction shall not use the stress model to explain suicide.

AJJCS's instructional curriculum may include information about suicide prevention, as appropriate or needed. If suicide prevention is included in the Charter School's instructional curriculum, it shall consider the grade level and age of the students and be delivered and discussed in a manner that is sensitive to the needs of young students. Under the supervision of an appropriately trained individual acting within the scope of her/his credential or license, students shall:

1. Receive developmentally appropriate, student-centered education about the warning signs of mental health challenges and emotional distress. The content of the education may include:
  - a. Coping strategies for dealing with stress and trauma.
  - b. How to recognize behaviors (warning signs) and life issues (risk factors) associated with suicide and mental health issues in oneself and others.
  - c. Help-seeking strategies for oneself and others, including how to engage school-based and community resources and refer peers for help.
  - d. Emphasis on reducing the stigma associated with mental illness and the fact that early prevention and intervention can drastically reduce the risk of suicide.
2. Receive developmentally appropriate guidance regarding AJJCS's suicide prevention, intervention, and referral procedures.

Student-focused suicide prevention education can be incorporated into classroom curricula (e.g., health classes, orientation classes, science, and physical education).

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

### **Intervention and Emergency Procedures**

AJJCS designates the following administrators to act as the primary and secondary suicide prevention liaisons:

1. School Psychologist
2. Executive Director

Whenever a staff member suspects or has knowledge of a student's suicidal intentions, they shall

promptly notify the primary designated suicide prevention liaison. If this primary suicide prevention liaison is unavailable, the staff shall promptly notify the secondary suicide prevention liaison.

The suicide prevention liaison shall immediately notify the Executive Director or designee, who shall then notify the student's parent/guardian as soon as possible if appropriate and in the best interest of the student. Determination of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.

The suicide prevention liaison shall also refer the student to mental health resources at AJJCS or in the community.

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

When a suicide attempt or threat is reported on campus or at a school-related activity, the suicide prevention liaison shall, at a minimum:

1. Ensure the student's physical safety by one or more of the following, as appropriate:
  - a. Securing immediate medical treatment if a suicide attempt has occurred.
  - b. Securing law enforcement and/or other emergency assistance if a suicidal act is being actively threatened.
  - c. Keeping the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene.
  - d. Remaining calm, keeping in mind the student is overwhelmed, confused, and emotionally distressed.
  - e. Moving all other students out of the immediate area.
  - f. Not sending the student away or leaving him/her alone, even to go to the restroom.
  - g. Providing comfort to the student, listening and allowing the student to talk and being comfortable with moments of silence.
  - h. Promising privacy and help, but not promising confidentiality.
2. Document the incident in writing as soon as feasible.
3. Follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed and coordinate and consult with the county mental health plan if a referral is made for mental health or related services on behalf of a student who is a Medi-Cal beneficiary.
4. After a referral is made, AJJCS shall verify with the parent/guardian that the follow up treatment has been accessed. Parents/guardians will be required to provide documentation of care for the student. If parents/guardians refuse or neglect to access treatment for a student who has been identified to be at risk for suicide or in emotional distress, the suicide prevention liaisons shall meet with the parent to identify barriers to treatment (e.g., cultural stigma, financial issues) and work to rectify the situation and build understanding of care. If follow up care is still not provided, AJJCS may contact Child Protective Services.

5. Provide access to counselors or other appropriate personnel to listen to and support students and staff who are directly or indirectly involved with the incident at AJJCS.
6. Provide an opportunity for all who respond to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.

In the event a suicide occurs or is attempted on the AJJCS campus, the suicide prevention liaison shall follow the crisis intervention procedures contained in AJJCS's safety plan. After consultation with the Executive Director or designee and the student's parent/guardian about facts that may be divulged in accordance with the laws governing confidentiality of student record information, the Executive Director or designee may provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. AJJCS staff may receive assistance from AJJCS counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students.

In the event a suicide occurs or is attempted off the AJJCS campus and unrelated to school activities, the Executive Director or designee shall take the following steps to support the student:

1. Contact the parent/guardian and offer support to the family.
2. Discuss with the family how they would like AJJCS to respond to the attempt while minimizing widespread rumors among teachers, staff, and students.
3. Obtain permission from the parent/guardian to share information to ensure the facts regarding the crisis are correct.
4. The suicide prevention liaisons shall handle any media requests.
5. Provide care and determine appropriate support to affected students.
6. Offer to the student and parent/guardian steps for re-integration to school. Re-integration may include obtaining a written release from the parent/guardian to speak with any health care providers; conferring with the student and parent/guardian about any specific requests on how to handle the situation; informing the student's teachers about possible days of absences; allowing accommodations for make-up work (being understanding that missed assignments may add stress to the student); appropriate staff maintaining ongoing contact with the student to monitor the student's actions and mood; and working with the parent/guardian to involve the student in an aftercare plan.

### **Supporting Students during or after a Mental Health Crisis**

Students shall be encouraged through the education program and in AJJCS activities to notify a teacher, the Executive Director, another AJJCS administrator, psychologist, AJJCS counselor, suicide prevention liaisons, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions. AJJCS staff should treat each report seriously, calmly, and with active listening and support. Staff should be non-judgmental to students and discuss with the student, and parent/guardian, about additional

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resources to support the student.

### **Responding After a Suicide Death (Postvention)**

A death by suicide in the school community (whether by a student or staff member) can have devastating consequences on the school community, including students and staff. AJJCS shall follow the below action plan for responding to a suicide death, which incorporates both immediate and long-term steps and objectives:

The suicide prevention liaison shall:

1. Coordinate with the Executive Director to:
  - a. Confirm death and cause.
  - b. Identify a staff member to contact deceased's family (within 24 hours).
  - c. Enact the Suicide Postvention Response.
  - d. Notify all staff members (ideally in-person or via phone, not via e-mail or mass notification).
2. Coordinate an all-staff meeting, to include:
  - a. Notification (if not already conducted) to staff about suicide death.
  - b. Emotional support and resources available to staff.
  - c. Notification to students about suicide death and the availability of support services (if this is the protocol that is decided by administration).
  - d. Share information that is relevant and that which you have permission to disclose.
3. Prepare staff to respond to needs of students regarding the following:
  - a. Review of protocols for referring students for support/assessment.
  - b. Talking points for staff to notify students.
  - c. Resources available to students (on and off campus).
4. Identify students significantly affected by suicide death and other students at risk of imitative behavior.
5. Identify students affected by suicide death but not at risk of imitative behavior.
6. Communicate with the larger school community about the suicide death.
7. Consider funeral arrangements for family and school community.
8. Respond to memorial requests in respectful and non-harmful manner; responses should be handled in a thoughtful way and their impact on other students should be considered.
9. Identify media spokesperson if needed.
10. Include long-term suicide postvention responses:

- a. Consider important dates (i.e., anniversary of death, deceased birthday, graduation, or other significant event) and how these will be addressed.
- b. Support siblings, close friends, teachers, and/or students of deceased.
- c. Consider long-term memorials and how they may impact students who are emotionally vulnerable and at risk of suicide.

### **Student Identification Cards**

Charter School will include the telephone number for the National Suicide Prevention Lifeline (1-800-273-8255) and the National Domestic Violence Hotline (1-800-799-7233) on all student identification cards. AJJCS will also include the number for the Crisis Text Line, which can be accessed by texting HOME to 741741 and a local suicide prevention hotline on all student identification cards.

**Adopted: June 23, 2021**

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## STUDENT POLICY – STUDENT INTERNET USE POLICY AND AGREEMENT

### Introduction

The Internet is a place for the exchange of ideas and information. Accordingly, the Internet is an excellent educational tool that allows students to access a wide variety of information to supplement academic study and research. The Charter School provides students with Internet access and email accounts to further their education and research. However, the access the Internet provides to computers and people across the world also provides access to materials that do not have educational value in a school setting. As such, students may encounter information and ideas they may consider obscene, controversial, abusive, or otherwise offensive. Despite these risks, the Charter School believes that the value of the educational information available on the Internet far outweighs the risk that students may access information that is not consistent with educational goals and purposes.

The Charter School has developed and adopted this Student Internet Use Policy and Agreement (“Policy”) to ensure that student access to and use of the Internet is consistent with the educational goals and purposes of the Charter School. This Policy sets forth student responsibilities and duties when accessing and using the Internet through Charter School equipment and resource networks and when using email accounts maintained by the Charter School. The Charter School has deemed certain uses of the Internet inappropriate for an educational setting and therefore not appropriate for use with Charter School equipment and resource networks. The Charter School stresses that an inappropriate use does not always mean that the use is in itself “bad” or illegal, but only that the use does not further the educational goals and purposes of the Charter School.

In addition to the below identified policies, the Charter School will use technology protection measures that protect against Internet access (by both minors and adults) to visual depictions that are obscene, child pornography, or with respect to use by minors, harmful to minors. These measures may include, but are not limited to, installing a blocking system to block specific internet sites, setting Internet browsers to block access to adult sites, using a filtering system that will filter all Internet traffic and report potential instances of misuse and using a spam filter.

Students are reminded that their use of the Charter School equipment and resource networks reflect upon the Charter School, and Students should guide their activities accordingly.

### STUDENT RESPONSIBILITIES

#### Use Limited to an Educational Purpose

The Student acknowledges that access to the Internet via Charter School equipment and resource networks is intended to serve and pursue educational goals and purposes. Student use of the Internet is therefore limited to only those activities that further or enhance the delivery of education. The Student recognizes that he or she has a duty to use Charter School equipment and resource networks only in a manner specified in the Policy.

a. Educational Purpose

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

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b. Inappropriate Use

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

### **Plagiarism**

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

### **Copyright**

Student agrees that he or she will not use Charter School equipment or resource networks to download or print text, music, or pictures for the purpose of selling or giving the files to others unless specifically authorized by the Charter School and the owner of the copyrighted material.

### **Communication**

Student agrees that he or she will use Charter School equipment or resource networks or Charter School email accounts in the following manner:

- a. Student will not post on newsgroups or other message posting systems any communication containing profanity, racially disparaging remarks, or lewd and/or obscene language.
- b. Student will not at any time use speech that is not appropriate for an educational setting. Examples of speech that is not appropriate for an educational setting includes, but is not limited to, inflammatory language, profanity, personal attacks, harassment, threats to do personal harm or other criminal activity, and language that is intended to be racially derogatory.
- c. Student will not make threats against others.
- d. Student will not reveal personal information about others.
- e. Student will not use email to send chain letters or “spam” email to a list of people or to an individual. Excessive email use may constitute grounds for suspecting misuse.
- f. Student will not place illegal information on the Internet, nor will Student use the Internet in any way that violates federal, state, or local law.
- g. All communications will be polite and respectful of others.
- h. Student will not give out to any other Internet user or post on the Internet his or her name, address, or telephone number unless expressly authorized by the Charter School in writing.

In instances of misuse or suspected misuse, in addition to any disciplinary actions appropriate, the Student’s parent or guardian may be granted access to the Student’s email files.

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**Illegal, Dangerous Activities and Hacking.**

Student shall not use the Internet to perform any illegal act or to help others perform illegal acts. Illegal acts include, but are not limited to, any activities in violation of local, state, and federal law. Student shall not access information designed to further criminal or dangerous activities. Such information includes, but is not limited to, information that if acted upon could cause damage, present a danger, or cause disruption to the Charter School, other students, or the community. Additionally, Student shall not damage, debilitate or disable computers, computer networks or systems through the intentional or overuse of electronic distribution or the spreading of computer viruses or other harmful programs. Student shall not engage in any unauthorized online access to other computers by means of hacking into other computers, download hacker tools such as port scanners and password crackers designed for use with Windows (or applicable operating systems), or use Internet Explorer (or other WWW browsing tools) to evade restrictions on what programs students can run on the Charter School's computers.

**Obscene Materials**

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

**Supervision and Student Privacy**

Student acknowledges that computer equipment, Internet access networks, and email accounts are owned by the Charter School and provided to students for educational purposes. The Charter School will provide staff to monitor and supervise all Student access to computer equipment, Internet access networks, and email accounts. To facilitate monitoring of activities, computer screens will be positioned so that they are visible to the staff member supervising the students. The Charter School also reserves the right to access stored computer records to assure compliance with this Policy. Student is aware that communication over the Charter School owned networks is not private and acknowledges that email and records of Internet activities will be accessed under, but not limited to, the following circumstances:

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

**Commercial Activities**

Student agrees that Student will not use the Internet to buy or sell, or attempt to buy or sell, any



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service or product unless authorized by the Charter School in writing.

**Information About Others**

Student agrees that he or she will not make any statement or post any communication on the Internet about another person that he or she knows or suspects to be untrue.

**Violation of Policy**

The Student acknowledges that violation of this Policy can result in a loss of all Internet access and email privileges. If Student violates this Policy, or in any other way uses the Charter School equipment in a manner that is not consistent with educational uses, the Student will be promptly notified that he or she has violated the Policy. The Student will be given the opportunity to explain why the Charter School should deem the activity in question a use consistent with the educational purposes stated in this Policy. If the Charter School deems that the use is inconsistent with the educational purposes stated in this Policy, the Charter School may terminate the Student's Internet and email privileges. However, because one of the educational purposes in providing Internet access is to teach students to use the Internet appropriately, the Charter School reserves the right to fashion penalties to specific concerns or specific violations, and Student acknowledges that he or she may receive penalties less than full termination of Internet or email privileges. Such penalties may include, but are not limited to, restricted access to Internet or supervised access to Internet and email.

Student also acknowledges that the Charter School will contact the proper legal authorities if the Charter School concludes or suspects that the Student's Internet activity is a violation of any law or otherwise constitutes an illegal activity.

**Training**

Student acknowledges that he/she will be required to attend training on the requirements of this Internet use policy as a condition of using Charter School owned technology. Student must demonstrate an understanding of the policy prior to receiving an individual account on the Charter School's system.

**Adopted: June 23, 2021**

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## STUDENT POLICY – SEXUAL HARASSMENT POLICY

### BOARD STATEMENT

*Sexual harassment of or by any student or member of the Charter School staff shall not be tolerated. The Board of Directors considers sexual harassment to be a major offense, which may result in disciplinary action, including dismissal or expulsion, of the offending student or staff member, or other appropriate sanction.*

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when it interferes with an individual's performance at school and/or creates an intimidating, hostile or offensive educational environment. The conduct described above is also sexual harassment when submission to it is made either explicitly or implicitly a term or condition of an individual's access to education.

Sexual harassment regulated by this policy pertains to behavior of a sexual nature while students are under the jurisdiction of the Charter School.

Students may receive age-appropriate training and/or instruction on the prohibition of sexual harassment at the Charter School. Copies of this policy, implementing administrative regulations containing rules and procedures for reporting charges of sexual harassment and for pursuing available remedies shall be available at the Charter School's Administrative Office.

Any student who believes that he or she has been harassed or has witnessed sexual harassment is encouraged to immediately report such incident to his or her teacher or to the Executive Director. The Executive Director will promptly investigate all such incidents in a confidential manner.

### Sexual Harassment Procedures

#### Statement against Sexual Harassment

- **No toleration policy** - Sexual harassment of or by any faculty, staff or student is illegal and will not be tolerated. The Board of Directors prohibits sexual harassment, and harassment based on pregnancy, childbirth or related medical conditions, race, religious creed, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state or local law or ordinance or regulation.
- **To whom the policy applies** - This policy applies to all persons involved in the operation of the Charter School and prohibits unlawful harassment by faculty, staff, and students.
- **Discipline** - The Board of Directors considers sexual harassment to be a major offense and any individuals who violate this policy are subject to discipline up to and including dismissal, expulsion or other appropriate sanction.
- **Prompt and Thorough Investigation** - All claims of harassment will be taken seriously and will be investigated promptly and thoroughly.
- **Confidentiality** - Sexual harassment advisers and others responsible to implement this policy will respect the confidentiality and privacy of individuals reporting or accused of sexual harassment to the extent appropriate.

- **No Retaliation** - Retaliation against any employee or student who in good faith reports or provides information related to harassment in violation of this policy is against the law and will not be tolerated. Intentionally providing false information, however, is grounds for discipline.

It shall be the policy of the Agnes J. Johnson Charter School to provide an educational, employment, and work environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment as defined and otherwise prohibited by state and Federal statutes. Sexual harassment is unlawful and is prohibited between students, between employees and students, between supervisors and employees, between employees, and between non-employees and employees. Agnes J. Johnson Charter School will not tolerate any conduct which is considered harassing, coercive or offensive, including sexual harassment. Violation of this policy by any student will result in disciplinary action up to and including expulsion.

Each Executive Director shall ensure that students receive age-appropriate information related to sexual harassment. Students shall be assured that they need not endure any form of sexual behavior or communication, including harassment because of sexual orientation. They shall further be assured that they need not endure, for any reason, any harassment which impairs the educational environment or a student's emotional well-being at school.

Any student who engages in the sexual harassment of anyone at school or a school-related activity shall be subject to disciplinary action. For students in grades K-3, this disciplinary action shall depend on the maturity of the students and the circumstances involved. For students in grades 4 through 12, the disciplinary action may include suspension and/or expulsion. (EC48900.2)

Any employee who engages in, permits or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal as per the collective bargaining unit. In addition, criminal or civil charges may be brought against the alleged harasser; sexual harassment also may be considered a violation of laws relating to child abuse.

Students shall be informed that they should immediately contact a staff member if they feel they are being harassed. Within 24 hours, staff shall report complaints of sexual harassment to the Executive Director or designee. Staff shall similarly report any such incidents they may observe, even if the harassed student has not complained.

The Executive Director or designee with assistance of the Executive Director of Student Support Services shall immediately investigate any report of the sexual harassment of a student. Upon verifying that sexual harassment occurred, he/she shall ensure that appropriate action is promptly taken to end the harassment, address its effects on the person subjected to the harassment, and prevent any further instances of the harassment. In addition, the student may file a formal complaint with the Executive Director or designee in accordance with the Charter School's uniform complaint procedures.

A. Definitions to be used for purposes of this Policy:

1. Sexual advances, (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
  - a. Submission to the conduct is explicitly or implicitly made a term or condition of an

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individual's academic status or progress.

b. Submission to or rejection of the conduct by an individual is used as the basis for academic decisions affecting the individual.

c. The conduct has the purpose or effect of having a negative impact on the individual's academic performance, or of creating an intimidating, hostile or offensive educational environment.

d. Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the Charter School.

2. Types of conduct which are prohibited in the Charter School and which may constitute sexual harassment include:

a. Unwelcome leering, sexual flirtations or propositions.

b. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions.

c. Graphic verbal comments about an individual's body, or overly personal conversation.

d. Sexual jokes, stories, drawings, pictures or gestures.

e. Spreading sexual rumors.

f. Teasing or sexual remarks about students enrolled in a predominately single-sex class.

g. Touching an individual's body or clothes in a sexual way.

h. Purposefully limiting a student's access to educational tools.

i. Cornering or blocking of normal movements.

j. Displaying sexually suggestive objects in the educational environment.

k. Any act of retaliation against an individual who reports a violation of the Charter School's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

l. Limiting a student's access to educational tools.

3. Sexual harassment is an unlawful practice in violation of Education Code §212.5.

4. Sexual harassment is a form of misconduct which undermines the integrity of the students/student or student/educator relationship. No individual, either female or male, should be subjected to sexual overtones or conduct, either verbal or physical. Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior, which is not welcome, which is personally offensive, which debilitates morale, and which therefore interferes with educational and work effectiveness. Such harassment may include, but is not limited to:

a. Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impending or blocking movement, leering, gestures, display of sexually suggestive objects or pictures, or cartoons, or

b. Continued expression of sexual interest after being informed that the interest is unwelcome, or

c. Making reprisals, threats of reprisal, or implied threats of reprisal following a negative response. This may include, but is not limited to, either implying or actually withholding support for an appointment or change of assignment; suggestion of a poor performance report or failed probation; either implying or actually withholding grades or credits earned or deserved; suggestion of a poor performance evaluation or denial of a scholarship recommendation or college application, or

d. Engaging in implicit or explicit coercive sexual behavior which is used to control,

influence, or affect the educational opportunities, grades, credits, and/or learning environment of students, or

e. Offering favors for educational benefits in exchange for sexual favors. This may include but is not limited to grades, credits, or promotions; favorable performance evaluations, assignments; or recommendations.

#### B. Communication of Policy with Students, Parents and Staff

A copy of the Charter School's sexual harassment policy and regulation shall:

1 Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980)

2 Be displayed in a prominent location near the Executive Director's office and in other locations containing rules and regulations (Education Code 212.6)

3 Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester or summer session (Education Code 212.6)

4 Appear in any school publication that sets forth the school's comprehensive rules, regulations, procedures and standards of conduct (Education Code 212.6)

5 Be provided to employees and employee organizations

#### C. Actions resulting from violation of policy

Students who act in violation of the sexual harassment policy and administrative regulations may be subject to disciplinary action up to and including expulsion. Such disciplinary action shall be in accordance with applicable policies and laws.

#### D. Confidentiality

Any person initiating a sexual harassment complaint, and other parties involved in the complaint, have a right to confidentiality. If the complaining party so desires, the investigation may be conducted in such a way that the person's identity will not be disclosed. When confidentiality cannot be assured, the complaining party will be apprised of this fact before additional proceedings commence. Maintaining confidentiality may serve to make the investigation and/or resolution difficult or impossible and should be carefully considered before complete confidentiality is requested.

Legal Reference:

Civil Code

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

Education Code 200-262.4 Prohibition of discrimination on the basis of sex, especially:

212.5 Sexual harassment

212.6 Sexual harassment policy 230 Particular practices prohibited 48900.2 Additional grounds for suspension or expulsion;

sexual harassment

48904 Liability of parent/guardian for willful student misconduct 48980 Notice at beginning of term

#### **Complaint Procedures**

These complaint procedures are specifically for actions that may constitute sexual harassment.

A complaint and the results of the investigation shall be confidential to the extent reasonably possible under the investigation process. Witnesses and those interviewed shall be informed of the confidential nature of the issues and the investigation and shall be informed that it will be a

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violation of policy to disclose the complaint or the nature of the investigation to others not involved in the investigation.

The initiation of a complaint of sexual harassment will not cause any reflection on the complainant or witnesses nor will it affect such as student's grades, credits, or status in class.

#### A. Informal Resolution

When the student who complained and the person accused of harassment so agree, the Executive Director or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided.

The Executive Director or designee shall tell the student who complained that he/she has the right to file a formal complaint at any time in accordance with the Charter School's uniform complaint procedures. If the student wishes to file a formal complaint, the Executive Director or designee shall assist the student in doing this.

#### B. Formal Complaints Brought By Students and or Parents

If an aggrieved student is unable to communicate directly with the person whose conduct is offensive or if direct communication has been unavailing, the aggrieved student may file a formal complaint with the Executive Director or designee.

Employees serving in supervisory or managerial positions who receive complaints or observe harassing conduct shall inform the Executive Director. The process will follow the Uniform Complaint Procedure Policy.

#### C. General Provisions for Filing a Complaint

A complaint shall be filed as soon as reasonably possible after the alleged sexual harassment/incident has occurred.

Complaint should be in writing and shall be filed with the Executive Director/ site supervisor or designee. Any complaint received, whether in writing or not, shall be investigated.

The Executive Director/supervisor or designee shall review the complaint and, as soon as reasonably possible after receipt of the complaint, the employee or other person accused of sexual harassment shall be informed of the nature of the complaint while being mindful of confidentiality as previously described.

The Executive Director or designee shall discuss the complaint only with the people described above. When necessary to carry out his/her investigation or for other good reasons that apply to the particular situation the Executive Director or designee also may discuss the complaint with the following persons:

- a. The Executive Director or designee
- b. Dean of Student Support Services
- c. The parent/guardian of the student who complained
- d. The parent/guardian of the person accused of harassing someone
- e. A teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth.

In reaching a decision about the complaint, the Executive Director or designee may take into account:

- a. Statements made by the persons identified above

- 
- b. The details and consistency of each person's account
  - c. Evidence of how the complaining student reacted to the incident
  - d. Evidence of past instances of harassment by the accused person
  - e. Evidence of past harassment complaints that were found to be untrue

To judge the severity of the harassment, the Executive Director or designee may take into consideration:

- a. How the misconduct affected one or more students' education
- b. The type, frequency and duration of the misconduct
- c. The number of persons involved.
- d. The age and sex of the person accused of harassment
- e. The subject(s) of harassment
- f. The place and situation where the incident occurred
- g. Other incidents at the Charter School, including incidents of harassment that were not related to sex

#### D. Appealing Decisions

All decisions made under the uniform complaint procedure may be appealed by the aggrieved person or the accused person to the Executive Director or designee.

#### E. Continued Harassment Actions

Subsequent harassment actions will be subject to disciplinary action under EC 48900.2, which provides for suspension and possible recommendation for expulsion. Students who have alleged harassment will be protected.

F. At the conclusion of the investigation of the complaint, the Executive Director/site supervisor or designee will report the results of the investigation to the complainant and the person accused of sexual harassment, within 20 days.

The Executive Director or designee shall give the Executive Director or designee a written report of the complaint and investigation within 30 days. If he/she verifies that sexual harassment occurred, this report shall describe the actions he/she took to end the harassment, address the effects of the harassment on the person harassed, and prevent retaliation or further harassment. The Executive Director shall keep a record of each incident and its disposition.

The Executive Director or designee shall determine whether or not the student who complained is being further harassed. The Executive Director or designee shall keep a record of this information and shall continue this follow-up at his/her discretion.

#### G. Confidentiality

Any person initiating a sexual harassment complaint, and other parties involved in the complaint, have a right to confidentiality. If the complaining party so desires the investigation may be conducted in such a way that the person's identity will not be disclosed. When confidentiality cannot be assured, the complaining party will be apprised of this fact before additional proceedings commence. Maintaining confidentiality may serve to make the investigation and/or resolution difficult or impossible and should be carefully considered before complete confidentiality is requested.

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#### H. Enforcement

The Executive Director or designee shall take appropriate actions to reinforce the Charter School's sexual harassment policy. As needed, these actions may include any of the following:

- 1 Removing vulgar or offending graffiti
- 2 Providing staff in-service and student instruction or counseling
- 3 Notifying parents/guardians
- 4 Notifying child protective services and law enforcement
- 5 Taking appropriate disciplinary action, up to and including expulsion.
- 6 The Executive Director or designee may take disciplinary measures against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.

The complainant may seek help from agencies such as legal assistance agencies, local mediation centers or the county office of education. Local resources includes:

- Legal Aid Society
- Dispute Resolution Center

The Agnes J. Johnson Charter School Board of Directors is committed to equal opportunity for all individuals in education. Charter School programs and activities shall be free from discrimination based on gender, race, color, religion, national origin, ethnic group, marital or parental status, physical or mental disability, or any other unlawful consideration. The Board shall promote programs which ensure that discriminatory practices are eliminated in all school activities.

The Executive Director or designee shall ensure that the Charter School provides auxiliary aids and services where necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program or activity. Individuals with disabilities shall notify the Executive Director if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program or meeting.

The Executive Director or designee shall notify students, parents/guardians, employee organizations and sources of referral of applicants for admission and employment about the Charter School's policy on nondiscrimination. Such notification shall be included in each announcement, bulletin or application form distributed to these groups.

The Executive Director or designee shall also provide information about related complaint procedures.

**Adopted: June 23, 2021**



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## **STUDENT POLICY – STUDENT ORGANIZATIONS & CLUBS**

### **Board Philosophy**

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

### **Student Government**

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

### **Student Organizations**

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

### **Approval**

The student organization's constitution and by-laws may be prepared through the cooperative work of the students and faculty. A copy of the constitution and by-laws must be submitted to the Executive Director for initial review to ensure consistency with Board requirements. Once this determination is made, the constitution and by-laws shall be placed on the Board's agenda for review and approval. In reviewing such proposals, the Board shall respect all pupil constitutional and statutory rights. The funds of every student organization shall be deposited, expended and accounted for in accordance with a written procedure developed by the student government, with the assistance of the Executive Director of the Charter School.

### **Fundraising**

All funds raised by any student organization shall be supervised under the name of the Charter School. The Charter School shall also be responsible to periodically audit the funds of the organization. All fundraising must receive prior approval of the Executive Director and in cases when deemed necessary by the Executive Director, Board approval will be required. Further, fundraising activities shall not be conducted during instructional time.

### **Use of School Facilities**

The use of school facilities by student organizations will be subject to reasonable rules established by the Board. Students interested in initiating a meeting on school premises shall submit a request in writing to the Executive Director. The request should state the name of the person requesting the meeting, the name of the group or type of group requesting the meeting, the number of persons expected to attend, the time requested, and the length of time for the meeting. The Executive Director or designee shall review the written application and

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determine, which, if any room is available to accommodate the request. Requests for use shall be presented to the Executive Director seven school days in advance of the date requested for use. The Executive Director shall assign a teacher, administrator or other employee to a meeting for “custodial” purposes. The employee shall not participate in the meetings, sponsor the meeting or attempt to influence the form or content of the meeting.

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

#### Revocation of Privileges

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

**Adopted: June 23, 2021**

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## STUDENT POLICY – UNIFORM COMPLAINT POLICY AND PROCEDURES

### Scope

The 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, as well as any harassment based upon the actual or perceived characteristics of race, religion, creed, color, gender, gender identity, gender expression, nationality, national origin, ancestry, ethnic group identification, genetic information, age, medical condition, marital status, sexual orientation, sex and pregnancy, physical or mental disability, childbirth or related medical conditions, military and veteran status, denial of family and medical care leave, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, local law, ordinance or regulation; 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, Every Student Succeeds Act / No Child Left Behind Act (2001) Programs (Titles I-VII), including improving academic achievement, compensatory education, limited English proficiency, and migrant education, Regional Occupational Centers and Programs, Special Education Programs, State Preschool, Bilingual Education, Economic Impact Aid, 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:

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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 right 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 Executive Director 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.

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### 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:

The Executive Director 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 Executive Director or designee.

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

### Notifications

The Executive Director 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 Executive Director 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.

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## 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.

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**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 Executive Director 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



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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.

**Adopted: June 23, 2021**

**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"/> Every Student Succeeds Act Prog.  | <input type="checkbox"/> Tobacco-Use Prevention Education  |
| <input type="checkbox"/> Pupil Fees                 | <input type="checkbox"/> State Preschool                   | <input type="checkbox"/> Lactating Pupils                  |
| <input type="checkbox"/> Bilingual Education        | <input type="checkbox"/> Local Control Funding Formula     | <input type="checkbox"/> Economic Impact Aid               |

**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:**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Age                             | <input type="checkbox"/> Gender / Gender Expression / Gender Identity | <input type="checkbox"/> Sex (Actual or Perceived)   |
| <input type="checkbox"/> Ancestry                        | <input type="checkbox"/> Genetic Information                          | <input type="checkbox"/> Sexual Orientation (Actual or Perceived)  |
| <input type="checkbox"/> Color                           | <input type="checkbox"/> National Origin                              | <input type="checkbox"/> Based on association with a person or group with one or more of these actual or perceived characteristics |
| <input type="checkbox"/> Disability (Mental or Physical) | <input type="checkbox"/> Race or Ethnicity                            | <input type="checkbox"/> Marital Status  |
| <input type="checkbox"/> Ethnic Group Identification     | <input type="checkbox"/> Religion                                     |  |
| <input type="checkbox"/> Medical Condition               |   |  |

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

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2. Have you discussed your complaint or brought your complaint to any 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:

Executive Director
Agnes J. Johnson Charter School
PO Box 116
Weott, CA 95571
707-946-2347
admin@ajjcharter.com

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## STUDENT POLICY – ACTIVITIES OF MILITARY RECRUITERS ON CAMPUS

*The United States Code requires that schools receiving federal funds provide military recruiters the same access to secondary school students as is provided generally to post-secondary educational institutions and prospective employers of those students. This means that if the school holds a job fair or college fair, the military must be provided the same access as the employers or colleges. The United States Code also deals with military access to student information, which is reflected in the student records policy contained elsewhere in this tool kit.*

### Campus Access

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

*Military recruiters must be from one of the following military organizations:*

Air Force

Air Force Reserve

Air Force National Guard

Air Force ROTC

Army

Army Reserve

Army National Guard

Army ROTC

Coast Guard

Coast Guard Reserve

Navy

Navy Reserve

Navy ROTC

Marine Corps

Marine Corps Reserve

**Adopted: June 23, 2021**

## **STUDENT POLICY – FAMILY HANDBOOK**

PLEASE REFER TO THE ATTACHED ANNUAL FAMILY HANDBOOK WHICH SHALL BE REVIEWED NO LESS THAN ANNUALLY BY THE BOARD AND APPROVED BY THE SAME PRIOR TO THE START OF EACH SCHOOL YEAR.

**Adopted: June 23, 2021**

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## SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES

The Board of Directors recognizes its fiscal responsibility to maximize the use of equipment, supplies, instructional materials, and other personal property while providing up-to-date resources that facilitate student learning and effective school operations. The Executive Director or designee shall declare any school-owned property unusable, obsolete, or no longer needed, they shall determine the estimated value of the property and shall decide whether the property will be donated, sold to parents, sold to teachers, sold to community, or otherwise disposed of as prescribed by law and administrative regulation.

The Board shall approve the sale or discard of personal property of the school in excess of \$2500 value.

Instructional materials shall be considered obsolete or unusable by the school if they have been replaced by more recent editions or new materials selected by the Board, are not aligned with the school's academic standards or course of study and have no foreseeable value in other instructional areas. Such materials may be sold, donated, or discarded if they continue to serve educational purposes that would benefit others outside the school. Instructional materials are not appropriate for sale or donation if they meet any of the following criteria:

1. Contain information rendered inaccurate or incomplete by new research or technologies
2. Contain demeaning, stereotyping, or patronizing references to any group of persons protected against discrimination by law or Board policy
3. Are damaged beyond use or repair

The Executive Director or designee shall establish procedures to be used whenever the school sells equipment or supplies originally acquired under a federal grant or subgrant. Such procedures shall be designed to ensure the highest possible return. (2 CFR 200.313)

Surplus or undistributed obsolete instructional materials that are usable for educational purposes may be sold by the school. Alternatively, such materials may be donated to: (Education Code 60510)

1. Another school, county free library, or other state institution
2. A United States public agency or institution
3. A nonprofit charitable organization
4. Children or adults for the purpose of increasing the general literacy of the people

Any organization, agency, or institution receiving obsolete instructional materials donated by the school shall certify to the Board of Directors that it agrees to make no charge to any persons to

whom it gives or lends these materials. (Education Code 60511)

Surplus or undistributed obsolete instructional materials which are unusable or which cannot be distributed as specified above may be disposed of by either of the following: (Education Code 60530)

1. Mutilated as not to be salable as instructional materials and sold for scrap or for use in the manufacture of paper pulp or other substances at the highest obtainable price

### **EQUIPMENT/SUPPLIES ACQUIRED WITH FEDERAL FUNDS**

When the school has a need to replace equipment originally purchased with funds from a federal grant or subgrant, it may, subject to the approval of the agency that awarded the grant, trade in the original equipment or sell the property and use the proceeds to offset the cost of the replacement property. (2 CFR 200.313)

When any original or replacement equipment or supplies acquired under a federal grant or subgrant are no longer needed for the original project or program or for other federally supported activities, the school may retain or sell such items or, if the item has a current fair market value of less than \$5,000, may otherwise dispose of the item in a manner approved by the Board. Whenever the school sells equipment or supplies that have a current fair market value of \$5,000 or more, it shall provide an amount to the federal agency equal to the agency's share of the current market value of the equipment or the proceeds from the sale of the equipment or supplies. (2 CFR 200.313, 200.314)

In the event that the school is provided equipment that is federally owned, the school shall request disposition instructions from the federal agency when it no longer needs the equipment. (2 CFR 200.313)

### **OTHER PERSONAL PROPERTY**

The school may sell the property under any of the following conditions:

- a. The Board members in attendance at a meeting have unanimously determined that the property does not exceed \$2,500 in value. (Education Code 17546)
- b. The school sells the property to agencies of the federal, state, or local government, to any other school, or to any agency eligible under the federal surplus property law and the sale price equals the cost of the property plus the estimated cost of purchasing, storing, and handling. (Education Code 17540; 40 USC 549)
- c. The school sells or leases the property to agencies of the federal, state, or local government or to any other school and the price and terms of the sale or lease are fixed by the Board and approved by the County Superintendent of Schools. (Education Code 17542)

Money received from the sale of surplus personal property shall be either deposited in the school reserve or general fund or credited to the fund from which the original purchase was made. (Education Code 17547)

**Adopted: April 21, 2022**