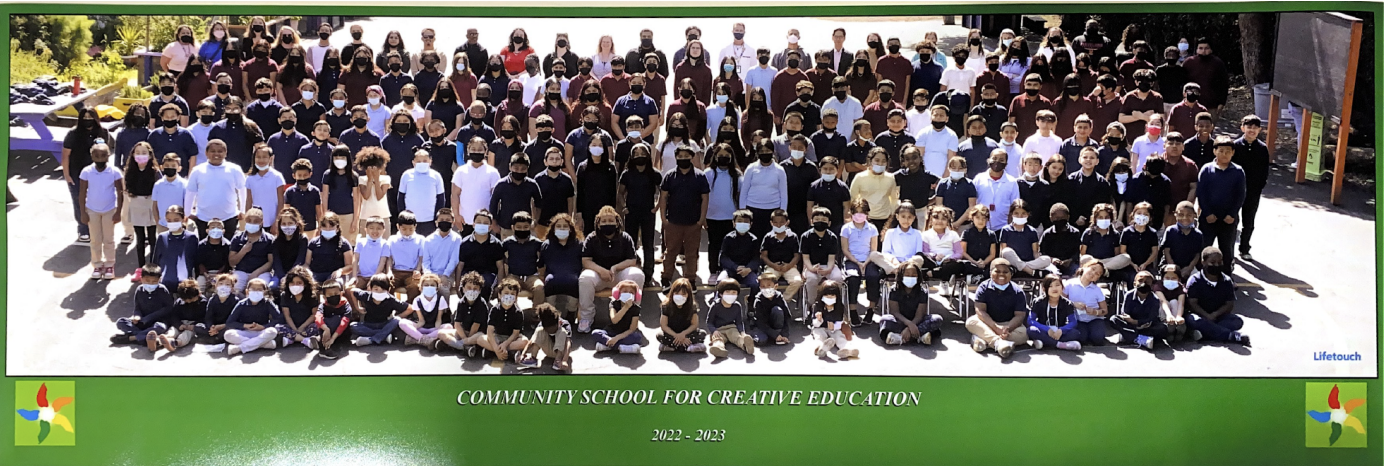


# Student & Family Handbook 2025-2026



Adjoa McDonald, *Head of School*

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## General Information

### **Mission**

The CSCE partners with families and communities to provide a rigorous college-preparatory program integrated into a culturally rich, arts-infused, personalized curriculum inspired by Waldorf education. The program promotes equity and prepares culturally competent, well-rounded, lifelong learners who can lead, contribute, and participate successfully in our rapidly changing multicultural society.

La Escuela Comunitaria para la Educación Creativa socios con las familias y las comunidades para proporcionar un riguroso programa de preparación universitaria integrada en una gran riqueza cultural, infundido con las artes, plan de estudios altamente personalizado inspirado en la educación Waldorf para los diversos estudiantes de Oakland para promover equidad y prepararlos para que sean culturalmente competentes, equilibrados, aprendices de por vida para dirigir, contribuir y participar con éxito en nuestra sociedad multicultural que cambia rápidamente.

社羣創新學校與家庭及社區合作以提供嚴格的大學預科課程。以華道夫的教學方法，融入豐富的文化，藝術及個別設計的課程，以造福屋崙不同文化的學生。提倡平等博愛，尊重文化，平均發展及永不止息的學習精神。使學生能在變化多端的多元文化社會中，投身參與，建樹良多。

### **Vision:**

The CSCE envisions a future in which all children have access to quality education; all children experience success in community and career; and youth voices contribute in valued and meaningful ways to the success of a thriving, equitable, and multicultural society.

La Escuela Comunitaria para la Educación Creativa tiene la visión a futuro donde los niños tienen acceso a una educación de calidad, todos los niños experimentan el éxito en la comunidad y en su carrera, y las voces de los jóvenes contribuyen con valores y formas significativas para el éxito de una sociedad próspera, equitativa y multicultural.

社羣創新學校祈望將來所有的學童都能接受優良的教育，在社區及職業上建立成功的碩果。青年的呼聲能被重視，在這活力充沛的，人人平等的多元化社會中，作出有意義的貢獻

### **School Motto:**

Receive the Child in Reverence, Educate the Child in Love Let the Child Go Forth in Freedom

El Niño Ha De Ser Recibido Con Respeto, Educado Con Amor Puesto En La Vida Finalmente En Libertad

Đón Nhận Đứa Trẻ Với Sự Trân Quý Giáo Dục Đứa Trẻ Trong Tình Yêu Thương Để Đứa Trẻ Bước Đi Trong Tự Do

以崇敬迎接 用愛引領 在自由的心態中讓他離去。

In Ehrfurcht empfangen; in Liebe erziehen; zur Freiheit entlassen.

**School Verse**

(Anonymous)

Cited by Cecil Hardwood, Co-Founder of the first Waldorf schools in an English-speaking country (1898-1975)

**This is our school  
Let peace dwell here.  
Let the room be filled with contentment.  
Let Love abide here:  
Love of one another  
Love of humankind  
Love of the earth  
And love of life itself.  
Let us remember:  
As many hands build a house,  
So, many hearts make a school.**

**Esta es nuestra escuela  
Que la paz habite aquí.  
Que el salón de clase se llene de satisfacción.  
Dejemos que el amor permanezca aquí:  
Amor de unos a otros  
El amor a la humanidad  
Amor a la tierra.  
Amor a la vida.  
Recordemos:  
Como tantas manos construyen una casa  
Así mismo, muchos corazones hacen una escuela.**

**這是我們的學校  
讓平安與我們同在  
讓滿足感覺暢流每個角落  
讓愛心充滿校園  
彼此互愛, 博愛社羣  
環保大地, 熱愛人生。  
讓我們緊記:  
建屋要合力,  
建校要同心 !**

**Đây là trường học của chúng ta  
Hãy sống hòa bình ở đây.  
Hãy để căn phòng tràn đầy mãn nguyện.  
Hãy để tình yêu tồn tại ở đây:  
Tình yêu của nhau  
Tình yêu của nhân loại  
Tình yêu của trái đất  
Và tình yêu của đời mình.  
Chúng ta hãy nhớ:  
Như nhiều bàn tay xây dựng một ngôi nhà,  
Vì vậy, nhiều trái tim tạo thành một trường học.**

هذه مدرستنا

دع السلام يسكن هنا

دع الغرفة ملينة بالرضا

:دع الحب يلتزم هنا

حب بعضهم البعض

حب البشرية

حب الأرض

.وحب الحياة نفسها

:دعونا نتذكر

،كما العديد من الأيدي بناء منزل

لذا، قلوب كثيرة تجعل المدرسة

## **Drop-off & Pick-up Procedures**

### ***Solano Way (Alley)***

***\*\* Following these procedures will ensure the safety of all our students and families!***

***Thank you for your help! \*\****

#### ***Drop-off Procedure – Car Riders***

- Morning drop-off gate will be open, with a staff member present from 8:00 – 8:30am
- All cars should enter Solano Way (alley behind school) from 22<sup>nd</sup> Ave.
- Students will be greeted by a staff member at the end of Solano Way, near the corner of 21<sup>st</sup> Ave.
- Staff will ensure students enter the gate to the school yard safely
- **Please refrain from entering Solano Way from 21<sup>st</sup> Ave., doing U-turns on 21<sup>st</sup> Ave., double parking, or dropping students off from the other side of 21<sup>st</sup> Ave.**

#### ***Drop-off Procedure – Walkers/Bus Riders***

- Morning drop-off gate will be open, with a staff member present from 8:00 – 8:30am
- All students walking should use the sidewalk to enter the gate near the corner of 21<sup>st</sup> Ave. and Solano Way
- Students will be greeted by a staff member at the gate near the corner of 21<sup>st</sup> Ave. and Solano Way
- Staff will ensure students enter the gate to the school yard safely
- **Please refrain from using the Main Entrance of the building for Morning Drop-off.**

#### ***Pick-up Procedure – Car Riders***

- Afternoon gate will be open, with staff members present:
  - Transitional Kinder/Kinder: Monday, Tuesday, Thursday, Friday from 2:30 – 2:45pm
  - All cars should enter Solano Way (alley behind school) from 22<sup>nd</sup> Ave.
  - Family members will be greeted by a staff at the gate in Solano Way (between 22<sup>nd</sup> & 21<sup>st</sup> Aves.)
  - Staff will ensure students walk safely from the gate to the family vehicle
  - Please remain in vehicle during pick-up
  - Please refrain from entering Solano Way from 21<sup>st</sup> Ave.
  - Please do not park and walk through the alley to the gate
- Afternoon gate to the blacktop will be open, with staff members present:
  - 1<sup>st</sup> – 8<sup>th</sup> Grades: Monday, Tuesday, Thursday, Friday from 3:30 – 3:45pm
  - All Students: Wednesday from 12:45 – 1:00pm
  - Family members will be greeted by a staff on the blacktop
  - Staff will ensure students walk safely to the family vehicle
  - Please remain in vehicle during pick-up
  - Please refrain from entering the blacktop on Solano Way from 21<sup>st</sup> Ave.
  - Please do not park and walk through the alley to the gate

#### ***Pick-up Procedure – Walkers/Bus Riders***

- Parents/Guardians/Families who walk or ride public transportation may enter through the Main Entrance of the building
- **For your safety, please do not walk to the gate on Solano Way for Afternoon Pick-up**
- Students permitted to walk or ride public transportation independently must check out at the front office before leaving the building

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- The office must have written permission from Parent/Guardian/family member or guardian on file to allow students walking or riding public transportation without an adult

### ***Extended Day***

- Students who are not picked up by 2:45pm (TK/K), 3:45pm (1<sup>st</sup>-8<sup>th</sup>) on Mondays, Tuesdays, Thursdays, Fridays and 1:00pm on Wednesdays will be checked into Extended Day
- Please see Office for registration forms and Extended Day options
- Students should be picked up from Extended Day using the Main Entrance of the building

### **RAINY DAY Drop-off & Pick-up Procedures**

#### ***Rainy Day Drop-off Procedure – Walkers/Bus Riders Car Riders***

- On rainy days the garage or front door will be opened at 8:00am
- Cars may enter the gate from 22<sup>nd</sup> Avenue and *pull all the way forward*
- A staff member will be in the blacktop at the doorway to the building to greet your child
- **Please pull all the way forward and make sure your child waits to exit the vehicle until the staff member is there to greet you**
- A staff member will ensure your student(s) enter the building safely
- **The garage floor can get slick when wet. Remind your child to walk carefully.**
- Cars can exit through the second garage door onto the playground and through the gate onto Solano Way

#### ***Rainy Day Pick-up Procedure –Walkers/Bus Riders Car Riders***

- On rainy days the garage will be opened at 2:25pm (TK/K), 3:25pm (1<sup>st</sup>-8<sup>th</sup>) on Mondays, Tuesdays, Thursdays, Fridays, and 12:40 pm on Wednesdays
- Cars may enter the garage from 22<sup>nd</sup> Avenue and pull forward (**Please do not park in garage**)
- A staff member will be in the garage at the doorway to the building to greet vehicles
- Staff will ensure students walk safely from building to vehicle in garage
- Cars can exit through the second garage door onto the playground and through the gate onto Solano Way

### ***Extended Day Program***

- Students participating in our **Extended Day Program** must be **registered**. Please see the **School Office** for registration forms.
- **Extended Day begins at 2:45pm** for Transitional Kindergarten and Kindergarten students on Monday, Tuesday, Thursday and Friday.
- **Extended Day begins at 3:45pm** for students in 1<sup>st</sup> through 8<sup>th</sup> grades on Mondays, Tuesdays, Thursdays, and Fridays.
- **Extended Day begins at 1:00pm** for all students (TK-8<sup>th</sup> grades) on Wednesdays or other early dismissal days.
- Students must be **signed out** at the **School Office when picked up** from the Extended Day Program.
- **Extended Day ends at 6:00 pm**. If students are not picked up by 6:00 pm there may be a **late pick-up fee**. Details included in registration forms located in the School Office.

### **Availability of CSCE Charter 2021-2027**

A copy is available on our website and a hard copy is available at the Front Office. Upon request, The Charter document for Community School for Creative Education (CSCE) will be made available to any Parent/Guardian or legal guardian, a hard copy of the CSCE Charter 2021-2027.

### **Tuition Free Policy**

CSCE does not charge tuition. It is a free, public charter school. CSCE does welcome monetary and service donations.

# Instructional Program

## **California Assessment of Student Performance and Progress (“CAASPP”)**

CSCE shall annually administer required state testing to the applicable grades (e.g., the California Assessment of Student Performance and Progress.) Notwithstanding any other provision of law, a Parent/Guardian's or guardian's written request to School officials to excuse his or her child from any or all parts of the CAASPP shall be granted.

## **Tests on Personal Beliefs**

Unless you give written permission, your child will not be given any test, questionnaire, survey, or examination containing any questions about your or your child's personal beliefs or practices in sex, family life, morality, or religion.

## **English Learners**

The CSCE is committed to the success of its English Learners and support will be offered both within academic classes and in supplemental settings for students who need additional support for English language learning. The CSCE will meet all applicable legal requirements for English Learners as they pertain to annual notification to parents, student identification, placement, program options, English Learners and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The CSCE will implement policies to assure proper placement, evaluation, and communication regarding English Learners and the rights of students and parents.

## **Sexual Health Education**

The CSCE offers comprehensive sexual health education to its students in grades 7-8. A parent or guardian of a student has the right to excuse their child from all or part of comprehensive sexual health education, HIV prevention education, and assessments related to that education through a passive consent (“opt-out”) process. CSCE does not require active parental consent (“opt-in”) for comprehensive sexual health education and HIV prevention education. Parents and guardians may:

- Inspect written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education.
- Excuse their child from participation in comprehensive sexual health education and HIV prevention education in writing to the school.
- Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by CSCE personnel or outside consultants. When the school chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, be informed of:
  - o The date of the instruction
  - o The name of the organization or affiliation of each guest speaker
- Request a copy of Education Code sections 51930 through 51939.

Anonymous, voluntary, and confidential research and evaluation tools to measure student's health behaviors and risks (including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes concerning or practices relating to sex) may be administered to students in grades 7-8. A parent or guardian has the right to excuse their child from the test, questionnaire, or survey through a passive consent (“opt-out”) process. Parents or guardians shall be notified in writing that this test, questionnaire, or survey is to be administered, given the opportunity to review the test, questionnaire, or survey if they wish, notified of their right to excuse their child from the

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test, questionnaire, or survey, and informed that in order to excuse their child they must state their request in writing to CSCE.

A student may not attend any class in comprehensive sexual health education or HIV prevention education, or participate in any anonymous, voluntary, and confidential test, questionnaire, or survey on student health behaviors and risks, if CSCE has received a written request from the student's parent or guardian excusing the student from participation. An alternative educational activity shall be made available to students whose parents or guardians have requested that they not receive the instruction or participate in the test, questionnaire, or survey.

### **Teacher Qualification Information**

As CSCE receives Title I federal funds through the Elementary and Secondary Education Act ("ESEA"), as reauthorized and amended by the Every Student Succeeds Act ("ESSA"), all parents/guardians of students attending CSCE may request information regarding the professional qualifications of classroom teachers and/or paraprofessionals, including at a minimum:

1. Whether the student's teacher:
  - a. Has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
  - b. Is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and
  - c. Is teaching in the field of discipline of the certification of the teacher; and
2. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

Upon request, CSCE will provide the information to the parents/guardians in a timely manner. Parents/guardians may contact the Head of School at 510-686-4131 to obtain this information.

# School Policies, Procedures, & Expectations

## **Special Education/Students with Disabilities**

We are dedicated to the belief that all students can learn and must be guaranteed equal opportunity to become contributing members of the academic environment and society. CSCE provides special education instruction and related services in accordance with the Individuals with Disabilities in Education Improvement Act ("IDEIA"), Education Code requirements, and applicable policies and procedures of the El Dorado County Charter SELPA. These services are available for special education students enrolled at CSCE. We offer high quality educational programs and services for all our students in accordance with the assessed needs of each student. CSCE collaborates with Parents/Guardians, the student, teachers, and other agencies, as may be indicated, in order to appropriately serve the educational needs of each student.

Pursuant to the Individuals with Disabilities Education Improvement Act (20 U.S.C. §§ 1400 et. seq) and relevant state law, CSCE is responsible for identifying, locating, and evaluating children enrolled at CSCE with known or suspected disabilities to determine whether a need for special education and related services exists. This includes children with disabilities who are homeless or are wards of the State. To ensure that eligible students are receiving the services to which they are entitled, we would like to request your assistance.

If you know of a child who has a disability or that you suspect may have a disability, you may refer that child's Parent/Guardian or guardian to CSCE by contacting Ms. Alina Kagan at [alinak@communityschoolforcreativeeducation.org](mailto:alinak@communityschoolforcreativeeducation.org) or calling 510-686-4131 and asking for the Director of Special Education Services. Please note: All referrals are considered confidential. The Parent/Guardian, legal guardian, or surrogate Parent/Guardian retains the right to refuse services and other procedural safeguards under federal and state law.

## **Education of Homeless Children and Youthwaa**

The term "homeless children and youth" means individuals who lack a fixed, regular and adequate nighttime residence. It includes children and youth as defined who (42 USC 11434(a)):

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 School Liaison.

**School Liaison:** The Head of School or designee designates the following staff person as the School Liaison for homeless students ((42 USC 11432(g)(1)(J) & (e)(3)(C).):

Ms. Yolanda Cordova, Office Manager/Family Liaison

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EM: yolandaa@communityschoolforcreativeeducation.org Tel: 510-916-9710

The School Liaison shall ensure that (42 U.S.C. 11432(g)):

1. Homeless students are identified by school personnel through outreach and coordination activities with other entities and agencies, and through the annual housing questionnaire administered by CSCE.
2. Homeless students enroll in, and have a full and equal opportunity to succeed at CSCE.
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, any other preschool programs administered by CSCE, if any, and referrals to health care services, dental services, mental health services and 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 youth, and unaccompanied youth, including schools, shelters, public libraries, and soup kitchens, and in a manner and form understandable to the parents or guardians of homeless youth and unaccompanied youth.
6. Enrollment/admissions disputes are mediated in accordance with law, the School's charter, and Board policy.
7. Parents/guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.
8. CSCE personnel providing services receive professional development and other support.
9. The School Liaison collaborates with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youth.
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 under section 480 of the Higher Education Act of 1965 and that the youth may obtain assistance from the School Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Act.

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/>

**Housing Questionnaire:** CSCE shall administer a housing questionnaire for purposes of identifying homeless children and youth. CSCE shall ensure that the housing questionnaire is based on the best practices developed by the CDE. CSCE shall annually provide the housing questionnaire to all parents/guardians of students and to all unaccompanied youth at CSCE. The housing questionnaire shall include an explanation of the rights and protections a student has as a homeless child or youth or as an unaccompanied youth. The housing questionnaire shall be available in paper form. The housing questionnaire shall be available in English, and if fifteen (15) percent or more of the students enrolled at CSCE speak a single primary language other than English, it shall also be written in the primary language. The questionnaire shall be translated into other languages upon request of a student's parent/guardian or an unaccompanied youth. CSCE shall collect the completed housing questionnaires and annually report to the CDE the number of homeless children and youth and unaccompanied youth enrolled. (Education Code

Section 48851.)

**School Stability:** The CSCE will work with homeless students and their parent/guardian to ensure that each student 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 necessarily limited to, interscholastic sports. All decisions regarding a homeless student'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.

Homeless students have the right to remain in their school of origin if it is in their best interest. The CSCE will immediately enroll a homeless student seeking reenrollment in CSCE as the student's school of origin (subject to CSCE's capacity and pursuant to the procedures stated in CSCE's charter and Board policy). The CSCE will also immediately enroll any homeless student seeking to transfer to CSCE (subject to CSCE's capacity and pursuant to the procedures stated in CSCE's charter and Board policy) regardless of the student's ability to meet normal enrollment documentation or uniform requirements (e.g., producing medical records or academic records from a previous school).

Homeless students have the right to remain in their school of origin following the termination of the child's status as a homeless student 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 CSCE operates an intersession program, CSCE shall grant priority access to homeless students. Notwithstanding any other law, if the homeless student will be moving during an intersession period, the pupil's parent, guardian, educational rights holder, Indian custodian<sup>1</sup> in the case of an Indian child, or, if none of the preceding are applicable, an accompanied homeless student themselves shall determine which school the pupil attends for the intersession period, if applicable. "Intersession program" means an expanded learning program offered by CSCE on nonschool days, including, but not limited to, summer school. "Indian custodian" is as the term is defined in Section 1903 of Title 25 of the United States Code.

**Acceptance of Course Work:** The CSCE will accept any coursework satisfactorily completed at any public school, a 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 CSCE 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, CSCE shall not require the student to retake the portion of the course the student completed unless CSCE, 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.

**Complaints of Noncompliance:** A complaint of noncompliance with any of the requirements outlined above may be filed through CSCE's Uniform Complaint Procedures. A copy of the Uniform Complaint Policy and Procedures is available upon request at the main office.

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<sup>1</sup> "Indian custodian" means any Indian person who has legal custody of an Indian child under tribal law or custom or under State law or to whom temporary physical care, custody, and control has been transferred by the parent of such child. *Section 1903 of Title 25 of the United States Code*

**Availability of Complete Policy:** For any homeless student who enrolls at CSCE, a copy of CSCE's complete policy shall be provided at the time of enrollment. A copy of the complete Policy is available upon request at the main office or on the school website.

## **Education of Foster and Mobile Youth**

**Definitions:** For the purposes of this annual notice the terms are defined as follows:

1. "Foster youth" means any of the following:
  - a. A child who has been removed from their home pursuant to Section 309 of the California Welfare and Institutions Code ("WIC").
  - b. A child who is the subject of a petition filed pursuant to WIC section 300 or 602 (whether or not the child has been removed from the child's home by juvenile court).
  - c. A child who is the subject of a petition filed pursuant to WIC section 602, has been removed from the child's home by the juvenile court, and is in foster care.
  - d. A nonminor under the transition jurisdiction of the juvenile court, as described in WIC section 450, who satisfies all of the following criteria:
    - i. The nonminor has attained 18 years of age while under an order of foster care placement by the juvenile court.
    - ii. The nonminor is in foster care under the placement and care responsibility of the county welfare department, county probation department, Indian tribe, consortium of tribes, or tribal organization.
    - iii. The nonminor is participating in a transitional independent living case plan.
  - e. A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court.<sup>2</sup>
  - f. A child who is the subject of a voluntary placement agreement, as defined in WIC section 11400.
2. "Former juvenile court school pupils" refers to a student who, upon completion of the student's second year of high school, transfers from a juvenile court school to CSCE.
3. "Child of a military family" refers to a student who resides in the household of an active duty military member.
4. "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 CSCE from another Local Educational Agency ("LEA"), either within California or from another state, in order 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. This 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.
5. "Newcomer pupil" is a person aged 3 to 21 years, who was not born in any of the 50 United States, the District of Columbia, or the Commonwealth of Puerto Rico, and has not been attending one or more schools in any one or more of the 50 United States, the District of Columbia, or the Commonwealth of Puerto Rico, for more than three (3) full academic years. This also includes a "pupil participating in a newcomer program," as defined in Education Code section 51225.2, as that section read on January 1, 2023, who was enrolled in CSCE before January 1, 2024. The CSCE may, in its discretion, also extend the rights in Education Code sections 51225.1 and 51225.2 to a "pupil participating in a newcomer program," as defined in Education Code section 51225.2, as that section read on January 1, 2023.
6. "Educational Rights Holder" ("ERH") means a parent, guardian, or responsible adult appointed by a court to make educational decisions for a minor pursuant to WIC sections 319, 361 or 726, or a person holding the right to make educational decisions for the student pursuant to Education Code section 56055.

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<sup>2</sup> The CSCE shall not require an Indian tribe or tribal court representative to certify that any student is a dependent of an Indian tribe, consortium of tribes, or tribal organization.

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7. "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, CSCE 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. For a foster youth who is an individual with exceptional needs as defined in Education Code section 56026, "school" as used in the definition of "school of origin" includes a placement in a nonpublic, nonsectarian school as defined in Education Code section 56034, subject to the requirements of Education Code section 56325.
8. "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 CSCE students.
9. "Partial coursework satisfactorily completed" includes any portion of an individual course, even if the student did not complete the entire course.

Within this notice, foster youth, former juvenile court school pupils, a child of a military family, a currently migratory child, and a newcomer pupil will be collectively referred to as "Foster and Mobile Youth." Within this notice, a parent, guardian, or other person holding the educational rights for a Foster and Mobile Youth will be referred to as a "parent/guardian" or ERH.

**Foster and Mobile Youth Liaison:** The Head of School or designee designates the following staff person as the Liaison for Foster and Mobile Youth:

Yolanda Cordova  
Office Manager/Family Liaison  
2111 International Boulevard Oakland, CA 94606  
510-686-4131

The Foster and Mobile Youth Liaison's responsibilities include but are not limited to the following:

1. Ensuring and facilitating the proper educational placement, enrollment in school, and checkout from school of foster children.
2. Assisting foster children when transferring from one school to another school in ensuring proper transfer of credits, records and grades.

**School Stability:** The CSCE will work with foster youth and their parent to ensure that each pupil 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 pupils, including, but not necessarily 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 CSCE will immediately enroll a foster youth, currently migratory child or child of a military family seeking re-enrollment in CSCE as the student's school of origin (subject to CSCE's capacity and pursuant to the procedures stated in CSCE's charter and Board policy). If a dispute arises regarding a foster youth's request to remain in CSCE as the school of origin, the foster youth has the right to remain in CSCE pending the resolution of the dispute. The CSCE will also immediately enroll any foster youth, currently migratory child or child of a military family seeking to transfer to CSCE (subject to CSCE's capacity and pursuant to the procedures stated in CSCE's charter and Board policy) regardless of the student's ability to meet normal enrollment documentation or uniform requirements (e.g. producing medical records or academic records from a previous school).

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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 child's status as a foster youth, currently a migratory child or child of a military family. 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.

If CSCE operates an intersession program, CSCE shall grant priority access to foster youth. Notwithstanding any other law, if the foster youth will be moving during an intersession period, the pupil's educational rights holder, or Indian custodian in the case of an Indian child, shall determine which school the pupil attends for the intersession period, if applicable. "Intersession program" means an expanded learning program offered by CSCE on nonschool days, including, but not limited to, summer school. "Indian custodian" is as the term is defined in Section 1903 of Title 25 of the United States Code.

**Acceptance of Course Work:** The CSCE will accept any coursework satisfactorily completed at any public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency by a Foster and Mobile Youth.

The CSCE will provide Foster and Mobile Youth 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, CSCE shall not require the student to retake the portion of the course the student completed unless CSCE, in consultation with the holder of educational rights for the student, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the Foster and Mobile Youth 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.

**Student Records:** When CSCE receives a transfer request and/or student records request for the educational information and records of a foster youth from a new local educational agency ("LEA"), CSCE shall provide these student records within two (2) business days. The CSCE shall compile the complete educational record of the pupil, 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 pupil'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.

The CSCE shall not lower a foster youth's grades as a result of the student's absence due to a verified court appearance, related court ordered activity, or a change in the placement of the student made by a county or placing agency. If a foster youth is absent from school due to a decision to change the placement of the student made by a county or placing agency, the grades and credits of the pupil will be calculated as of the date the student left CSCE.

In accordance with CSCE's Educational Records and Student Information Policy, under limited circumstances, CSCE 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.

**Discipline Determinations:** If CSCE intends to extend the suspension of any foster/ youth pending a recommendation for expulsion, CSCE will invite the student's attorney and an appropriate representative from the relevant county agency to participate in the meeting at which the extension of the suspension will be discussed.

If CSCE intends to suspend for more than ten (10) consecutive school days or expel a student with a disability who is also a foster youth due to an act for which the recommendation for expulsion is discretionary, CSCE will invite the student's attorney and an appropriate representative from the relevant county agency to participate in the Manifestation Determination Review meeting.

**Complaints of Noncompliance:** A complaint of noncompliance with any of the requirements outlined above may be

filed through CSCE's Uniform Complaint Procedures. A copy of the Uniform Complaint Policy and Procedures is available upon request at the main office.

**Availability of Complete Policy:** For any Foster and Mobile Youth who enrolls at CSCE, a copy of CSCE's complete foster youth policy shall be provided at the time of enrollment. A copy of the complete Policy is available upon request at the main office or on the school website.

### **Involuntary Removal Process**

No student shall be involuntarily removed by CSCE for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action ("Involuntary Removal Notice"). The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder. The Involuntary Removal Notice shall include the charges against the student and an explanation of the student's basic rights including the right to request a hearing before the effective date of the action. The hearing shall be consistent with CSCE's expulsion procedures. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until CSCE issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to CSCE's suspension and expulsion policy.

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

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

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

A hearing decision not to disenroll the student does not prevent CSCE from making a similar recommendation in the future should student truancy continue or re-occur.

### **Lost or Damaged School Property**

If a student willfully damages CSCE's property or the personal property of a CSCE employee, or fails to return a textbook, library book, computer/tablet or other CSCE property that has been loaned to the student, the student's parents/guardians are liable for all damages caused by the student's misconduct not to exceed ten thousand dollars (\$10,000), adjusted annually for inflation. After notifying the student's parent or guardian in writing of the student's alleged misconduct and affording the student due process, CSCE may withhold the student's grades and transcripts until the damages have been paid. If the student and the student's parent/guardian are unable to pay for the damages or to return the property, CSCE will provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Upon completion of the voluntary work, the student's grades will be released.

### **Nondiscrimination Statement**

CSCE does not discriminate against any person on the basis of actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, immigration status, religion, religious affiliation, sexual orientation, pregnancy, or any other characteristic that is contained in the definition of hate crimes in the California Penal Code.

The CSCE Board of Directors shall not refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction or any book or other

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resource in a school library on the basis that it includes a study of the role and contributions of Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans, LGBTQ+ Americans, persons with disabilities, or members of other ethnic, cultural, religious, or socioeconomic status groups. The CSCE Board of Directors shall not adopt or approve the use of any textbook, instructional material, supplemental instructional material, or curriculum for classroom instruction if the use of such would subject a student to unlawful discrimination pursuant to Education Code section 220.

CSCE adheres to all provisions of federal law related to students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 (“ADA”), and the Individuals with Disabilities Education Improvement Act of 2004 (“IDEIA”).

CSCE does not discourage students from enrolling or seeking to enroll in CSCE for any reason, including, but not limited to, academic performance, disability, neglect or delinquency, English proficiency, for being homeless or a foster/mobile youth, economic disadvantage, nationality, race, ethnicity, or sexual orientation. CSCE shall not encourage a student currently attending CSCE to disenroll or transfer to another school based on any of the aforementioned reasons except in cases of expulsion and suspension or involuntary removal in accordance with CSCE’s charter and relevant policies.

The CSCE does not request nor require student records prior to a student’s enrollment.

The CSCE shall provide a copy of the California Department of Education Complaint Notice and Form to any parent, guardian, or student over the age of 18 at the following times: (1) when a parent, guardian, or student over the age of 18 inquires about enrollment; (2) before conducting an enrollment lottery; and (3) before disenrollment of a student.

Pursuant to California law and the California Attorney General’s guidance to K-12 schools in responding to immigration issues (“Guidance”), CSCE provides equal access to free public education, regardless of a student’s or their parent’s or guardian’s immigration status or religious beliefs. The complete Guidance, including *Appendix G – Know Your Rights* can be reviewed via the following link: <https://oag.ca.gov/sites/all/files/agweb/pdfs/bcj/school-guidance-model-k12.pdf>

CSCE is committed to providing an educational atmosphere that is free of unlawful harassment under Title IX of the Education Amendments of 1972 (sex); Titles IV, VI, and VII of the Civil Rights Act of 1964 (race, color, or national origin); the IDEIA; and Section 504 and Title II of the ADA (mental or physical disability). CSCE also prohibits sexual harassment, including cyber sexual bullying, and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, religious affiliation, creed, color, immigration status, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. CSCE does not condone or tolerate harassment of any type, including discrimination, intimidation, or bullying, including cyber sexual bullying, by any employee, independent contractor or other person with which CSCE does business, or any other individual, student, or volunteer. This applies to all employees, students, or volunteers and relationships, regardless of position or gender. CSCE will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted. Inquiries, complaints, or grievances regarding harassment as described in this section, above, should be directed to the CSCE Uniform Complaint Procedures (“UCP”) Compliance Officer:

Adjoa McDonald  
Head of School  
2111 International Boulevard Oakland, CA 94606  
510-686-4131

The lack of English language skills will not be a barrier to admission or participation in CSCE’s programs or activities. CSCE prohibits retaliation against anyone who files a complaint or who participates or refuses to participate in a complaint investigation.

**Student Records, including Records Challenges and Directory Information**

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 CSCE receives a request for access. Parents or eligible students should submit to the CSCE Head of School or designee a written request that identifies the records they wish to inspect. The CSCE 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 CSCE to amend a record should write to the CSCE school Head of School or designee, clearly identify the part of the record they want changed and specify why it should be changed. If CSCE decides not to amend the record as requested by the parent or eligible student, CSCE 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. If CSCE decides to amend the record as requested by the parent or eligible student, the CSCE Head of School must order the correction or the removal and destruction of the information and inform the parent or eligible student of the amendment in writing.

3. The right to provide written consent before CSCE 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 CSCE officials with legitimate educational interests. A CSCE school official is a person employed by CSCE 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 CSCE Board of Directors. A CSCE school official also may include a volunteer or contractor outside of CSCE who performs an institutional service or function for which CSCE would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, therapist, or contracted provider of digital educational platforms and/or services; 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 CSCE school official in performing their tasks. A CSCE school official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility.

Upon request, CSCE 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.

Note that CSCE will not release information to third parties for immigration-enforcement purposes, except as required by law or court order.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by CSCE to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

5. The right to request that CSCE not release student names, addresses and telephone listings to military recruiters or institutions of higher education without prior written parental consent.

FERPA permits the disclosure of PII from students' 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 CSCE 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 CSCE to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. CSCE may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student to the following parties:

1. CSCE officials who have a legitimate educational interest as defined by 34 C.F.R. Part 99;
2. Other schools to which a student seeks or intends to enroll so long as the disclosure is for purposes related to the student's enrollment or transfer. When a student transfers schools, CSCE will mail the original or a copy of a student's cumulative file to the receiving district or private school within ten (10) school days following the date the request is received from the public school or private school where the student intends to enroll. CSCE will make a reasonable attempt to notify the parent or eligible student of the request for records at the student's last known address, unless the disclosure is initiated by the parent or eligible student. Additionally, CSCE 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;
3. Certain government officials listed in 20 U.S.C. § 1232g(b)(1) in order to carry out lawful functions;
4. Appropriate parties in connection with a student's application for, or receipt of, financial aid if it is necessary to determine eligibility, amount of aid, conditions for aid or enforcing the terms and conditions of the aid;
5. Organizations conducting certain studies for CSCE in accordance with 20 U.S.C. § 1232g(b)(1)(F);
6. Accrediting organizations in order to carry out their accrediting functions;
7. Parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1986;
8. Individuals or entities, in compliance with a judicial order or lawfully issued subpoena. Subject to the exceptions found in 34 C.F.R. § 99.31(a)(9)(i), reasonable effort must be made to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or eligible student may seek a protective order;
9. Persons who need to know in cases of health and safety emergencies;
10. State and local authorities, within a juvenile justice system, pursuant to specific State law;
11. A foster family agency with jurisdiction over a currently enrolled or former student, a short-term residential treatment program staff responsible for the education or case management of a student, and a caregiver (regardless of whether the caregiver has been appointed as the student's educational rights holder) who has direct responsibility for the care of the student, including a certified or licensed foster parent, an approved relative or non related extended family member, or a resource family, may access the current or most recent records of grades, transcripts, attendance, discipline, and online communication on platforms established by CSCE for student and parents, and any individualized education program ("IEP") or Section 504 plan that may have been developed or maintained by CSCE; and/or
12. A victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include the final results of the disciplinary proceedings conducted by CSCE with respect to that alleged crime

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or offense. CSCE discloses the final results of the disciplinary proceeding regardless of whether CSCE concluded a violation was committed.

“Directory Information” is information that is generally not considered harmful or an invasion of privacy if released. CSCE may disclose the personally identifiable information that it has designated as directory information without a parent’s prior written consent. The CSCE 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
10. Grade level
11. Participation in officially recognized activities and sports
12. Weight and height of members of athletic teams
13. Degrees, honors, and awards received
14. The most recent educational agency or institution attended
15. Student ID number, user ID, or other unique personal identifier 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 CSCE to disclose directory information from your child’s education records without your prior written consent, you must notify CSCE in writing at the time of enrollment or re-enrollment. Please notify the Head of School at:

Adjoa McDonald  
Head of School  
2111 International Boulevard  
Oakland, California 94606  
(510) 686-4131

Please note that data collected and reported by CSCE to the California Longitudinal Pupil Achievement Data System (“CALPADS”<sup>3</sup>) pursuant to state law, will be shared with the California College Guidance Initiative (“CCGI”<sup>4</sup>) and will:

- 1) Be used to provide pupils and families with direct access to online tools and resources.
- 2) Enable a pupil to transmit information shared with the CCGI to both of the following:
  - a. Postsecondary educational institutions for purposes of admissions and academic placement.
  - b. The Student Aid Commission for purposes of determining eligibility for, and increasing uptake of, student financial aid.

Please visit the CCGI website at [CaliforniaColleges.edu](http://CaliforniaColleges.edu) to access resources that help students and their families learn about college admissions requirements.

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<sup>3</sup> CALPADS is a database maintained by the CDE which consists of pupil data from elementary and secondary schools relating to, among other things, demographic, program participation, enrollment, and statewide assessments data.

<sup>4</sup> CCGI is an authorized provider of an institutional service to all California local educational agencies and part of the state’s efforts to make college-going a more streamlined experience for students. The CCGI currently receives enrollment data for all public-school students enrolled in grades six through twelve from the California Department of Education (“CDE”).

A copy of the complete Policy is available upon request at the main office or on the school website.

### **Uniform Complaint Procedure (“UCP”)**

CSCE is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. CSCE shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedure (“UCP”) adopted by our Governing Board for the following types of complaints:

1. Complaints alleging unlawful discrimination, harassment, intimidation, or bullying against any protected group on the basis of the actual or perceived characteristics of age, ancestry, color, mental disability, physical disability, ethnic group identification, immigration status, citizenship, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, medical condition, marital status, sex, or sexual orientation, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics in any CSCE program or activity. Unlawful discrimination includes, but is not limited to, noncompliance with Education Code section 243(a) or 244(a).
2. Complaints alleging a violation of state or federal law or regulation governing the following programs:
  - Accommodations for Pregnant, Parenting or Lactating Students;
  - Adult Education;
  - Career Technical and Technical Education;
  - Career Technical and Technical Training;
  - Child Care and Development Programs;
  - Consolidated Categorical Aid;
  - Education of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a public school, Migratory Children and Children of Military Families;
  - Every Student Succeeds Act;
  - Migrant Education Programs;
  - Regional Occupational Centers and Programs; and/or
  - School Safety Plans.
3. Complaints alleging noncompliance with laws relating to pupil fees. A student enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. A pupil fee includes, but is not limited to, all of the following:
  - 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.
  - A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
  - A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

Complaints of noncompliance with laws relating to pupil fees may be filed with the Head of School of CSCE or the Compliance Officer identified below.

4. Complaints alleging noncompliance with the requirements governing the Local Control Funding Formula (“LCFF”) or Local Control and Accountability Plans (“LCAP”) under Education Code sections 47606.5 and 47607.3, as applicable. If CSCE adopts a School Plan for Student Achievement (“SPSA”) in addition to its

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LCAP, complaints of noncompliance with the requirements of the SPSA under Education Code sections 64000, 64001, 65000, and 65001 shall also fall under the UCP.

Complaints alleging noncompliance regarding child nutrition programs established pursuant to Education Code sections 49490-49590 are governed by Title 7, Code of Federal Regulations (“C.F.R.”) sections 210.19(a)(4), 215.1(a), 220.13(c), 225.11(b), 226.6(n), and 250.15(d) and Title 5, California Code of Regulations (“C.C.R.”) sections 15580 - 15584.

Complaints alleging noncompliance regarding special education programs established pursuant to Education Code sections 56000-56865 and 59000-59300 are governed by the procedures set forth in 5 C.C.R. sections 3200-3205 and 34 C.F.R. sections 300.151-300.153.

Complaints regarding state preschool health and safety issues in local educational agencies exempt from licensing are governed by 5 C.C.R. sections 4690-4694, except as otherwise indicated. CSCE is operating the following preschool programs as exempt from licensing pursuant to Health and Safety Code section 1596.792(o) and corresponding Title 5 health and safety regulations. CSCE is operating the following preschool programs pursuant to Title 22 licensing requirements.

Complaints other than complaints relating to pupil fees must be filed in writing with the following Compliance Officer:

Adjoa McDonald  
Head of School  
2111 International Boulevard  
Oakland, California 94606  
(510) 686-4131

Only complaints regarding pupil fees, LCAP, or noncompliance with Education Code section 243 or 244 may be filed anonymously and only if the anonymous complainant provides evidence or information leading to evidence to support an allegation of noncompliance with the respective applicable laws.

Complaints alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed within six (6) months from the date the alleged 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. All other complaints under the UCP shall be filed not later than one (1) year from the date the alleged violation occurred. For complaints relating to the LCAP, the date of the alleged violation is the date on which CSCE’s Board of Directors approved the LCAP or the annual update was adopted by CSCE.

The Compliance Officer responsible for investigating the complaint shall conduct and complete the investigation in accordance with California regulations and in accordance with CSCE’s UCP Policy. The Compliance Officer shall provide the complainant with a final written investigation report (“Decision”) within sixty (60) calendar days from CSCE’s receipt of the complaint. This sixty (60) calendar day time period may be extended by written agreement of the complainant.

The complainant has a right to appeal CSCE’s Decision to the California Department of Education (“CDE”) by filing a written appeal within thirty (30) calendar days of the date of CSCE’s written Decision, except if CSCE has used its UCP to address a complaint that is not subject to the UCP requirements. The appeal must include a copy of the complaint filed with CSCE, a copy of CSCE’s Decision, and the complainant must specify and explain the basis for the appeal of the Decision, including at least one of the following:

1. CSCE failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, CSCE’s Decision lacks material findings of fact necessary to reach a conclusion of law.

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3. The material findings of fact in CSCE's Decision are not supported by substantial evidence.
4. The legal conclusion in CSCE's Decision is inconsistent with the law.
5. In a case in which CSCE's Decision found noncompliance, the corrective actions fail to provide a proper remedy.

A complainant who appeals CSCE's Decision on a UCP complaint to the CDE shall receive a written appeal decision within sixty (60) calendar days of the CDE's receipt of the appeal, unless extended by written agreement with the complainant or the CDE documents exceptional circumstances and informs the complainant.

Within thirty (30) calendar days of the date of the CDE's appeal Decision pursuant to 5 C.C.R. section 4633(f)(2) or (3), either party may request reconsideration by the State Superintendent of Public Instruction ("SSPI") or the SSPI's designee. The request for reconsideration shall specify and explain the reason(s) for contesting the findings of fact, conclusions of law, or corrective actions in the CDE's appeal Decision.

Complaints alleging noncompliance with Education Code section 243 or 244 may be filed with the SSPI directly, and the SSPI may directly intervene without waiting for an investigation by CSCE. The complainant shall present the SSPI with evidence that supports the basis for the direct filing and why immediate action is necessary.

If a UCP complaint is filed directly with the CDE and the CDE determines that it merits direct intervention, the CDE shall complete an investigation and provide a written decision to the complainant within sixty (60) calendar days of receipt of the complaint, unless the parties have agreed to extend the timeline or the CDE documents exceptional circumstances and informs the complainant.

If CSCE finds merit in a UCP complaint, or the CDE finds merit in an appeal, CSCE shall take corrective actions consistent with the requirements of existing law that will provide a remedy to the affected student and/or parent/guardian as applicable.

A complainant may pursue available civil law remedies outside of CSCE's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For unlawful discrimination, harassment, intimidation or bullying complaints arising under state law, however, a complainant must wait until sixty (60) calendar 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 CSCE has appropriately, and in a timely manner, apprised the complainant of the complainant's right to file a complaint in accordance with 5 CCR § 4622.

A copy of the UCP shall be available upon request free of charge in the main office. For further information on any part of the complaint procedures, including filing a complaint or requesting a copy of the UCP, please contact the Head of School.

### **Use of Student Information Learned from Social Media**

The CSCE complies with all federal, state, and local guidelines regarding the gathering and/or maintenance of information about any enrolled student obtained from social media in the student's educational record. The CSCE gathers student information from social media. Such information shall be maintained in CSCE's records with regard to the student and shall be destroyed within one (1) year after a student turns 18 years of age or within one (1) year after the student is no longer enrolled in CSCE, whichever occurs first. A non-minor student or a student's parent or guardian may access the student's records for examination of the information, request the removal of information or corrections made to information gathered or maintained by CSCE by contacting the Head of School.

### **Student Internet and Technology Use Policy and Agreement**

Students are expected to use technology and the Internet as an educational resource. The following procedures and guidelines are used to help ensure appropriate use of the technology and the Internet at all facilities used for Alameda

County Department of Education purposes.

#### CSCE Policy

- a. CSCE uses technology protection measures that block or filter Internet access to some Internet sites that are not in accordance with the policy of CSCE.
- b. The technology protection measure that blocks or filters Internet access may be modified by a CSCE staff member for bona fide research purposes by an adult.
- c. A CSCE staff member may override the technology protection measure that blocks or filters Internet access for a student to access a site with legitimate educational value that is wrongly blocked by the technology protection measure that blocks or filters Internet access.
- d. CSCE staff will monitor students' use of the Internet, either through direct supervision or by monitoring Internet use history, to ensure enforcement of the policy.

Students are responsible for appropriate behavior on CSCE's computer network, just as they are in a classroom or on school grounds. Communications on the network/systems are often public in nature. Expectation of confidentiality should not be assumed. General school rules for behavior and communications apply. It is expected that users will comply with district standards and the specific rules set forth below. The use of technology is a privilege, not a right, and may be revoked if abused. The user is personally responsible for their actions in accessing and utilizing the school's technology resources. The students are not allowed to access, keep, or send anything that they would not want their parents or teachers to see.

- a. Students shall not access material that is obscene, "harmful to minors", or otherwise inappropriate for educational uses.
- b. Students shall not use school resources to engage in "hacking" or attempts to otherwise compromise system security.
- c. Students shall not engage in any illegal activities on the Internet.
- d. Students shall only use electronic mail, chat rooms, and other forms of direct electronic communications for school-related purposes.
- e. Students shall not download or install any commercial software, shareware, or freeware onto network drives or disks, unless they have permission from the Network Administrator. Neither shall students copy other people's work or intrude into other people's files.
- f. Students shall not disclose personal information, such as name, school, address, and telephone number outside of the school network.
- g. Students shall notify the teacher or a CSCE for Creative Education staff member immediately, if by accident, you encounter materials which violate the boundaries of appropriate use.
- h. The Student shall not use Internet resources for personal gain or political purposes.
- i. Students shall BE PREPARED to be held accountable for their actions and for the loss of privileges if the Rules of Appropriate Use are violated.

Any violation of school policy and rules may result in loss of school-provided access to technology. Additional disciplinary action may be determined in keeping with existing school policies and procedures. When and where applicable, law enforcement agencies may be involved.

A complete copy of this Policy is available for review in the main office or on the school website.

#### **Cell Phone and Electronic Equipment Policy**

CSCE recognizes the potential for cell phones, smartphones, pagers, and electronic signaling devices (hereinafter collectively referred to as "private devices") to disrupt the learning environment of CSCE. Students can possess, but not use private devices while on school grounds, at school-sponsored activities, or under the supervision of CSCE employees, except as otherwise provided in this Policy. Students who possess any private devices must submit them to the office upon entry into the school grounds and can collect them upon leaving campus. CSCE teachers, administrators, and staff will confiscate any private devices used by a student in violation of this Policy.

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All students are required to adhere to the following guidelines regarding private devices:

Private devices may be used:

- Off campus before or after school.
- Before or after any CSCE sponsored activity occurring before or after the regular school day.
- In the case of an emergency, or in response to a perceived threat of danger.
- When a teacher or administrator of CSCE grants permission to a student to possess or use a private device, subject to any reasonable limitation imposed by that teacher or administrator.
- When a licensed physician and surgeon determines that the possession or use of a private device is necessary for the health or well-being of the student.
- When the possession or use of a private device is required in a student's individualized education program ("IEP").

Private devices should be turned in as soon as a student arrives on campus and may pick it up before they leave.

Possession of private devices is a privilege, which may be forfeited by any student who fails to abide by the terms of this Policy. All CSCE employees shall remove any private device from the possession of a student found to be violating this Policy. If a private device is heard ringing, beeping, or buzzing from inside a jacket, purse, backpack, or other similar article, whether within the immediate presence of the student or not, a CSCE employee may remove the private device and confiscate the private device. Parents/guardians will be contacted to pick up any confiscated private devices at the end of the regular school day or at the conclusion of a CSCE sponsored activity.

In addition to this Policy, all other applicable CSCE student discipline policies and rules shall apply to any student who fails to comply with the requirements of this Policy.

Students who possess any private device(s) shall assume sole responsibility for the maintenance and care of any such private device(s) in accordance with this Policy. At no time shall CSCE be responsible for preventing theft, loss or damage to any private devices brought onto campus or at CSCE sponsored activities.

- ☐ Should the scholar be caught violating the above policy, the following will occur:

**1st offense-** Teacher/Staff confiscate the device. The scholar may collect the device after school. Parents/guardians will be informed as to help remind the scholar of proper technology etiquette.

**2nd offense-** Teacher/Staff confiscates the device and issues a universal office referral. **Additionally,** parents/guardians will be contacted to pick up the device from the office at the end of the day.

**3rd offense and beyond-** The student will receive an in-school suspension and the device will be turned in to the Head of School. The parent may collect the device at the end of the school day. Other disciplinary consequences may occur at the discretion of the Head of School.

- ☐ Refusal to give up the device will automatically result in the 3rd offense.

## Positive Student Culture

### **School-wide Behavior Policy**

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CSCE is committed to creating a safe and nurturing environment for every child. We are equally committed to helping our children grow into healthy, happy, responsible adults. CSCE is implementing the best research-based approaches to discipline.

Our School-wide approach carefully integrates Waldorf, Positive Behavior, and Restorative Practices to discourage misbehavior and encourage students to learn from mistakes and make appropriate choices in the future. Our **Waldorf** inspiration encourages us to consider the developmental stage of a child, particularly in how we communicate expectations and provide consequences. Using **Positive Behavior Intervention Systems (PBIS)** as our behavior management system, we establish clear expectations and school-wide values so we are proactively developing a positive school culture. Implementation of the **social/emotional curriculum Toolbox** as well as daily **Mindfulness** practices aim to support students' peaceful reflection, full presence, and community membership throughout the day. **Restorative Justice Practices** promote equity, inclusion, and community cohesion which provides a vehicle to collaboratively create solutions to conflict based on the needs of the individual(s) harmed in addition to the community as a whole.

CSCE is committed to creating a safe and nurturing learning environment for every child. CSCE uses Restorative Practices moving toward restoring a sense of harmony and well-being for all those affected by a hurtful act. It addresses incidents of harm or conflict by exploring root cause(s), considering underlying needs of those that caused the harm, as well as identifying needs of those who were harmed so as to collaboratively create solutions that allow everyone to thrive. It provides families, schools, and communities a way to ensure accountability while at the same time breaking the cycle of retribution and violence. It is based on a view of resilience in children and youth and their capability to solve problems, as opposed to the youth themselves being the problems adults must fix. It focuses not on retribution or punishment but on reconnecting severed relationships and re-empowering individuals as they acknowledge the effect of their actions and work collaboratively toward solutions. This approach acknowledges that, when a person does harm, it affects the persons they hurt, the community, and themselves. When using restorative measures, an attempt is made to repair the harm caused by one person to another and to the community so that everyone is moved toward healing.

Restorative practices involve students and the entire school community in a process to repair the harm resulting from conflicts through such means as: community circles that create a respectful group space in which students participate in establishing the values for the class based on human dignity and the democratic principles of rights and responsibilities. All students will be encouraged to participate in restorative practices.

### **Code of Behavior**

In order to provide a school environment that fosters cooperation, responsibility and respect; we offer these guidelines for positive behavior in our School community.

### **The CSCE Creed**

The Student Behavior Guidelines are based on a philosophy of care and are stated in our CSCE Creed:

#### ***Take care of **self*****

- *Head:* Respect for oneself and one's ability to learn
- *Heart:* Do your best
- *Hands:* Complete class assignments

#### ***Take care of **others*****

- Respect for all human beings
- Respect for the guidance provided by teachers, staff and Parents/Guardians
- Respect for our classmates
- Observe class starting and ending times

#### ***Take care of **this space*****

- Respect for the earth and all living things
- Respect for all school and personal property
- Complete classroom chore

|                                      | Be Responsible                                                                                                                                                                                                                                                                                                          | Be Respectful                                                                                                                                                                                                                                                                                                                                                             | Be Safe                                                                                                                                                                                                                                                                            |
|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Before Arriving to School</b>     | <ul style="list-style-type: none"> <li>Ensure you have your school uniform handy</li> <li>Homework and Reading Log is complete and in your backpack</li> <li>You have your refillable water bottle</li> </ul>                                                                                                           | <ul style="list-style-type: none"> <li>Check your backpack and leave any toys, trading cards, sports, equipment, etc at home</li> </ul>                                                                                                                                                                                                                                   | <ul style="list-style-type: none"> <li>Do not bring any weapons or unsafe objects from home</li> </ul>                                                                                                                                                                             |
| <b>During your Arrival to School</b> | <ul style="list-style-type: none"> <li>If you have a Technology Agreement Form Agreement completed, <b>you must turn in your device as soon as you arrive</b></li> <li>Keep your backpack, coat, and water bottle close to you</li> <li>If you are hungry stop by the Cafeteria for Breakfast (8:00-8:30 AM)</li> </ul> | <ul style="list-style-type: none"> <li>If you have a Technology Agreement Form Agreement completed, <b>you must turn in your device as soon as you arrive</b></li> <li>Greet staff and other students</li> <li>Listen to all CSCE adults and follow their instructions</li> <li>Use Rock, Paper, Scissors when you are trying to figure out who is going first</li> </ul> | <ul style="list-style-type: none"> <li>If you have a Technology Agreement Form Agreement completed, <b>you must turn in your device as soon as you arrive</b></li> <li>Follow all rules</li> <li>Do not participate in any games involving tag, rough play, or violence</li> </ul> |
| <b>Water Fountain</b>                | <ul style="list-style-type: none"> <li>Fill water bottle during breaks</li> <li>Walk to and from the fountain, no lingering</li> </ul>                                                                                                                                                                                  | <ul style="list-style-type: none"> <li>Wait turn safely and patiently behind line</li> <li>Form a line along the wall so there is space for others to pass in the hall</li> <li>Respect personal space</li> <li>Give someone else a turn after 10 seconds</li> </ul>                                                                                                      | <ul style="list-style-type: none"> <li>Use water responsibly</li> <li>Report clogs or spills to teacher</li> </ul>                                                                                                                                                                 |
| <b>Bath-room</b>                     | <ul style="list-style-type: none"> <li>Wash hands with soap</li> <li>Ask for permission and take a pass only when you really need to use it the bathroom</li> <li>Throw away trash inside the bin and do not splash water on the floor</li> <li>Inform teacher if supplies are needed</li> </ul>                        | <ul style="list-style-type: none"> <li>Respect our rule of "Only 4 students in the Restroom at a time"</li> <li>Use a quiet voice</li> <li>Respect your learning time by going directly back to class</li> </ul>                                                                                                                                                          | <ul style="list-style-type: none"> <li>Respect others' privacy and space</li> <li>Only use the right amount of paper towels and throw them inside the trash bin NOT in the toilet</li> </ul>                                                                                       |
| <b>Hallway/<br/>Stairwell</b>        | <ul style="list-style-type: none"> <li>Get permission and use hall pass</li> <li>Stay on the right side of the hallway</li> </ul>                                                                                                                                                                                       | <ul style="list-style-type: none"> <li>Respect others' learning time by walking and using an inside voice</li> <li>Respect artisti work on display by keeping your hands to</li> </ul>                                                                                                                                                                                    | <ul style="list-style-type: none"> <li>Shoelaces should alway be tied</li> <li>Pick up your feet walking up or down</li> </ul>                                                                                                                                                     |

|                                                                     |                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                     | <ul style="list-style-type: none"> <li>Pick up/hold all trash until you reach a Trash/Recycling bin</li> </ul>                                                                                                                                                                                                                                                          | yourself                                                                                                                                                                                                                                                                                                       | <p>the stairway and hallways</p> <ul style="list-style-type: none"> <li>Keep my hands, feet, and body to yourself</li> <li>Notify teacher of any spills</li> </ul>                                                                                                                                                              |
| <b>Large Yard/<br/>Blacktop/<br/>Small Yard/<br/>Play Structure</b> | <ul style="list-style-type: none"> <li>Do not bring any toys, trading cards, or sports equipment from home</li> <li>Stay in your designated area where adults can see you</li> <li>This is the time to get water and go to the bathroom</li> <li>Line up with all of your belonging when asked</li> <li>Help keep the yard clean &amp; garbage free</li> </ul>          | <ul style="list-style-type: none"> <li>Play safely and fairly</li> <li>Include others in games and activities</li> <li>Respect the equipment and play structure and use it as it is intended</li> <li>Respect all living things, do not harm or pull the plants/flowers</li> <li>Line up when asked</li> </ul> | <ul style="list-style-type: none"> <li>Remain with your group at all times</li> <li>Stay in approved play area where an adult can see you</li> <li>Use equipment appropriately and fairly</li> <li>No sports equipment allowed in the Small Yard</li> <li>Do not talk or engage with anyone outside of school campus</li> </ul> |
| <b>Library</b>                                                      | <ul style="list-style-type: none"> <li>Must be accompanied by an adult at all times</li> <li>No food/drinks allowed</li> <li>Borrow 1 book at a time and bring your book back to the library</li> <li>Put books back in their correct place</li> </ul>                                                                                                                  | <ul style="list-style-type: none"> <li>Be considerate of others who are focused and reading</li> <li>Treat all items in library with care</li> </ul>                                                                                                                                                           | <ul style="list-style-type: none"> <li>Must be accompanied by an adult at all times</li> <li>No running or hiding in the library</li> </ul>                                                                                                                                                                                     |
| <b>Office/<br/>Lobby</b>                                            | <ul style="list-style-type: none"> <li>Ask permission or go only when sent by staff member</li> <li>Communicate purpose or what you need through the Office window</li> <li>Walk into the Office only when given permission</li> <li>Walk to and from the Office with a pass using a quiet voice</li> <li>Retrieve your belongings from the Lost &amp; Found</li> </ul> | <ul style="list-style-type: none"> <li>Respect your and other's learning time by getting back to class as soon as possible</li> <li>Respect privacy of others</li> <li>Be polite, courteous, and use your manners</li> <li>Wait your turn</li> </ul>                                                           | <ul style="list-style-type: none"> <li>You must have permission from an adult to leave your class or group, and must have a pass</li> </ul>                                                                                                                                                                                     |
| <b>Cafeteria</b>                                                    | <ul style="list-style-type: none"> <li>Grab a complete meal</li> <li>If you bring a Home Lunch make sure you bring it down with you</li> <li>Eat healthy meals</li> <li>Sort your trash correctly</li> </ul>                                                                                                                                                            | <ul style="list-style-type: none"> <li>Raise hand if you need something</li> <li>Stay in your seat</li> <li>Respect others' cultural dishes</li> <li>Sit in your assigned table/zone</li> </ul>                                                                                                                | <ul style="list-style-type: none"> <li>We are a nut-free school</li> <li>Shoe laces are always tied</li> <li>Stay in your seat until dismissed</li> <li>Enter in a line with a calm body and indoor voice</li> </ul>                                                                                                            |
| <b>End of Day/<br/>Going Home</b>                                   | <ul style="list-style-type: none"> <li>Grab all of your belongings</li> <li>Report to where you are suppose to be: After-school,</li> </ul>                                                                                                                                                                                                                             | <ul style="list-style-type: none"> <li>Keep your hands, feet, and body to yourself</li> </ul>                                                                                                                                                                                                                  | <ul style="list-style-type: none"> <li>Walk to your designated pick up location</li> </ul>                                                                                                                                                                                                                                      |

|  |                                    |  |                                                                                                |
|--|------------------------------------|--|------------------------------------------------------------------------------------------------|
|  | Walk home, or get picked up by car |  | <ul style="list-style-type: none"> <li>Listen to all adults and follow instructions</li> </ul> |
|--|------------------------------------|--|------------------------------------------------------------------------------------------------|

## **Scholar Behavior Expectations**

\*In addition, individual classroom teachers will have guidelines for positive behavior for their own classroom and will communicate it to their classes. Teachers will develop a class management system, approved by the administrator, and appropriate to the age level of their individual class. Parent/Guardian concerns about the implementation of this policy shall be shared directly with their child's teacher.

## Response to Student Choices

The School has implemented a school-wide positive behavior system that encourages equity and inclusion while also considering a child's developmental stage. This approach aims to create a strong and caring school culture where all members of the community are valued and supported to grow and learn together. In the event that a school-wide positive behavior system and/or the individual class management systems are not sufficient to correct disruptive or disrespectful behavior, we will implement our **referral procedures** based on the severity of the infraction and the teacher and/or the dean/administrator's evaluation of the circumstances.

**Inappropriate behaviors** include (but are not limited to):

| Minor – Teacher Managed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Major – Dean of Students Managed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Disrespect</b><br><ul style="list-style-type: none"> <li>Talking back</li> <li>Chewing gum</li> <li>Food in Class</li> <li>Mocking</li> <li>Note passing</li> </ul> <b>Defiance</b><br><ul style="list-style-type: none"> <li>Noncompliance with classroom instructions</li> <li>Incomplete work or not working</li> <li>Dishonesty</li> </ul> <b>Inappropriate Language</b><br><ul style="list-style-type: none"> <li>Cursing</li> <li>Name Calling</li> </ul> <b>Observable Behavior</b><br><ul style="list-style-type: none"> <li>Running in class/hall</li> <li>Poor line behavior</li> <li>Throwing objects/food</li> </ul> <b>Physical Contact (reaction)</b><br><ul style="list-style-type: none"> <li>Wrestling or horseplay with another student</li> <li>Pushing, shoving, kicking</li> <li>Biting (with no mark)</li> </ul> <b>Property Misuse</b><br><ul style="list-style-type: none"> <li>Inappropriate use of materials</li> <li>Misuse of technology</li> <li>Looking in others' desks/bags</li> <li>Causing minor repairable damage to school property</li> </ul> <b>Disruptive</b><br><ul style="list-style-type: none"> <li>Out of seat</li> <li>Calling out</li> <li>Talking or non verbally communicating with classmate at inappropriate time</li> <li>Noisemaking</li> </ul> <b>Dress Code Violation</b> | <b>Abusive Language</b><br><ul style="list-style-type: none"> <li>Taunting</li> <li>Harassment</li> <li>Racism, Homophobia, Transphobia, Classism, Ableism, Ageism, Body Types</li> </ul> <b>Threats/Intimidation/Bullying</b><br><b>Leaving school grounds without permission</b><br><b>Vandalism of personal/school property</b><br><b>Truancy</b><br><b>Fighting/Physical Aggression (intent)</b><br><ul style="list-style-type: none"> <li>Hitting, pushing, shoving, kicking, grabbing, tripping, slapping, punching, spitting, hair pulling, throwing objects with intent to do harm</li> </ul> <b>Theft</b><br><b>Weapons/Dangerous Items</b><br><ul style="list-style-type: none"> <li>possession of knives, lighters, matches, etc.</li> </ul> <b>Inappropriate behavior involving bodily fluids</b> (blood, urine, spit) |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | -OR-                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Three (3) documented minor behaviors with teacher intervention</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

**Prohibited Items**

In support of creating an ideal learning environment and in order to reduce distraction and/or potential for conflict, the School asks that certain personal items are not brought to school. Prohibited items include, but are not limited to the following:

- Chewing gum
- Unhealthy foods containing high concentration of sugar and/or fat (e.g. candy, soda, chips, fast food)
- Electronic devices (e.g. cell phones, Apple Watch, pagers, tablets, games/toys, laptops, handheld devices)
- Vehicles (e.g. scooters, skateboards, rollerblades, shoes with wheels)
- Permanent markers/pens/paint
- Aerosol cans, spray bottles, water shooters
- Hairspray, perfume/cologne, cosmetics
- Playing cards or trading cards
- Toys, stickers, or games of any kind
- Toy, fake weapons

The school is not responsible for the loss or theft of items brought from home. Administration will not disrupt students' learning time to investigate the loss of an item that is on the forbidden items list.

**Universal Referral Form and Family Communication**

**Minor/Teacher Managed Behaviors:** If a child fails to follow the school or classroom behavior guidelines or in any way undermines a healthy learning environment, others or property, a notice will be sent home through Parent Square. will be stored in the student's file describing this behavior.. This Universal Referral Form is to be completed by the classroom teacher or staff member who directly responded to the behavior. The teacher will follow this up with a phone call or email to the Parents/Guardians. A copy of the Universal Referral Form can be made available for Parent/Guardian and will also be maintained by the Dean of Student Culture.

**Major/Office Managed Behaviors:** If a student's behavior is categorized as Major (or reoccurring Minor), the Referral process is warranted. These behaviors can lead to suspension. (See referral/suspension process below). The Universal Referral Form is completed by the staff member directly aware of behavior and submitted to the Head of School and Dean of Student Culture. The Head of School or Dean will further investigate behavior and will contact the guardian by phone. The Referral will state the behavior concern and restorative practice used. The Universal Referral Form is for internal documentation purposes only. Parent/Guardian will be provided written documentation of behavior using the Parent/Guardian Acknowledgement form and will be asked to sign stating they have reviewed this form. The signed form is to be returned to the teacher/office the following day. Either the Parent/Guardian or the class teacher may request a telephone or personal conference.

**Family/Parent/Guardian-Teacher Conference**

When a student receives two referrals, a family/Parent/Guardian-teacher conference will be scheduled by the class teacher. If both family and class teacher agree, the child may be included in the meeting. A behavior plan may be developed at this time. The class teacher or Parents/Guardians may request that an administrator be present. Parents/Guardians may invite other individuals to the conference.

**Expectations of Class Teachers:**

- Help the children – tend to injury, mediate conflict (after child has time to cool off)

- Find out what happened/ talk to other children or witnesses
- Call Parent/Guardian/guardian when appropriate
- Complete behavior form and submit to Dean of Student Culture
- Follow-up with children and Parents/Guardians (set up meeting if needed)/ check back

**CSCE Student Success Team (SST)**

Class teachers and/or a Parent/Guardian/guardian can request an SST meeting in order to develop a plan to support student behavior and academics on campus. An SST meeting, consisting of the student's Parent/Guardian(s)/guardian, classroom teacher, administrator, as well as other specialists or support staff, if needed, will be convened to review the child and the child's needs. The team will work to cultivate healthy classroom and playground behavior. During this meeting a behavior plan may be developed. Below is a summary of the steps that may be taken prior to a recommendation for suspension or expulsion:

**Referral process initiated**

1. First referral: Phone call to Parent/Guardian
2. Second referral: Phone call and Parent/Guardian-teacher conference
3. Third referral: Phone call home and SST meeting is scheduled

**Student Success Team (SST) Meeting Initiated****Continuation of Referral process**

4. Fourth referral: Phone call home
5. Fifth referral: Phone call and Parent/Guardian-teacher conference
6. Sixth referral and suspension: Phone call home. SST follow-up meeting is scheduled

**Student Success Team (SST) Meeting****Continuation of Referral process**

7. Seventh referral: Phone call home.
8. Eighth referral: Phone call home and Parent/Guardian-teacher conference
9. Ninth referral and/or 3rd suspension: Phone call home. SST follow-up meeting is scheduled

**Clearing Referrals**

Referrals and suspensions are cumulative from year to year. In order for a student's referral record to be cleared, he/she must be referral free for two consecutive school years.

## Health & Safety

### **Meal Program**

Pursuant to California law, CSCE shall make available a nutritionally adequate breakfast and a nutritionally adequate lunch free of charge and with adequate time to eat, during each school day to any student who requests a meal without consideration of the student's eligibility for a federally funded free or reduced-price meal, with a maximum of one (1) free breakfast meal and one (1) free lunch meal during each school day. This shall apply to all pupils in kindergarten through grade twelve (12).

Applications for school meals are included in the first day packets to all families and can also be obtained on CSCE website and in the main office. All families are encouraged to complete the application form. Completed application forms can be returned to the main office. Income eligibility guidelines for federally funded free and reduced-price meals are available at: <https://www.cde.ca.gov/ls/nu/rs/>

A child may bring lunch from home. If bringing food from home we encourage healthy options. Candy, soda, and other types of processed junk foods are not permitted. Please avoid sugary drinks and artificial food coloring when possible. This will better equip our scholars for a successful day of learning. We are also striving for a waste-free campus.

Based on a school's annual earnings, a parent/guardian may be eligible to receive the Earned Income Tax Credit from the Federal Government (Federal EITC). The Federal EITC is a refundable federal income tax credit for low-income working individuals and families. The Federal EITC has no effect on certain welfare benefits. In most cases, Federal EITC payments will not be used to determine eligibility for Medicaid, Supplemental Security Income, food stamps, low-income housing, or most Temporary Assistance For Needy Families payments. Even if you a parent/guardian does not owe federal taxes, they must file a federal tax return to receive the Federal EITC. Be sure to fill out the Federal EITC form in the Federal Income Tax Return Booklet. For information regarding your eligibility to receive the Federal EITC, including information on how to obtain the Internal Revenue Service (IRS) Notice 797 or any other necessary forms and instructions, contact the IRS by calling 1-800-829-3676 or through its website at [www.irs.gov](http://www.irs.gov).

A parent/guardian may also be eligible to receive the California Earned Income Tax Credit (California EITC) starting with the calendar year 2015 tax year. The California EITC is a refundable state income tax credit for low-income working individuals and families. The California EITC is treated in the same manner as the Federal EITC and generally will not be used to determine eligibility for welfare benefits under California law. To claim the California EITC, even if you do not owe California taxes, you must file a California income tax return and complete and attach the California EITC Form (FTB 3514). For information on the availability of the credit eligibility requirements and how to obtain the necessary California forms and get help filing, contact the Franchise Tax Board at 1-800-852-5711 or through its website at [www.ftb.ca.gov](http://www.ftb.ca.gov).

CSCE shall allow students, teachers, and staff to bring and carry water bottles. Water bottles may be excluded from libraries, computer labs, science labs, and other places where it is deemed dangerous to have drinking water. CSCE may develop additional policies regarding the types of water bottles that may be carried.

CSCE adheres to all applicable requirements regarding placement and maintenance of water bottle refilling stations on campus.

CSCE shall encourage water consumption through promotional and educational activities and signage that focus on the benefits of drinking water and highlight any water bottle filling stations that are located on campus.

A copy of the complete Policy, which includes CSCE's meal charge policy, is available upon request at the main office. The CSCE also maintains a School Wellness Policy pursuant to state and federal requirements.

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, CSCE is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

mail:

U.S. Department of Agriculture

Office of the Assistant Secretary for Civil Rights

1400 Independence Avenue, SW

Washington, D.C. 20250-9410; or

fax:

(833) 256-1665 or (202) 690-7442; or

email:

[Program.Intake@usda.gov](mailto:Program.Intake@usda.gov)

CSCE is an equal opportunity provider.

### **Nut Free School**

As part of our ongoing effort to *Take Care of Others*, we are a **Nut Free Campus**. This includes peanuts and tree nuts. There are several students with severe nut allergies. To ensure good health for all please **avoid sending food items containing tree nuts, peanut butter, peanuts or nuts of any kind**.

### **Health, Safety & Emergency**

For complete information on health and safety at CSCE, please reference the Health and Safety Handbook, available in the office. Students will be asked to bring a small comfort kit/emergency kit in the event of an emergency. In addition, teachers may request that students bring spare clothing to be left at school in the event of an emergency.

The CSCE has established a Comprehensive School Safety Plan. The Plan is available upon request at the main office.

The CSCE has also established an Asbestos Management Plan. The Plan is available upon request at the main office. The following asbestos-related activities are planned or in progress at CSCE: [INSERT inspections, response actions, and post-response action activities, including periodic reinspection and surveillance activities that are planned or in progress for the school year OR indicate that no such activities are planned or in progress for the current school year]

### **Lice**

Head lice are common and are easily spread. The Administration will send home information about the treatment and control of head lice to Parent/Guardian/guardians as needed to prevent the spread of infestations. Staff will report all suspected cases of head lice to the Administration as soon as possible. CSCE recognizes that responsibility for the treatment of head lice rests with the home. When lice are found, the student shall be sent home at the end of the school days with proper Parent/Guardian/guardian notification. Staff shall make every effort to maintain the privacy of students identified as having head lice and excluded from classes for treatment.

If a child is affected in any one classroom, information about head lice shall be sent home to all Parent/Guardian/guardians/ in the class. Excluded students may return to school when they bring a note from the Parent/Guardian/guardian indicating the treatment applied and date administered. Students will be rechecked for live lice before readmission.

### **Oral Health Assessment**

Students enrolled in transitional kindergarten or kindergarten in a public school or while enrolled in first grade if the pupil was not previously enrolled in kindergarten in a public school are required to present proof of having received an oral health assessment completed by a dental professional that was performed within 12 months before the student's initial enrollment in a public school. Please contact the office if you have questions about this requirement.

### **Immunizations**

Pursuant to the California Health and Safety Code and the California Code of Regulations, children must provide proof of having received required immunizations (shots) before they can attend school unless they meet the requirements for an exemption. Immunization records are required for all incoming students. Verification of immunizations will be completed with written medical records from the child's doctor or immunization clinic. To ensure a safe learning environment for all students, CSCE follows and abides by the health standards set forth by the state of California. The immunization status of all students will be reviewed periodically. Those students who are not in compliance with the State requirements must be excluded from attendance until the requirements are met. Students who have been exposed to a communicable disease for which they have not been immunized may be excluded from school at the discretion of CSCE.

These required immunizations include:

| Child's Grade | List of shots required to attend school |
|---------------|-----------------------------------------|
|---------------|-----------------------------------------|

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TK/K-12 Admission              | <p>Diphtheria, Tetanus and Pertussis (DTaP) - Five (5) doses Polio - Four (4) doses<br/>Measles, Mumps, and Rubella (MMR) - Two (2) doses Hepatitis B (Hep B) - Three (3) doses<br/>Varicella (chickenpox) – Two (2) doses</p> <p><b>NOTE:</b> Four doses of DTaP are allowed if one was given on or after the fourth birthday. Three doses of DTaP meet the requirement if at least one dose of Tdap, DTaP, or DTP vaccine was given on or after the seventh birthday (also meets the 7th-12th grade Tdap requirement.) One or two doses of Td vaccine given on or after the seventh birthday count towards the requirement for DTaP. Three doses of Polio are allowed if one was given on or after fourth birthday. MMR doses must be given on or after first birthday. Two doses of measles, two doses of mumps, and one dose of rubella vaccine meet the requirement, separately or combined. Combination vaccines (e.g., MMRV) meet the requirements for individual component vaccines.</p> |
| Entering 7 <sup>th</sup> Grade | <p>Tetanus, reduced Diphtheria, and acellular Pertussis (Tdap) - One (1) dose</p> <p><b>NOTE:</b> In order to begin 7th grade, students who had a valid personal belief exemption on file with a public or private elementary or secondary school in California before January 1, 2016 must meet the requirements listed for grades K-12 as well as requirements for 7<sup>th</sup> grade advancement. At least one dose of pertussis-containing vaccine is required on or after the 7th birthday.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

### **Physical Examinations and Right to Refuse**

A parent/guardian having control or charge of any child enrolled in CSCE may file annually with the Head of School a written and signed statement stating that the parent/guardian will not consent to a physical examination of the child. Thereupon the child shall be exempt from any physical examination, but whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, the child shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist.

### **Diabetes**

The CSCE will provide an information sheet regarding type 2 diabetes to the Parent/Guardian or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but shall not be limited to, all of the following:

1. A description of type 2 diabetes.
2. A description of the risk factors and warning signs associated with type 2 diabetes.
3. A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes should be screened for type 2 diabetes.
4. A description of treatments and prevention of methods of type 2 diabetes.
5. A description of the different types of diabetes screening tests available.

A copy of the information sheet regarding type 2 diabetes is available at:

<https://www.cde.ca.gov/ls/he/hn/type2diabetes.asp>.

Please contact the office if you need a copy of this information sheet or if you have any questions about this information sheet.

The CSCE will provide an information sheet regarding type 1 diabetes to the parent or guardian of a student when the student is first enrolled in elementary school, pursuant to Education Code Section 49452.6. The information sheet shall include, but shall not be limited to, all of the following:

1. A description of type 1 diabetes.
2. A description of the risk factors and warning signs associated with type 1 diabetes.
3. A recommendation that parents or guardians of students displaying warning signs associated with type 1 diabetes should immediately consult with the student's primary care provider to determine if immediate screening for type 1 diabetes is appropriate.
4. A description of the screening process for type 1 diabetes and the implications of test results.
5. A recommendation that, following a type 1 diagnosis, parents or guardians should consult with the pupil's primary care provider to develop an appropriate treatment plan, which may include consultation with and examination by a specialty care provider, including, but not limited to, a properly qualified endocrinologist.

A copy of the information sheet regarding type 1 diabetes is available at:

<https://www.cde.ca.gov/ls/he/hn/type1diabetes.asp>. Please contact the office if you need a copy of this information sheet or if you have any questions about this information sheet.

### **Concussion/Head Injuries**

A concussion is a brain injury that can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. Because the CSCE has elected to offer an athletic program, we must immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from, a licensed healthcare provider. If the licensed health care provider determines the athlete has a concussion or head injury, the athlete shall also complete a graduated return-to-play protocol of no less than 7 days in duration under the supervision of a licensed health care provider. On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's Parent/Guardian or guardian before the athlete initiates practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

### **Sudden Cardiac Arrest**

CSCE is invested in the health of its athletes, especially their heart health. Sudden cardiac arrest ("SCA") is when the heart stops beating, suddenly and unexpectedly. Those wishing to participate in athletics at CSCE, must review the information sheet on sudden cardiac arrest via the link below and attached to this handbook: <https://www.cde.ca.gov/pd/ca/pe/documents/pescaform.pdf>

### **Location of All Automated External Defibrillator(s) on Campus**

**[INSERT LOCATIONS OF ALL AEDs ON CAMPUS]**

**Opioid Information Sheet**

The CSCE annually provides each athlete with an Opioid Factsheet for Patients published by the Centers for Disease Control and Prevention. The athlete and, if the athlete is 17 years of age or younger, the athlete's parent or guardian shall sign a document acknowledging receipt of the Opioid Factsheet for Patients and return that document to CSCE before the athlete initiates practice or competition. The fact sheet is available at:

[https://stacks.cdc.gov/view/cdc/134209/cdc\\_134209\\_DS1.pdf](https://stacks.cdc.gov/view/cdc/134209/cdc_134209_DS1.pdf)

**Human Trafficking Prevention**

California has the highest number of incidents of human trafficking in the U.S., and all students may be vulnerable. CSCE believes it is a priority to inform our students about (1) prevalence, nature of and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance, and (2) how social media and mobile device applications are used for human trafficking.

In accordance with the California Healthy Youth Act, CSCE will provide age-appropriate instruction on the prevention of human trafficking, including sexual abuse, assault, and harassment. You have the right to excuse your child from all or part of the instruction on the prevention of human trafficking. An opt-out form is available in the main office for your convenience. Your consent for this instruction is NOT required. If we do not receive a written request to excuse your child, your child will be included in the instruction.

Information and materials for parents/guardians about the curriculum and resources on prevention of human trafficking and abuse, including sexual abuse, assault, and harassment are available on CSCE's website for your review.

**Mental Health Services**

The CSCE recognizes that when unidentified and unaddressed, mental health challenges can lead to poor academic performance, increased likelihood of suspension and expulsion, chronic absenteeism, student attrition, homelessness, incarceration, and/or violence. Access to mental health services at CSCE and in our community is not only critical to improving the physical and emotional safety of students, but it also helps address barriers to learning and provides support so that all students can learn problem-solving skills and achieve in school and, ultimately, in life. The following resources are available to your child:

**Available on Campus:**

- **School-based counseling services** – your child is encouraged to directly contact a CSCE counselor by coming into the counseling office during school hours and making an appointment to speak with a counselor. The counseling office can also be reached at Mrs. Esther Pyon. Our CSCE counselors support students by providing individual sessions, group or parent consultations whenever a student is having a difficult time due to academic stress, transition to changes in their environment, or social concerns, including isolation. Counseling services, whether provided by our CSCE or by an outside provider listed in this letter, are voluntary.
- **Special education services** – if you believe your child may have a disability, you are encouraged to directly contact Ms. Alina Kagan at 510-686-4131 to request an evaluation.
- **Prescription medication while on campus** – if your child requires prescription medication during school hours and you would like assistance from School staff in providing this medication to your child, please contact Mrs. Yolanda Cordovia at 510-686-4131.

**Available Nationally:**

- National Suicide Prevention Hotline - This organization provides confidential support for adults and youth in distress, including prevention and crisis resources. Available 24 hours at 1-800-273-8255.
- The Trevor Project - This organization provides suicide prevention and crisis intervention for LGBTQ youth between the ages of 13 and 24. **Available at 1-866-488-7386 or visit <https://www.thetrevorproject.org/>.**
- Big Brothers/Big Sisters of America – This organization is a community- based mentorship program. Community-specific program information can be found online at <https://www.bbbs.org> or by calling (813) 720-8778.

### **Pregnant and Parenting Students**

The CSCE recognizes that pregnant and parenting students are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their health and the health of their children. A pregnant or parenting student is entitled to eight (8) weeks of parental leave, or more if deemed medically necessary by the student's physician, which the student may take before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction, in order to protect the health of the student who gives or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant. The CSCE will ensure that absences from the student's regular school program are excused until the student is able to return to the regular school program.

Upon return to school after taking parental leave, a pregnant or parenting student will be able to make up work missed during the pregnant or parenting student's leave, including, but not limited to, makeup work plans and reenrollment in courses. Notwithstanding any other law, a pregnant or parenting student may remain enrolled for a fifth year of instruction in CSCE if it is necessary in order for the student to be able to complete any graduation requirements, unless CSCE determines that the student is reasonably able to complete the graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.

Complaints of noncompliance with laws relating to pregnant or parenting students may be filed under the Uniform Complaint Procedures ("UCP") of CSCE. The complaint may be filed in writing with the compliance officer:

Adjoa McDonald  
Head of School  
2111 International Boulevard  
Oakland, California 94606  
(510) 686-4131

A copy of the UCP is available upon request at the main office or on the school website. For further information on any part of the complaint procedures, including filing a complaint or requesting a copy of the complaint procedures, please contact the Head of School.

### **Safe Storage of Firearms**

The purpose of this notice is to inform and to remind parents and legal guardians of all students at CSCE of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. **These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.**

To help everyone understand their legal responsibilities, this notice spells out California law regarding the storage of firearms. Please take some time to review this notice and evaluate your own personal practices to assure that you and your family are in compliance with California law:

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; or (3) unlawfully brandishes the firearm to others.
  - The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm.
- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.
- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.

The county or city may have additional restrictions regarding the safe storage of firearms. Thank you for helping to keep our children and schools safe. Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

### **Cancer Prevention Act**

Students in the state are advised to adhere to current immunization guidelines, as recommended by the Advisory Committee on Immunization Practices (ACIP) of the federal Centers for Disease Control and Prevention (CDC), the American Academy of Pediatrics, and the American Academy of Family Physicians, regarding full human papillomavirus (HPV) immunization before admission or advancement to the eighth grade level of any private or public elementary or secondary school.

Because the vaccine is more effective when given at younger ages, two doses of HPV vaccine are recommended for all kids between the ages of 9 to 12 years, and the second dose should be given before the start of 8th grade. Kids who wait until later to get their first dose of HPV vaccine may need three doses.

HPV vaccination can prevent over 90 percent of cancers caused by HPV. HPV vaccines are very safe, and scientific research shows that the benefits of HPV vaccination far outweigh the potential risks.

### **Dangers of Synthetic Drugs**

The illicit use and abuse of synthetic drugs represents an emerging and ongoing public health threat in California. The fentanyl crisis specifically, has impacted communities across the state, leading to a sharp increase in fentanyl poisonings and deaths in recent years.

This notice aims to address the crisis with a preventative approach ensuring students and families are educated on the deadly consequences of recreational drug use. A synthetic drug is a drug with properties

and effects similar to a known hallucinogen or narcotic but having a slightly altered chemical structure, especially such a drug created in order to evade existing restrictions against illegal substances. Synthetic drugs include but are not limited to synthetic cannabinoids (“synthetic marijuana,” “Spice,” “K2”), methamphetamines, bath salts, and fentanyl.

The California Department of Public Health (“CDPH”) has expounded on the extreme danger of drugs laced with fentanyl. Illicit fentanyl can be added to other drugs to make them cheaper, more powerful, and more addictive. Illicit fentanyl has been found in many drugs, including heroin, methamphetamine, counterfeit pills, and cocaine. Fentanyl mixed with any drug increases the likelihood of a fatal overdose. Furthermore, it is nearly impossible to tell if drugs have been laced with fentanyl without additional testing, because fentanyl cannot be seen, smelled, or tasted when used as a lacing agent. Social media platforms may be used as a way to market and sell synthetic drugs, such as fentanyl.

Additional information regarding fentanyl from the CDPH’s Substance and Addiction Prevention Branch [can be found here](#).

## Home-School Communication

### **The Weekly Folder**

Every week your child’s classroom teacher will send home a folder of weekly information, in hardcopy, with the student. Weekly Folders will include your child’s homework, notes from your child’s teacher, and any notes that go out school wide. The Weekly Folder will serve as the primary communication between school and home. Teachers will also review the Weekly Folder with their students each week. If your child is missing the Weekly Folder, it is your responsibility to contact your child’s teacher to obtain a copy.

### **Monthly Newsletter**

Once per month the School will send a school-wide newsletter via email and hard copy with your child. This newsletter will include a message from the Administration with highlights for the month, a calendar with upcoming events, and flyers announcing special activities or invitations.

### **Robo Call**

The CSCE will utilize an automated phone service (in addition to other methods) to remind you of important events or to communicate other time-sensitive information.

### **Conferences**

Parent/Guardian/guardian-teacher conferences will happen twice per year and as requested by the teacher or family. In addition, there will be 6 meetings per year when families are invited into the classrooms for student exhibitions and collaborative planning.

### **Publications and Websites**

The CSCE website URL is: <http://www.communityschoolforcreativeeducation.org/>

The CSCE also has a Facebook group that we invite you to join. This is a great way to connect with other Parents/Guardians and to find out about playdates and other Parent/Guardian gatherings.

## **Family/Parent/Guardian-as-Partner Policy**

The CSCE for Creative Education believes that the creation of a welcoming, responsive, and creative learning environment that places students at the center of transformative learning, is only possible with the inclusion of families and community. We advocate strong connections between the home, school, and the community, as one means of supporting the creativity of young people. Studies demonstrate that when Parents/Guardians are involved in their children's education, the attitudes, behaviors, and achievement of students are positively enhanced.

We value all members of our learning community providing input and resources to better the learning outcomes for our students. Working in genuine partnerships is mutually beneficial. Developing cooperative efforts and meaningful involvement contributes to improved schools and successful students. CSCE strongly encourages Parents/Guardians/guardians to be active partners in developing school policies and leading efforts to engage the support of the community, making recommendations about issues related to the school, and reviewing family and community concerns. Please join us each month for our Parent/Guardian work groups and focus groups. See website calendar and Monthly Newsletter for regular scheduled meetings.

As a community, we will include outreach strategies, related home-learning activities, community resources, as well as supportive school and district policies and actions.

- **Our Parent/Guardian/family drop-in policy is: (suspended due to COVID-19)**  
Parents/Guardians/visitors are welcome to participate in the work of classroom and out of classroom school activities, as arranged prior to the lesson with the class teacher. Notes on where Parents/Guardians can volunteer in class are included in each teacher's weekly class newsletter. If you are visiting, first check-in with the main office and receive a visitor's pass. If you are OBSERVING rather than volunteering, we ask that you observe silently unless otherwise agreed with the teacher, whose attention must be 100 % on the children. If you want to speak to the teacher, please make those arrangements after class so the children's instructional time is preserved. According to State law, Parents/Guardians that will be **alone** with children must be fingerprinted.
- **Our goal for Parent/Guardian/family engagement:** All Parents/Guardians and community are welcome as partners in building a strong supportive learning environment for all children. We seek to build a model of Parent/Guardian engagement that is consistent across classrooms, is supportive of the skills and assets that our community possesses, and that is pushing our school towards greatness. A copy of CSCE's Parent/Guardian and Family Engagement Policy is available in the main office.
- **Our systems that make this happen:** From the Head of School to instructional assistants, Parents/Guardians will feel welcomed as valued stake-holders integral to the future of this school. Parents/Guardians and the community can expect to experience welcoming classrooms with open door policies, volunteer roles that utilize the strengths that families bring, opportunities to provide feedback and reflections on how we are doing at meeting our goals. We seek to enrich our school family by being intentional in offering meaningful ways for our community to work together towards doing better.
- **Supporting teachers means:** Being respectful of the classroom dynamics, treating all children as valued members of our school community, providing appropriate constructive feedback outside of class time, and working with the school to push our practices and policies towards the best possible models for our students.
- **Supporting young people means:** Treating all children as valued members of our school community. As a community we must encourage one another to be equitable and just in the treatment that all children receive. As a community, we celebrate all the differences and diversity that is present among us. To support our children we must actively model working in collaborative, respectful, uplifting

partnership that actively challenges gender, race, class, and ability based oppression that is active in our society.

- **Supporting Parents/Guardians means:** all members of the school community see Parents/Guardians as partners and equals.
- **Our “Open Door” policy means:** that parents/Guardians are welcome to support, observe, or engage in the classroom at any time pending prior arrangement and consent.

As we actively work towards meeting the needs of our children, we look to our community to hold us accountable. We expect critical feedback, input and, where appropriate, affirmations to let us know how we are doing in all areas of honoring our Parent/Guardian engagement and leadership policy.

**Classroom Representative/Community Keepers:** Each teacher will request two Parent/Guardian/family volunteers to represent each class. These Parents/Guardians/family members will meet with the classroom teacher on a regular basis and will communicate with other classroom Parents/Guardians/family members. They will also communicate about their classroom activities to the wider school community during School Site Council meetings.

### **Parent/Guardian and Family Engagement**

CSCE aims to provide all students in our schools significant opportunities to receive a fair, equitable, and high-quality education, and to close educational achievement gaps while abiding by guidelines within the Elementary and Secondary Education Act (ESEA).

CSCE staff recognizes a partnership with families is essential to meet this goal. Our family engagement policy promotes active involvement of all families as partners with schools to ensure student success.

#### *Providing Information*

A. A Parent/Guardian Family Action Committee (PFA) shall be established, consisting of Parent/Guardian/guardian representatives from each grade and overall. Representatives shall meet at least five times per year and report back to school. The PFA will work together with the staff to:

1. Involve Parents/Guardians in the planning, implementation, and evaluation of various components funded by the Title I grant and other grant sources.
2. Provide input on educational opportunities for children, and make recommendations for strengthening the partnerships between home and school in order to improve student achievement.
3. Develop, annually review, and revise at least annually the CSCE family engagement policy and the school level LCAP.
4. Give input to the design of annual surveys of CSCE to determine the range and effectiveness of the family engagement practices and to capture schools' efforts to overcome barriers to family engagement.
5. Prepare an annual report to the CSCE Board with recommendations for enhancing services and enhancing Parent/Guardian engagement..

B. CSCE Administration will support the school to:

1. Work jointly with Parents/Guardians to develop a school-level Family Engagement Policy and School-Home Compact and to ensure these meet the requirements of the ESEA. These documents will be

reviewed and distributed to Parents/Guardians annually, revised, at least, every two years, and translated for accessibility for all Parents/Guardians.

## 2. Collect and share family engagement strategies taking place in schools

### *Coordination and Assistance*

A. CSCE will actively involve Parents/Guardians in their school improvement planning process and in the review and revision of the school-level Family Engagement Policy and School-Home Compact.

B. CSCE Administration will:

#### 1. Support the staff collaboration with Parents/Guardians through meetings, surveys, and

informal discussions that can help Parents/Guardians understand the curriculum, instructional practices, academic assessments, expected proficiency levels and strategies to support their children at home to improve student achievement.

2. Collaborate with schools to ensure availability of Parent/Guardian and family programs such as: Faith in Action East Bay and California CSCEs Association Parent/Guardian leadership and advocacy training; CSCE Parent/Guardian Family University; CSCE Parents/Guardians Family Action Committee; Sweet Pea Nursery Planning Committee; Head of School's coffees and other Parent/Guardian workshops; Family field trips

#### 3. Collaborate with CSCE Administration to inform Parents/Guardians of available Adult ESOL

classes, Parent/Guardian workshops, and family literacy programs.

4. Collaborate with CSCE Administration to guide the school in developing partnerships with local community organizations in support of student achievement and improved Parent/Guardian involvement.

### *Building Capacity*

A. In order to support implementation and further development of family engagement strategies and actions related to the CSCE Board's Student Achievement Goals and focus on closing achievement gaps, CSCE will identify a class Parent/Guardian. The class Parent/Guardian together with the Parent/Guardian Family Action Committee Chairs and members will:

#### 1. Gain access to additional family engagement professional learning opportunities.

2. Serve as point of contact for the school's PFA chairs and representative and instructional staff.

3. Share family engagement resources, updates, and Parent/Guardian involvement and volunteer opportunities with the school community.

4. Participate in reflective conversations about the school's family engagement practices to support school improvement planning and closing achievement gaps.

B. To build schools' capacity for strong family engagement, home office staff will:

#### 1. Facilitate opportunities for school staff to share successful programs and strategies,

2. Promote reflective processes for schools to assess current practices and identify potential opportunities for strengthening family engagement.
3. Provide informational resources to schools to explain Title I federal regulations to Parents/Guardians
4. Collaborate with other CSCE staff to provide professional learning opportunities and resources to assist schools in strengthening family engagement and overcoming barriers to family engagement.
5. Consult with school staff to support the development of school-level Family Engagement Policies and School-Home Compacts.
6. Support schools in Site Budget planning for effective family engagement programming.
7. Offer logistical support for schools to develop or maintain Parent/Guardian centers to provide Parents/Guardians with resources, information, and opportunities for partnership.
8. Produce and distribute a Parent/Guardian newsletter to inform Parents/Guardians about opportunities and resources for involvement and to highlight effective family engagement practices.
9. Recommend materials for family engagement programs

#### *Accessibility*

##### A. CSCE will:

1. Engage in practices to ensure a welcoming atmosphere for families of all cultures and backgrounds.
2. Offer family engagement events at times convenient to Parents/Guardians, ensuring childcare, refreshments, and transportation are available, as needed, to facilitate full participation.
3. Whenever possible, enlist interpreters and translators to communicate with Parents/Guardians who have requested correspondence in another language.
4. Apply principles of nondiscrimination, as embodied within Board policy.

##### B. CSCE Administration staff will:

1. Ensure translations are available in all correspondence languages identified within CSCE for all federally required Title I communications to Parents/Guardians within ESEA, such as A Parent/Guardian's Right to Know.
2. Ensure translated materials and language interpreters are available for all events sponsored by Title I funds

## **Organizational Structures & Governance**

### **In-school Structures**

**Alameda County Office of Education:** CSCE for Creative Education is authorized by Alameda County Board of Education (ACOE). ACOE oversees the school and its board.

**CSCE for Creative Education Board of Trustees:** The school is overseen by the CSCE for Creative Education Board of Trustees. Trustees meet monthly at CSCE (see website and monthly calendar for schedule). Meetings are public and Parents/Guardians/family members and community are encouraged to join. Agendas are posted 72 hours in advance on the school website and at the School Office.

**Head of School:** Our Head of School, Adjoa McDonald, is the Head of School. She ensures the school follows the mission and vision of the school. Further, she focuses on the external relations of the school and works to make CSCE a hub of non-profit organizing in Lower San Antonio and the model for scaleup of Intercultural Public Waldorf education; and she works to secure funding with foundations and organizations.

**Office Manager & Family Liaison:** The office is supported by the Office Manager, Mrs. Yolanda Cordova. This person provides front office assistance to the students, families, Head of School and school staff by answering/screening phone calls, preparing correspondence and other written communication, receiving and responding to inquiries and requests, leading rainy-day schedule adjustments, coordinating meetings and events, managing crisis situations, handling confidential information and other related duties.

**Class Teachers and Instructional Assistants:** Each class is led by a class teacher. In addition, each kindergarten is supported by one instructional assistant. Other classes may have an instructional assistant based on specific student needs.

**Staff Meetings:** All teachers and staff members meet once a week Wednesday 1:30 - 4:15 pm for staff meeting, collaboration around student work and professional development.

### **CSCE Partners**

As a full-service CSCE, CSCE maintains an abundance and growing number of deep partnerships to best serve its students and families. Below are the school's key partners.

**Attitudinal Healing Connection (AHC):** AHC is the lead agency providing our arts enriched extended day program. AHC strives to provide 'seamless' continuous learning to empower students to be self-aware and inspired through art, creativity, and education, by leading students in making positive choices to become cultural change makers.

**Faith in Action East Bay (FIAEB) [formerly Oakland Community Organizations (OCO):** FIAEB is CSCE's founding and key partner. FIAEB trained all CSCE Design Team Members during its planning years 2008-2011 and remains a critical training partner and ally to ensure CSCE identifies as full service CSCE.

**Alameda County Office of Education (ACOE):** ACOE oversees elementary and secondary education as well as community colleges serving over 280,000 students across Alameda County.

**The Alliance for Public Waldorf Education:** The Alliance for Public Waldorf Education was established to represent and connect public schools inspired by Waldorf Education. They promote and support high quality public schools inspired by Waldorf education.

**Friends of Waldorf Education World Wide/Waldorf Emergency Pedagogy:** CSCE is a founding member of Friends of Waldorf Education's *Waldorf Emergency Pedagogy Without Borders*, and CA/USA Waldorf Emergency Pedagogy Hub.

**Alameda County Food Bank and Oakland Head Start:** Through this three-way partnership CSCE has been offering a mobile food pantry for the past 5 years uninterrupted by COVID-19.

### **CSCE Corporate Structure and Board**

#### **Corporate Status:**

CSCE is a non-profit, 501(c) (3) public benefit corporation with Employer Identification Number EIN 26-5964588. For a copy of our Bylaws and Board list, we refer you to our website.

#### **Board of Directors:**

CSCE is governed by a Board of Directors of up to eleven members in accordance with California's CSCEs Act and the Nonprofit Public Benefit Corporation Law. The Board seeks to represent the diversity of its constituents.

#### **Board and Officer Election, Appointment and Replacement:**

The number of Directors comprising the Board of Directors (**Board**) is, by the CSCE bylaws, no less than five (5) and no more than eleven (11), unless changed by amendments to the bylaws. Board members will possess expertise in a variety of fields, such as, education, business, accounting, or law to maximize their benefit to the CSCE. Directors and officers are elected, appointed or replaced in accordance with the bylaws.

#### **Board Meetings:**

The Board generally meets once monthly consistent with the bylaws as needed and in accordance with the Brown Act. Meeting agendas are posted 72 hours before the meeting on the CSCE website and at CSCE, the place of meeting, in accordance with the Brown Act. All are welcome to join in accordance with the Brown Act.

#### **Board Responsibility:**

The Board responsibilities and general powers include, among other things:

- Appointing and removing all corporate officers, agents and employees and fixing their compensation;
- Borrowing money and incurring indebtedness;
- Creation of committees;
- Approval and monitoring of the annual budget;
- Financial audit and oversight;
- Approval of annual fiscal and performance audits;
- Attendance at Board committee meetings.

NOTE: Refer to the website, Bylaws and Board Members for more detail regarding Board officers and Board responsibilities. The current list of Board members and their biographies is on the website. CSCE is committed to community representation on the Board and refers you to [How to Join the Board How to Apply and to the Board Skills and Capacity Rubric on the website for more information](#)

#### **Board Member Nominations:**

The Chair of the Board of Directors will appoint a committee to designate qualified candidates for election to the Board at least thirty (30) days before the date of any election of Directors. The nominating committee shall make its report at least seven (7) days before the date of the election or at such other time as the Board may set and the Secretary shall forward to each Board member, with the notice of meeting required by these bylaws, a list of all candidates nominated by committee. Any person can make a recommendation to the nominating committee.

#### **Alameda County Board of Education Representation**

In accordance with Education Code §47604 (b), the Alameda County Board of Education will be granted the right to a representative on the CSCE Board.

**Board Member Job Description:**

Each member of the CSCE Board is individually and collectively responsible for the ethical and legal mandates that govern the School. Board members are solely responsible for determining School policy, and have ultimate responsibility for the operation and activities of the School. Board members have key responsibilities in the following areas:

**COMMUNITY RELATIONS**

1. Ensure that the School's programs and services appropriately meet the needs of the people it serves.
2. Solicit opinions and input of Parents/Guardians/family members regarding issues of significance in the School community.
3. Develop and maintain a positive relationship with the ACOE and the community.
4. Represent the School at key public or charter functions, and serve as emissaries in the community.

**PERSONNEL**

1. Recruit new Board members and provide for the continuance of the School through Board succession.
2. Supervise the Director and Head of School of the School, including all employment issues such as hiring, termination, and evaluation.
3. Provide necessary support to the Director and Head of School to ensure that directorial duties may be properly carried out.
4. Develop and adopt necessary personnel policies, including guidelines for hiring and termination, salaries, benefits, and grievance procedures.
5. Develop and adopt policies for volunteer involvement.

**PLANNING**

1. Set and review the School's Mission and Vision and goals.
2. Develop short-term and long-range goals for the future of the School.
3. Approve services and programs provided by the School.
4. Evaluate the School's programs and operations on a regular basis.
5. Review policies and bylaws that govern the School.
6. Develop policies to ensure smooth operations and continuance of the School.
7. Participate in the CSCE Charter renewal process.

**FINANCE**

1. Ensure the fiscal accountability and viability of the School.
2. Oversee development, approval and review of the School budget.
3. Engage in fundraising efforts to ensure that adequate funds are available to support the School's programs and the School's facilities. CSCE for Creative Education Board Member Job Description

**OPERATIONS**

1. Ensure that the School's administrative systems are adequate.
2. Ensure that the Board's operations meet all applicable legal and ethical standards.
3. Ensure that the organizational and legal structures are adequate and appropriate.
4. Ensure that the School and its Board members meet all applicable legal standards and requirements.

**MINIMAL JOB REQUIREMENTS**

1. Demonstrated interest in the School's educational programs.
2. Commitment to a three-year term.
3. Willingness to represent the School to the community at large.

4. Active participation in the majority of scheduled Board meetings.
5. Willingness to serve as a board liaison to at least one committee.
6. Thorough understanding of the public meeting laws governed by the Brown Act.
7. Participation in at least one board development seminar or workshop per year.
8. Participation in one Brown Act workshop per term.

### **Fundraising Programs and Ways to Donate**

CSCE is a tuition-free school that received funding from the state, however donations of time and money are always welcomed to support the programs CSCE provides.

- **Checks, Credit Cards and Electronic Funds Transfers:**  
SCE can accept automatic donations by check, credit card (Visa, MasterCard, Discover and American Express) or electronic funds transfer.
- **Employer Matching:**  
More than 6,000 businesses in the country participate in employer matching gift programs. Some companies will even donate twice the amount of the original gift! Please contact the community relations person in your workplace for information on how to register.
- **Payroll Deduction:**  
Many employers offer pre-tax, payroll deduction plans to assist their employees with charitable giving. Contact your company's payroll department for more information.
- **In-Kind Donations:**  
You can receive tax benefits for the donation of new or used goods or pro bono professional services. Even school supplies or the perfect place to hold a special event can be donated in exchange for a tax deduction. Please contact our office if you have something in-kind that you would like to contribute.
- **Appreciated Securities:**  
Many donors make gifts of securities as a way to make a contribution and avoid Capital Gains taxes. In most cases, this enables the donor to obtain a charitable income tax deduction equal to the market value of the securities at the time of transfer, for up to 30% of their adjusted gross income.
- **Estate Planning:**  
Planning for your financial future can save you tax dollars if you make a nonprofit organization a recipient of your estate plans. For further information, please consult with your financial planner or tax advisor.

## APPENDIX: Complete Policies

### **Title IX Policy Prohibiting Discrimination On The Basis Of Sex**

This Title IX Policy Prohibiting Discrimination on the Basis of Sex (“Policy”) contains the policies and grievance procedures of Community School for Creative Education (“CSCE”) to address sex discrimination, including but not limited to sexual harassment, occurring within CSCE’s education program or activity.

CSCE does not discriminate on the basis of sex and prohibits any acts of sex discrimination in any education program or activity that it operates, as required by California law, Title IX (20 U.S.C. § 1681 *et seq.*) and the Title IX regulations (34 C.F.R. Part 106), including in admission and employment.<sup>5</sup> CSCE

This Policy applies to conduct occurring in CSCE’s education programs or activities including but not limited to incidents occurring on the school campus, during school-sponsored events and activities regardless of the location, and through school-owned technology, whether perpetrated by a student, parent/guardian, employee, volunteer, independent contractor or other person with whom CSCE does business.

Inquiries about the application of Title IX and 34 C.F.R. Part 106 (hereinafter collectively referred to as “Title IX”) may be referred to CSCE Title IX Coordinator, the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

### **Definitions**

#### **Prohibited Sex Discrimination**

Title IX and California law prohibit discrimination on the basis of sex, including sex-based harassment and differences in the treatment of similarly situated individuals on the basis of sex with regard to any aspect of services, benefits, or opportunities provided by CSCE.

#### **Prohibited Sexual Harassment**

Under Title IX, “sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:

- An employee of CSCE conditioning the provision of an aid, benefit, or service of CSCE on an individual’s participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to CSCE’s education program or activity; or

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<sup>5</sup> CSCE complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports and complaints of misconduct prohibited by this Policy.

“Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

Under California Education Code section 212.5, 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 CSCE.

Examples of conduct that may fall within the Title IX or the Education Code definition of sexual harassment, or both:

- Physical assaults of a sexual or sex-based nature, such as:
  - Rape, sexual battery, molestation or attempts to commit these assaults.
  - Intentional physical conduct that is sex-based or sexual in nature, such as touching, pinching, patting, grabbing, brushing against another’s body, poking another’s body, violence, intentionally blocking normal movement or interfering with work or school because of sex.
- Unwanted sexual advances or propositions, derogatory sex-based comments, or other sex-based conduct, such as:
  - Sexually oriented or sex-based gestures, notices, epithets, slurs, 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.
  - Retaliation against an individual who has articulated a good faith concern about sex-based harassment.
- 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.

- o 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.
- o 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 above are not to be construed as an all-inclusive list of sex-based harassment acts prohibited under this Policy.

**Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

**Formal Complaint of Sexual Harassment** means a written document filed and signed by a complainant who is participating in or attempting to participate in CSCE's education program or activity or signed by the Coordinator alleging sexual harassment against a respondent and requesting that CSCE investigate the allegation of sexual harassment. At the time of filing a formal complaint of sexual harassment, the complainant must be participating in or attempting to participate in CSCE's education program or activity.

**Party** means a complainant or respondent.

**Respondent** is a person alleged to have violated CSCE's prohibition on sex discrimination and may be the individual accused of conduct constituting sexual harassment.

**Supportive Measures** are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to a party before or after the filing of a formal complaint of sexual harassment or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to CSCE's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or CSCE's educational environment, or deter sexual harassment.

**The Board of Directors of CSCE** ("Board") has designated the following employee as the Title IX Coordinator ("Coordinator"):

Ms. Amy Gaerlan  
Title IX Coordinator  
510-916-8896  
amyg@communityschoolforcreativeeducation.org  
21111 International Blvd.  
Oakland, CA 94606

In the event the above-named individual becomes unavailable or unable to serve as the Coordinator, the Board has designated the following employee to serve as a temporary or interim Coordinator until a new Coordinator is designated:

Ms. Adjoa McDonald

Head of School  
510-424-4649  
adjoam@communityschoolforcreativeeducation.org  
21111 International Blvd.  
Oakland, CA 94606

The Coordinator is responsible for coordinating CSCE's efforts to comply with the requirements of Title IX, receiving reports and complaints of sex discrimination, formal complaints of sexual harassment, and inquiries about the application of Title IX to CSCE, coordinating the effective implementation of supportive measures, and taking other actions as required by this Policy. The Coordinator or designee may serve as the investigator for formal complaints of sexual harassment.

### **Reporting Sex Discrimination**

All employees must promptly notify the Coordinator when the employee has knowledge of or notice of allegations of sex discrimination or sexual harassment occurring within CSCE's education program or activity.

Students are expected to report all incidents of misconduct prohibited by this Policy. Any student who feels they are a target of such behavior should immediately contact a teacher, counselor, the Head of School, 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.

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. CSCE will promptly and effectively investigate and respond to all oral and written complaints and reports of misconduct prohibited by this Policy. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

### **Privacy**

CSCE acknowledges and respects every individual's right to privacy. All reports and complaints 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 but is not limited to keeping the identity of the reporter and other personally identifiable information 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 designee on a case-by-case basis.

### **Retaliation**

CSCE 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 complaint in accordance with the grievance procedures set forth in this Policy.

### **Response to Sexual Harassment**

CSCE will respond promptly and in a manner that is not deliberately indifferent when it has actual knowledge, as defined in 34 C.F.R. § 106.30(a), of sexual harassment occurring in its education program or activity against a person in the United States.

CSCE's response will treat complainants and respondents equitably by offering supportive measures to a complainant, and by following the grievance procedures for formal complaints of sexual harassment that are listed below before imposing any disciplinary sanctions or other actions that are not supportive measures on a respondent for sexual harassment under Title IX.

### **Supportive Measures**

Once notified of sexual harassment or allegations of sexual harassment occurring in CSCE's education program or activity against a person in the United States, the Coordinator will promptly contact the complainant to discuss the availability of supportive measures, 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, and explain to the complainant the process for filing a formal complaint of sexual harassment.

Supportive measures may include but are not limited to: counseling; extensions of deadlines or other course-related adjustments; modifications of work or class schedules; mutual restrictions on contact between the parties; changes in work or on-campus housing locations; leaves of absence; increased security and monitoring of certain areas of the campus; and other similar measures.

Supportive measures will not unreasonably burden either party or be imposed for punitive or disciplinary reasons. CSCE will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair CSCE's ability to provide the supportive measures. The Coordinator is responsible for coordinating the effective implementation of supportive measures.

### **Grievance Procedures**

#### **Scope and General Requirements**

CSCE has adopted and published grievance procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited under Title IX and a grievance process that complies with 34 C.F.R. § 106.45 for formal complaints of sexual harassment.

Complaints of misconduct prohibited by this Policy that do not constitute a formal complaint of sexual harassment will be addressed in accordance with CSCE's Uniform Complaint Procedures, its employment discrimination complaint procedures, or the grievance procedures set forth in its Harassment, Intimidation, Discrimination, and Bullying Policy, as applicable. The following grievance procedures will apply to formal complaints of sexual harassment.

Upon receipt of a formal complaint of sexual harassment, the Coordinator or designee will promptly initiate these grievance procedures, or the informal resolution process if available, appropriate, and requested by all parties.

CSCE requires that any Title IX Coordinator, investigator, decisionmaker, and any person designated by CSCE to facilitate an informal resolution process not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

CSCE will treat complainants and respondents equitably. CSCE presumes that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of its grievance procedures.

CSCE may consolidate formal complaints of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, where the allegations of sex discrimination sexual harassment arise out of the same facts or circumstances.

CSCE allows for the temporary delay of the grievance process or limited extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay. Requests for extensions must be submitted to the Coordinator in writing at least one (1) business day before the expiration of the timeframe. If the grievance process is temporarily delayed or a timeframe is temporarily extended by CSCE, the Coordinator or designee will notify the parties of the reason for the delay or extension in writing.

CSCE will objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence.<sup>6</sup> Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

### **Dismissal**

CSCE must dismiss a formal complaint of sexual harassment for purposes of sexual harassment under Title IX if the conduct alleged:

- Would not constitute sexual harassment under Title IX even if proved;
- Did not occur in CSCE's education program or activity; or
- Did not occur against a person in the United States.

CSCE may dismiss a formal complaint of sexual harassment or any of the allegations therein if:

- The respondent is no longer enrolled or employed by CSCE;
- A complainant notifies the Coordinator in writing that the complainant would like to withdraw the complaint or any allegations therein; or
- Specific circumstances prevent CSCE from gathering sufficient evidence to reach a determination as to the complaint or allegations therein.

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<sup>6</sup> Inculpatory means tending to impute guilt or fault, and exculpatory means tending to absolve from guilt or fault.

Upon dismissal, the Coordinator or designee will promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties. Dismissal under Title IX does not preclude action under another applicable CSCE policy.

### **Notice of the Allegations**

Upon receipt of a formal complaint of sexual harassment, the Coordinator or designee will provide written notice of the allegations to the parties whose identities are known. The notice will include:

- CSCE's grievance procedures and any informal resolution process;
- The allegations of sexual harassment including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details includes the identities of the parties involved in the incident(s), if known, the conduct allegedly constituting sexual harassment under Title IX, and the date(s) and location(s) of the alleged incident(s), CSCE if known;
- A statement that the respondent is presumed not responsible for the alleged conduct and a determination regarding responsibility is made at the conclusion of the grievance process;
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
- A statement that CSCE prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

### **Emergency Removal**

CSCE may place a non-student employee respondent on administrative leave during the pendency of the grievance procedures in accordance with CSCE's policies.

CSCE may remove a respondent from CSCE's education program or activity on an emergency basis, in accordance with CSCE's policies, provided that CSCE undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any person 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 must not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

### **Informal Resolution**

At any time after a formal complaint of sexual harassment is filed and prior to determining whether sexual harassment occurred under CSCE's Title IX grievance procedures, CSCE may offer an informal resolution process to the parties. CSCE will not offer or facilitate informal resolution to resolve allegations that an employee sexually harassed a student, or when such a process would conflict with Federal, State, or local law. Parties will not be required or pressured to agree to participate in the informal resolution process.

Before initiation of the informal resolution process, CSCE will obtain the parties' voluntary, written consent to participate in the informal resolution and provide the parties with a written notice that explains:

- o The allegations;

- o The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint of sexual harassment arising from the same allegations;
- o The right to withdraw and initiate or resume the grievance procedures at any time prior to agreeing to a resolution; and
- o Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

### **Investigation**

In most cases, a thorough investigation will take no more than thirty (30) business days. CSCE has the burden to conduct an investigation that gathers sufficient evidence to determine whether sexual harassment occurred. The investigator will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance in accordance with Title IX.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be used, accessed, considered, or disclosed), regardless of whether they are relevant:

- A party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless CSCE obtains that party's voluntary, written consent to do so for these grievance procedures; and
- Evidence about the complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

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 from gathering and presenting 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.

Before the investigator completes the investigative report, CSCE 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 to consider prior to completing the investigation report.

The investigator will complete an investigation report that fairly summarizes 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.

**Determination of Responsibility**

Before making a determination of responsibility, the decisionmaker must afford each party the opportunity to submit written, relevant questions that a party wants to ask of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decisionmaker must explain to the party proposing the questions any decision to exclude a question as not relevant.

Determinations will be based on an objective evaluation of all relevant and not otherwise impermissible evidence and credibility determinations will not be based on a person's status as a complainant, respondent, or witness. The standard of evidence used to determine responsibility is the preponderance of the evidence standard.

Within twenty (20) business days after CSCE sends the investigation report to the parties, the decisionmaker, who will not be the same person as the Coordinator or investigator, will simultaneously send the parties a written determination of whether sexual harassment occurred. The written determination will include:

- The allegations of sexual harassment;
- A description of the 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 regarding the application of CSCE's code of conduct to the facts;
- The decision and rationale for each allegation;
- Any recommended disciplinary sanctions for 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.

The determination regarding responsibility becomes final either on the date that CSCE provides the parties with the written appeal decision, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

**Appeals**

Either party may, within five (5) business days of their receipt of CSCE's written determination of responsibility or dismissal of a formal complaint of sexual harassment, submit a written appeal to the Chair of CSCE Board, who will serve as the decisionmaker for the appeal or designate a decisionmaker for the appeal.

The complainant and respondent may only appeal from a determination regarding responsibility or CSCE's dismissal of a formal complaint of sexual harassment or any allegations therein, on one or more of the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
- The Coordinator, investigator(s), or decisionmaker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The decisionmaker for the appeal will not be the same person as the Coordinator, the investigator or the initial decisionmaker.

The decisionmaker for the appeal will:

- 1) notify the other party of the appeal in writing;
- 2) implement appeal procedures equally for the parties;
- 3) allow the parties to submit a written statement in support of, or challenging, the outcome within five (5) business days of notice of the appeal; and
- 4) within fifteen (15) business days of the appeal, provide a written decision simultaneously to the parties describing the result of the appeal and the rationale for the result.

### **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 CSCE or termination of employment. If there is a determination that sexual harassment occurred, the Coordinator is responsible for effective implementation of any remedies ordered by CSCE.

### **Training**

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 Title IX Coordinators, investigators, decisionmakers, and any person who facilitates a Title IX informal resolution process will receive Title IX training and/or instruction concerning sexual harassment as required by law.

### **Recordkeeping**

CSCE 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 complaint or sexual harassment and the results of that appeal;
- Records of any informal resolution of a formal complaint or sexual harassment and the results of that informal resolution;
- All materials used to train Title IX Coordinators, investigators, decisionmakers, and any person who facilitates an informal resolution process; and
- Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

The above records will be maintained in a secure location until destroyed in accordance with applicable laws and regulations.



**TITLE IX SEX DISCRIMINATION AND HARASSMENT COMPLAINT FORM**

Your Name: \_\_\_\_\_ Date: \_\_\_\_\_

Email Address: \_\_\_\_\_

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 and conduct; what, if any, physical contact was involved; any verbal statements etc.) (Attach additional pages, if needed):

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**I hereby authorize CSCE 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 or expulsion from CSCE.**

\_\_\_\_\_  
Signature of Complainant

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

\_\_\_\_\_  
Print Name**To be completed by CSCE:**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Follow up Meeting with Complainant held on: \_\_\_\_\_

**Suspension and Expulsion Policy and Procedures****Policy**

The Suspension and Expulsion Policy and Procedures have been established in order to promote learning

and protect the safety and well-being of all students at Community School for Creative Education (“CSCE”). In creating this policy, CSCE has reviewed Education Code Section 48900 *et seq.* which describe the offenses for which students at non charter schools may be suspended or expelled and the procedures governing those suspension and expulsions in order to establish its list of offenses and procedures for suspensions, expulsions, and involuntary removal. The language that follows is largely consistent with the language of Education Code Section 48900 *et seq.* CSCE is committed to annual review of policies and procedures surrounding suspensions, expulsions, and involuntary removals, and, as necessary, modification of the lists of offenses for which students are subject to suspension, expulsion, or involuntary removal.

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

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

CSCE administration shall ensure that students and their parents/guardians<sup>7</sup> are notified in writing upon enrollment of all discipline and involuntary removal policies and procedures. The notice shall state that this Policy and its Procedures are available upon request at the Head of School’s office.

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

A student identified as an individual with disabilities or for whom CSCE has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 (“IDEA”) or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. CSCE will follow all applicable federal and state laws including but not limited to the applicable provisions of the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom CSCE has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by CSCE for any reason unless the parent/guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action. The written notice shall be in the native language of the student or the student’s parent/guardian and shall inform the student, the student’s parent/guardian of the basis for which the student is being involuntarily removed and the student’s parent/guardian’s right to request a hearing to

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<sup>7</sup> The CSCE shall ensure that a homeless child or youth’s educational rights holder; a foster child or youth’s educational rights holder, attorney, and county social worker; and an Indian child’s tribal social worker and, if applicable, county social worker have the same rights as a parent or guardian to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, involuntary removal notice, and other documents and related information. For purposes of this Policy and its Procedures, the term “parent/guardian” shall include these parties.

challenge the involuntary removal. If a student's parent/guardian requests a hearing, CSCE shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent/guardian requests a hearing, the student shall remain enrolled and shall not be removed until CSCE issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

## **Procedures**

### **A. Grounds for Suspension and Expulsion of Students**

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at any time including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; or d) during, going to, or coming from a school-sponsored activity.

### **B. Enumerated Offenses**

1. Discretionary Suspension Offenses. Students may be suspended when it is determined the student:

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

- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o) Engaged in, or attempted to engage in hazing. For the purposes of this policy, “hazing” means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this policy, “hazing” does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this policy, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for their own safety or for their immediate family’s safety, or for the protection of school property, , which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an

intimidating, hostile, or offensive educational environment. This provision shall apply to students in any of grades 4 to 8, inclusive.

- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in Education Code Section 233(e). This section shall apply to pupils in any of grades 4 to 8, inclusive.
  - s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This provision shall apply to students in any of grades 4 to 8, inclusive.
  - t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
- 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
  - ii. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.
  - iii. Causing a reasonable student to experience substantial interference with their academic performance.
  - iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by CSCE.
- 2) "Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- i. A message, text, sound, video or image.
  - ii. A post on a social network Internet Web site including, but not limited to:
    - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.

- (b) Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
      - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
    - iii. An act of cyber sexual bullying.
      - (a) For purposes of this policy, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
      - (b) For purposes of this policy, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
  - 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
  - u) A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
  - v) Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Head of School or designee’s concurrence.

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

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any device of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Head of School or designee’s concurrence.
- b) Brandished a knife at another person.

- c) Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, *et seq.*
- d) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code or committed a sexual battery as defined in Penal Code Section 243.4.

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

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of a student's own prescription products by a student.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.

- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o) Engaged in, or attempted to engage in hazing. For the purposes of this policy, “hazing” means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this policy, “hazing” does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this policy, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for their own safety or for their immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This policy shall apply to students in any of grades 4 to 8, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This policy shall apply to pupils in any of grades 4 to 8, inclusive.
- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating

or hostile educational environment. This policy shall apply to students in any of grades 4 to 8, inclusive.

- t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
- 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
  - ii. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.
  - iii. Causing a reasonable student to experience substantial interference with their academic performance.
  - iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by CSCE.
- 2) “Electronic Act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- i. A message, text, sound, video or image.
  - ii. A post on a social network Internet Web site including, but not limited to:
    - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
    - (b) Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
    - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
      - i. An act of cyber sexual bullying.
    - (d) For purposes of this policy, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive,

of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

- (a) For purposes of this policy, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- u) A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).
- v) Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Head of School or designee's concurrence.

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

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

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

The CSCE will use the following definitions:

- The term "knife" means (A) any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing; (B) a weapon with a blade fitted primarily for stabbing; (C) a weapon with a blade longer than 3½ inches; (D) a folding knife with a blade that locks into place; or (E) a razor with an unguarded blade.
- The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or

receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

- The term “destructive device” means any explosive, incendiary, or poison gas, including but not limited to: (A) bomb; (B) grenade; (C) rocket having a propellant charge of more than four ounces; (D) missile having an explosive or incendiary charge of more than one-quarter ounce; (E) mine; or (F) device similar to any of the devices described in the preceding clauses.

### **C. Suspension Procedure**

Suspensions shall be initiated according to the following procedures:

#### **1. Conference**

Suspension shall be preceded, if possible, by a conference conducted by the Head of School or designee with the student and the student's parent/guardian and, whenever practical, the teacher, supervisor or CSCE employee who referred the student to the Head of School or designee.

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

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

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

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

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

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Head of School or designee, the student and the student's parent/guardian or representative will be invited to a conference to determine if the suspension for the student should be extended pending an expulsion hearing. In such

instances when CSCE has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the student and the student's parent/guardian, unless the student and the student's parent/guardian fail to attend the conference.

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

#### 4. Homework Assignments During Suspension

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

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

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

As required by Education Code Section 47605(c)(5)(J)(ii), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

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

### **E. Expulsion Procedures**

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

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

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

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

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of their right to (a) receive five (5) days' notice of their scheduled testimony; (b) have up to two (2) adult support persons of their choosing present in the hearing at the time the complaining witness testifies, which may include a parent/guardian, or legal counsel; and (c) elect to have the hearing closed while testifying.
2. CSCE must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours the complaining witness is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany the complaining witness to the witness stand.
7. If one or both of the support persons is also a witness, CSCE must present evidence that the witness' presence is both desired by the witness and will be helpful to CSCE. The entity presiding

over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising their discretion to remove a person from the hearing whom they believe is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the student being expelled, the complaining witness shall have the right to have their testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

#### **G. Record of Hearing**

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

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

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

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

#### **I. Expulsion Decision**

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

days following the conclusion of the hearing. The decision of the Board of Directors is final.

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

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

#### **J. Written Notice to Expel**

The Head of School or designee, following a decision of the Board of Directors to expel, shall send written notice of the decision to expel, including the Board of Directors' adopted findings of fact, to the student and student's parent/guardian. This notice shall also include the following: (a) Notice of the specific offense committed by the student; and (b) Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with CSCE.

The Head of School or designee shall send a copy of the written notice of the decision to expel to the chartering authority. This notice shall include the following: (a) The student's name; and (b) The specific expellable offense committed by the student.

#### **K. Disciplinary Records**

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

#### **L. No Right to Appeal**

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

#### **M. Expelled Students/Alternative Education**

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

#### **N. Rehabilitation Plans**

Students who are expelled from CSCE shall be given a rehabilitation plan upon expulsion as developed by the Board of Directors at the time of the expulsion order, which may include, but is not limited to, periodic

review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the student may reapply to CSCE for readmission.

#### **O. Readmission or Admission of Previously Expelled Student**

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

#### **P. Notice to Teachers**

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

#### **Q. Involuntary Removal for Truancy**

As charter schools are schools of choice and as a charter school student who fails to attend school is potentially depriving another student of their opportunity to enroll, a student may be involuntarily removed as described within CSCE's Board adopted Attendance Policy for truancy and only after CSCE follows the requirements of the Attendance Policy and only in accordance with the policy described above which requires notice and an opportunity for a parent, guardian, educational rights holder to request a hearing prior to any involuntary removal. Students who are involuntarily removed for truancy will be given a rehabilitation plan and will be subject to the readmission procedures set forth herein.

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

##### **1. Notification of SELPA**

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

##### **2. Services During Suspension**

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting (which could constitute a change of placement and the student's IEP

would reflect this change), and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

### 3. Procedural Safeguards/Manifestation Determination

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

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

If CSCE, the parent/guardian, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

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

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

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

### 4. Due Process Appeals

The parent/guardian of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or CSCE believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request

an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

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

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

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

#### 5. Special Circumstances

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

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

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

#### 6. Interim Alternative Educational Setting

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

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

A student who has not been identified as an individual with disabilities pursuant to IDEIA and who has violated the CSCE's disciplinary procedures may assert the procedural safeguards granted

under this administrative regulation only if CSCE had knowledge that the student was disabled before the behavior occurred.

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

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

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

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

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

### **Suicide Prevention Policy**

Community School for Creative Education ("CSCE") recognizes that suicide is a major cause of death among youth and should be taken seriously. In an effort to reduce suicidal behavior and its impact on students and families, the CSCE has developed prevention strategies and intervention procedures.

In compliance with Education Code section 215, this policy has been developed in consultation with CSCE and community stakeholders, 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 mental health professionals, the county mental health plan, first responders, and community organizations to identify additional resources to ensure this policy is aligned and includes similar research and resources, as well as to assist in planning, implementing, evaluating, and updating CSCE's strategies for suicide prevention and intervention. The CSCE must work in conjunction with local government agencies, community-based organizations, and other community supports to identify additional resources.

The purpose of this policy is to protect the health and well-being of all of our students by having procedures in place to prevent, assess the risk of, intervene in, and respond to youth suicidal behavior. Protecting the health and well-being of all students is of utmost importance to our school and is in line with school mandates for all professionals and individuals working with youth. Because it is impossible to predict when a crisis will occur, preparedness is necessary for every school. Youth suicide is preventable, and parents, educators and schools are key to prevention. Preventing suicide depends not only on suicide prevention policies, but also on a holistic approach that promotes healthy lifestyles, families, and communities. Thus, this policy is intended to be paired with other policies and efforts that support the emotional and behavioral well-being of youth.

To ensure the policies regarding suicide prevention are properly adopted, implemented, and updated, and easily accessible to all, CSCE shall appoint an individual (or team) to serve as the suicide prevention point of contact for CSCE. The suicide prevention point of contact and the Head of School 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.

### **Suicide Prevention Crisis Team**

To ensure the policies regarding suicide prevention are properly adopted, implemented, and updated, CSCE created an in-house Suicide Prevention Crisis Team ("SPCT") consisting of administrators, mental health professionals, relevant staff, parents, and middle school students. The SPCT includes the following individuals:

1. Ms. Esther Pyon  
School Psychologist/ERMHS Clinician  
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2. Ms. Adjoa McDonald  
Head of School  
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CSCE designates the following administrators to act as the primary and secondary suicide prevention liaisons to lead the SPCT:

1. School Psychologist/ERMHS Clinician
2. Head of School

The functions of the SPCT are to:

- Review mental health related school policies and procedures;
- Provide annual updates on school data and trends;
- Review and revise school prevention policies;
- Review and select general and specialized mental health and suicide prevention training;

- Review and oversee staff, parent/guardian, and student trainings;
- Ensuring the suicide prevention policy, protocols, and resources are posted on the school website;
- Ensure compliance with Education Code section 215;
- Collaborate with community mental health organizations;
- Identify resources and agencies that provide evidence-based or evidence-informed treatment;
- Help inform and build skills among law enforcement and other relevant partners; and
- Collaborate to build community response.

### **Suicide Awareness and Prevention Training for School Staff**

The CSCE, along with its partners, has carefully reviewed available staff training to ensure the curriculum is evidence-based, evidenced informed, aligned with best practices in suicide prevention, and promotes the mental health model of suicide prevention and does not encourage the use of the stress model to explain suicide.

Training and professional development shall be provided for all school staff members (certificated and classified) and other adults on campus (including substitutes and intermittent staff, volunteers, interns, tutors, coaches, and afterschool program staff).

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 prevention. CSCE has collaborated with one or more county and/or community mental health agencies to review the training may be adjusted year-to-year materials and content to ensure it is evidence-based on previous professional development activities and emerging, evidence-informed, and aligned with best practices.
2. Staff training is reviewed and adjusted annually based on previous professional development activities, emerging best practices, and feedback.
3. At least annually, all staff shall receive training on prevention and protective factors such as the risk factors and warning signs of suicide, suicide prevention, intervention, referral, and postvention.
4. CSCE shall ensure that training is available for new hires during the school year.
5. At a minimum, all staff shall participate in training on the core components of suicide prevention (identification of suicide risk and protective factors and warning signs, prevention, intervention, referral, and postvention). Core components of the general suicide prevention training shall include:
  - a. How to identify youth who may be at risk for suicide including suicide risk factors, warning signs, and protective factors.
  - b. Appropriate ways to approach, interact, and respond to a youth who is demonstrating emotional distress or having thoughts of suicide including skill building to ask directly about suicide thoughts.
  - c. Charter-approved procedures for responding to suicide risk (including programs and services in a Multi-tiered System of Support (MTSS) and referral protocols). Such procedures will emphasize the student should be under constant supervision and immediately referred for a suicide risk assessment.

- d. Charter-approved procedures identifying the role educators, school staff, and volunteers play in supporting youth and staff after a suicide or suicide death or attempt (postvention).
6. In addition to core components of suicide prevention, ongoing annual staff professional development for all staff shall include the following components:
  - a. The impact of traumatic stress on emotional and mental health.
  - b. Common misconceptions about suicide.
  - c. CSCE and community suicide prevention resources.
  - d. Appropriate messaging about suicide (correct terminology, safe messaging guidelines).
  - e. Ways to identify youth who may be at risk of suicide including suicide warning signs, risk, and protective factors.
  - f. Appropriate ways to approach, interact with, and respond to a youth who is demonstrating emotional distress or is having thoughts of suicide. Specifically, how to talk with a student about their thoughts of suicide including skill building to ask directly about suicide thoughts and warm handoffs.
  - g. CSCE approved procedures for responding to suicide risk (including multi-tiered systems of support and referrals). Such procedures should emphasize that the suicidal student should be constantly supervised until a suicide risk assessment is completed.
    - a. CSCE approved procedures for identifying the role educators, school staff, and volunteers in supporting youth and staff after a suicide;
    - b. 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;

### **Specialized Professional Development for School-based Mental Health Staff (Screening and/or Assessment)**

Additional professional development in suicide risk assessment (SRA) and crisis intervention is provided to designated student mental health professionals, including but not limited to school counselors, psychologists, social workers, administrators, and nurses employed by CSCE. Training for these staff is specific to conducting SRAs, intervening during a crisis, de-escalating situations, interventions specific to preventing suicide, making referrals, safety planning, and re-entry.

Specialized Professional Training for targeted School-based mental health staff includes the following components:

- Best practices and skill building on how to conduct an effective suicide risk screening/SRA using an evidence-based, CSCE-approved tool; Patient Health Questionnaire 9 (PHQ-9)

Depression Scale; BSS Beck Scale for Suicide Ideation ; National Institute of Mental Health (NIMH)'s Ask Suicide-Screening Questions (ASQ) Toolkit; and the Adolescent Suicide Assessment Protocol – 20.

- Best practices on approaching and talking with a student about their thoughts of suicide and how to respond to such thinking, based on school guidelines and protocols.
- Best practices on how to talk with a student about thoughts of suicide and appropriately respond and provide support based on school guidelines and protocols.
- Best practices on follow up with parents/caregivers.
- Best practices on re-entry.

### **Virtual Screenings for Suicide Risk**

Virtual suicide prevention efforts include checking in with all students, promoting access to school and community-based resources that support mental wellbeing and those that address mental illness and give specific guidance on suicide prevention.

CSCE has established a protocol for assigning school staff to connect with students during distance learning and school closures. In the event of a school closure, CSCE has determined a process and protocols to establish daily or regular contact with all students. Staff understand that any concern about a student's emotional wellbeing and/or safety must be communicated to the appropriate school staff, according to CSCE protocols.

CSCE has determined a process and protocols for school-based mental health professionals to establish regular contact with high-risk students, students who are on their caseloads, and those who are identified by staff as demonstrating need. When connecting with students, staff are directed to begin each conversation by identifying the location of the student and the availability of parents or caregivers. This practice allows for the staff member to ensure the safety of the student, particularly if they have expressed suicidal thoughts.

### **Employee Qualifications and Scope of Services**

Employees of CSCE 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 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. CSCE includes parents/guardians/caregivers in suicide prevention efforts. At a minimum, CSCEs 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 CSCE's Web page and included in the parent handbook.

3. Parents/guardians/caregivers are invited to provide input on the development, review and implementation of this policy.
4. CSCE shall notify the parent/guardian/caregiver when a student has been screened or screened/assessed for suicide risk regardless of outcome.
5. CSCE shall establish and widely disseminate a referral process to all parents/guardians/caregivers/families, so they are aware of how to respond to a crisis and are knowledgeable about protocols and school, community-based, and crisis resources.
6. Community-based organizations that provide evidence-based suicide-specific treatments shall be highlighted on CSCE's website with treatment referral options marked accordingly.
7. Staff autoreplies during vacations or absences shall include links to resources and phone/text numbers so parents and students have information readily available.
8. 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 approach and talk with their child(ren) about thoughts of suicide.
  - c. How to respond appropriately to a child who has suicidal thoughts. Such responses shall include constant supervision of any child judged to be at risk for suicide and referral for an immediate suicide risk assessment.
  - d. CSCE's referral processes and how they or their children can reach out for help, etc.

Parent/guardians are provided with information on suicide prevention resources including crisis hotlines, local warmlines, and school and community-based supports and crisis resources including the National Suicide Prevention Lifeline, Crisis text line, and local crisis hotlines and includes information that hotlines/resources are not just for crisis but also for friends/family and referral.

Parents/guardians/caregivers are reminded that the Family Educational Rights and Privacy Act ("FERPA") generally protects the confidentiality of student records, which may sometimes include counseling or crisis intervention records. However, FERPA's health or safety emergency provision permits the disclosure of personally identifiable information from a student's education records, to appropriate parties, in order to address a health or safety emergency when the disclosure is necessary to protect the health or safety of the student or other individuals.

### **Student Participation and Education**

Messaging about suicide has an effect on suicidal thinking and behaviors. Consequently, CSCE along with its partners has carefully reviewed and will continue to review potential student curricula to ensure it includes information on recognizing and responding to signs and symptoms

(within themselves and friends), learning coping skills, encouraging help-seeking behavior and being knowledgeable of supports and resources. Suicide prevention strategies may include, but not be limited to, efforts to promote a positive school climate that enhances students' feelings of connectedness with CSCE and is characterized by caring staff and harmonious interrelationships among students.

The CSCE'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.

The CSCE provides instruction to middle school students on general mental health and suicide prevention. CSCE's instructional curriculum 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. The instruction is provided under the supervision of CSCE employed mental health professionals, with input from county and community mental health agencies, and middle and high school students. The instruction is developmentally appropriate, student-centered, and includes:

1. Coping strategies for dealing with stress and trauma.
2. How to recognize behaviors (warning signs), protective factors, and life issues (risk factors) associated with suicide and mental health issues in oneself and others.
3. Help-seeking strategies for oneself and others, including how to engage school-based and community resources and refer peers for help.
4. Emphasis on reducing the stigma associated with mental illness and the fact that early prevention and intervention can drastically reduce the risk of suicide.
5. Guidance regarding CSCE's suicide prevention, intervention, and referral procedures.

Student-focused suicide prevention education can be incorporated into classroom curricula (e.g., health classes, science classes, and physical education).

The CSCE will support the creation and implementation of programs that raise awareness about mental wellness and suicide prevention (e.g., Mental Health Awareness Week).

CSCE maintains a list of current student trainings, which is available upon request. CSCE has shared school-based supports and self-reporting procedures, so students are able to seek help if they are experiencing thoughts of suicide or if they recognize signs with peers. Although confidentiality and privacy are important, students should understand safety is a priority and if there is a risk of suicide, school staff are required to report. Charter-based mental health professionals are legally and ethically required to report suicide risk. **When reporting suicidal ideation or an attempt, school staff must maintain confidentiality and only share information limited to the risk or attempt.**

CSCE shall establish and widely disseminate a referral process to all students, so they know how to access support through school, community-based, and crisis services. Students shall be encouraged to notify a staff member when they are experiencing emotional distress or suicidal ideation, or when they have knowledge or concerns of another student's emotional distress,

suicidal ideation, or attempt.

### **Intervention and Emergency Procedures**

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 Head of School 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 CSCE and/or in the community.

### ***Action Plan for Suicide Attempts on Campus or During School-Sponsored Activity***

The CSCE shall implement the following response protocol for suicide attempts during the school day.

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. The call shall NOT be made in the presence of the student and the student shall not be left unsupervised. Staff shall NOT physically restrain or block an exit.

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. Provide immediate first aid as needed until a medical professional is available.
  - b. Securing law enforcement and/or other emergency assistance if a suicidal act is being actively threatened and report any medications taken, and access to weapons, if applicable.
  - 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 if applicable.
  - 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.
  - i. Students should only be released to parents/guardians/caregivers/families or to a person who is qualified and trained to provide help.
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. Determination of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.
4. After a referral is made, CSCE 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 the importance of care. If follow up care is still not provided, CSCE should consider contacting Child Protective Services to report neglect of youth.
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 CSCE.
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.

### ***Action Plan for Off Campus Suicide Attempts***

In the event a suicide occurs or is attempted during the school day on CSCE campus, the suicide prevention liaison shall follow the crisis intervention procedures contained in CSCE's Comprehensive Safety plan. After consultation with the Head of School 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 Head of School or designee may provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. CSCE staff may receive assistance from 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 campus and unrelated to school activities, the Head of School 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 CSCE 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 makeup 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; providing parents/guardians/caregivers/families local emergency numbers for after school and weekend emergency contacts.

### **Supporting Students during or after a Mental Health Crisis**

Students shall be encouraged through the education program and in CSCE activities to notify a teacher, the Head of School, another school administrator, psychologist, counselor, suicide prevention liaisons, or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions. The CSCE shall implement the following steps during or after a crisis:

1. Treat every threat with seriousness and approach with a calm manner; make the student a priority.
2. Listen actively and non-judgmentally to the student. Let the student express their feelings.
3. Acknowledge the feelings and do not argue with the student.
4. Offer hope and let the student know they are safe, and that help is available. Do not promise confidentiality or cause stress.
5. Explain calmly and get the student to a skilled mental health professional or designated staff to further support the student.
6. Keep close contact with the parents/guardians/caregivers/families and mental health professionals working with the student.

### **Re-Entry to School After a Suicide Attempt**

A student who has verbalized ideation or attempted suicide is at a higher risk for suicide in the months following the crisis. Having a streamlined and well-planned re-entry process ensures the safety and wellbeing of students who have previously attempted suicide and reduces the risk of another attempt. An appropriate re-entry process is an important component of suicide prevention. Involving students in planning for their return to school provides them with a sense of control, personal responsibility, and empowerment.

The CSCE shall implement the following steps upon the student's re-entry:

1. The Head of School shall obtain a written release of information signed by parents/guardians/caregivers/families and providers.
2. School mental health professionals shall confer with the student and parents/guardians/caregivers/families about any specific requests on how to handle the situation.
3. School-based mental health professionals shall confer with the student and parents/guardians/caregivers/families to develop a safety plan.
4. School-based mental health professionals shall inform the student's teachers about possible days of absences.
5. Teachers and administrators shall allow accommodations for student to make up work

(understanding that missed assignments may add stress to student).

6. Mental health professionals or trusted staff members shall maintain ongoing contact to monitor student's actions and mood.
7. School-based mental health professionals shall work with parents/guardians/caregivers/families to involve the student in an aftercare plan.
8. School-based mental health professionals shall provide parent's/guardians/caregivers/families local emergency numbers for after school and weekend emergency contacts.

## **Messaging About Suicide Prevention**

The CSCE along with its partners shall:

1. Thoroughly and regularly review with its partners, all materials and resources used in awareness efforts to ensure they align with best practices for safe and effective messaging about suicide.

Ensure that all communications, documents, materials related to messaging about suicide focus on warning signs as well as risk, prevention, and protective factors, avoid discussing details about methods of suicide, avoid oversimplifying (i.e. identifying singular cause of suicide), avoid sensational language, and only includes clear, respectful, people-first language that encourages an environment free of stigma. As part of safe messaging for suicide, we use specific terminology when referring to actions related to suicide or suicidal behavior:

Provide suicide prevention resources in parent/student handbooks and on school-issued identification cards for staff and students, on school websites, and during any mental health or suicide prevention skill-building activity for students or parents/families and professional development for staff.

| Use                                              | Do Not Use                                                                                                        |
|--------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| “Died by suicide”<br>or<br>“Took their own life” | “Committed suicide”<br><b>Note:</b> Use of the word “commit” can imply crime/sin                                  |
| “Attempted suicide”                              | “Successful” or “unsuccessful”<br><b>Note:</b> There is no success, or lack of success, when dealing with suicide |

## **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. The CSCE 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 Head of School to conduct an initial meeting of the Suicide Prevention Crisis Team to:
  - a. Confirm death and cause;
  - b. Identify a staff member to contact the 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 the needs of students regarding the following:
  - a. Review signs of emotional distress and suicide ideation
  - b. Review of protocols for referring students for support/assessment
  - c. Develop and provide support to staff in responding to student reactions.
  - d. Talking points for staff to notify students
  - e. Share school and community-based resources available to students (on and off campus)
4. Identify students significantly affected by suicide death and other students at risk of imitative behavior and immediately refer them to a school-based mental health professional;
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 and availability of support services; Staff shall not share explicit, graphic, or dramatic content, including the manner of death.
7. Consider (in consultation with the family) funeral arrangements for family and school community;
  - a. If possible, suggest the funeral occur outside of school hours.
  - b. Encourage parents/guardians of students to attend funeral/memorial with their children.
  - c. Request family approval to attend and staff a table for resources to be available at the funeral, if possible, to remind students and the community of available resources.
  - d. Offer a safe space on campus for students to utilize if needed before/after funeral or memorial service.
  - e. Acknowledge there may be a high rate of absenteeism on the day of the funeral and school officials should make appropriate accommodations for staff and students to attend.
8. Respond to memorial requests in a respectful and non-harmful manner; responses should be handled in a thoughtful way and their impact on other students should be considered;
9. Identify a media spokesperson to cover story without the use of explicit, graphic, or dramatic content, if needed.
10. Utilize and respond to social media outlets:
  - a. Identify what platforms students are using to respond to suicide death.
  - b. Identify and encourage staff and students to monitor social media outlets.
11. Include long-term suicide postvention responses:
  - a. Consider important dates (i.e., anniversary of death, deceased birthday, graduation, or other significant events) 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**

CSCE will include the telephone numbers on all student identification cards:

- National Suicide Prevention Lifeline/Suicide Crisis Lifeline:
  - o Call or Text “988”
  - o Call 1-800-273-8255
- National Domestic Violence Hotline: Call 1-800-799-7233
- Crisis Text Line: Text “HOME” to 741741
- Teen Line: Text “TEEN” to 839863
- Trevor Project: Text “START” to 678678
- Trans Lifeline: 1-877-565-8860
- Local suicide prevention hotline telephone number

In addition to listing the above resources on student identification cards, if feasible, CSCE shall include the following statement to provide context: “If you or someone you know is struggling emotionally or having trouble coping, there is help. Students in distress or those who just want to talk about their problems, can call or text the phone numbers listed here for free, confidential support.”

**Professional Boundaries: Staff/Student Interaction Policy**

The School recognizes its responsibility to make and enforce all rules and regulations governing student and employee behavior to bring about the safest and most learning-conducive environment possible.

**Corporal Punishment**

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student.

For purposes of this policy, corporal punishment does not include an employee’s use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to property.

For clarification purposes, the following examples are offered for direction and guidance of School personnel:

- A. Examples of PERMITTED actions (NOT corporal punishment)
  - 1. Stopping a student from fighting with another student;
  - 2. Preventing a pupil from committing an act of vandalism;
  - 3. Defending yourself from physical injury or assault by a student;
  - 4. Forcing a pupil to give up a weapon or dangerous object;

5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
  6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.
- B. Examples of PROHIBITED actions (corporal punishment)
1. Hitting, shoving, pushing, or physically restraining a student as a means of control;
  2. Making unruly students do push-ups, run laps, or perform other physical acts that cause pain or discomfort as a form of punishment;
  3. Paddling, swatting, slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

#### Acceptable and Unacceptable Staff/Student Behavior

This policy is intended to guide all School faculty and staff in conducting themselves in a way that reflects the high standards of behavior and professionalism required of school employees and to specify the boundaries between students and staff.

Although this policy gives specific, clear direction, it is each staff member's obligation to avoid situations that could prompt suspicion by parents, students, colleagues, or school leaders. One viable standard that can be quickly applied, when you are unsure if certain conduct is acceptable, is to ask yourself, "Would I be engaged in this conduct if my family or colleagues were standing next to me?"

For the purposes of this policy, the term "boundaries" is defined as acceptable professional behavior by staff members while interacting with a student. Trespassing the boundaries of a student/teacher relationship is deemed an abuse of power and a betrayal of public trust.

Some activities may seem innocent from a staff member's perspective, but can be perceived as flirtation or sexual insinuation from a student or parent point of view. The objective of the following lists of acceptable and unacceptable behaviors is not to restrain innocent, positive relationships between staff and students, but to prevent relationships that could lead to, or may be perceived as, sexual misconduct.

Staff must understand their own responsibility for ensuring that they do not cross the boundaries as written in this policy. Disagreeing with the wording or intent of the established boundaries will be considered irrelevant for disciplinary purposes. Thus, it is crucial that all employees learn this policy thoroughly and apply the lists of acceptable and unacceptable behaviors to their daily activities. Although sincere, competent interaction with students certainly fosters learning, student/staff interactions must have boundaries surrounding potential activities, locations and intentions.

#### Duty to Report Suspected Misconduct

When any employee reasonably suspects or believes that another staff member may have crossed the boundaries specified in this policy, he or she must immediately report the matter to a school administrator. All reports shall be as confidential as possible under the circumstances. It is the duty of the administrator to investigate and thoroughly report the situation. Employees must also report to the administration any

awareness or concern of student behavior that crosses boundaries or where a student appears to be at risk for sexual abuse.

### Examples of Specific Behaviors

The following examples are not an exhaustive list:

### Unacceptable Staff/Student Behaviors (Violations of this Policy)

- (a) Giving gifts to an individual student that are of a personal and intimate nature.
- (b) Kissing of any kind.
- (c) Any type of unnecessary physical contact with a student in a private situation.
- (d) Intentionally being alone with a student away from the school.
- (e) Making or participating in sexually inappropriate comments.
- (f) Sexual jokes.
- (g) Seeking emotional involvement with a student for your benefit.
- (h) Listening to or telling stories that are sexually oriented.
- (i) Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding.
- (j) Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.

### Unacceptable Staff/Student Behaviors without Parent and Supervisor Permission

**(These behaviors should only be exercised when a staff member has parent and supervisor permission.)**

- (a) Giving students a ride to/from school or school activities.
- (b) Being alone in a room with a student at school with the door closed.
- (c) Allowing students in your home.

### Cautionary Staff/Student Behaviors

**(These behaviors should only be exercised when a reasonable and prudent person, acting as an educator, is prevented from using better practice or behavior. Staff members should inform their supervisor of the circumstance and occurrence prior to or immediately after the occurrence)**

- (a) Remarks about the physical attributes or development of anyone.
- (b) Excessive attention toward a particular student.
- (c) Sending emails, text messages or letters to students if the content is not about school activities.

### Acceptable and Recommended Staff/Student Behaviors

- (a) Getting parents' written consent for any after-school activity.
- (b) Obtaining formal approval to take students off school property for activities such as field trips or competitions.
- (c) Emails, text, phone and instant messages to students must be very professional and pertaining to school activities or classes (Communication should be limited to school technology).

- (d) Keeping the door open when alone with a student.
- (e) Keeping reasonable space between you and your students.
- (f) Stopping and correcting students if they cross your own personal boundaries.
- (g) Keeping parents informed when a significant issue develops about a student.
- (h) Keeping after-class discussions with a student professional and brief.
- (i) Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries.
- (j) Involving your supervisor if conflict arises with the student.
- (k) Informing the Head of School about situations that have the potential to become more severe.
- (l) Making detailed notes about an incident that could evolve into a more serious situation later.
- (m) Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- (n) Asking another staff member to be present if you will be alone with any type of special needs student.
- (o) Asking another staff member to be present when you must be alone with a student after regular school hours.
- (p) Giving students praise and recognition without touching them.
- (q) Pats on the back, high fives and handshakes are acceptable.
- (r) Keeping your professional conduct a high priority.
- (s) Asking yourself if your actions are worth your job and career.

## Dress Code Policy

Having students arrive at school in the appropriate clothes helps them to focus their energy on joining our learning community. As part of this dress code, we ask that your child come to school in clean and tidy clothes with hair that is neat and clean.

**All students must abide by the following daily dress code:** The CSCE Administration has the right to modify/adjust policies, as needed. CSCE encourages you to bring in uniforms that your child has grown out of for our uniform closet.

- **Bottoms – Khaki or Navy blue: Pants, Capris, Shorts, Skirts, Jumpers.** Clothes should fit appropriately (**no sweatpants, tights/leggings without skirt or shorts, sagging pants, or denim**). Shorts, Skorts, Skirts and Jumpers must be longer than the tips of the child's fingers when the child's arms are at rest next to their side. **Solid colored leggings, tights, or knee high socks may be worn under skirts or jumpers- no patterns.**



**No Mini Skirts**

- **Shoes-** We have recess, PE and/or movement activities everyday. Students need to wear closed toed shoes **NO** open sandals or heel shoes.



- **Accessories/Jewelry:** Earrings should not hang more than an inch below the earlobe. **Bracelets and rings are not permitted.** Necklaces are permitted but must remain concealed under clothing. **Makeup and acrylic/false nails are not permitted.**

## Grades TK through 5<sup>th</sup>

- **Tops** must have a collar (polo or oxford) -Color is navy blue (**No crop tops, halter tops, or exposed midriff**)



- **Sweaters or Sweatshirts and Jackets**- Solid navy blue – *no logos, slogans, or images permitted. Heavy coats can be worn to/from school and at recess but **will not be permitted during instructional time.** Students are not permitted to wear hoodies.*



## Grades 6<sup>th</sup> through 8<sup>th</sup> (Upper grades)

- **Tops** must have a collar (polo or oxford) - students can wear any color (**No crop tops, halter tops, or exposed midriff**)



- **Sweaters or Sweatshirts and Jackets**- Solid colors (upper grades only). *No logos, slogans, or cartoon images permitted. Heavy coats can be worn to/from school and at recess but **will not be permitted during instructional time.** Students are not permitted to wear hoodies.*



## Items NOT permitted in CSCE's Dress Code:

- No articles of clothing or jewelry that promote tobacco, alcohol, drugs, and other controlled substances, or advertise establishments that sell them
- No articles of clothing or jewelry which display language or images that condone racism or prejudice
- No articles of clothing or jewelry that display gang-related language or images
- No articles of clothing or jewelry that display sexually suggestive, vulgar, or profane language or images
- No articles of clothing or jewelry that display gang-related language or images
- Clothing that exposes the midriff – no crop or halter tops
- Makeup
- False nails (acrylic, gel, etc.)
- Open toe shoes or high heels
- Patterned tights, leggings or knee-high socks (solid colors permitted)

- Hats, hoods, or heavy outdoor coats (indoors) \*Headwear worn for purposes of religious observance is permitted both indoors and outdoors
- Jeans, sweat pants, tights/leggings without skirt or shorts, or sagging pants
- Dangling earrings (more than an inch below earlobe)

### ***Consequences for Violating CSCE Dress Code:***

Students who come to school out of dress code will be sent to the office and asked to wear a loaned dress code item belonging to the school. You will receive a phone call or e-mail and a note to be informed of the loan with an agreement to return the cleaned item or the option to purchase the item at the cost to the school. Any use of clothing and accessories with media advertisement, cartoon images, slogans and commercial logos will be taken and given to parents. In case of any problems involving the student dress code, community school administration has the right to modify/adjust policies as needed.

### **Attendance Policy**

School Attendance is required by law. The CSCE for Creative Education ("CSCE") Board of Directors ("Board") believes that regular attendance plays an important role in student achievement and success in school. Excessive student absenteeism and tardiness, whether caused by excused or unexcused absences, may be an early warning sign of poor academic achievement and may put students at risk. The Board recognizes its responsibility under the law to ensure that students attend school regularly CSCE students attend school every day. Every day is significant.

State law requires parents/guardians of children ages 6 to 18 to send their children to school, unless otherwise provided by law. Parents who fail to meet this obligation may be subject to prosecution. The Board shall abide by all attendance laws and may use appropriate legal means to correct the problems of excessive absence or truancy.

### ***Definitions***

- ***"Tardy"***: CSCE starts at 8:30am. Students shall be classified as tardy if the student arrives after that time.
- ***"Unexcused Absence"***: Students shall have an unexcused absence if the student is absent or is tardy for more than thirty (30) minutes without a valid excuse.
- ***"Truant"***: Students shall be classified as truant if the student is absent from school without a valid excuse three (3) full days in one school year, or if the student is tardy or absent for more than any 30-minute period during the school day without a valid excuse on three (3) occasions in one school year, or any combination thereof. Any student who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be deemed a truant. Such students shall be reported to the Head of School or designee.
- ***"Habitual Truant"***: Students shall be classified as a habitual truant if the student is reported for truancy three (3) or more times within the same school year. This generally occurs when the student is absent from school without a valid excuse for five (5) full days in one school year or if the student is tardy or absent for more than any 30-minute period during the school day without a valid excuse on five (5) occasions in one school year, or any combination thereof.
- ***"Chronic Truant"***: Students shall be classified as a chronic truant if the student is absent from school without a valid excuse for ten (10) percent or more of the school days in one school year, from the date of enrollment to the current date.

### ***Reporting Absences***

**\*\*All excused absences and tardies require appropriate documentation\*\***

If a student is absent, **parents or guardians are required to call the school at 510-686-4131** each day that the child is absent. Absences not cleared within 48 hours will be officially recorded as unexcused.

### ***Process for Students Who Are Not in Attendance at the Beginning of the School Year***

When students who are not in attendance at the start of the school year, CSCE will attempt to reach the parent/guardian on a daily basis for each of the first nine (9) days to determine whether the student has an excused absence, consistent with the process outlined in this policy. However, consistent with the process below, a student not in attendance due to an unexcused absence by the tenth (10) day of the school year will be dis-enrolled from the school roster, pursuant to the CSCE Attendance Policy, as it will be assumed that the student has chosen another school option.

CSCE will attempt to reach the Parent/Guardian on a daily basis for each of the first nine (9) days to determine whether the student has an excused absence. Written notification will follow as described more fully below. If the student has a basis for an excused absence, parents/family members must notify the school of the absence and provide documentation.

1. Students who are not in attendance on the first day of the school year will be contacted by phone to ensure their intent to enroll in CSCE.
2. Students who have indicated their intent to enroll but have not attended by the third (3<sup>rd</sup>) day of the school year and do not have an excused absence will receive a letter indicating the student's risk of disenrollment.
3. Students who have indicated their intent to enroll but have not attended by the fifth (5<sup>th</sup>) day of the school year and do not have an excused absence will receive a phone call reiterating the content of the letter.
4. The CSCE will send the Involuntary Removal Notice to the Parent/Guardian and follow the Involuntary Removal Process described below for any students who have not attended by the tenth (10<sup>th</sup>) day, and do not have an excused absence.
5. Within thirty (30) calendar days of disenrollment, CSCE will send the student's last known school district of residence a letter notifying it of the student's failure to attend CSCE. The CSCE will use the contact information provided by the parent/guardian in the registration packet.
6. Any documentation received by CSCE regarding a student's enrollment and attendance at another public or private school (i.e., CALPADS report) shall be deemed evidence of a voluntary disenrollment and shall not trigger the Involuntary Removal Process below.

### ***Involuntary Removal Process***

No student shall be involuntarily removed by CSCE for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action ("Involuntary Removal Notice").

The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder. The Involuntary Removal Notice shall include:

- 1) the charges against the student
- 2) an explanation of the student's basic rights including the right to request a hearing before the effective date of the action.
- 3) The CDE enrollment complaint notice and form

The hearing shall be consistent with CSCE's expulsion procedures. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until CSCE issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to CSCE's suspension and expulsion policy.

Upon parent/guardian request for a hearing, CSCE will provide notice of hearing consistent with its expulsion hearing process, through which the student has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the student has the right to bring legal counsel or an advocate. The notice of hearing shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder and shall include a copy of CSCE's expulsion hearing process.

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

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

A hearing decision not to disenroll the student does not prevent CSCE from making a similar recommendation in the future should student truancy continue or re-occur.

### ***Excused Absences and Tardies***

It is important for parents/family members to inform the school whenever their child is absent. An absence is considered "excused" only for the following reasons:

- Personal Illness, including an absence for the benefit of the pupil's mental or behavioral health- A child is too ill to attend school if he or she has a contagious condition, a temperature of over 100, symptoms of vomiting or diarrhea, or written orders from a doctor to stay home. Keep sick children at home for at least 24 hours *after* they no longer have a fever, without using fever-reducing medications. Keeping children with a fever at home will reduce the number of people who may get infected.
- Quarantine – Students are quarantined under the direction of a county or city health officer.
- Appointments- Student's medical, dental or chiropractic appointments, verified with documentation from the provider. Insofar as class participation is an integral part of students' learning experiences, parents/guardians and students are encouraged to schedule medical appointments during non-school hours, and, whenever possible, to encourage students to return to school after a non-emergency appointment. Students in grades 7-12, inclusive, may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian.

- For the purpose of attending the funeral services or grieving the death of either a member of the pupil's immediate family, or of a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, so long as the absence is not more than five (5) days per incident. "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.
- For any of the following reasons, if an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, has died:
  - o To access services from a victim services organization or agency.
  - o To access grief support services.
  - o To participate in safety planning or to take other actions to increase the safety of the pupil or an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, including, but not limited to, temporary or permanent relocation.

Absences under this section shall not be excused for more than three (3) days per incident, unless extended on a case-by-case basis at the discretion of the school administrator. "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

- Attendance at the Student's naturalization ceremony to become a United States citizen.
- Religious instruction or exercises (up to 4 days per month)
- Authorization is at the discretion of a school administrator, based on the facts of the student's circumstances, which are deemed to constitute a valid excuse.
- In order to participate with a not-for-profit performing arts organization in a performance for a public-school student audience for a maximum of up to five (5) days per school year provided the student's parent or guardian provides a written note to the school authorities explaining the reason for the student's absence.
- To permit the student to spend time with an immediate family member who is an active duty member of the uniformed services, as defined in Education Code section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of CSCE.
- For purpose of serving as a member of a precinct board for an election pursuant to Election Code section 12302.
- Due to the student's participation in military entrance processing.
- For the purposes of jury duty in the manner provided for by law.
- A student who holds a work permit to work for a period of not more than five (5) consecutive days in the entertainment or allied industries shall be excused from school during the period that the student is working in the entertainment or allied industry for a maximum of up to five (5) absences per school year subject to the requirements of Education Code section 48225.5.

- Due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent, including absences to care for a sick child. (The school does not require a note from the doctor for this excuse).
- Authorized parental leave for a pregnant or parenting student for up to eight (8) weeks, which may be extended if deemed medically necessary by the student's physician.
- For the purpose of participating in a cultural ceremony or event. "Cultural" for these purposes means relating to the habits, practices, beliefs, and traditions of a certain group of people.
- For the purpose of a middle or high school pupil engaging in a civic or political event as indicated below, provided that the pupil notifies the school ahead of the absence. A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
  - o A middle school or high school pupil who is absent pursuant to this provision is required to be excused for only one school day-long absence per school year.
  - o A middle school or high school pupil who is absent pursuant to this provision may be permitted additional excused absences in the discretion of a school administrator.
- For the following justifiable personal reasons for a maximum of five (5) school days per school year (unless otherwise indicated), upon advance written request by the student's parent or guardian and approval by the Executive Director or designee pursuant to uniform standards:
  - o Appearance in court.
  - o Observance of a holiday or ceremony of the pupil's religion.
  - o Attendance at religious retreats (not to exceed one school day per semester).
  - o Attendance at an employment conference.
  - o Attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization.

A student who is absent due to an excused absence will be allowed to complete all assignments and tests missed during the excused absence that can be reasonably provided and will receive full credit upon satisfactory completion within a reasonable period of time. The teacher of the class from which a student is absent shall determine which tests and assignments are reasonably equivalent to, but not necessarily identical to, the tests and assignments that the student missed during the excused absence.

### ***Unexcused Absences/Truancy***

Absences for most other reasons are considered unexcused. Some examples of unexcused absence are: personal day, family vacation, and car problems. The Head of School, or designee, shall implement positive steps to reduce truancy, including working with the family in an attempt to resolve the attendance problem. A student's progress and learning may be affected by excessive unexcused absences. In addition, CSCE is fiscally dependent on student attendance and is negatively impacted by excessive unexcused absences. If all attempts to resolve the student's attendance problem are unsuccessful, CSCE will implement the processes described below. All excused absences and tardies require appropriate documentation. It is during the first two and a half hours of each school day that our students participate in the Main Lesson. This time is extremely valuable and crucial to your student's education.

School begins at 8:30am. All students who arrive after 9:00am are required to check in at the front office upon arriving to receive a tardy slip to notify the teacher of their tardiness. The student must also notify the attendance clerk if they need a school lunch.

### ***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. Signed, written note from parent/guardian, parent representative.
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 the information outlined above.
4. Healthcare provider verification:
  - a. When excusing students for confidential medical services or verifying such appointments, CSCE staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.
  - b. A healthcare provider's note of illness will be accepted for any reported absence. When a student has had fourteen (14) absences in the school year for illness verified by methods listed in #1-#3 above without a healthcare provider's note, any further absences for illness must be verified by a healthcare provider.

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.

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

### **CSCE's Student Attendance Review Team (SART)**

We have implemented a Student Attendance Review Team (SART). This team is designed to meet with parent/guardians of children who have exceeded the allowable amount of excused or unexcused absences. The purpose of the meeting is to discuss the child's attendance record and develop a plan for the child's regular participation in school and improved attendance.

CSCE's SART will hold a hearing with the parent/guardian and truant student to resolve attendance and truancy problems. At that time if the student continues to be truant and does not follow the school's SART directive, the matter will be referred to the District Attorney. A Certified Delivery Confirmation letter will be sent to the parent/guardian informing them of this action.

The school's SART will consist of:

- The Head of School or designee
- The ELOP Coordinator

- The Dean of Student Culture
- The student's classroom teacher;

Other relevant members, including: another CSCE administrator, attendance clerk, other teachers or staff as appropriate, counselor, police officer, etc.

## ***Process for Addressing Truancy***

Each of the first two (2) unexcused absences or unexcused tardies over 30 minutes will result in a call home to the parent/guardian by the Head of School or designee. The student's classroom teacher may also call home.

A third (3rd) unexcused absences or unexcused tardies over 30 minutes will result in a call home to the parent/guardian by Head of School or designee. In addition, the student's classroom teacher may also call home and/or CSCE may send the parent an email notification. In addition, upon reaching three (3) unexcused absences or unexcused tardies over 30 minutes in a school year, the parent/guardian will receive the **Truancy Letter #1: First Notification of Truancy or Excessive Absences**. Letter #1 will be sent regular and Certified Delivery Confirmation mail when a student has accrued three (3) truancy events.

1. Upon reaching five (5) unexcused absences or unexcused tardies over 30 minutes, the parent/guardian will receive "**Truancy Letter #2 – Second Notification of Truancy or Excessive Absences**". The parent(s) or guardian(s) will receive a phone call from the Dean of Student Culture to notify and inquire about the student's attendance. Letter #2 will be sent regular and Certified Delivery Confirmation mail. The letter shall note:
  - i. An Attendance Contract will be entered into to abate truancy.
  - ii. The student may be given a written warning by a peace officer. A record of that warning may be kept at the school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school.
  - iii. The attendance supervisor may notify the district attorney and/or probation officer when the student continues to be classified as a truant after the parents/guardians have been notified by letter.
2. Upon reaching six (6) unexcused absences or unexcused tardies over 30 minutes, the parent/guardian will receive a "**Truancy Letter #3 – Notification of Determination as a Habitual Truant Referral to CSCE SART**", and the student will be referred to the SART. Students shall be identified as Habitual Truant. At this time, the Dean of Student Culture will schedule a home visit with the parent(s) or guardian(s). Letter #3 will be sent regular and Certified Delivery Confirmation mail. This letter shall note:
  - i. Mandatory SART meeting with student, parent, teacher advisor, and Head of School within 5 days. If not already on file, an Attendance Contract must be signed at this meeting.
  - ii. If the parent fails to respond in 5 days or does not attend the scheduled SART meeting, the student may be subject to disenrollment and referred to the District Attorney. Students 12 years of age and older may be referred to the juvenile court for adjudication
3. If, after the above procedures have been followed, the student continues to have unexcused absences, the parent/guardian may receive notice that the student is in violation of the SART contract (if any). The student will then be required to appear before the SART panel again to discuss the unexcused absences. After such meeting, or after two (2) attempts by the SART panel to schedule the meeting if the parent/guardian is nonresponsive, the SART panel may recommend administrative action up to and including disenrollment from CSCE, consistent with the Involuntary Removal Process described below. If the student is disenrolled after the Involuntary Removal Process has been followed, notification will be

sent within thirty (30) days to the student's last known district of residence. A decision not to involuntarily remove the student does not prevent the SART panel from making a similar recommendation in the future.

4. For all communications set forth in this process, CSCE will use the contact information provided by the parent/guardian in the registration packet. It is the parent's or guardian's responsibility to update CSCE with any new contact information.
5. If student is absent ten (10) or more consecutive school days without valid excuse and parent/guardian cannot be reached at the number or address provided in the registration packet and does not otherwise respond to CSCE's communication attempts, as set forth above, the student will be in violation of the SART contract, and the SART panel will recommend that the student be disenrolled in compliance with the Involuntary Removal Process described below.
6. Any documentation received by CSCE regarding a student's enrollment and attendance at another public or private school (i.e., CALPADS report) shall be deemed evidence of a **voluntary** disenrollment and shall not trigger the Involuntary Removal Process below. Any teacher may change the grade of a student who has accrued 10 unexcused absences per semester or 7 unexcused absences per trimester to a failing grade for their courses at the marking period.

### ***Referral to Appropriate Agencies or County District Attorney***

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

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

### ***Non-Discrimination***

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

### ***Reports***

The Head of School, or designee, shall gather and report to the Board the number of absences both excused and unexcused as well as students who are truant, and the steps taken to remedy the problem.

**FAMILY HANDBOOK  
COMMUNITY SCHOOL FOR CREATIVE EDUCATION****Parent/Guardian & Student Commitment*****Parents/Guardians'/Guardians' Commitment:***

Parents/Guardians/guardians fully commit to CSCE for Creative Education in the following ways:

- We will make sure our child arrives at school every day by 8:30 A.M. (Monday-Friday).
- We will make arrangements so our child can remain at school until 3:30 P.M. (2:30 P.M. for TK and K) on Mondays, Tuesdays, and Thursdays and Fridays, and until 12:45 P.M. on Wednesdays.
- We will always help our child in the best way we know how, and we will do whatever it takes for him/her to learn. We will check our child's homework every night, let her/him call the teacher if there is a problem with homework, and read with him/her every night.
- We will always make ourselves available to our children, the school, and attend to any concerns they may have. If our child is going to miss school, we will notify the school as soon as possible, and we will carefully read all the papers that the school sends home to us.
- We will allow our child to go on field trips.
- We will make sure our child follows the dress code.
- We understand that our child must follow the school's rules to protect the safety, interests, and rights of all in the classroom and will support them to be responsible for their behavior and actions.

*We understand that failure to adhere to these commitments can cause my child to lose various privileges and can lead to my child being asked to leave CSCE. We understand that failure to adhere to these commitments will cause a meeting between Parents/Guardians, teachers and administrators.*

*Please sign and return to the Main Office.*

***Student's Commitment:***

I fully commit to CSCE for Creative Education in the following ways:

- I will arrive at school every day by 8:30 A.M. (Monday-Friday).
- I will remain at school until 2:30 (K) 3:30 P.M. (1-4) on Mondays, Tuesdays, Thursdays and Fridays and 12:45 P.M. on Wednesdays.
- I will always work, think, and behave in the best way I know how and I will do whatever it takes for me and my fellow students to learn.
- I will complete all my homework every night. I will raise my hand and ask questions in class if I do not understand something.
- I will always make myself available to my Parents/Guardians/guardians and teachers and will discuss any concerns they may have.
- If I make a mistake, I will tell the truth and accept responsibility for my actions.
- I will always behave so as to protect the safety, interests, and rights of all individuals in the classroom. This means that I will always listen to my classmates and give everyone my respect.
- I will follow the dress code.
- I am responsible for my own behavior, and I will follow the teachers' directions and school rules.

*I understand that failure to adhere to these commitments can cause me to lose various privileges and can lead to my being asked to leave CSCE.*

We acknowledge that we have received and reviewed the CSCE for Creative Education for Student Behavior Policy as a family unit.

Comments: \_\_\_\_\_

Please return signed sheet to the Front Office or acknowledge receipt of **Family Handbook** via email to [info@communityschoolforcreativeeducation.org](mailto:info@communityschoolforcreativeeducation.org)

|                                    |  |                                   |  |
|------------------------------------|--|-----------------------------------|--|
| Parent/<br>Guardian<br>First Name: |  | Parent/<br>Guardian<br>Last Name: |  |
| Parent/<br>Guardian<br>Signature:  |  | Date:                             |  |
| Student<br>First Name:             |  | Student<br>Last Name:             |  |
| Student<br>Signature:              |  | Date:                             |  |