

CITY HEIGHTS PREP

CHARTER SCHOOL

Parent/Guardian & Student Handbook 2019-2020

Our Mission and Vision

The mission of City Heights Prep is to provide an excellent neighborhood based and college preparatory education for middle and high school students in City Heights.

It is our vision to see City Heights Prep graduates succeed in the college or university of their choice; prepared to become community leaders who work for positive change in City Heights and beyond.

4260 54th Street

San Diego, CA 92115

(619) 795-3137

www.cityheightsprep.org

City Heights Prep Contact Information

School Office: (619) 795-3137

Email: office@cityheightsprep.org

School Schedule

Instructional Hours:

Monday – Friday 8:05 a.m. – 3:10 .m.

Before/After School Programs:

Study Hall:

Monday – Thursday 3:15 p.m. – 4:15 p.m.

After School Clubs:

Monday – Thursday 3:30 p.m. – 5:00 p.m.

This program requires registration and has attendance requirements. If you wish to participate, please see the office

There is supervision for students during school hours only, unless they are participating in after school program. If students are participating in a after school program, supervision is provided only in the activity area(s).

For their own safety, students are not allowed to loiter on campus outside of school hours. If your student needs to stay at school outside of school hours, please make arrangements with the School Office.

Breakfast is served every morning at 9:50 a.m. in class.

Students are considered tardy if they arrive at school after 8:05 a.m.

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.

Policies and Procedures: A - Z

Academic Work Policies

Students have a limited amount of time to make up any schoolwork. Except in cases of prolonged excused absence, students must make up work by the following week to receive partial credit.

A failing grade is a D or an F. If a student fails any class for the year, they may not move to the next grade.

Attendance

Students are expected to be at school on time every day. If at all possible, make appointments and schedule other activities after school hours or during school breaks. If you must take your child out early, please get a **Permit to Leave Grounds** slip from the School Office. In the case of frequent absences, School staff may make a home visit, as well as counsel students and parent/guardian on attendance. Please be aware that going out of town when school is in session is an **unexcused** absence. If your child has more than 3 unexcused absences or tardies of more than 30 minutes in the school year, they will be considered truant and the School Attendance Policy will be followed. (See Appendix A)

Absences

A parent or legal guardian must verify all absences. When your child is absent, please call the School Office at (619) 795-3137 as early as possible on the day of absence. Any absence that is not verified within a week is considered an unexcused absence.

Tardies

School begins at **8: 05 a.m.** and students are expected to be in their classroom at this time.

Any student arriving after 8:05 a.m. will report to the School Office to get a tardy slip before reporting to class. In the event of excessive tardies, a meeting will be scheduled between parent/guardian and the Director.

Bicycles/Scooters/Skateboards

Students who ride or bring wheeled toys to school do so at their own risk. The school takes no responsibility. With permission, students may store these items in a designated area. **Students may never ride on campus.** The campus begins at the sidewalk outside of school. The privilege of bringing a bike/scooter/skateboard to school may be revoked at any time.

Cell Phone & Other Electronic Devices

Students are discouraged from bringing cell phones or other electronic devices to school. If brought to school, student assumes all responsibility. While on campus, all students must keep cell phones off and in their backpacks. If you need to contact your child during instructional time, please call the School Office at (619) 795-3137 and we will deliver the message to your student. The school is not responsible for lost or stolen cell phones.

- First offense: Parent/guardian will be notified; cell phone confiscated and returned only to parent/guardian.
- Second offense: Parent/guardian will be notified; cell phone confiscated for one week; returned only to parent/guardian.
- Third offense: Parent/guardian will be notified: student is **NOT** allowed to have a cell phone at school for the remainder of the year.

Changes in Contact Information

For emergency purposes, we must have updated information on each student. **Please notify the School Office immediately of any changes in address, phone numbers, or authorizations for student release.** We will be unable to notify you of important announcements and information regarding your student without an updated number.

Child Safety and Emergency Procedures

To promote student safety, we review emergency plans with staff, students, and parent/guardian.

Classroom Placements

The administration determines student classroom placements. There are many factors to consider when balancing our programs and changes may need to be made to balance our classrooms.

Complaint Policy (Against teachers or staff)

City Heights Prep has instituted a Uniform Complaint Policy and Procedure to address any concerns you may have. (See Appendix B)

City Heights Prep Board

City Heights Prep's Board makes our financial and policy decisions. All Board meetings are open to the public to attend. If you are interested in serving on the Board, please see the Director for more information.

Dress Code

At City Heights Prep, we believe that appropriate dress and grooming contribute to a productive learning environment.

Our dress code is designed to help students learn to conduct themselves in a professional manner. **We require that students wear either a blue collared shirt/sweater and grey slacks/skirt/jumper or a grey collared shirt/sweater and blue slacks/skirt/jumper.**

Skirts should cover the knee so the knee is not visible; no shorts are allowed; cleavage/mid-sections should not be visible; 'strappy' tops are not allowed; pants should not have visible exterior pockets.

Hoodies are never allowed at school!

Shoes with open backs are never permitted at school.

Occasionally, CH Prep may have dress down days. On these days, the dress code will be explained to students in advance.

In all matters of appearance, students are expected to demonstrate good judgment, cultural sensitivity, and professional taste. Please do not wear anything that staff, students, parent/guardian or visitors might find offensive, inappropriate or that might make them uncomfortable.

If students do not follow the dress code, consequences may include but are not limited to sending a note home, detention, and a meeting with parent/guardian.

Health and Education

School authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian as allowed by law. (See Appendix C)

Homework Policy

Homework may be assigned every night. All assignments are listed in Google Classroom. Homework is an important part of our academic program and students are expected to complete their homework on time, every day. Disciplinary action may be taken when students do not complete homework on time. Most importantly, missing homework negatively affects student grades.

Meals

Students are to eat in designated areas and to be dismissed by supervisors. Each student will contribute to the maintenance of the breakfast and lunch areas. For safety reasons, only staff members are allowed to supervise students in the cafeteria.

Meal Program

CH Prep participates in the National School Lunch Program (NSLP) which provides free breakfast and lunch for all students. Each time a student chooses not eat their lunch or is absent from school, the school must pay for this lunch. Therefore, if your student chooses not to eat meals on a regular basis, s/he may be withdrawn from the program.

Breakfast

Breakfast is served from 9:50 a.m. to 10:00 a.m.

Lunch

Every child is required to eat lunch. If your child does not like school lunch, please provide a meal from home.

Medication

If your child needs medication at school, please call the School Office at (619)795-3137.

Parent/Guardian/Student Rights

See Appendix C

School Property (including technology and textbooks)

Parent/guardian and students are responsible for lost or damaged books or equipment and will be contacted for payment should either occur.

Special Education

City Heights Prep complies with all federal and state laws governing students with disabilities. You may contact the School Office if you have any questions or would like more information about special education services.

Student Behavior

At City Heights Prep, we respect ourselves, each other, and our environment. Discipline consequences may include detention, suspension, and in some cases, expulsion from City Heights Prep. Please refer to the Suspension and Expulsion Policy and Zero Tolerance Policy in Appendix D. Students should refrain from invading the personal space of others. Play fighting and “rough housing” are never allowed at school.

School Rules

1. Be respectful
2. Be responsible
3. Be ready to learn

Student Problem Solving Steps

1. Tell the person to stop, i.e., say, “Please stop [describe behavior]”.
2. Ignore the behavior or move away from the person.
3. Ask an adult for help.

Classroom Expectations

Classroom management is the responsibility of each teacher and based on our schoolwide expectations. Teachers will communicate their expectations to students and share them with parent/guardian through parent/guardian events, conferences, and other home-school communication. Please see Suspension & Expulsion Policy and Zero Tolerance Policy for more complete information.

Interventions and Consequences

Should student behavior become a concern, teachers will typically contact parent/guardian first unless there is an immediate risk to the student or others, in which case students may be sent immediately to the School Office. In addition, some of the interventions that may be used include: temporary classroom time-out, time-out in another classroom, or recess/after school detention/Saturday School. School staff may work with parent/guardian and the student to develop individual behavior goals as well as other behavior contracts. Consequences for referrals to the School Office include may be verbal and written apologies, cleaning up after damage to property, conflict resolution, time out and isolation, in-school suspension, and out-of-school suspension. Persistent disruption and/or major offenses may result in disciplinary action up to and including expulsion. Abuse of another person (child or adult) is not tolerated at any time. If you have a concern with any disciplinary decision made, you are encouraged to contact the School. By enrolling at City Heights Prep, you are agreeing to support both School rules and the decisions made regarding interventions and/or consequences when students do not follow school rules.

Student Drop Off/Pick Up and Parking

There is no supervision provided before 7:30 or after 3:10 (unless students are in after school program). Students will be unattended if they arrive before/after these hours and/or do not report to designated school after program areas.

Students must be dropped off either on the street or in the parking lot on the East side of Altadena Ave. **Please do not drive into the parking lots on the West side of Altadena Avenue as it is a safety hazard for students!**

Parking is permitted for City Heights Prep parent/guardian in the parking lot on the East side of Altadena Ave.

Student Release During School Hours

Students must have a signed Permit to Leave School Grounds Form before leaving campus during the day. Students will **only** be released to an adult whose name appears on a current Enrollment Card. For student safety, all adults must visit the School Office and show a picture ID or the student will **not** be released.

Student Services

See Appendix C

Student Transportation

You must sign a Permission to Transport Student to either give or deny permission for staff to transport your student on the rare occasion where staff may feel it may not be safe to leave students unattended during non-school hours (See Appendix E).

Study Hall

At City Heights Prep, we expect that students will pursue academic excellence and we want to help them achieve this goal. We provide Study Hall Monday through Thursday where students are welcome to go for Homework help.

Suspension and Expulsion Policy and Zero Tolerance Policy

City Heights Prep hopes that we do not have to suspend or expel students and will work with families to prevent suspensions or expulsions. If a suspension becomes necessary we will follow the City Heights Prep Suspension and Expulsion Policy and Zero Tolerance Policy (See Appendix D).

Technology

Use of school owned technology is a privilege. Students and parent/guardian must sign the Student Use of Technology Policy in order to access school technology. City Heights Prep relies heavily on technology for its instructional programs. If a student is unable to use technology responsibly, it will not be possible for the student to participate in the educational program (See Appendix F).

Telephone Calls to Classrooms

Teachers or students will not be called to the phone during instructional time. Please discuss special arrangements with your child at home. In the event of an emergency, the School Office will relay a message to your child.

If you need to speak to a teacher, please leave a message at the school office (619) 795-3137. The teacher will return the call when it does not interfere with instruction.

Toys

Toys of any type are not allowed at school. Teachers may confiscate and parent/guardian may be notified.

Transferability of Credits

City Heights Prep expects that local schools will give full course credit to all University of California approved courses and will give due consideration to elective courses that are offered at the school but are not part of the school's graduation requirements or approved by the University of California.

Visitors & Volunteers

For safety reasons, every person must check-in at the School Office before entering the school grounds. Please do not enter a classroom unless you have checked in at the School Office.

We welcome parent/guardian involvement at City Heights Prep Charter School and there are many ways to be involved. Feel free to contact the School Office or your child's classroom teacher for more information. **All regular volunteers must have a TB screening, a background check, and an approved volunteer application on file.** Contact the School Office for further forms and information.

When you are visiting or volunteering, please sign in at the School Office and obtain a visitor's badge. In order to maintain the learning environment, we ask that no other children accompany you to a classroom, except to attend classroom performances.

Managing Aggressive or Inappropriate Behavior from Parent/Guardian and Visitors to our School: City Heights Prep Charter School encourages close links with parent/guardian and the community. We believe that students benefit when the relationship between home and school is a positive and open one.

The majority of parents/guardians, caregivers, and others visiting our school, work well with us and are supportive of our school. However, on the rare occasions when a negative attitude towards the school or a staff member is expressed or demonstrated, this can result in aggression and verbal or physical abuse directed toward school staff. In this case, the School Administration will take appropriate action to preserve the safety, well-being and learning environment for our students and staff.

Appendix A: Attendance Policy

It is the intent of the governing Board of City Heights Prep Charter School (the "Charter School") to ensure that students attend school every day on time. Consistent school attendance is critical to school success. Being present for classroom instructional time is essential for students to reach their goals and achieve their dreams. Chronic absenteeism has been linked to an increased likelihood of poor academic performance, disengagement from school and behavior problems.

Excused Absences for Classroom Based Attendance¹

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

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

1. Personal illness;
2. Quarantine under the direction of a county or city health officer;
3. Medical, dental, optometric, or chiropractic appointments (for appointments, a student's absence from school is only excused for the amount of time necessary to attend and travel to and from the appointment);
4. Attendance at funeral services for a member of the immediate family:
 - a. Excused absence in this instance shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state.
 - b. "Immediate family" shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister or any relative living in the student's immediate household.
5. Participation in religious instruction or exercises in accordance with Charter School policy:
 - a. The student shall be excused for this purpose on no more than 4 hours per trimester.

In addition, a student's absence shall be excused for justifiable personal reasons such as:

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

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 information outlined above.
4. Healthcare provider verification
 - a. When excusing students for confidential medical services or verifying such appointments, Charter School staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.
 - b. A healthcare provider's note of illness will be accepted for any reported absence. When a student has 10 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 all appointments during non-school hours. In recognition of its importance, participation is incorporated into student grades. As such, absences, whether excused or unexcused may negatively affect student grades. Students should not be absent from school without their parent's/guardians' knowledge or consent except in cases of medical emergency. Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to administrative regulations and law.

¹ The steps described throughout this policy also apply if the student is absent from school without a valid excuse for 10 percent or more of the school days in one school, from the date of enrollment to the current date.

Unexcused Absences/Truancy for Classroom Based Attendance

Students shall be classified as truant if the student is absent from school without a valid excuse three 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 occasions in one school year, or any combination thereof. Such students shall be reported to the Director or designee.

In addition, students shall be classified as a chronic truant if the student is absent from school without a valid excuse for 10 percent or more of the school days in one school, from the date of enrollment to the current date.

The Director, 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, the Charter School 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, the Charter School will implement the processes described below.

PROCESS FOR UPHOLDING THE ATTENDANCE POLICY

First Day of School Process:

When students are not in attendance on the first five (5) days of school, the Charter School will attempt to reach the parent/guardian on a daily basis for each of the first five days to determine whether the student has an excused absence, consistent with the process outlined in this policy. If the student has a basis for an excused absence, parents must notify the Charter School of the absence and provide documentation consistent with this policy. However, consistent with process below, students who are not in attendance due to an unexcused absence by the fifth day of school will be disenrolled from the Charter School roster, as it will be assumed that the student has chosen another school option.

1. Students who are not in attendance on the first day of school will be contacted by phone to ensure their intent to enroll.
2. Students who have indicated their intent to enroll, but have not attended by the third day will receive a letter indicating the student will be disenrolled after the fifth day of school if the student has not attended school without valid excuse.
3. Students who have indicated their intent to enroll, but have not attended by the fifth day will receive a phone call reiterating the content of the letter.
4. Students who have not attended by the sixth day, and do not have an excused absence as defined above for not being in attendance will be disenrolled from the roster.
5. The Charter School will use the contact information provided by the parent/guardian in the registration packet.
6. The District of Residence will be notified of the student's failure to attend Charter School and the disenrollment.

Truancy Process:

1. Each of the first two (2) unexcused absences will result in a call home to the parent/guardian by the Director or designee. The student's classroom teacher may also call home.
2. Each of the third (3rd) and fourth (4th) unexcused absences will result in a call home to the parent/guardian by Director or designee. In addition, the student's classroom teacher may also call home and/or the Charter School may send the parent an e-mail notification. In addition, upon reaching three (3) unexcused absences in a school year, the parent/guardian will receive "Truancy Letter #1" from the Charter School. This letter must be signed by the parent/guardian and returned to the Charter School.
3. Upon reaching five (5) unexcused absences, the parent/guardian will receive "Truancy Letter #2 – Conference Request," and a parent/guardian conference will be scheduled to review the student's records and develop an intervention plan/contract.
4. Upon reaching seven (7) unexcused absences, the student will be referred to a Student Success Team (SST) or the School Attendance Review Team (SART). In addition, the parent/guardian will receive a "Habitual Truancy Re-Classification Letter #3," and may be asked/invited to attend an evening assembly for parents/guardians of chronically absent students.
5. The SART panel will be composed of the School Director, at least one teacher and other staff as appropriate.
6. The SART panel will discuss the absence problem with the Parent/Guardian to work on solutions, develop strategies, discuss appropriate support services for the student and his/her family, and establish a plan to resolve the attendance issue.
 - a. The SART panel shall direct the parent/guardian that no further unexcused absences or tardies can be tolerated.
 - b. The SART panel will identify the corrective actions required in the future and shall have the authority to order one or more of the following consequences:
 - i. Parent/guardian to attend school with the child for one day
 - ii. Student retention
 - iii. After school detention program
 - iv. Required school counseling
 - v. Loss of field trip privileges
 - vi. Loss of school store privileges
 - vii. Loss of school event privileges
 - viii. Required remediation plan as set by the SART
 - ix. Notification to the District Attorney
 - c. The SART panel may discuss other school placement options.
 - d. Notice of action recommended by the SART will be provided in writing to the parent/guardian.
7. For all communications set forth in this process, the Charter School 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 the Charter School with any new contact information.

8. If student is absent seven (7) 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 the Charter School's communication attempts, as set forth above, the student will be deemed to have voluntarily disenrolled and notification of the disenrollment will be sent to the student's district of residence.

Removal from Charter School

If, after the above procedures have been followed, the student continues to have unexcused absences, the parent/guardian will receive notice that the Charter School has deemed the student to have voluntarily disenrolled and has notified the student's district of residence of the student's disenrollment. The parent/guardian may appeal the student's disenrollment to the SART panel within five (5) days of receipt of the notice. If no appeal is brought within that five (5) day period, the parent/guardian will be deemed to have waived that right.

Referral to Appropriate Agencies or County District Attorney

It is the Charter School's intent to identify and remove all barriers to the student's success, and the Charter School will explore every possible option to address student attendance issues with the family. For any unexcused absence, the Charter 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 meeting, or if the parents fail to attend a required SART meeting, the parents and the child may be referred to the District Attorney's office for prosecution through the court system. Students 12 years of age and older may be referred to the juvenile court for adjudication.

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 or association with an individual who has any of the aforementioned characteristics).

Retention

Through the SART process, the Charter School may retain a student who has an unexcused absence for 10% or more of the school days per academic year.

Reports

The Director, 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.

Appendix B: Uniform Complaint Procedure

UNIFORM COMPLAINT POLICY AND PROCEDURE

Scope

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

- (1) Complaints of discrimination against any protected group including actual or perceived, including discrimination on the basis of age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity; and
- (2) Complaints of violations of state or federal law and regulation governing the following programs including but not limited to: Special Education, Title II, Section 504 of the Rehabilitation Act, consolidated categorical aid, No Child Left Behind, migrant education, career technical and technical education training programs, child care and development program, child nutrition program.

The Charter School acknowledges and respects every individual's rights to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This includes keeping the identity of the complainant confidential, as appropriate and except to the extent necessary to carry out the investigation or proceedings, as determined by the Director/CEO or designee on a case-by-case basis.

The Charter School prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

Compliance Officers

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

Dr. Elias Vargas, School Director
City Height Preparatory Charter School
4260 54th Street
San Diego, CA 92115
(619) 795-3137

The Director/CEO or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Director/CEO or designee.

Notifications

The Director/CEO or designee shall annually provide written notification of the Charter School's uniform complaint procedures to students, employees, parents/guardians, the Governing Board, appropriate private officials or representatives, and other interested parties.

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

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints.
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable.
3. Advise the complainant of the appeal process pursuant to Education Code Section 262.3, including the complainant's right to take the complaint directly to the California Department of Education ("CDE") or to pursue remedies before civil courts or other public agencies.
4. Include statements that:
 - a. The Charter School is primarily responsible for compliance with state and federal laws and regulations;
 - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint

- unless the complainant agrees in writing to an extension of the timeline;
- c. An unlawful discrimination complaint must be filed not later than six months from the date the alleged discrimination occurs, or six months from the date the complainant first obtains knowledge of the facts of the alleged discrimination;
- d. The complainant has a right to appeal the Charter School’s decision to the CDE by filing a written appeal within 15 days of receiving the Charter School’s decision; and
- e. The appeal to the CDE must include a copy of the complaint filed with the Charter School and a copy of the Charter School’s decision.

Procedures

The following procedures shall be used to address all complaints which allege that the Charter School has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions.

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

- Step 1: Filing of Complaint

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

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

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, Charter School staff shall assist him/her in the filing of the complaint.

- Step 2: Mediation

Within three days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall decide for this process.

Before initiating the mediation of a discrimination complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

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

The use of mediation shall not extend the Charter School’s timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

- Step 3: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within five days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint.

A. Complainant’s refusal to provide the Charter School’s investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

The Charter School’s refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

- Step 4: Response

OPTION 1:

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the Charter School's investigation and decision, as described in Step #5 below, within 60 days of the Charter School's receipt of the complaint.

OPTION 2:

Within 30 days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the Charter School's investigation and decision, as described in Step #5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 days of the Charter School's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. **Step 5: Final Written Decision**

The Charter School's decision shall be in writing and sent to the complainant. The Charter School's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The decision shall include:

1. The findings of fact based on evidence gathered.
2. The conclusion(s) of law.
3. Disposition of the complaint.
4. Rationale for such disposition.
5. Corrective actions, if any are warranted.
6. Notice of the complainant's right to appeal the Charter School's decision within fifteen (15) days to the CDE and procedures to be followed for initiating such an appeal.
7. For discrimination complaints arising under state law, notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.
8. For discrimination complaints arising under federal law such complaint may be made at any time to the U.S. Department of Education, Office for Civil Rights.

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

Appeals to the California Department of Education

If dissatisfied with the Charter School's decision, the complainant may appeal in writing to the CDE within fifteen (15) days of receiving the Charter School's decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the Charter School's decision.

Upon notification by the CDE that the complainant has appealed the Charter School's decision, the Director/CEO or designee shall forward the following documents to the CDE:

1. A copy of the original complaint.
2. A copy of the decision.
3. A summary of the nature and extent of the investigation conducted by the Charter School, if not covered by the decision.
4. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by all parties and gathered by the investigator.
5. A report of any action taken to resolve the complaint.
6. A copy of the Charter School's complaint procedures.
7. Other relevant information requested by the CDE.

The CDE may directly intervene in the complaint without waiting for action by the Charter School when one of the conditions listed in Title 5, California Code of Regulations, Section 4650 exists, including cases in which the Charter

School has not acted within 60 days of the date the complaint was filed with the Charter School.

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the Charter School's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For discrimination complaints arising under state law, however, a complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the Charter School has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

POLICY AGAINST UNLAWFUL HARASSMENT

The City Heights Preparatory Charter School (the "School") is committed to providing a work and educational atmosphere that is free of unlawful harassment. The School's policy prohibits sexual harassment and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, creed, color, gender, 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. The School will not condone or tolerate harassment of any type by any employee, independent contractor or other person with which the School does business with. This policy applies to all employee actions and relationships, regardless of position or gender. The School will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted.

Prohibited Unlawful Harassment

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

Prohibited Unlawful Sexual Harassment

In accordance with existing policy, discrimination on the basis of gender in education institutions is prohibited. All persons, regardless of the gender, are afforded equal rights and opportunities and freedom from unlawful discrimination in education programs or activities conducted by the School.

The School is committed to provide a workplace free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action, up to, and including dismissal, of the offending employee. Sexual harassment consists of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when: (1) submission of the conduct is either made explicitly or implicitly a term or condition of an individual's employment; (2) an employment decision is based upon an individual's acceptance or rejection of that conduct; (3) that conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

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

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

Each employee has the responsibility to maintain a workplace free from any form of sexual harassment. Consequently, should any individual, in particular those with supervisory responsibilities, become aware of any conduct that may constitute sexual harassment or other prohibited behavior, immediate action should be taken to address such conduct.

Employees and students are expected to act in a positive and professional manner and to contribute to a productive School environment that is free from harassing or disruptive activity. Any employee who believes they have been harassed or has witnessed harassment is encouraged to immediately report such harassment to their supervisor or the Director/CEO. See Attachment B for the "Harassment Complaint Form." Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:

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

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

Complainants and witnesses under these policies will be protected from further harassment and will not be retaliated against in any aspect of their employment due to their participation, filing of a complaint or reporting sexual harassment. The School will investigate complaints promptly and provide a written report of the investigation and decision as soon as practicable. The investigation will be handled in as confidential a manner as possible consistent with a full, fair, and proper investigation.

Employees may also direct their complaints to the California Department of Fair Employment and Housing (“DFEH”), which has authority to conduct investigation of the facts. The deadline for filing complaints with the DFEH is one year from the date of the alleged unlawful conduct. If the DFEH believes a complaint is valid and settlement efforts fail, the DFEH may seek an administrative hearing before the California Fair Employment and Housing Commission (“FEHC”) or file a lawsuit in court. Both the FEHC and the courts have authority to award monetary and non-monetary relief in meritorious cases. Employees can contact the nearest DFEH office or the FEHC by checking the State Government listings in the local telephone directory.

While in most situations a personal relationship is a private matter, these relationships are not appropriate in a professional setting, particularly where one of the parties has management or supervisory responsibilities.

COMPLAINTS AGAINST PERSONNEL

Specific complaints of unlawful harassment are addressed under the School's "Policy Against Unlawful Harassment."

This policy cannot guarantee that every problem will be resolved to the employee's satisfaction.

However, the School values each employee's ability to express concerns and the need for resolution without fear of adverse consequence to employment.

POLICY FOR COMPLAINTS AGAINST EMPLOYEES

(Complaints by Third Parties Against Employees)

This section of the policy is for use when a non-employee raises a complaint or concern about a City Heights Employee. If complaints cannot be resolved informally, complainants may file a written complaint with the School Office of the Director/CEO or Board Chair/President (if the complaint concerns the Director/CEO) as soon as possible after the events that give rise to the employee's work-related concerns. The written complaint should set forth in detail the factual basis for the employee's complaint.

In processing the complaint, Director/CEO (or designee) shall abide by the following process:

1. The Director/CEO or designee shall use his or her best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.
2. In the event that the Director/CEO (or designee) finds that a complaint against an employee is valid, the Director/CEO (or designee) may take appropriate disciplinary action against the employee. As appropriate, the Director/CEO (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
3. The Director/CEO's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors of the Charter School. The decision of the Board of Directors shall be final

GENERAL REQUIREMENTS

1. Confidentiality: All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.
2. Non-Retaliation: All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.
3. Resolution: The Board (if a complaint is about the Director/CEO) or the Director/CEO or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

UNIFORM COMPLAINT PROCEDURE FORM

Last Name: _____ First Name/MI: _____

Student Name (if applicable): _____ Grade: _____ Date of Birth: _____

Street Address/Apt. #: _____

City: _____ State: _____ Zip Code: _____

Home Phone: _____ Cell Phone: _____ Work Phone: _____

School/Office of Alleged Violation: _____

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

- | | | |
|-----------------------------------------------------|------------------------------------------------------------|---------------------------------------------|
| <input type="checkbox"/> Adult Education | <input type="checkbox"/> Consolidated Categorical Programs | <input type="checkbox"/> Nutrition Services |
| <input type="checkbox"/> Career/Technical Education | <input type="checkbox"/> Migrant and Indian Education | <input type="checkbox"/> Special Education |
| <input type="checkbox"/> Child Development Programs | | |

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

- | | | |
|------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------------------|
| <input type="checkbox"/> Age | <input type="checkbox"/> Ancestry | <input type="checkbox"/> Color |
| <input type="checkbox"/> Disability (Mental or Physical) | <input type="checkbox"/> Ethnic Group Identification | <input type="checkbox"/> Gender |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Race | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Sex (Actual or Perceived) | <input type="checkbox"/> Sexual Orientation (Actual or Perceived) | |
| <input type="checkbox"/> Based on association with a person or group with one or more of these actual or perceived characteristics | | |

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

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

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

I have attached supporting documents. Yes No

Signature: _____ Date: _____

Mail complaint and any relevant documents to:

Dr. Elias Vargas, School Director
City Heights Preparatory Charter School
4260 54th Street
San Diego, CA 92115
(619) 795-3137

HARASSMENT COMPLAINT FORM

It is the policy of the School that all of its employees be free from harassment including sexual harassment. This form is provided for you to report what you believe to be harassment, so that the School may investigate and take appropriate disciplinary or other action when the facts show that there has been harassment.

If you are an employee of the School, you may file this form with the Director/CEO or Board Chair/President.

Please review the School's policies concerning harassment for a definition of sexual harassment and a description of the types of conduct that are considered to be harassment.

The School will undertake every effort to handle the investigation of your complaint in a confidential manner. In that regard, the School will disclose the contents of your complaint only to those persons having a need to know. For example, to conduct its investigation, the School will need to disclose portions of your factual allegations to potential witnesses, including anyone you have identified as having knowledge of the facts on which you are basing your complaint, as well as the alleged harasser.

In signing this form below, you authorize the School to disclose to others the information you have provided herein, and information you may provide in the future. Please note that the more detailed information you provide, the more likely it is that the School will be able to address your complaint to your satisfaction.

Charges of harassment are taken very seriously by the School both because of the harm caused to the person harassed, and because of the potential sanctions that may be taken against the harasser. It is therefore very important that you report the facts as accurately and completely as possible and that you cooperate fully with the person or persons designated to investigate your complaint.

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

Name of Person(s) you believe harassed you or someone else: _____

List any witnesses that were present: _____

Where did the incident(s) occur? _____

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

I acknowledge that I have read and that I understand the above statements. I hereby authorize the School 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.

Signature of Complainant

Date

Print Name

Received by: _____

Date: _____

COMPLAINT FORM

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

Name of Person(s) you have a complaint against: _____

List any witnesses that were present: _____

Where did the incident(s) occur?

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attached additional pages, if needed):

I hereby authorize the City Heights Preparatory Charter School 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 providing false information in this regard could result in disciplinary action up to and including termination.

Signature of Complainant

Date

Print Name

To be completed by School:

Received by: _____

Date: _____

Appendix C: Health and Education

Parents'/ Guardians'/ Students' Rights, Health Education, and Student Services Annual Notification

State and federal laws require schools to notify parents of minor pupils of parental rights. The law requires the parents or guardians to sign a notification form and return it to school. The signature is an acknowledgement that the parents or guardians have been informed of their rights but does not indicate that consent to participate in any particular program has been either given or withheld.

Some legislation requires additional notification to the parents or guardian during the school term or at least 15 days prior to a specific activity. (A separate letter will be sent to parents or guardians prior to any of these specified activities or classes, and the student will be excused whenever the parents or guardians file with the principal of the school a statement in writing requesting that their child not participate.) Other legislation grants certain rights that are spelled out in this form. Items marked with a ** references specific documentation provided by the school.

EC§ 48980 requires the governing boards of school districts to notify parents and guardians of minor students of their right to exclude the students from specified activities. This law requires the parents or guardians to sign a notification form and return it to the school. The signature is an acknowledgement that the parents or guardians have been informed of their rights but does not indicate that consent to participate in any particular program has either been given or withheld.

The following rights, responsibilities, and protections are provided (*when used in this notification "parent" includes a parent or legal guardian*):

STUDENT INFORMATION REPORTED TO THE CALIFORNIA DEPARTMENT OF EDUCATION:

City Heights Preparatory Charter School transmits electronic school, teacher, and student information each year as required by the state. All such data is in compliance with federal and state privacy and confidentiality requirements.

CHILDREN IN HOMELESS SITUATIONS:

Each local district shall appoint a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. Parental Notification requires districts that receive Title I funds to notify parents of the following requirements under "No Child Left Behind." Program Improvements: Parents shall be notified when their children's school is identified as a "program improvement" and the opportunities for school choice and/or supplemental instruction. Teacher Qualifications: Parent shall be notified that they may request specified professional qualifications of the student's classroom teacher(s) and assigned paraprofessional(s).

COMMUNICABLE DISEASES (EC§ 49403):

The district may administer immunizing agents, to prevent or control communicable diseases, to students whose parents have consented in writing to such immunization.

COMPREHENSIVE SCHOOL SAFETY PLAN (EC§32286, EC§32288):

Each school is required to report on the status of its local school safety plan, including a description of its key elements, in the annual school accountability report card. The governing board or designated planning committee is required to hold a public meeting to allow member of the public the opportunity to express an opinion about the school plan. The governing board or designated planning committee is required to notify in writing specified persons and entities. Schools are to notify State Department of Education by October 15th of schools that are not in compliance with safety plans. A copy may be obtained from the school director upon request, or if available, through the school website.

CONTINUING MEDICATION REGIMEN (EC§49480):

The parent or legal guardian of any public school pupil on a continuing medication regimen for a non-episodic condition shall inform the school nurse or other designated certificated school employee of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian of the pupil, the school nurse may communicate with the physician and may counsel with the school personal regarding the possible effects of the drug on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

Appendix D: City Heights Prep Suspension and Expulsion Policy

Introduction

This Pupil Suspension and Expulsion Policy (the “Policy”) for **City Heights Prep Charter School** (“School”) has been established in order to promote learning and protect the safety and well-being of all students. When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction.

Staff shall enforce disciplinary rules and procedures fairly and consistently amongst all students. The Policy will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. The Director shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy is available on request at the school’s office.

Discipline includes, but is not limited to, advising and counseling students, conferring with parents/guardians, detention during and after school hours, community service on or off campus, the use of alternative educational environments, suspension and expulsion. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee’s use of reasonable force necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

A student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities in Education Act (“IDEA”) or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. The School will follow Section 504, the IDEA, the Americans with Disabilities Act of 1990 (“ADA”) and all applicable federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

A Suspension

Definition

Suspension is the temporary removal of a pupil from class instruction for adjustment or disciplinary reasons. Suspension does not mean any of the following:

- Reassignment to another education program or class at the School where the pupil will receive continuing instruction for the length of day prescribed by the Board for pupils of the same grade level;
- Referral to a certificated employee designated by the Director to advise pupils;
- Removal from the class, but without reassignment to another class for the remainder of the class period without sending the pupil to the Director or designee.

While suspended, the pupil may not loiter on or be within 100 yards of City Heights Prep Charter School grounds at any time, nor attend or participate in any School activity at any time, no matter where such activity is taking place. Violation may result in further disciplinary action.

City Heights Prep Charter School shall consider suspension from School only when other means of correction fail to bring about proper conduct or where the student’s presence would constitute a danger to persons or property or seriously disrupt the educational process.

Authority

The Director or his/her designee may suspend a student from class, classes or the school for a period not to exceed five (5) days. The Director or his/her designee may extend a student’s suspension pending final decision by the Board of Directors of City Heights Prep Charter School on a recommendation for expulsion. On a recommendation for expulsion, the Board of Directors may suspend a special education student being considered for expulsion in accordance with the laws relating to expulsion of special education students.

A pupil may not be suspended or expelled for any of the acts enumerated in this Policy unless the act is related to school activity or school attendance of City Heights Prep Charter School. A pupil may be suspended or expelled for

acts that are enumerated in this Policy and related to school activity or attendance that occur at any time, including, but not limited to any of the following:

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to or coming from a school sponsored activity

Grounds

Students may be suspended or expelled for any of the following acts (whether completed, attempted or threatened) when it is determined the pupil:

- 1 Academic Dishonesty
- 2 Assaults/Battery/Mutual Combat
 - Attempt/threatened to cause physical injury; mutual combat
 - Willfully caused minor injury upon the person of another, except in self-defense (NOT mutual combat)
 - Willfully caused serious injury upon the person of another, except in self-defense (can include mutual combat) (mandatory recommendation for expulsion)
 - Assault or battery on school employee (mandatory recommendation for expulsion)
 - Sexual assault or sexual battery (mandatory recommendation for expulsion)
 - Aids or abets the infliction or attempted infliction of physical injury
- 3 Bullying/Cyberbullying
 - Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
 - Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
 - Causing a reasonable pupil to experience a substantial interference with his or her academic performance.
 - Causing a reasonable pupil to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 4 Controlled/Prohibited Substances
 - Possessed/Used
 - 1st offense
 - 2nd offense (mandatory recommendation for expulsion)
 - Furnished or sold (mandatory recommendation for expulsion)
 - Possession of amount for more than personal use (mandatory recommendation for expulsion)
 - Soma- offered, arranged to sell or sold (mandatory recommendation for expulsion)
- 5 Disruption/Defiance
 - **Minor disruption/ defiance**
 - Minor disruption of classroom or school-sponsored event
 - Failure to follow teacher/supervisor directions
 - Verbal abuse or defiance of teacher/supervisor
 - **Major disruption/defiance**
 - Major disruption of one or more classrooms and/or school sponsored event
 - Verbal abuse or defiance of teacher/supervisor requiring assistance
- 6 Drug Paraphernalia
 - Unlawful possession
 - Unlawfully offered, arranged, or negotiated to sell
- 7 Harassment
 - Harassed, intimidated, or threatened pupil(s) or district personnel with intended effect of disrupting class work, creating substantial disorder, or creating an intimidating or hostile educational environment.
- 8 Hate Incidents
 - Mutual combat

- Fight motivated by racial differences, real or perceived sexual orientation, or other hate-related matters
 - Offensive comment, intent to harm
 - Use of physical force, minor injury
 - Use of physical force, serious injury (mandatory recommendation for expulsion)
 - Threat of violence
 - Vandalism or graffiti
- 9 Obscenity (Includes use of network or other electronic media)
- Obscene act
 - Habitual profanity/vulgarity
- 10 Property Damage
- Attempted to cause damage
 - Caused minor damage
 - Caused major damage
- 11 Property Theft
- Attempted to steal
 - Stole
 - Receipt of stolen property
- 12 Robbery/Extortion (includes attempts)
- Robbery or Extortion (mandatory recommendation for expulsion)
 - Robbery is the felonious taking of personal property in the possession of another against his/her will as accomplished by force or fear
 - Extortion is obtaining of property of another with his/her consent induced by wrongful use of force or fear.
- 13 Sexual Harassment (Includes use of network or other electronic media)
- Verbal/Visual
 - Making signs and gestures and/or verbal statement that causes a negative impact
 - Physical contact including minor and non-intimate physical contact
 - Continued verbal, visual, or physical sexual harassment
- 14 Substance in Lieu of Controlled Substance
- Delivered, furnished, or sold (substances misrepresented as controlled substances)
- 15 Threats and Intimidation
- Witness intimidation using harassment and/or threats
 - Threat (death or grave bodily injury) to staff, or against school property (damage > \$1000)
- 16 Tobacco/Nicotine Product
- Possessed/Used
 - 1st – 2nd offense
 - 3rd Offense (mandatory recommendation for expulsion)
- 17 Weapons, Explosives, Dangerous Objects, Imitation Firearms
- Possessed, sold, or furnished a firearm, knife, explosive, or dangerous object (mandatory recommendation for expulsion)
 - Brandished a knife (mandatory recommendation for expulsion)
 - Possessed, sold, or furnished devices such as snappers or poppers, firecrackers and fireworks other than M80's or cherry bombs.
 - Possessed an imitation firearm

The preceding list is not exhaustive and depending upon the offense, a pupil may be suspended or expelled for misconduct not specified above.

Procedures Required to Suspend

Step One

The Director or designee shall investigate the incident and determine whether or not it merits suspension.

Searches: In order to investigate an incident, a student's attire,¹ personal property, vehicle or school property, including books, desks and school lockers, may be searched by a Principal or designee who has reasonable suspicion that a student has violated or is violating the law or the rules of the school. Illegally possessed items shall be confiscated and turned over to the police.

Step Two

Unless a student poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, a suspension will be preceded by an informal conference between the Director or designee and the student in which the student shall be orally informed of the reason for the suspension, the evidence against him, and be given the opportunity to present informal proof of his/her side of the story. If the student poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, the informal conference will be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason, including, but not limited to, hospitalization or detention in a correctional facility.

At the time of the suspension, a City Heights Prep Charter School employee shall make a reasonable effort to contact the parent/guardian by telephone or in person to inform him/her of the suspension and the reasons therefor.

If a student is suspended without the informal conference, both the student and the parent/guardian will be notified of a student's right to return to school for the purpose of a conference.

Step Three

The Director or designee determines the appropriate length of the suspension (up to 5 days). When suspensions do not include a recommendation for expulsion, they shall not exceed 5 consecutive school days per suspension.

Step Four

The Director or designee fills out a Notice of Suspension Form, a copy of which will be sent to the student's parent/guardian and to the student. A copy of this form is also placed in the student's cumulative file at City Heights Prep Charter School. The Notice of Suspension Form shall state the fact of suspension, its duration and the specific offense committed by the student. In addition, the notice may state the date and time when the student may return to school. The notice shall also state that if desired by the parent/guardian, a prompt meeting or hearing will be held at which the suspension may be discussed and at which the student may be present and afforded an opportunity to present informal proof of his/her side of the case. Additionally, if the School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request the parent/guardian to respond to such requests without delay.

Step Five

The Director or designee determines whether the offense warrants a police report. Director or designee will report certain offenses to law enforcement authorities in accordance with Education Code section 48902.

When the Director or designee releases a minor pupil to a peace officer for the purpose of removing the minor from the school premises, the Director or designee shall take immediate steps to notify the parent, guardian or responsible relative of the minor regarding the release of the minor to the officer and regarding the place to which the minor is reportedly being taken, unless the minor has been taken into custody as a victim of suspected child abuse.

Step Six

The Director or designee may require the student and his/her parent/guardian to sign a contract that states the conditions that the student is expected to meet while at the School. Copies of the signed contract are kept by the school and given to the parent/guardian.

¹ This does not include removing clothing to permit visual inspection of the under clothing, breasts, buttocks or genitalia of the pupil.

Special Education Student Suspensions

When suspensions involve special education students, a manifestation determination meeting shall be held no later than the 10th suspension day (whether consecutive or cumulative for the school year). The Director or designee shall notify the student's special education teacher when the student's cumulative days of suspension for that school year reaches five. The manifestation determination meeting shall include the LEA, the parent, and relevant members of the student's IEP Team.

The student shall be treated as a general education student for disciplinary purposes, except to the extent that educational services must continue, if at the manifestation determination meeting the following are both determined in the negative, after reviewing all relevant information in the student's file, including the student's IEP, any teacher observations and any relevant information provided by the parents: 1) the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or 2) the conduct in question was the direct result of the LEA's failure to implement the IEP. If it is determined at the manifestation determination meeting that 1) or 2) is answered in the affirmative, the conduct is deemed a manifestation of the disability.

If the conduct is deemed a manifestation of the disability, the IEP Team must conduct a functional behavioral assessment, create a plan and implement it, or if the plan is preexisting, review it and modify it as necessary to address the behavior.

In the case of a manifestation of a disability, the student will be returned to the placement from which he/she was removed, unless the LEA and parent agree to a change of placement as part of the modification of the behavioral intervention plan. For special education students, a new manifestation determination meeting is required for all proposed suspensions exceeding ten cumulative days in one school year.

The special education student may be removed from school to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability if the student: 1) carries a weapon to or possesses a weapon at school, on school premises or to or at a school function under the jurisdiction of the School; 2) 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 under the jurisdiction of the School; or 3) has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the School.

If a student qualified for special education is also a foster child and the decision to recommend expulsion is a discretionary act, the educational liaison shall notify a foster child's attorney and the appropriate representative of the county child welfare agency of pending expulsion proceedings if the decision to recommend expulsion is a discretionary act, *before* manifestation determinations pursuant to Section 1415(k) of Title 20 of the United States Code and/or if the local educational agency has proposed a change in placement due to an act for which the decision to recommend expulsion is at the discretion of Director.

B Expulsion

Definition

Expulsion means involuntary disenrollment from the City Heights Prep Charter School.

Authority

A student may be expelled either by the City Heights Prep Charter School Board (from hereafter referred to as Board) following a hearing before it or by the Board upon a recommendation of an Administrative Panel to be assigned by the Board as needed. The Panel may recommend expulsion of any student found to have committed an expellable offense.

The Board, upon voting to expel a pupil, may suspend the enforcement of the expulsion order for a period of not more than one calendar year and may, as a condition of the suspension of enforcement, assign the pupil to a school, class or program that is deemed appropriate for the rehabilitation of the pupil [or other conditions such as good behavior, attendance, etc.]. The rehabilitation program to which the pupil is assigned may provide for the involvement of the pupil's parent or guardian in his or her child's education in ways that are specified in the rehabilitation program. A parent or guardian's refusal to participate in the rehabilitation program shall not be

considered in the Board’s determination as to whether the pupil has satisfactorily completed the rehabilitation program.

Grounds for Expulsion

Category I Expulsions – Mandatory Recommendation for Expulsion

A student who has committed one or more of the following acts must be immediately suspended and recommended for expulsion.

- Possessing, selling or otherwise furnishing a firearm when a school employee verifies firearm possession, unless the student obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or his/her designee
- Brandishing a knife at another person
- Unlawfully selling a controlled substance
- Committing or attempting to commit a sexual assault or committing a sexual battery
- Possession of an explosive

Category II Expulsions – Recommendation for Expulsion Required, Unless Inappropriate Under the Circumstances

A student who has committed one of the following acts of misconduct must be recommended for expulsion, unless particular circumstances render it inappropriate.

- Causing physical injury to another person, except in self-defense
- Possession of any knife, explosive or other dangerous object of no reasonable use to the student
- Unlawful possession of any controlled substance, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis
- Robbery or extortion
- Assault or battery on a school employee

Category III Expulsions – Discretionary Expulsion Recommendation

In the discretion of the Director or his/her designee, any act that warrants suspension may warrant expulsion. Additionally, a student may be expelled for misconduct that is not listed above if the acts disrupt and/or present ongoing health and/or safety concerns, or the student has repeatedly engaged in the misconduct.

Procedures to Expel a Student

Step One

The Director or designee investigates the incident and determines whether the offense results in a suspension. If so, the Director or designee follows the procedures to suspend the student as outlined above.

For students in foster care if the decision to recommend expulsion is a discretionary act, the educational liaison shall notify a foster child’s attorney and the appropriate representative of the county child welfare agency of pending expulsion proceedings if the decision to recommend expulsion is a discretionary act, **before** the meeting held with the Director to extend a suspension pending the expulsion hearing.

Step Two

In the discretion of the Director, a student’s suspension may be extended pending expulsion. In this case, a meeting is held within five school days of the student’s suspension to extend the suspension. The student and his/her parent/guardian are invited to attend this meeting with the Director or his/her designee.

At this meeting, the offense and the repercussions are discussed. An extension of the suspension may be granted only if the Director or his/her designee has determined, after the meeting, that the presence of the student at the School would cause a danger to persons or property or a threat of disrupting the instructional process. If the student has committed an offense that requires a mandatory expulsion recommendation, this is discussed so that it is understood by all parties. The purpose of the meeting is to decide upon the extension of the suspension order and may be held in conjunction with the initial meeting with the parents after the suspension.

Step Three

Complete Recommendation for Expulsion/Zero Tolerance

Step Four

If the student is a special education student or has a 504, schedule a Manifestation Hearing within five school days. The manifestation determination meeting shall include the parent/guardian, and relevant member of the IEP team.

Step Five

The School shall send a letter to the student and parent/guardian regarding the expulsion hearing. The expulsion hearing shall be held no later than 30 school days of the date that expulsion is recommended, unless a brief extension is requested by the student or his/her parent/guardian.

The letter shall be either hand-delivered or sent via certified mail to the student and his/her parent/guardian to the address reflected in the pupil's student file at least 10 calendar days before the date of the hearing. The letter shall notify the student and parent/guardian when and where the expulsion hearing will take place and the rights of the student with respect to the hearing, including:

- The date and place of the expulsion hearing;
 - A statement of the facts, charges and offenses upon which the proposed expulsion is based;
 - A copy of the School's disciplinary rules relating to the alleged violation;
 - Notification of the student's or parent/guardian's obligation to provide information about the student's status at the School to any other school district or school to which the student seeks enrollment;
 - The opportunity for the student or the student's parent/guardian to appear in person and/or to employ and be represented by counsel or an advocate;
 - The right to inspect and obtain copies of all documents to be used at the hearing;
 - The opportunity to confront and question witnesses who testify at the hearing;
- [NOTE: If the revelation of the name of a student witness or requiring that student testify could subject the student to risk, statements and reports of such students may be relied on in lieu of live testimony and student's names does not have to be revealed.]**
- The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witness testimony.

Step Six

The Director or designee shall maintain documents that may be used at the hearing and make them available for review by the student and/or his/her parent/guardian. These papers may include, but are not limited to, the following: A record of the student's attendance and grades, a record of previous infractions, a statement of the facts surrounding the case made by a Director or designee; a statement of the facts surrounding the case made by a witness, a law enforcement agency's report and any other relevant matter.

Step Seven

An expulsion hearing shall be held before the board. 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 a complete written transcription of the proceedings can be made.

While the 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 board to expel must be supported by substantial evidence that the student committed an expellable offense.

Findings of fact shall be based solely on evidence produced at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay evidence, although sworn declarations may be admitted as testimony from witnesses who are determined by the Board that disclosure of their identity or live testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

Step Eight

The decision of the board shall be in the form of a written recommendation, with findings of fact, to the Board of Directors who will make a final determination regarding the expulsion. The final decision by the Board shall be made within 10 days following the conclusion of the hearing, or within 40 school days after the date of the pupil's removal from City Heights Prep Charter School for the incident for which the recommendation for expulsion is made. If the Board decides not to recommend expulsion, the pupil shall be reinstated and permitted to return to classroom programs. The decision not to recommend expulsion shall be final.

Step Nine

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

- Notice of the specific offense committed by the student;
- The student may submit a written objection and request for reconsideration to the school's Board of Directors within 10 days. Decisions of the Board of Directors shall be final.
- 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 within the charter school

Within 30 days of the decision to expel, the Director shall send written notice of the decision to expel to the student's district of residence, the County Office of Education and the charter granting district (if different than the student's district of residence). This notice shall include the student's name and the specific expellable offense committed by the student.

Step Ten

Expelled students are responsible for seeking alternative education programs, including but not limited to, programs within the County or their school district of residence.

Step Eleven

The school shall maintain records of all student suspensions and expulsions at the school site.

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

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Director and the pupil and parent/guardian to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Director shall make a recommendation to the Board of Directors following the meeting regarding his/her determination. The pupil's readmission is also contingent upon the school's capacity and any other admission requirements in effect at the time the student seeks admission or readmission.

Zero Tolerance Policy.

City Heights Prep Charter School has approved the following Zero Tolerance Policy:

- Use, possession or brandishing of a weapon will result in a recommendation for expulsion. A weapon is defined as, but not limited to, a firearm, pistol replica, starter pistol, stun gun, BB gun or pellet gun, a knife of any size or type, a dirk, dagger, razor, slingshot, any explosives or fireworks. Any object used in a dangerous manner will also be considered a weapon.
- Repeated incidents of fighting, violent acts, or causing serious injury to another person will result in a recommendation for expulsion
- Attempting to commit or committing a sexual assault and committing a sexual battery will result in a recommendation for expulsion.
- Our school has a NO ALCOHOL, TOBACCO, or other DRUG USE POLICY. If you are found to be selling, furnishing, or possessing an amount determined to be for more than personal use of controlled/prohibited substances, you will be recommended for expulsion on your first offense. For possession or use, expulsion must be recommended on your 2nd offense, except for tobacco offenses; if you are found in possession of tobacco you must be recommended for expulsion on your 3rd offense. While not mandatory, you may be recommended for expulsion for a 1st offense.
- In addition to discipline, if you are found to have violated the law you may be arrested and taken to a juvenile detention facility.
- Expulsion from City Heights Preparatory Charter School will result in the loss of privileges to attend school or extracurricular activities. You may be placed in an alternative school or program.
- The Zero Tolerance Policy requires a recommendation for expulsion if the offense occurs on school campus or at a school activity, whether on or off campus.
- Expulsion may be recommended for an offense that occurs during lunch period - off campus, and during, or while going to or from a school-sponsored activity.

The Zero Tolerance Policy is designed to make your school a safe environment and to provide an appropriate learning environment for you and other students. There can be no acceptable reason for violating these rules

Appendix E: Permission to Transport Student

My child attends City Heights Prep. I understand that there may be times when my child must be transported to or from school by City Heights Prep staff when I am unable to provide transportation, to receive medical care, to ensure my child's safety, or in the event of any other emergency. I understand that the City Heights Prep staff or authorized volunteer may be using his or her personal vehicle or a City Heights Prep-owned vehicle to transport my child. I hereby give City Heights Prep permission for my child to be driven by a City Heights Prep staff member or authorized volunteer for the aforementioned purposes.

I understand that City Heights Prep requires all potential drivers to have a valid driver's license and proof of insurance coverage consistent with applicable law. I understand that City Heights Prep also requires all potential drivers to affirm that the number of individuals riding in their vehicle will not exceed the number of passengers the vehicle is designed to carry or the number of working seat belts, and that each person in the vehicle will be in their own seats and secured with individual working seat belts. I understand that City Heights Prep also requires all potential drivers to verify that their vehicle is in safe operating condition (brakes, tires, etc.) and that they will operate their vehicle in a safe manner, including not using a cell phone while driving and obeying all traffic laws.

RELEASE OF LIABILITY

I acknowledge that the activities or circumstances identified above may entail certain known or unanticipated risks or danger of accidents which could result in injury, accident, illness, or death. I understand that such risks simply cannot be eliminated and I knowingly assume those risks. Therefore, in consideration for City Heights Prep permitting my child to be transported by schools staff in the circumstances identified above, I hereby voluntarily waive, release, and discharge any and all claims for damages for personal injury, death or property damage which I or my child may have, or which hereafter may accrue to me or my child, as a result of participation in said activities or circumstances. This release discharges City Heights Prep, its officers, employees, and agents, from and against any and all liability arising out of or connected in any way with the activities and circumstances outlined above, even though that liability may arise out of negligence or carelessness on the part of the persons involved and City Heights Prep (or its officers, employees, or agents). It is further agreed that this waiver, release and assumption of risk is to be binding on my heirs and assigns.

Appendix F: Student Use of Technology

New technologies are modifying the way in which information may be accessed, communicated and transferred. Those changes also alter instruction and student learning. City Heights Prep (“Charter School”) offers students access to technologies that may include Internet access, electronic mail, and equipment, such as computers, tablets, or other multimedia hardware. The Charter School Governing Board intends that technological resources provided by the school be used in a safe, responsible, and proper manner in support of the instructional program and for the advancement of student learning.

Educational Purpose

Use of Charter School equipment and access to the Internet via Charter School equipment and resource networks is intended to serve and pursue educational goals and purposes. Student use of the Internet is therefore limited to only those activities that further or enhance the delivery of education. Students and staff have a duty to use Charter School resources only in a manner specified in the Policy.

“**Educational purpose**” means classroom activities, research in academic subjects, career or professional development activities, Charter School approved personal research activities, or other purposes as defined by the Charter School from time to time.

“**Inappropriate use**” means a use that is inconsistent with an educational purpose or that is in clear violation of this policy and the Acceptable Use Agreement.

Notice and Use

The Charter School shall notify students and parents/guardians about authorized uses of school computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities.

Before a student is authorized to use the Charter School's technological resources, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree not to hold the Charter School or any Charter School staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence. They shall also agree to indemnify and hold harmless the Charter School and Charter School personnel for any damages or costs incurred.

Safety

The Charter School shall ensure that all Charter School computers with Internet access have a technology protection measure that blocks or filters Internet access to websites that have no educational purpose and/or contain visual depictions that are obscene, constitute child pornography, or that are harmful to minors. While the Charter School is able exercise reasonable control over content created and purchased by the Charter School, it has limited control over content accessed via the internet and no filtering system is 100% effective. Neither the Charter School nor its staff shall be responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence. To reinforce these measures, the Director or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities. Staff shall supervise students while they are using online services and may have teacher aides, student aides, and volunteers assist in this supervision.

The Director or designee also shall establish regulations to address the safety and security of students and student information when using email, chat rooms, and other forms of direct electronic communication.

The Director or designees shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, maintaining the student's online reputation and ensuring their personal safety by keeping their personal information private, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying. Students are expected to follow safe practices when using Charter School technology.

Students shall not use the Internet to perform any illegal act or to help others perform illegal acts. Illegal acts include, but are not limited to, any activities in violation of local, state, and federal law and/or accessing information designed to further criminal or dangerous activities. Such information includes, but is not limited to, information that if acted upon could cause damage, present a danger, or cause disruption to the Charter School, other students, or the community. Damaging, debilitating or disabling computers, computer networks or systems through the intentional or overuse of electronic distribution or the spreading of computer viruses or other harmful programs shall be prohibited. Any

unauthorized online access to other computers by means of hacking into other computers, downloading hacker tools such as port scanners and password crackers designed to evade restrictions shall also be strictly prohibited.

Student use of Charter School computers to access social networking sites is not prohibited, but access is limited to educational purposes only. To the extent possible, the Director or designee shall block access to such sites on Charter School computers with Internet access. The Director or designee shall oversee the maintenance of the Charter School's technological resources and may establish guidelines and limits on their use.

All employees shall receive a copy of this policy and the accompanying Acceptable Use Agreement describing expectations for appropriate use of the system and shall also be provided with information about the role of staff in supervising student use of technological resources. All employees shall comply with this policy and the Acceptable Use Agreement, in addition to any separate policies governing employee use of technology.

Student use of school computers, networks, and Internet services is a privilege, not a right. Compliance with the Charter School's policies and rules concerning computer use is mandatory. Students who violate these policies and rules may have their computer privileges limited and may be subject to discipline, including but not limited to suspension or expulsion per school policy.

ACCEPTABLE USE AGREEMENT

The Charter School believes that providing access to technology enhances the educational experience for students. However, student use of school computers, networks, and Internet services is a privilege, not a right. To make that experience successful for everyone, students must abide by the following terms and conditions:

1. **Security.** Students shall not impair the security of Charter School technology resources. Students are expected to:
 - a. Safeguard all personal passwords. Students should not share passwords with others and should change passwords frequently. Students are expected to notify an administrator immediately if they believe their student account has been compromised.
 - b. Access technology only with their account or with a shared account as directed by their teacher and not to allow others to use their account or to use the accounts of others, with or without the account owner's authorization.
2. **Authorized Use.** Students may use Charter School technology resources when directed by a teacher, when technology has been designated for open student use (e.g., computers in the library), and for other educational purposes.
3. **Protection Measures.** While the Charter School is able exercise reasonable control over content created and purchased by the Charter School, it has limited control over content accessed via the internet and no filtering system is 100% effective. Neither the Charter School nor its staff shall be responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence. The student and parent agree not to hold the Charter School or any Charter School staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence. They also agree to indemnify and hold harmless the Charter School and Charter School personnel for any damages or costs incurred.
4. **Inappropriate Use.** Charter School technology, hardware, software and bandwidth are shared and limited resources and all users have an obligation to use those resources responsibly. Students are provided access to the Charter School technology primarily for educational purposes. Students shall not use Charter School technology or equipment for personal activities or for activities that violate school policy or local law. These include but are not limited to:
 - a. Playing games or online gaming.
 - b. Downloading software, music, movies or other content in violation of licensing requirements, copyright or other intellectual property rights.
 - c. Installing software on Charter School equipment without the permission of a teacher or other authorized Charter School staff person.

- d. Downloading, viewing or sharing inappropriate content, including pornographic, defamatory or otherwise offensive material.
 - e. Conducting any activity that is in violation of school policy, the student code of conduct or local, state or federal law.
 - f. Engaging in any activity that is harmful to other student(s), including the use of technology to harass, intimidate, bully or otherwise disrupt the educational process.
 - g. Participating in political activities.
 - h. Conducting for-profit business.
 - i. Using hacking tools on the network or intentionally introducing malicious code or viruses into the Charter School's network.
 - j. Using any software or proxy service to obscure either the student's IP address or the sites that the student visits.
 - k. Disabling, bypassing, or attempting to disable or bypass any system monitoring, filtering or other security measures.
 - l. Accessing or attempting to access material or systems on the network that the student is not authorized to access.
5. **No Expectation of Privacy.** Student acknowledges that computer equipment, Internet access networks, email accounts, and any other technology resources are owned by Charter School and provided to students for educational purposes. The Charter School may require staff to monitor and supervise all access to computer equipment, Internet access networks, and email accounts. To facilitate monitoring of activities, computer screens may be positioned so that they are visible to the staff member supervising the students. The Charter School reserves the right to access stored computer records and communications, files, and other data stored on Charter School equipment or sent over Charter School networks. Such communications, files, and data are not private and may be accessed during routine system maintenance; during inspection of Charter School equipment at the end of the school year/term or agree to use period; and review of individual files or monitoring of individual activity when there is a reasonable suspicion that the student is engaging in an inappropriate use.
6. **Disruptive Activity.** Students should not intentionally interfere with the performance of the Charter School's network or intentionally damage any Charter School technology resources.
7. **Unauthorized Networks.** Students may not create unauthorized wireless networks to access the Charter School's network. This includes establishing wireless access points, wireless routers and open networks on personal devices.
8. **Consequences of Inappropriate Use.** Students who violate this Agreement will be subject to discipline which may include loss of access to Charter School technology resources and/or other appropriate disciplinary or legal action in accordance with the Student Code of Conduct and applicable laws.