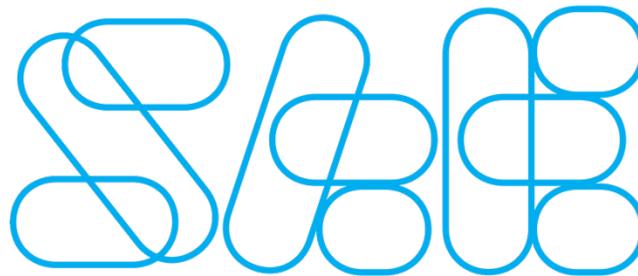


The School of Arts and Enterprise Unlocking your creative excellence!

2021-22 Student-Parent Handbook

A Guide for Students, Parents/Legal Guardians, and Staff



**the school of
arts + enterprise**

Main Campus

295 N. Garey Ave. Pomona, CA 91767
(909) 622-0699
Fax (909) 620-1018
www.TheSAE.k12.ca.us

DTC (Downtown Center) Campus

300 W. Second St. Pomona, CA 91766
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Middle School Campus

375 S. Main St. Pomona, CA 91766
(909) 436-1005
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Board Approved on: September 9, 2021

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Letter from our Executive Director

SAE Community,

The School of Arts and Enterprise is a special place. I have had the pleasure of serving in different capacities in multiple locales throughout my career, but in such a short time, The SAE has left an indelible mark on me and I am privileged to be a part of it.

It has been said for months that these are “unprecedented times”. Indeed, the times in which we find ourselves now are unique and have thrown multiple challenges our way personally, professionally, and relationally. However, we believe in our community and its overall commitment to student success and safety that will undergird their future.

The students here are unique and powerful. Our student community is full of thespians, vocalists, dancers, visual and digital artists, film makers, and instrumental musicians who are imaginative and brimming with unmatched potential.

We are a community that believes in education for ALL students as a basic human right. We understand the need to invest in the whole child, to celebrate with them when they are successful and undergird them during challenging times. Our teachers are proud to serve here and understand the unique opportunity that is each school day. They have been moved to emotion watching the peerless performance of their very own student, who sat in their class hours earlier, transform in front of a capacity audience.

As you read this Student-Parent Handbook with your child, partner with us in our continuous push to student achievement. The Handbook is an important part of The SAE and includes our policies, procedures, technology agreement, and important information that will help guide us all to a successful school year.

Thank you, for being a part of The SAE Community.

Sincerely,

Jon Gundry Executive Director

The School of Arts and Enterprise Leadership & Important Contacts

Jon Gundry
Executive Director

Kendall Martin
Director of Human Resources & Business Services

Maria Cuadros-Solis
High School Principal

Brianna Lane Nix, Ed. D
Middle School Principal

Tony Castro
Assistant Principal

Paul Treesuwan
Chief Accountability Officer
Director of Special Education

Phil Miller
Artistic Director

High School Counselor	Casey Furr Main Campus	(909) 622-0699 CFurr@thesae.k12.ca.us
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Mission Statement

We live to unlock and nurture the passion of each and every student through a foundation of knowledge, creativity, and a lifelong love of learning.

We support this foundation on the transformational power of art, entrepreneurship and 21st century scholarship.

We empower passionate world-citizens with the confidence of knowledge, the power of creative thinking, and the tools needed to succeed.

We are The SAE

PHILOSOPHY, GOALS AND OBJECTIVES

The Governing Board (“Board”) and staff of the School of Arts and Enterprise (“The SAE” or the “Charter School”) believes that the effectiveness of the educational program of the school depends fundamentally upon a sound philosophic base, a set of agreed upon goals and detailed objectives consistent with these goals.

Education is the life-long development and cultivation of the mind, body and character. The SAE and its Board work to provide the best possible educational opportunities for its community. The SAE emphasizes education of the whole person by promoting intellectual, emotional, physical and social growth upon which each student may build his or her future. Students are treated as individuals and develop the skills of a responsible member of a democratic society and changing world.

An educated person in the 21st century will have accumulated a large base of global knowledge upon which to build in order to achieve success in a highly technical and sophisticated society. The global economy and international interdependence will demand a strong knowledge of information technology. A core of knowledge in the subjects of language arts, math, geography, history, science, art and entrepreneurship will be basic requirements. The ability to work well in teams, think critically and creatively, solve complex problems, communicate effectively, and employ the skills of a life-long learner will also be essential for success in the workplace. Such knowledge must enjoy synergy and successful learners will be able to combine the core knowledge with artistic understanding, and the ability to collaborate efficiently with others. Finally, an educated person in the 21st century will understand the need for civic responsibility and social justice.

Students come to schools at different levels of development and with a variety of experiences. They learn at different rates and in different ways. The SAE shall provide an educational experience that allows for these individual differences and ensure that each student has an equal opportunity to reach his or her full potential.

ANTI-RACISM POLICY

The SAE rejects all forms of racism as destructive to its mission, vision, values, and goals. The SAE is committed to the following principles:

1. Establishing and sustaining a school community that shares the collective responsibility to address, eliminate, and prevent actions, decisions, and outcomes that result from and perpetuate racism.
2. Eliminating inequitable practices and cultivating the unique gifts, talents, and interests of every child to end the predictive value of social or cultural factors, such as race, class, or gender, on student success.
3. Respecting and championing the diversity and life experiences of all community members to support The SAE's mission, vision, values, goals, and objectives.
4. Acknowledging that racism is often compounded by multiple forms of discrimination.

Definitions

**Adapted from the Government Alliance on Race and Equity at:
www.racialequityalliance.org**

- Anti-racism: the practice of identifying, challenging, and changing the values, structures, and behaviors that perpetuate systemic racism.
- Individual racism: pre-judgment, bias, or discrimination by an individual based on race. Individual racism includes both privately held beliefs, conscious and unconscious, and external behaviors and actions towards others.
- Institutional Racism: occurs within institutions and organizations, such as schools, that adopt and maintain policies, practices, and procedures that often unintentionally produce inequitable outcomes for people of color and advantages for white people.
- Structural (or systemic) racism encompasses the history and current reality of institutional racism across all institutions and society. It refers to the history, culture, ideology, and interactions of institutions and policies that perpetuate a system of inequity that is detrimental to communities of color.

Purpose

Personal and institutional racism have historically existed and continue to exist. Combating racism in our school community is a legal and moral imperative.

There are disparities between racial groups in student academic performance, achievement, and participation in academic programs.

These include disparities in graduation rates, course participation, special education identification, standardized test scores, and suspension rates. Disparities also exist between the racial demographics of the students at The SAE and the staff The SAE hires.

These equity gaps exist because of inequitable access to opportunities that have significant intergenerational effects and perpetuate economic, social, and educational inequity. However, racial inequities were created over time and can be eliminated. Similarly, personal prejudice is learned and can

be unlearned. Educators play a vital role in reducing racism and inequity by recognizing the manifestations of racism, creating culturally inclusive learning and working environments, and dismantling educational systems that directly or indirectly perpetuate racism and privilege through teaching, policy, and practice.

The purpose of this policy is to eliminate all forms of racism from The SAE in conjunction with related Board policies.

Anti-racism Policy Regulations

These regulations are designed to dismantle the individual, institutional, and structural racism that exist at The SAE. The Board directs the following action:

A. Policy Communication

1. The SAE shall post a public statement against racism in a location visible to students, staff, and visitors entering the school's campuses. The SAE will also post a public statement in classrooms and on [The SAE website](#). The public statement shall read: "The School of Arts and Enterprise is committed to establishing and sustaining an equitable community that achieves its equity mission to end the predictive value of race and ensure each individual student's and staff's success. The School of Arts and Enterprise, its Board, and school community reject all forms of racism as destructive to their mission, vision, values, and goals."
2. The SAE shall establish an organization or committee of students and staff to promote equity and diversity and to serve as leaders and spokespersons within The SAE.
3. This policy shall be included in The Student\Parent Handbooks provided to students and families, as well as The Employee Handbook.
4. Reference to this policy will be placed on outreach and admission materials and an abbreviated summary of the policy will be placed on registration materials.
5. This policy shall be translated into other languages and be made available for families.

B. Leadership and Administration

The Board shall address systemic racism as follows:

1. Develop and conduct a systemic Equity Needs Assessment for The SAE to identify processes and practices that cause or contribute to inequitable outcomes. Following the assessment, strategies will be developed and implemented to address the identified issues.
2. Ensure equity in admissions and outreach practices by reviewing demographic data of potential target areas and encouraging racial diversity on the campuses of The SAE.
3. To address disparities in course participation (including AP/honors participation):
 - a. School staff making class recommendations shall provide a written electronic explanation for

the recommendation to students and/or families. Students declined from classes will receive a written explanation as to why.

- b. School counselors shall be responsible for educating students and families as equitable partners in the selection process and course sequencing.
 - c. The SAE will offer opportunities for supplementary coursework, such as summer bridge programs, or tutoring during or after school, to students interested in moving to higher level courses.
4. The Board shall implement alternative discipline processes, such as restorative justice, to reduce racial disparities in discipline and suspension.
- a. To ensure consistency in student discipline, The SAE shall collect and, at least annually, report data on all disciplinary actions. The data shall include the student's race/ethnicity, gender, socio-economic status, special education, and English Learner status, as well as a written explanation of the behavior leading to discipline and the specific corrective action taken. Faculty and Staff will be responsible for recording individual discipline processes as a part of the data, including but not limited to:
 - i. Family Contact
 - ii. Similar-Case History
 - iii. Frequency of Infractions
 - b. When Charter School administrators determine a student has committed a racist act, the student will be provided the opportunity to learn about the impact of their actions on others through such practices as restorative justice, assignments, role play or other explicit policies or training resources.

C. Curriculum and Instruction

- 1. Curriculum and instructional materials for all grades shall reflect cultural and racial diversity and include a range of perspectives and experiences, particularly those of historically underrepresented groups.
- 2. All artistic and academic curriculum units should be examined for racial bias by a selection of qualified stakeholders. Where materials reflect racial bias, teachers utilizing the materials will acknowledge the bias and communicate it to students and parents and/or remove it from their curriculum.
- 3. Student in-class and extra-curricular programs and activities shall be designed to provide opportunities for cross-cultural and cross-racial interactions to foster respect for cultural and racial diversity. The SAE shall support activities that will allow students to experience the diversity within the school.

D. Training

- 1. All Board and SAE staff shall be trained in this anti-racism policy.

2. All teachers and administrators shall be trained in cultural awareness and/or culturally responsive teaching practices. Culturally responsive teaching practices shall be incorporated into Board approved assessment systems.
3. All SAE staff shall be trained about racism and about how racism produces inequitable and outcomes.

E. Policy Enforcement

1. Staff shall collect, review, and provide an annual report to the School Board on data regarding racial disparities in areas including, but not limited to, student achievement, enrollment, suspension/discipline, and graduation rates. The report shall also include evidence of growth in each area outlined by the anti-racism policy (i.e., communication, leadership and administration, curriculum and instruction). The written reports shall also be made available to the public, to the Student Diversity Committee, School Equity Representative.
2. The Executive Director shall be responsible for implementation and evaluation of school strategies for implementation. Adequate resources shall be appropriated.
3. The SAE shall ensure there are various, including anonymous, means for students and staff to report racism and other forms of discrimination.

21st Century Learning Goals:

The SAE UNLOCK Skills

Understand Diversity.

Understand the opportunities and challenges of diversity on a local and global scale.

- model respect for all human diversity
- understand environmental, historical, and global trends
- assume responsibility for your actions

Never give up on excellence.

Never give up on excellence--rethink, revise, refine.

- commit to high-quality craftsmanship and excellence through reflection and revision
- critique your work using established workplace criteria

Learn to problem-solve.

Learn to problem-solve through creativity and critical thinking.

- seek out innovation and expert resources to analyze, evaluate, and synthesize
- hypothesize creative solutions and complete rigorous experiments to test them
- use data to drive decision-making

Open yourself to collaboration.

Open yourself to allow for effective collaboration.

- practice active listening and reflective dialogue
- abide by community norms
- solve problems in teams using roles and expectations to set and monitor goals

Communicate clearly.

Communicate your ideas and opinions clearly using 21st century tools.

- use precise questions to drive your investigations
- critically use a variety of media formats to express ideas clearly, creatively, and concisely

Know how to market.

Know how to market your talents using 21st century skills.

- use social media with an understanding of the risks and power inherent in them
- understand and use the elements of discourse in the Information Age to effectively market your ideas
- analyze opportunities and challenges in order to set and achieve life goals

LEARNING AND STANDARDS-BASED GRADING POLICY

The SAE’s instructional approach, Mastery Learning, is designed to help all students improve their learning. Some key aspects of mastery learning include:

- Learning objectives will be transparent from the first day of a unit and on each assignment.
- Students will have opportunities to track and reflect on their progress on the standards.
- Formative assessments are opportunities for students to practice the standards.
- Summative assessments are the primary factor in academic grades.
- Multiple summative assessments that address various learning styles will be used.
- Grades are based ONLY on mastery of academic standards and UNLOCK skills. Students must earn a ‘D’ or higher to pass a course and receive credits.

Standards-based Grading

The SAE has adopted the Mastery Learning model of standards-based grading. Students are evaluated based on specific academic standards and UNLOCK skills. Students are not given “points” for simply completing work or participating. Students must demonstrate their knowledge and abilities on a variety of assessment types (quizzes, oral quizzes, discussions, tests, essays, reports, speeches, projects, presentations, portfolios).

For every assignment, students are evaluated on a **4-point rubric**:

- 4.0 = Advanced**
- 3.5 = Approaching Advanced 3.0 = Proficient**
- 2.5 = Approaching Proficient 2.0 = Basic**
- 1.5 or 1 = Below Basic**

Formative vs. Summative Assessments

For the purpose of Mastery Learning, it is important to recognize the difference between “formative” and “summative” assessments.

- **Formative Assessments** are activities given during the instructional process to inform teachers how students are progressing toward the learning goals and help students understand and track their progress towards standards mastery. Every formative assessment is aligned to a specific standard or standards. Formative assessments are included in the grade book to guide instruction and inform teachers of student learning needs. Students are given ample chances to move towards mastery of standards through formative assessments. However, final grades are tabulated only through summative assessments.
- **Summative Assessments** are given to enable students to demonstrate their mastery of the standards. Every summative assessment is aligned to a specific standard or standards. Students take summative assessments only after feedback from multiple formative assessments have been received.

Grades on summative assessments are the primary calculation for a student's final course grade. Because formative assessments are required before summative assessments, retakes on summative assessments are discouraged. Retakes on summative assessments will be granted on a case-by-case basis.

Final Course Mark for Mastery Learning

A student's final course grade should be an accurate reflection of the level of standards that have been mastered by the end of the course. Final grades will be an average of the most recent assessment of each standard as well as UNLOCK Skills assessments. UNLOCK Skills will count for about 10% of the final grade for academic courses.

A Note on Quarterly Progress Reporting for Mastery Learning

Please note that in the Mastery Learning model, a student's grade shows the level of mastery they have achieved on specific standards in that content area. It is NOT necessarily an indication of how hard a student is working or how well they behave in class.

If a student is failing for the overall course at the quarter, please refer to the individual progress report or grade book entries from that teacher in the PowerSchool online portal to see which standards the student needs more practice or help with during tutoring. (If you have trouble accessing the PowerSchool online portal, please call The SAE Main Office for assistance.) Mastering knowledge and skills happens over time, with many opportunities for application and practice. Students may not yet have a passing grade because the course is only half over at the quarter progress report. Students will have opportunities to retake assessments and therefore show their mastery of skills and knowledge as the semester continues.

Mastery Learning hugely improves student success in high school, and prepares students for college; based on research, Mastery Learning makes a difference in students' lives.

Cal Grant Program – Annual Notice

The SAE is required by state law to submit the GPA of all high school seniors by Oct. 1st of each year, unless the student (if the student is 18 years of age or older) or parent/guardian for those under 18 opt-out. Students currently in eleventh (11th) grade will be deemed a Cal Grant applicant, unless the Student (or Parent, if the Student is under 18) has opted out by or before February 1st.

Information Regarding Financial Aid – Annual Notice

The Charter School shall ensure that each of its students receives information on how to properly complete and submit the Free Application for Federal Student Aid (FAFSA) or the California Dream Act Application, as appropriate, at least once before the student enters 12th grade. The Charter School will provide a paper copy of the FAFSA or the California Dream Act Application upon request.

- The FAFSA form and information regarding the FAFSA are available at:
 - <https://studentaid.gov/h/apply-for-aid/fafsa>
- The California Dream Act Application and information regarding the California Dream Act is available at:
 - <https://www.csac.ca.gov/post/resources-california-dream-act-application>

PROMOTION AND GRADUATION POLICIES

8th Grade Promotion

8th grade students of The SAE Middle School are eligible to participate in the Promotion Ceremony by meeting the following criteria:

- Take all required courses and achieve a year-long “C” (2.0) average or higher
- Display marked improvement with approval from The Promotion Committee
- Comply with all applicable contracts (Academic/Behavior/Attendance)
- Successfully complete and present Portfolio
- Sign and turn in 8th grade Promotion Agreement distributed by Middle School Counselor

Students who do not meet the promotion requirements, but have demonstrated marked growth in multiple areas, may appeal to the Promotion Appeals Committee to have their promotion privileges reinstated.

High School Graduation

Graduation is a special time to recognize those that have completed the recommended course of study for The SAE. The Board believes that these students deserve the privilege of a public celebration that recognizes the significance of their achievement and encourages them to continue the pursuit of life-long learning.

Students who satisfy the entirety of graduation requirements will be eligible to receive their diploma and will be able to pick it up from The SAE Registrar or have it mailed to them upon request.

Qualifications for High School Diploma and Graduation Ceremony

In order to qualify to participate in the graduation ceremony and receive their high school diploma from the SAE, high school students must fulfill the SAE Graduation Requirements, and successfully present their Portfolio as described by The Portfolio Coordinator and complete any remediation deemed necessary by members of the Portfolio panels. The High School Counselor has details on graduation requirements. Please see the minimum requirements chart below:

Subject Requirements	SAE College Preparatory Course Programming Required for SAE High School Diploma	UC/ CSU Requirements for Freshman Admission ‘C’ or better
English	4 Years	4 Years
Mathematics	4 years Students must pass Integrated Math I, II, & III, and an additional course: Pre-Calculus or AP Calculus	3 years, 4 years recommended Integrated Math I, II & III

Social Science	3 years US History & World History + US Government and Economics	2 years World History & US History
Science	3 years 1 Yearlong Physical Science 1 Yearlong Biological Science 1 Additional Yearlong Lab Science Course	2 years, 3 years recommended 1 Yearlong Physical Science 1 Yearlong Biological Science
World Language	2 years in the same language Or waiver exam	2 years in the same language Or waiver exam 3 years recommended
Visual and Performing Arts & Electives	6 yearlong courses (60 credits) of Arts and/or Business	1 year
College Preparatory Course		1 year
Physical Education	2 years 20 Credits	N/A

Valedictorian/Salutatorian Selection Guidelines

The SAE shall use the following guidelines to select valedictorian(s) and salutatorian(s).

- The valedictorian shall have the highest cumulative unweighted grade point average (“GPA”) at the end of the 1st semester of the year in which the student(s) graduates. Grades will be evaluated at the end of the 3rd Quarter. Grades must be maintained.
- The salutatorian will be determined with the same parameters of the valedictorian, ranking second to the valedictorian in the grade categories.
- The valedictorian and salutatorian must have attended The SAE for at least two (2) consecutive years.
- The cumulative unweighted GPA shall be based on whatever courses students have completed through the end of the 1st semester in which they are graduating. The total number of courses may include courses from community college and Regional Occupational Programs.

The SAE Executive Director shall appoint a committee to review unique student situations that warrant the selection of valedictorian(s) and salutatorian(s). The SAE will also review situations of additional valedictorian(s) and salutatorian(s). The committee shall consider scope and rigor of academics, student attendance and student behavior. The committee will also take into account any unique personal circumstances or situations of each student.

The SAE shall provide an opportunity for each valedictorian(s) and salutatorian(s) to speak at graduation. (The Executive Director shall supervise and coordinate the student speech preparation and shall make final determinations of valedictorian(s) or salutatorian(s) who will speak at graduation ceremony in accordance with SAE’s Student Freedom of Speech and Expression Policy included within the Appendix.

Graduation Ceremony Conduct and Disciplinary Standard

Any student participating in a graduation ceremony shall comply with The SAE policies and regulations pertaining to student conduct. Students who violate these policies prior to or during the ceremony can be subject to removal from the ceremony. In order to encourage high standards of student conduct and behavior, a student may be denied the privilege of participating in graduation ceremonies and/or activities in accordance with school rules including, but not limited to: prior discipline and poor attendance. Prior to denial of the privilege, the student, and where practicable his/her parents/guardians, shall be made aware of the grounds for such denial and shall be given the opportunity to respond. If a privilege is to be denied, the student and parent/guardian shall receive written notification of the denied privilege based on the policies of The SAE. If a student has an IEP plan or Section 504 plan, any decisions regarding that student's participation in graduation ceremony/activities will be made by the IEP/504 team and will include the parent/guardian.

ACADEMIC INFORMATION

List of Course Descriptions (Prospectus) – Annual Notice

The descriptions and instructional aims of every course offered by The SAE are available upon request. Please note that, pursuant to law, The SAE may charge for the prospectus in an amount not to exceed the cost of duplication.

House-Advisory

Students are grouped into grade-level Houses. Houses are groups of students that meet during scheduled House time. Houses serve a variety of functions, including the following:

- House is an important vehicle to re-emphasize UNLOCK skills.
- Houses serve a basic structural function, including attendance taking, announcements, emergency planning, etc.
- Houses allow groups of students to develop group process skills on an ongoing basis.
- House advisors work with their House during assessment periods and act as a liaison between students and other faculty and between parents/legal guardians and faculty.
- House promotes a highly personalized environment, thereby supporting student achievement.
- House may also be used for Issues and Events, timed writing, structured project time, team/class bonding, etc.

Policy Regarding Student Projects

Project-Based Learning (“PBL”) is required as a critical part of The SAE’s educational program. PBL is a student-driven, interdisciplinary program that promotes students to participate in inquiry based, authentic, real-world projects that integrate their 21st century skill-base. Teachers support students in the development and design of these projects. Students are also given the opportunity to support and reflect on their projects during the SAE Culmination events.

PBL projects may address the development of student entrepreneurial skills. Such projects may include, but are not limited to, the sale of student artwork at local galleries, student production of a CD or film for sale, or the design and sale of student-made jewelry, bags, and t-shirts. These projects are made possible through the joint efforts of The SAE administration in providing support, The SAE teaching staff in

providing instruction, and the students in providing creativity. The following statement addresses use of funds and reimbursement with regard to student projects:

- Students shall not be permitted to garner any profit from the student project. Such projects are made possible through the use of public funds in a public instruction setting. Any profit resulting from student projects shall be contributed to an approved charitable organization or shall be utilized for the benefit of the student's project class.

Advanced Placement Program

The Advanced Placement ("AP") Program consists of classes that are equivalent to first year college courses. The academic rigor of these classes prepares students for college level studies. Students demonstrate mastery of the curriculum by taking AP Exams in May administered by the College Board. Most colleges give credit and/or advanced placement to students whose grades are considered passing. Please check with the high school counselor for fee and collection dates.

Special Education and Child Find – Annual Notice

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

Pursuant to the IDEA and relevant state law, The SAE is responsible for identifying, locating, and evaluating children enrolled at The SAE with known or suspected disabilities to determine whether a need for special education and related services exists. This includes children with disabilities who are homeless or foster youth. The SAE shall not deny nor discourage any student from enrollment due to a disability. If you believe your child may be eligible for special education services, please contact The Chief Accountability and Director of Special Education, Paul Treesuwan, at (909) 436-1005. The SAE's complete Special Education Policy is available within the Appendix of this Handbook.

Section 504 – Annual Notice

The SAE recognizes the need to identify and evaluate students with disabilities in order to provide them with a free, appropriate public education ("FAPE") and its legal responsibility to ensure that "no qualified person with a disability shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity." If you believe your child may be eligible for Section 504 services, please contact The Chief Accountability and Director of Special Education, Paul Treesuwan, at (909) 436-1005. A copy of The SAE Section 504 Policies and Procedures are available within the Appendix of this Handbook.

Education of Foster and Mobile Youth – Annual Notice

The SAE maintains a Policy addressing the rights and protections of foster and juvenile justice youth, children of military families, currently migratory children and newcomers. For additional information concerning services for foster and mobile youth, please contact the Charter School Liaison, Joanna Hernandez, at 909-620-1196. A copy of The SAE's complete Education of Foster and Mobile Youth Policy is available within the Appendix of this Handbook.

McKinney-Vento Homeless Act – Annual Notice

As required by Federal law (McKinney-Vento), The SAE ensures that homeless children and youth are provided equal access to the same free, appropriate public education as provided to other children and youth. For additional information concerning services for homeless children and youth, please contact the Charter School Liaison, Joanna Hernandez, at 909-620-1196. A copy of The SAE's complete Education of Homeless Children and Youth Policy is available within the Appendix of this Handbook.

English Learners – Annual Notice

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

Pregnant and Parenting Students – Annual Notice

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

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

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

Jon Gundry Executive Director
jgundry@thesae.k12.ca.us
(909) 622-0699
295 N. Garey Ave, Pomona, CA 91766

A copy of the UCP is available within the Appendix of this Handbook. For further information on any part of the complaint procedures, including filing a complaint or requesting a copy of the complaint procedures, please contact the Executive Director.

Teacher Qualification Information – Annual Notice

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

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

Upon request, the SAE will provide the information to the parents/guardians in a timely manner. Parents/guardians may contact the Executive Director at jgundry@thesae.k12.ca.us to obtain this information.

State Testing – Annual Notice

The SAE shall annually administer state testing to the applicable grades (e.g., the California Assessment of Student Performance and Progress (“CAASPP”), as required by law. Notwithstanding any other provision of law, a parent’s or guardian’s written request to School officials to excuse his or her child from any or all parts of the CAASPP shall be granted. Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student.

The SAE Academic Expo/Arts Festival

The SAE’s Academic Expo and The SAE Arts Festival will occur on Saturdays near the close of each semester; the dates can be found on The SAE Master Calendar. These culminating events are an integrated display of students’ academic and artistic mastery. The SAE Academic Expo and The SAE Arts Festival are a display of standards-based outcomes that affect students’ grades. Student engagement at these events is important to the SAE student experience, and *attendance is mandatory*. Prior administrative approval is required for excusal due to emergency related absences from these events.

Students who do receive an excused absence from these events are expected to remediate the missed portion of their culminating activity.

Change of Arts Major Procedure

The SAE requires all students at The SAE High School (“HS”) to select an artistic major as part of its Nationally Award-Winning Arts Program. Students will select a single major from the following options - Dance, Digital Arts, Instrumental Music, Theatre, Vocal Music or Visual Arts. Students are required to select their major upon start of 9th grade year (or entrance to The SAE) and maintain it through graduation. Students from the above listed majors may also audition for acceptance into The SAE’s Musical Theatre or Filmmaking Dual Major at the beginning of each school year. The SAE does not offer “double majoring” or “minors” - but strongly encourages interdisciplinary collaborations when available.

A student may only apply to change their major at the end of their 9th grade year, and the following procedure is required prior to approval.

- Meet with HS Counselor to discuss issues, artistic goals and reasons for change and confirm room in potential new major.
- Inform current art major teacher or Department Director
- Prove basic competency in new major by performing an assessment as directed by the Department Director.
- Complete SAE Arts Major Change Form - receiving Department Director’s signatures for release from current major, acceptance to new major.
- Receive final approval by signature of the Artistic Director of The School of Arts and Enterprise.

Tutoring

After school tutoring is available, and an important part of ensuring student success at The SAE. A schedule of which classrooms will be open each day will be provided, and teachers will notify parents of student’s need to attend tutoring sessions. Attendance will be taken during all tutoring sessions. Tutoring is an opportunity for students to gain additional targeted instruction to further student understanding concepts taught in class, and to work towards mastery of standards.

Senior Activities and Privileges

Senior courses are dynamic and individualized based on each student's post-secondary goals. Administration reserves the right to review individual student requirements on a case-by-case basis.

Age 18 and Over Guidelines

Some students enrolled at The SAE will reach the age of 18 before graduation. Eighteen is the age of majority and, legally, an 18-year-old student is able to enter into contractual obligations on their own behalf (and is required to abide by those obligations). The SAE requires all students, upon their 18th birthday, to review their Enrollment Agreement, that their parent/guardian completed, with The High School Counselor. An Addendum to Enrollment Agreement will be completed that will provide the following:

- Permission for The SAE to discuss and release information/records to the student’s parent(s)/guardian(s) about any issues related to the student, covered under FERPA and all applicable laws regarding student records and;
- Authorization for the school to interact with the student’s parent(s)/guardian(s) as if the student were under the age of 18.

The student's parent(s)/guardian(s) will still be responsible under the Enrollment Agreement.

DISTANCE LEARNING

The Charter school will not offer distance learning for the 2021-22 school year.

ATTENDANCE POLICY

Student success is directly correlated to consistent and punctual attendance in class and school-related events. Students with good attendance records achieve higher grades, are more successful in their pursuit of higher education, and are more employable after leaving school. The SAE expects that every pupil shall attend school punctually, and regularly, and adhere to the regulations of the school. It is the policy of The SAE that students attend class every day, and on time; that work missed because of school-related activities or illness be promptly made up; that truancy is unacceptable; and that other absences approved by the parent/legal guardian be minimized or avoided whenever possible. ***Excessive absences and/or tardies can be a reason to dismiss a student from The SAE following the School's involuntary removal process.***

Attendance Tips

- Consistent and on-time attendance is a strong indicator of academic success.
- Missing just two days a month, or 10% of the school year, can negatively affect a student's ability to be successful at The SAE.
- Encourage students to get plenty of rest, 6-8 hours of sleep each night makes a difference.
- Contact The SAE for resources to help with maintaining good attendance.
- Make a support plan for getting your student to school when there are difficulties with transportation, family illness, or other challenges.

Excused Absences

The SAE defines excused absences as:

- A pupil's illness or medical/dental appointments (Parents/guardians and students shall be encouraged to schedule medical appointments during non-school hours)
 - Students in grades 7-12, inclusive, may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian.
- Medical quarantine
- Immediate family funeral (1 day in CA/ 3 days outside of CA)
- Court appearances for pupil
- Holidays or ceremonies specific to a family's religious customs or beliefs
- Verified family emergency, authorized at the discretion of a school administrator
- Attendance at a religious retreat with documentation
- Attendance at the pupil's naturalization ceremony to become a U.S. citizen
- Funeral services for non-family members
- Active-duty family member returning/leaving deployment (up to 1 day)
- Authorized parental leave for a pregnant or parenting student for up to eight (8) weeks, which may be extended if deemed medically necessary by the student's physician.
- Illness or medical appointment of a child for whom the student is the custodial parent

- Work in the entertainment or allied industries pursuant to a work permit issued by The SAE for not more than five (5) consecutive days
- To participate with non-for-profit performing arts organization in a performance for a public-school student audience for not more than five (5) days per school year, pursuant to parent/guardian written note
- Jury duty in the manner provided for by law
- To serve as a member of precinct board for an election pursuant to Election Code section 12302
- Authorized at the discretion of the Executive Director or designee, based on the facts of the student's circumstances, are deemed to constitute a valid excuse.

Unexcused Absences

The SAE defines unexcused absences as those not defined above as excused, as well as, the following:

- Unverified absence
- Absence due to leaving campus without permission

Absence Notification

When absences occur:

- Parents will be notified by phone, email or written note

If determined student cut class:

- After School Detention will be assigned
- Parents will be notified 24 hours in advance of any after school detention that exceeds 15 minutes in length.

Students who do not attend After School Detention when assigned may be subject to further disciplinary actions.

Returning from an Absence and Absence Excusal

Students need to have a note signed by the student's parent/guardian or healthcare provider upon their return from an absence. If the absence is excused, it will be marked as such in The SAE's attendance computer system. Student absences are to be cleared through Attendance by calling (860) 468-5580 or emailing Attendance@thesae.k12.ca.us.

School Work When Absent

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

Chronic Absenteeism

Chronic Absenteeism Defined

Students are chronically absent when they have missed ten percent (10%) of the school days or fifteen (15) days of school in a school year. Student attendance will be reviewed monthly to determine who falls into the chronically absent, or in danger of being chronically absent, categories. Chronic absenteeism includes both *excused* and *unexcused absences*.

Tardies

An unexcused tardy occurs when the student is not seated and ready for class at the time class is scheduled to begin (under 30 minutes into class) without a valid excuse from a parent/legal guardian or a SAE staff member. All tardies without a pass into class are unexcused. Students who are late to class often fail to realize that the teacher may have already recorded them as absent. *It is the student's responsibility* to ask the teacher to correct the "absence" to a "tardy" during non-instructional time.

Unexcused Tardy Consequences

1st & 2nd	Teacher-issued Detention of 30 minutes
3rd & 4th	Administrative Detention of 1 hour
5th & above	Parent meeting and contract with additional administrative action

Note: Excessive tardies may have additional consequences per administrative action.

Truancies

The SAE defines a truant student as one who is absent from school without a valid excuse three (3) full days in one school year or tardy or absent for more than a 30-minute period during the school day without a valid excuse on three (3) occasions in one school year, or any combination thereof. Policies regarding truancy, tardiness, and other situations are in effect for all classes. The SAE students and families must be mindful of attendance practices for both academic achievement and reasons of safety and accountability. In order to cultivate successful attendance practices, students and parents will observe the following guidelines:

Truancy Consequences (after 3 unexcused absences)

- 1st Phone call home reminder of dangers of chronic truancy, teacher- issued detention
- 2nd Parent meeting and attendance contract, with supports/services that can assist regular attendance
- 3rd Parent conference and activation of SART process, with development of intervention plan
- 4th Parent conference with Administrator, with possible SARB hearing, attendance monitoring

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.

If the conditions imposed by the SART/SARB process and attendance contract are not met, the student may incur additional administrative action up to and including disenrollment from the Charter School, consistent with the Involuntary Removal Process described below. If the student is disenrolled after the Involuntary Removal Process has been followed, notification will be sent within thirty (30) days to the student's last known district of residence.

If student is absent ten (10) or more consecutive school days without valid excuse and parent/guardian cannot be reached at the number or address provided in the registration packet and does not otherwise respond to the Charter School's communication attempts, as set forth above, the student will be in violation of the SARB contract, and the SARB panel will recommend that the student be disenrolled in compliance with the Involuntary Removal Process. The Involuntary Removal Process can be started

immediately upon the Charter School receiving documentation of Student's enrollment and attendance at another public or private school (i.e. a CALPADS report).

School Attendance Review Team

The School Attendance Review Team ("SART") is a trained group of The SAE stakeholders who will work cooperatively with parents and students to create individualized attendance plans, members may include counselor, intervention specialist, teachers, administrators, etc. The SART meets monthly to review attendance data and review attendance plans. The SART will work with The SAE administration and staff to monitor student attendance and identify students with, or in danger of, chronic absenteeism. The SART will help chronically truant or absent students, and their parents or guardians, solve school attendance and behavior problems through the use of available school and community resources.

SART responsibilities include:

Attendance Monitoring

1. Act as a resource to school staff regarding attendance issues, and provide training, as necessary, related to record keeping for student attendance, early identification of truancy, and data collection for truancy rates, graduation rates, and dropout rates.
2. Collect, analyze, and report truancy data, chronic absentee data, graduation-rate data, and dropout data as ongoing activities for appropriate school personnel to inform decisions about attendance and behavior interventions.
3. Maintain data on the successful transfer of students from and to alternative school programs, charter schools, and other schools.
4. Provide an opportunity for parents or guardians to challenge the accuracy of attendance records that could impact the determination of grades, CalWORKS benefits, or involuntary transfers.

Developing and Coordinating Strategies for Truancy Reduction

1. Coordinate truancy-prevention strategies based on the early identification of truancy, such as prompt notification of absences in the parents' native language, selective approval of work permits, assignments of weekend school instruction, and counseling for truant students.
2. Assist school staff in development of site attendance plans by providing youth development strategies, resources, and referral procedures. Explain policies, regulations, and procedures.
3. Maintain an inventory of local alternative educational programs and community resources, and employ those programs and resources to meet the differential needs of students with school attendance or school behavior problems. Inform parents/guardians of truant students about alternative educational programs to which the student may be assigned.
4. Encourage and coordinate the adoption of attendance-incentive programs at the school site and in individual classrooms that reward and celebrate good attendance and significant improvements in attendance.
5. Develop and submit follow-up reports to the School Attendance Review Board ("SARB") on all directives and agreements made at the SART meetings, especially student agreements to attend school or improve school behavior.
6. Coordinate with grade-level Student Success Teams ("SSTs") to reduce truancy and collect data on the outcomes of those meetings.

School Attendance Review Board

The SARB is composed of SAE stakeholders and youth-serving agencies to serve on hearing panels that will examine individual cases of chronically absent and/or truant students of The SAE.

SARB Responsibilities for Dropout Prevention

1. Review the school attendance record and other documentation to determine the adequacy of all cases referred to the SARB and to determine if special arrangements or experts will be needed for the meeting. If the case warrants the resources of the SARB panel, schedule a SARB meeting with the parent and the family. If the referral contains inadequate information or if appropriate school-level intervention has not been attempted, remand the case to the school for further work.
2. Ensure that SARB hearings maintain high expectations for all students and ensure that families and youth are involved in selecting resources and services and held accountable for their actions.
3. Refer students with attendance or behavior problems that cannot be resolved by the SARB to the appropriate school-based and/or social service agency, including law enforcement agencies when necessary. Also, refer parents or guardians who continually and willfully fail to respond to SARB directives or services provided to the appropriate agencies, including law enforcement agencies.
4. Use age-appropriate habitual-truancy petitions to the courts when necessary, such as petitions to suspend or delay the driving privilege for students from thirteen to eighteen years of age.
5. Collect data and report outcomes on SARB referrals as needed for the annual report to the Executive Director and the Board.

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

When students are not in attendance on the first five (5) days of the school year, the Charter School will attempt to reach the parent/guardian on a daily basis for each of the first five (5) 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 sixth (6th) day of the school year will be disenrolled from the Charter School roster after following the Involuntary Removal Process described below, 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 the school year will be contacted by phone to ensure their intent to enroll in the Charter School.
2. Students who have indicated their intent to enroll but have not attended by the third (3rd) day of the school year and do not have an excused absence will receive a letter indicating the student's risk of disenrollment.
3. Students who have indicated their intent to enroll but have not attended by the fifth (5th) day of the school year and do not have an excused absence will receive a phone call reiterating the content of the letter.
4. The Charter School will send the Involuntary Removal Notice to the Parent/Guardian and follow the Involuntary Removal Process described below for any students who have not attended by the sixth (6th) day, and do not have an excused absence.
5. Students who are not in attendance by the sixth (6th) day of the school year and do not have an excused absence will receive an Involuntary Removal Notice and the [CDE Enrollment Complaint Notice and Form](#). The Charter School will follow the Involuntary Removal Process described

below, which includes an additional five (5) schooldays for the parent/guardian to respond to the Charter School and request a hearing before disenrollment.

6. The Charter School will use the contact information provided by the parent/guardian in the registration packet.
7. Upon removal, the Charter School will send the student's last known school district of residence will be notified of the student's failure to attend the Charter School and the disenrollment within thirty (30) calendar days of the disenrollment.

Involuntary Removal Process

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

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

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

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

A hearing decision not to disenroll the student does not prevent SAE from making a similar recommendation in the future should student truancy continue or reoccur.

Extended Vacation

Extended vacations during the regular school year are strongly discouraged. We must inform you that to schedule vacations during the regular school year is in direct violation of the Compulsory Attendance or the Truancy Law.

Long-term Absence

Learning works best when students attend school daily. Although occasional absences are unavoidable, long-term absences pose a special challenge to learning. Class participation and group projects are vital components to The SAE program, and a student's long-term absence will seriously impact his/her mastery of important course concepts and skills. Parents/legal guardians of a student who is absent for an extended period due to illness, injury, or family emergency should contact Attendance at (860) 468-5580, with an estimate of the student's absence (periodic updates are appreciated). Parents/legal guardians should meet with the counselor of their child's campus to discuss the plan for an extended absence.

Independent Study

The School of Arts and Enterprise (the "Charter School") may offer independent study to meet the short or long-term educational needs of pupils enrolled in the Charter School.

Independent study is an optional educational alternative in which no pupil may be required to participate and is designed to teach the knowledge and skills of the core curriculum. Independent Study requires approval from the Executive Director or designee in writing. The School's complete Policy is located within the Appendix of this Handbook.

Senior Attendance Guidelines

Seniors may not be allowed to walk at graduation or attend senior events/school functions if they have any of the following:

- a. More than 5 unexcused absences
- b. Owe money for textbooks
- c. Unmet graduation requirements
- d. Non-attendance the school day of and after "Grad Night"
- e. Unexcused Non-attendance of school the week before graduation

Senior Ditch Day

There are no school-sponsored Senior Ditch Days: All seniors absent on a ditch day will be counted as an unexcused absence. Consequences for ditch days are severe and will include loss of senior privileges.

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 student's attendance does not improve after a SART contract has been developed according to the procedures above, or if the parents/guardians fail to attend a required SART meeting, the Charter School shall notify the County District Attorney's office, which then may refer the matter for prosecution

through the court system. Students twelve (12) years of age and older may be referred to the juvenile court for adjudication.

Non-Discrimination – Annual Notice

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 Penal Code section 422.55, including immigration status, pregnancy, or association with an individual who has any of the aforementioned characteristics). A copy of The SAE's complete Nondiscrimination Statement is available within the Appendix of this Handbook.

Attendance Reports

The Executive Director, or designee, shall gather and annually 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.

DRESS AND GROOMING STANDARDS

The SAE believes there is a direct correlation between the quality of appearance and a sound and safe educational environment. The SAE has a business and arts theme; students will find that it is to their advantage to cultivate an awareness of appearance and behavior that will allow them to interact harmoniously among people of various demographics in different situations. Because The SAE campuses are located in the Arts Colony, SAE students must also be aware that each is a professional ambassador of the school to the business community.

The dress and grooming guidelines listed below are provided to ensure that each SAE student will receive the maximum benefit from his/her surroundings. Student appearance must be appropriate for the student's daily activities on campus and the learning environment.

Should a student's dress or grooming not meet these guidelines, the student may be asked to change out of the offending garment and into "loaner" clothes for the duration of the day, or parents may be called to bring their child clothes for the day.

- Students are encouraged to dress in a manner that is appropriate and conducive to an active school day.
- Students should be able to wear clothing without fear of actual unnecessary discipline or body shaming.
- The student dress code should serve to support all students to develop a body-positive self-image.

Items listed in the 'must/may wear' categories must meet the principles outlined below:

Students MUST wear:

- Top (i.e. shirt, sweatshirt, sweater, etc.)
- Bottom (i.e. pants, shorts, skirts, etc.)
- Shoes (i.e. closed toed shoes or sandals with heel strap)
- For safety reasons, The SAE requires that students wear shoes on campus at all times.
- Clothing that covers specific body parts (genitals, buttocks and areolae/nipples)

Students CANNOT wear:

- Clothing with transparent material
- Pajama style "slippers" or "slides" are not allowed

- Undergarments must not show through clothing or been worn on top of clothing
- Clothes with large or extreme holes in clothing
- Sexually explicit, racist, profane, discriminatory, threatening, libelous or obscene/vulgar clothing
- Clothing, jewelry, slogans, or accessories promoting drugs, alcohol, tobacco, or weapons
- No gang-related jewelry, insignia, colors, styles, paraphernalia, materials, apparel, clothing or attire may be worn or carried on campus or at school activities. Also prohibited are notebooks, manner of grooming, or gesture, which by virtue of its color, arrangement, trademark, vandalism or any other attribute, denotes membership in such a group.
- Any clothing that presents a hazard to the safety of self or others, i.e. pajamas, blankets, etc.
- Sunglasses and Bandanas MUST NOT be worn in the classroom and inside the school campus buildings
- Headcovers for religious or cultural purposes are acceptable on campus.
- Hats, skullies, hoods, beanies, durags may not contain gang insignias

Grooming Standards

- Hair and makeup should not be so unusual as to be distracting.
- Hair, makeup and headwear should not disguise a student so they cannot be recognized. Students can be asked to modify hair and makeup to be recognized.
- The SAE shall not discriminate against any student based on hair texture or protective hairstyle including braids, locks and twists.
- Applying makeup, nail polish, hair spray, perfume, etc., in class is prohibited.
- For health and safety reasons, blankets are prohibited on students while on campus.

Dress Code for Performing Arts Classes

The SAE requires that all student artists wear proper attire to ensure focus on work and safety. All student artists should adhere to their specific arts discipline dress code expectations given by the Department. The dress code is required to be followed during all classes, rehearsals and performances. If a student artist needs financial support in fulfilling dress code requirements, the parent/guardian must contact the Department Director for assistance. It is also suggested that parents review the course syllabi for each class to get detailed information regarding performance and rehearsal dress codes.

School Dance Dress Code

Informal dance dress code is the same as the dress code for a regular school day. For formal dances, appropriate clothing is required. Formal attire includes tuxedos, suits, dress pants, collared dress shirt with a tie, dresses or gowns. Clothing must not reveal undergarments. Slits anywhere on the dress cannot be higher than the thumbs when hands are kept at the side. Formal dresses must be mid-thigh or longer. Tuxedos must not be oversized. NO cut-offs, shorts, or sweat suits. **Students not dressed in appropriate formal dance attire will be sent home and no refunds will be given.**

CODE OF CONDUCT AND DISCIPLINE

Multi-Systems of Support (“MTSS”)

MTSS is an integrated, comprehensive framework that focuses on core instruction, student-centered learning, individualized student needs, and the alignment of systems necessary for all students’ academic, behavioral, and social success. This is a tiered approach to intervention and supports. Tier I includes whole school awareness and promotion. Tier II includes targeted group intervention and prevention. Lastly, Tier III includes wrap around intervention and supports for a small selected group of students.

Restorative Justice

Restorative Justice (“RJ”) is a set of principles and practices employed by The SAE to build community and respond to student misconduct. The goal is to repair harm and restore relationships between those impacted. Students, families, faculty, and community members are encouraged to attend restorative circles. The RJ program works to lower suspension and expulsion rates while simultaneously fostering positive school climates. RJ research proves that it helps achieve the goal of eliminating racially disproportionate discipline practices.

Academic, Artistic, and Social Integrity

Integrity is a fundamental principle of scholarship. The content of assignments will reflect the results of a student’s study and research. This work is expected to clearly distinguish a student's ideas from the ideas of others. Acknowledgment must be given to the source ideas or any words not one's own. The SAE will instruct students in Modern Language Association (MLA) style citations, which is the expectation for all The SAE papers. Rewriting or printing information taken from a source without proper citation is plagiarism. It is also vital that students do their own work in daily class and homework assignments. Copying work, projects, etc., from others including books, internet websites, or any other documented form is unacceptable behavior and will result in loss of credit for the assignment for all parties involved.

The SAE encourages students to develop and understand their identity. Therefore, students are not to pose as anyone other than who they are and/or misrepresent themselves as a teacher, staff member, another student, etc.

Multiple infractions will lead to disciplinary measures that include, but are not limited to: detention and On Campus Suspension. The goal of The SAE is to develop students who work independently and collaboratively with a sense of integrity and ethical standards of study.

School Dance and Performance Attendance

If a student is suspended, for whatever reason, **within 10 (ten) days** of a dance or prom, they will be excluded from attending that dance. Chronic and/or excessive absenteeism may result in a student being excluded from attending any dance during the semester.

Students are **required to attend school on the day of all performances**. Unexcused absences on the day of a performance may result in ineligibility to perform.

Out of Class or Off-Campus without Permission

The SAE is situated uniquely in Downtown Pomona, as a member of its historic Arts District. Despite the shops and venues in the area, students are expected to stay on campus at all times, until they are picked up by a parent/guardian or the school day has ended, with the exception of Off Campus Lunch for eligible students. When the school day has ended, students should act as responsible members of the Downtown Pomona community. Even when a student leaves campus, it is important that they remember they are a SAE Citizen. Leaving campus after school and returning is prohibited, unless the student has an appointment, performance, or emergency.

All students out of class are required to have an official pass if they are outside of their schedule, whether on or off campus.

- Students out of class without an official pass may receive disciplinary consequences.
- Students are not permitted to leave campus during school hours with the exception of Off Campus lunch for eligible students, as described below.
- Any minor (between the ages of six and eighteen) who has not completed high school or a high school equivalent is required to attend school for the full school day. Minors found in public areas during school hours may be subject to legal consequences.

Public Displays of Affection

The SAE supports a warm social environment and recognizes that genuine feelings of affection may exist between two students. However, students shall refrain from all Public Displays of Affection (“PDA”) while on campus or while attending and/or participating in a school-related activity or event.

Being overly affectionate at school can be offensive and is generally in poor taste, taking the focus away from scholastic and artistic learning. The expression of feelings towards one another is a personal concern between the two individuals and thus, should not be shared with others in the general vicinity. PDA includes any physical contact that may make others in close proximity uncomfortable or serves as a distraction for themselves as well as innocent onlookers. Some specific examples of PDA include, but are not limited to:

- Kissing
- Fondling
- Lap-Sitting
- Cuddling
- Inappropriate Touching
- Rubbing/Massaging
- Caressing/Stroking/Petting
- Excessive/Extended Hugging

Students caught engaging in such practices are subject to the following consequences:

- 1st Offense – Verbal warning, possible parent contact
- 2nd Offense – Parent contact, detention with Administrator (60 minutes)
- 3rd Offense – Behavior Contract, parent conference, school counseling referral, Administrator detention (120 minutes)
- 4th or more Offense – Parent notification of contract breach, Administrator consequences

Senior Pranks

The SAE does not approve of senior pranks, of any type. All students, regardless of their grade-level, who are involved in the carrying out of pranks, do so fully understanding the risk of disciplinary action and/or criminal charges if their actions are disruptive of instruction, destructive, malicious, or harassing, especially if they target an individual. If a student willfully damages The SAE property or the personal property of an SAE employee, the student’s parents/guardians are liable for all damages pursuant to our Lost or Damaged School Property procedures. Any theft of school property will also be prosecuted.

Sale of Outside Items

The sale of any items outside the parameters of school fundraising (such as slime, hair bows, candy, etc.) is prohibited on campus and at any school-related activity or event. All items will be confiscated from the student, and parents will be notified of the violation.

Vandalism and Tagging

Art without permission is vandalism. The SAE does not condone any type of graffiti or tagging that vandalizes, destroys, or in any way alters public or private property without the consent of the property owners. Consequences of vandalism may include possible police notification and arrest, two (2) to five (5) days of suspension, parents/legal guardian notification, due process hearing, possible expulsion from The SAE, and payment for damages. Tagging tools/implements will be confiscated.

Suspension and Expulsion

This Pupil Suspension and Expulsion Policy and Procedures has been established in order to promote learning and protect the safety and well-being of all students at The SAE. The full Policy can be found within the Appendix of this Handbook.

TITLE IX, HARRASSMENT, INTIMIDATION, DISCRIMINATION & BULLYING

The SAE believes all students have the right to a safe and civil learning environment. Discrimination, sexual harassment, intimidation, harassment, and bullying are all disruptive behaviors which interfere with students' ability to learn, negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, The SAE prohibits any acts of discrimination, sexual harassment, intimidation, harassment, and bullying altogether. A copy of The SAE's complete Title IX, Harassment, Intimidation, Discrimination & Bullying Policy is available within the Appendix of this Handbook.

UNIFORM COMPLIANT PROCEDURE

The SAE has the primary responsibility to insure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs, including the charging of unlawful pupil fees, non-compliance with the Local Control Funding Formula, and non-compliance with reasonable accommodations for lactating pupils. The SAE shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedure ("UCP") adopted by our Governing Board. A complete copy of the UCP is available within the Appendix of this Handbook.

CAMPUS SEARCH AND SEIZURE POLICY

The SAE recognizes and has determined that the occurrence of incidents, which may include the possession of firearms, weapons, alcohol, controlled substances, or other items of contraband prohibited by law, or The SAE rules and regulations, jeopardizes the health, safety, and welfare of students and The

SAE employees. Incidents that jeopardize the health, safety, and welfare of students and The SAE employees may necessitate the search of students and their property, student use areas, and/or student automobiles located on school property. This search may necessitate the seizure of any illegal, unauthorized, or contraband materials in the search. The SAE has developed a complete Campus Search and Seizure Policy, available within the Appendix of this Handbook.

SCHOOL SAFETY

Commitment to Safety

The SAE is defined as Main Campus, Downtown Center Campus (“DTC”), Middle School Campus, and any buildings used by the school in the Pomona Arts Colony. The SAE is committed to ensuring that a safe environment is maintained for all students and will not hesitate to implement strong policy measures in situations that include, but are not limited to:

- Acts of violence
- Transport of a weapon to or from school
- Possession of a weapon on school grounds
- Use or sales of drugs at school
- Other crime-related issues

Students involved in any of these activities are subject to disciplinary consequences pursuant to The SAE’s Suspension and Expulsion Policy and Procedures, located within the Appendix of this Handbook. In addition, students and perpetrators may be referred to the Pomona Police for possible criminal prosecution.

Parents/legal guardians, please take time to explain The SAE's commitment to safety. Point out to your student(s) that a poor decision now can have a lifelong impact. Tell them that we support them and that they need not be intimidated by other students' behavior. Please inform us if you hear of activities that sound like they might lead to inappropriate behavior and/or violence. Join us in our continual effort to make the safety of our school a top priority.

Walkovers

Student Walkovers are a unique part of The SAE experience. The purpose of Walkovers is to ensure that students move safely, during the school day, from campus to campus for their learning experiences. Walkovers are not to be done by students unless supervised by SAE Staff. If a student needs to be walked to another campus, they should go to the Main Office of their campus and request supervision, if they are not walking during supervised class changes. If a student cannot be immediately walked, they should wait in that office until supervision is available. Students may not drive in between campuses for Walk- Over purposes. Golf Cart transportation may be requested by parent and approved by administration, if student has doctor’s note for temporary use of crutches or wheelchair.

Student Transportation

Bicycles, skateboards, and scooters are not permitted on campus. If students choose to ride one of these, they must provide their own locks for them and store them at the bicycle rack on the Main Campus or Middle School Campus bike enclosures. If students bring a skateboard, they must have it locked on the

skateboard rack by a SAE security officer. The school will not assume liability for the safety and security of student bicycles, skateboards, cars, and scooters. Hoverboards are prohibited.

- Students may ride bicycles/skateboards to school if they abide by the following safety rules including: Bicycles/skateboards are to be walked on school premises. Riding skateboards and scooters on campus is strictly prohibited (both during and after school hours).
- No riding in the school parking lots.
- Bicycles/skateboards/scooters must be parked in bike racks and locked.
- Only one person per bike/skateboard.
- Bicycle/skateboard riders must obey the same rules that apply to cars when using the street.
- Students may not drive, skateboard, scooter, or ride a bike during Walkovers.

Students who drive to school should ensure they obey all applicable traffic laws. Students are not to drive during the school day unless they have been given permission to leave campus by a parent/guardian, and signed out appropriately.

Parents/Guardians should use caution and review all applicable laws and policies when using digital transportation services such as Uber, Lime, and Lyft. The SAE is not responsible for student transportation, but works as a partner with parents to find resources to get students to The SAE on a daily basis.

EMERGENCY AND SAFETY PROCEDURES

Emergency Contact

In the event that a parent/legal guardian needs to get in touch with a student for an emergency, the parent/guardian can **call the Main Office at (909) 622-0699, DTC at (909) 620-1196, or the Middle School at (909) 436-1005.**

Students who need to contact parents/legal guardians in the event of an emergency can use the Charter School's phone with permission from a teacher/administration/office staff.

The SAE is committed to creating and maintaining a safe campus at all times, most especially during periods of emergency. To adequately prepare our students and staff for emergencies, The SAE conducts emergency drill and safety procedure training with students and staff each year.

Emergency Drills

Emergency drills are conducted during the school year. Drills are a serious practice so that everyone will be prepared should a real emergency occur. Usually, they are earthquake drills because the evacuation procedures are the same for a fire drill. Procedures are reviewed with staff members who in turn teach them to students.

Emergency Procedures

In general, during times of emergency please follow the guidelines below. These guidelines will help us ensure your safety. The SAE will follow its Emergency/Safety Plan in times of emergency. Emergency evacuation procedures are posted in all classrooms. Students are to follow the directions of the staff or faculty at all times. Please keep in mind that there are two (2) possible emergency responses given a student's location:

Emergency Responses

Main Campus, Middle School, and Downtown Center (DTC):

- If an emergency occurs during regular school hours, students are to report to their regularly scheduled class. If during break, lunch, or the end of the school day, students are to report to their House advisor.

Off Campus (Community Service, Field Trip, etc.):

- Students are to report to their supervising teacher/advisor/mentor. Supervising personnel will call The SAE campus and report any absences.

Severe Weather Conditions

During severe weather conditions (tornado watch, lightning, high wind, flooding, extreme heat, etc.), the following situations can create safety problems: fallen trees, branches, power lines, light poles, etc. The safest locations are inside a building or, if you are in a vehicle, remain in the vehicle.

Students are not to be out and about in extreme conditions. Teachers will direct students into their classrooms. Teachers will take roll and students will not be released until it has been determined that it is safe to do so. Before students are released, parents/legal guardians must sign out in the Main Offices.

Comprehensive Safety Plan – Annual Notice

The SAE has adopted a Comprehensive School Safety Plan, which is available at: The Main Campus Office.

Fire Alarm Tampering

Tampering with or setting off an alarm falsely violates the California Penal Code Section 148.4. Any student caught involved in such an act will be immediately suspended per the SAE Suspension and Expulsion Policy and required to pay any fine or fee the school incurs. Local law enforcement may also apply consequences to the student involved.

Security and Safety Measures Before and After School

It is important for students to always follow good safety practices, such as:

- Have a partner or a group of friends with you when you are in the Arts Colony.
- Avoid isolated areas.
- When waiting for transportation, be in a location that is open and well populated.
- Do not walk with your cell phone visible in back pocket and/or hand. Put it in a secure location.
- Do not walk with school issued computer or personal computer visible or in hand
- If you are on the campus at night, wait for your ride in a well-lit area, preferably in a well-populated area or in a building.
- If you become concerned about your safety, immediately enter a building and/or notify a staff member.
- In the case of an unusual situation, immediately notify the closest SAE staff member.
- Report anything that seems suspicious to SAE staff.
- Remember that the best strategy for maintaining your safety, in any situation, is to be aware of your surroundings and to be prepared to remove yourself from the situation and seek immediate assistance.

Emergency Cards

Every student must have an updated emergency card, signed, and on file in the school office. Students may only leave campus with an adult whose name is listed on the emergency card. Identification will be required of all adults signing students out.

Parents/guardians should ensure that all of their information is correct in the school database. Parents/guardians are asked to notify the office in writing as soon as any change occurs. This will ensure that any and all mailing will be received without delay. In the case of emergency, a parent or guardian will be quickly notified.

Concussion/Head Injuries – Annual Notice

A concussion is a brain injury that can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. Because the Charter School has elected to offer athletic activities (including dance team), we must immediately remove from a school-sponsored athletic activity for the remainder of the day a participant who is suspected of sustaining a concussion or head injury during that activity.

The student may not return to that activity until he or she is evaluated by, and receives written clearance from a licensed healthcare provider. If the licensed health care provider determines the athlete has a concussion or head injury, the athlete shall also complete a graduated return-to-participation protocol of no less than 7 days in duration under the supervision of a licensed health care provider. On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete initiates practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

Sudden Cardiac Arrest and Automated External Defibrillators – Annual Notice

The SAE is invested in the health of its students, especially their heart health. Sudden cardiac arrest (“SCA”) is when the heart stops beating, suddenly and unexpectedly. Those wishing to participate in athletic activities (including dance team) at The SAE, must review the information sheet on sudden cardiac arrest via the link below: <https://www.cdc.gov/dhdsp/docs/cardiac-arrest-infographic.pdf>

Opioid Information Sheet– Annual Notice

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

<https://www.cdc.gov/drugoverdose/pdf/AHA-Patient-Opioid-Factsheet-a.pdf>

HEALTH SERVICES AND PROCEDURES

The SAE's health services are offered in the Front Office of each campus. Although The SAE does not have a health specialist on staff, office staff is available to provide assistance during school hours.

If a student needs health services during class time, the student should check out of class through their teacher. A student must then report directly to the Front Office. If an accident occurs on campus, the office staff will notify the parent or legal guardian and will make a report of the incident.

Students who develop symptoms of illness that requires isolation while at school will be separated from others immediately, and isolated in an area through which others do not enter or pass but which allows for staff supervision. Students exhibiting symptoms will be required to immediately wear a face covering, if not already doing so, and wait in the designated isolation area until they can be transported home or to a health care facility. Students will not be permitted to return to school until they have met Center for Disease Control (“CDC”) criteria to discontinue home isolation (e.g. the student has been cleared to attend school by a medical professional, has tested negative for COVID-19, and/or no longer demonstrates symptoms.)

Statewide/National Emergency Guidance

The SAE will follow all recommendations issued by the California Department of Education, California Department of Public Health, California Division of Occupational Safety and Health, and Los Angeles County of Education, and develop procedures for the safety of our students and staff. The SAE has developed a complete policy, available within the in our Comprehensive School Safety Plan.

Medication

Pupils required to take, during the regular school day, medication prescribed or ordered for the student by an authorized health care provider may be assisted by the school nurse or other designated personnel, if the school district receives: (1) a written statement from the student’s authorized health care provider detailing the name of the medication, method, amount and time schedule by which such medication is to be taken, and (2) a written statement from the parent or legal guardian of the pupil indicating the desire that The SAE assist the pupil in the matters set forth in the physician's statement.

These written statements specified shall be provided at least annually and more frequently if the medication, dosage/amount, frequency of administration, or reason for administration changes. The SAE has forms for the physician and parent/legal guardian to sign, when a student must take medication at school. Medication must be brought in a pharmaceutical container with the student's name, physician's name, and the name of the medication, dosage and time to be administered clearly labeled.

The same directions apply for over-the-counter medication such as aspirin, Tylenol, and Midol. Students are PROHIBITED from carrying medication of any kind without a doctor's authorization for self-administration. Students may not offer their medication to another student at any time. Students who feel that they need medication must come to the Front Office where the staff will assist them in reaching a parent or legal guardian. The SAE is not authorized to administer medication that does not have a physician's approval. The primary responsibility for the administration of medication rests with the parent/guardian, student, and medical professionals.

In order for a pupil to carry and self-administer prescription auto-injectable epinephrine or inhaled asthma medication prescribed or ordered for the student by an authorized health care provider, the School shall obtain both (1) a written statement from the authorized health care provider detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the pupil is able to self-administer auto-injectable epinephrine or inhaled asthma medication, and (2) a written statement from the parent, foster parent, or guardian of the pupil consenting to the self-administration, providing a release for the designated school personnel to consult with the health care provider of the pupil regarding any questions that may arise with regard to the medication, and releasing the School and school personnel from civil liability if the self-administering pupil suffers an adverse reaction as a result of self-administering medication.

These written statements specified shall be provided at least annually and more frequently if the medication, dosage/amount, frequency of administration, or reason for administration changes.

A student may be subject to disciplinary action if the student uses an EpiPen or inhaled asthma medication in a manner other than as prescribed.

Any student requiring insulin shots must establish a plan for administration of insulin shots with the Executive Director in consultation with the parent or guardian and the student's medical professional.

Storage and Record Keeping

1. All medication will be kept in a secure and appropriate storage location and administered per an authorized health care provider's instructions by appropriately designated staff.
2. Designated staff shall keep records of medication administered at the SAE. The medication log may include the following:
 - a. Student's name.
 - b. Name of medication the student is required to take.
 - c. Dose of medication.
 - d. Method by which the student is required to take the medication.
 - e. Time the medication is to be taken during the regular school day.
 - f. Date(s) on which the student is required to take the medication.
 - g. Authorized health care provider's name and contact information.

- h. A space for daily recording of medication administration to the student or otherwise assisting the student in administration of the medication, such as date, time, amount, and signature of the individual administering the medication or otherwise assisting in administration of the medication.
 3. Designated staff shall return all surplus, discontinued, or outdated medication to the parent/guardian upon completion of the regimen or prior to extended holidays. If the medication cannot be returned, it will be disposed of at the end of the school year.

Immunizations – Annual Notice

To ensure a safe learning environment for all students, The SAE follows and abides by the health standards set forth by the state of California. Notwithstanding any other provision of law, students who are not exempt shall not be permitted to attend school until all required records have been received. The immunization status of all students will be reviewed periodically. Those students who do not meet the State guidelines may be excluded from classroom-based instruction until the requirements are met. Students who have been exposed to a communicable disease for which they have not been immunized may be excluded from school at the discretion of The SAE. The SAE's complete Immunizations Policy is included within the Appendix of this Handbook.

Physical Examinations and Right to Refuse – Annual Notice

All students must complete a health screening examination on or before the 90th day after the student's entrance into first grade or such students must have obtained a waiver pursuant to Health and Safety Code Sections 124040 and 124085. This examination can be obtained from your family physician or possibly through the services provided by your County Health Department. Information and forms are distributed to students enrolled in kindergarten. If your child's medical status changes, please provide the teacher with a physician's written verification of the medical issue, especially if it impacts in any way your child's ability to perform schoolwork.

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

Mental Health Services – Annual Notice

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

Available on Campus:

- School-based Counseling Services – your child is encouraged to directly contact a SAE School Counselor by coming into the counseling office during school hours and making an appointment to speak with a counselor. The Counseling Office can also be reached at 909 622-0699. Our SAE School counselors support students by providing individual sessions, group or parent consultations whenever a student is having a difficult time due to academic stress, transition to changes in their environment, or social concerns, including isolation. Counseling services, whether provided by our SAE School Counselors or by an outside provider suggested are voluntary.
- Special Education Services – if you believe your child may have a disability, you are encouraged to directly contact a Mr. Paul Treesuwan at (909) 436-1005 to request an evaluation.
- Prescription medication while on campus – if your child requires prescription medication during school hours and you would like assistance from School staff in providing this medication to your child, please contact Mr. Paul Treesuwan at (909) 436-1005.

Available in the Community:

- Tri-City Mental Health Services
2008 N Garey Ave, Pomona, CA 91767
Mental health services accessible by calling, walk-in, or via referral
Child and Family Outpatient Services (909) 766-7322
- Project Sister Family Services
Monday through Friday 8am to 5pm (909) 623-1619
Evenings/Weekends (909) 626-4357
- Pacific Clinics
Pacific Clinics Access Center: 1-877-PC-CARES (1-877-722-2737)
Open: 8:30 am – 5:00 pm, Monday – Friday
- National Alliance on Mental Illness (NAMI) Pomona Valley
3115 N. Garey Ave., Pomona, CA 91767
(909) 399-0305

Available Nationally:

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

The SAE additionally maintains a Suicide Prevention Policy, available within the Appendix of this Handbook.

Diabetes – Annual Notice

The Charter School will provide an information sheet regarding Type 2 diabetes to the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but shall not be limited to, all of the following:

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

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

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

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

Sexual Health and HIV/AIDS Education – Annual Notice

The SAE offers comprehensive sexual health education to its students in grades 7-12. A parent or guardian of a student has the right to excuse their child from all or part of comprehensive sexual health education, HIV prevention education, and assessments related to that education through a passive consent (“opt-out”) process. The SAE does not require active parental consent (“opt-in”) for comprehensive sexual health education and HIV prevention education.

Required HIV/AIDS Prevention Education:

According to the California Healthy Youth Act (“CHYA”), HIV/AIDS-prevention education must be provided at least once in middle school and once in high school from instructors trained in teaching the subject. HIV/AIDS-prevention education, whether taught by school personnel or outside consultants, will consist of age-appropriate instruction using instructors trained in appropriate courses.

Notice and Parental Excuse

An open line of communication between parents/families and their students about human sexuality and HIV/AIDS is encouraged. We are respectful of the rights of parents/families to supervise their children's education on these subjects. Furthermore, parents/families may review materials and evaluation tools related to comprehensive sexual health education and HIV/AIDS-prevention education so that they can decide whether to have their child participate in all or part of the instruction or evaluation.

Parents/families have the ultimate responsibility for imparting values regarding human sexuality to their children. A parent/family of a student has the right to have the child participate or not participate in all or part of comprehensive sexual health education, HIV/AIDS-prevention education, and assessments related to that education under the following conditions:

1. Each school year The SAE will notify parents/families about instruction in sexual health education and HIV/AIDS-prevention education and research on student health behaviors that will be used prior to the instruction. The notice to parents/families must include all of the following information:

- The written and audiovisual education materials used in comprehensive sexual health education and HIV/AIDS-prevention education is available for inspection.
- The parent/family has the right to request a copy of Chapter 5.6 California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act.
- The parent/family may request in writing that his or her child not receive comprehensive sexual health education or HIV/AIDS prevention education.
- Whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by Charter School personnel or outside consultants. When The SAE chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, be informed of:
 - The date of the instruction
 - The name of the organization or affiliation of each guest speaker

Anonymous, voluntary, and confidential research and evaluation tools to measure student’s health behaviors and risks (including tests, questionnaires, and surveys containing age-appropriate questions about the student’s attitudes concerning or practices relating to sex) may be administered to students in grades 7-12. A parent or guardian has the right to excuse their child from the test, questionnaire, or survey through a passive consent (“opt-out”) process. Parents or guardians shall be notified in writing that this test, questionnaire, or survey is to be administered, given the opportunity to review the test, questionnaire, or survey if they wish, notified of their right to excuse their child from the test, questionnaire, or survey, and informed that in order to excuse their child they must state their request in writing to The SAE.

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

Human Trafficking Prevention – Annual Notice

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

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

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

No Smoking

California State Law prohibits the use of tobacco products by minors. No one, adult or student, may use tobacco on school grounds and/or within 100 feet of the campus. Use or possession of tobacco or tobacco products by a student will result in suspension. Tobacco products include products containing tobacco or nicotine, including nicotine delivery devices such as electronic cigarettes, electronic hookah and other vapor – emitting devices. Any device that mimics the use of tobacco products is prohibited.

California Healthy Kids Survey – Annual Notice

SAE will administer the California Healthy Kids Survey (“CHKS”) to students at all grade levels through passive consent by parents or guardians. If parents/guardians wish to ‘Opt-out’ of the survey they must provide written documentation. The CHKS is an anonymous, confidential survey of school climate and safety, student wellness, and youth resiliency that enables SAE to collect and analyze data regarding local youth health risks and behaviors, school connectedness, school climate, protective factors, and school violence.

Closed Campus

The SAE is a closed campus and non-SAE students are restricted from the campus at all times unless previous permission is granted through the Administration Office. Visitors must sign in at the Front Office at each campus and obtain a visitor's badge that must be worn for the duration of their stay on campus. Visitors must also sign out and relinquish their badge before leaving campus. Any visitor without a badge will be asked to leave immediately. Students are also prohibited from loitering in any gallery or hallway that is shared with the general public at the DTC Campus (downstairs backdoor lobby, gallery, etc.). The SAE additionally maintains a Campus Visitor Policy, available within the Appendix of this Handbook.

STUDENT ARTIST ACADEMIC PARTICIPATION CRITERIA AND REHEARSAL POLICY

Student Artist Academic Participation Criteria

All SAE student artists are expected to uphold a strong academic presence at the school. Students will be required to maintain a 2.0 academic grade point average (“GPA”) in all SAE courses. Failure to meet a 2.0 GPA at the end of a semester will require the student to be placed on *Academic Intervention*. Students on Academic Intervention may be excluded from participation in any non-graded art department performance or activity at the discretion of the Department Director. A student artist on Academic Intervention will also be excluded from any extracurricular trips or activities.

A second continuous semester on Academic Intervention will result in the student being placed on *Artistic Probation*. Any student on Artistic Probation will not be allowed to participate in any SAE art program (i.e. performances, auditions, gallery exhibitions et al.), and enrolled in a required SAE Academic Intervention course. Any student at The SAE High School receiving an F in their Art Major course, may be placed on Artistic Probation after a parent meeting with the SAE Executive Director and Artistic Director (or appropriate staff designee) to discuss appropriate next steps. Any student on Academic Intervention or Artistic Probation will need 1 continuous semester of a GPA over 2.0 or a non F in their Art Major Courses (SAE High School Only) to be reinstated with no further restrictions.

Artwork Exhibition Selection Policy

When required student artists work will be selected for appropriate exhibition via a blind jury process. Student artwork will be submitted without names and scored by a relevant panel comprising The SAE Artistic Director, The SAE Director of Design + Visual Arts, Local Industry Professionals and appropriate, qualified guests as invited. All Artwork will follow appropriate content guidelines, timelines and schoolwide expectations. Due to confidentiality - artwork selection will not be discussed with students or parents at any time. All score sheets will be kept on file with the Artistic Director of The SAE until the end of school year. All exhibitions are overseen and directed by the Artistic Director of The School of Arts + Enterprise

Rehearsals

Performing Arts students at The SAE will be expected and required to attend all after school rehearsals and performances as deemed necessary by the department and the school. Failure to attend may result in a negative effect to a student's course grade and multiple absences may affect student's participation in productions. Please note that consequences for excessive tardies will follow The SAE's Attendance Policy and may result in eventual removal from the course. Failure to participate in required productions will also negatively impact course grades. Specific requirements for production participation are outlined on course syllabi as needed.

All rehearsal schedules will be posted on Google Classroom, Department websites, or will be released to students by The Department Director or instructor. Rehearsal schedules should be considered fluid, and may change based on the needs of the production. It is the responsibility of the student artists and parents to be aware of all current rehearsal schedules and attendance requirements. Please check specific requirements in each Department's course syllabi.

Production Casting

The SAE is committed to diverse, inclusive casting for every role, while honoring a playwright's expressed intentions and adherence to licensing agreements. All casting decisions are at the sole discretion of The SAE Faculty. The SAE student understands once a casting decision has been made, it is final. The faculty will not offer explanations for, entertain complaints about, or discuss in any way the decisions that have been made, with anyone. Faculty will not discuss specific casting decisions or the student's audition with the student's parent(s) at any time. General Departmental feedback will consistently be provided to improve student learning and schoolwide expectations.

Student Drop Off & Pick Up For Rehearsals and Performances

Student artists are required to be on time for all rehearsals and picked up promptly at the designated completion time. A student not picked up within 15 minutes of the posted completion time may result in a lower grade, or removal from the required production. Please contact the specific Department Director for further information.

GENERAL INFORMATION

Community Involvement and Volunteering

To promote respect for the property of the community, students will be given the opportunity to serve on graffiti removal and mural teams during regularly scheduled community work days. The SAE is also committed to inviting guest speakers to educate students on legal and safety issues involved with tagging and graffiti.

Messages and Deliveries to Students

The office staff is not able to deliver messages to students in classrooms unless there is a serious medical emergency or circumstances of similar urgency. Students are not to be pulled out of class for messages.

Please do not text or call students on cell phones while classes are in session.

Private devices may be used by students:

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

Field Trips and School Activities

Educational study trips are available to students at The SAE. These include walking trips, trips by private and district vehicles, buses or other public transportation. All trips require the written permission of the parent/legal guardian (waiver forms are available from each teacher). The student must also inform all of their teachers prior to participation and make up all work missed as a result of the trip. (See Performance Criteria)

School Bus and Passenger Safety – Annual Notice

All students who are transported in a school bus or school student activity bus shall receive instruction in school bus emergency procedures and passenger safety. A copy of the complete Policy is available within the Appendix of this Handbook.

Security Golf Cart Safety

NO students will be allowed to be transported via golf cart unless there is: a non-life-threatening medical emergency (i.e. sprained ankle), an Administrative or Security concern, or written consent from parent with required doctor's note. A copy of the policy is available with the Appendix of this Handbook.

- All passengers must wear seatbelts at all times
- Students MAY NOT operate the vehicle at any time
- All passengers must remain seated and keep arms/legs in the cart while in motion

Gallery Access and Use

The SAE shares the Downtown Center (DTC Campus) with the art gallery located downstairs. The art that is displayed in that gallery is delicate and expensive. If a student damages gallery property or any art in the gallery, accidentally or through intentional design, the student and the student's family will bear full

financial responsibility for the cost of repair or replacement. By signing and returning the attached signature page, you state that you understand this responsibility and accept the terms for student use of the gallery.

Identification Cards

Each student at The SAE will be issued a photo I.D. card. I.D. cards serve as proof of enrollment. Students are required to carry/display their ID at all times, and must be able to produce their I.D. if requested by The SAE staff. I.D.s are required at all school sponsored events or functions. I.D. cards are used for the lunch program, PBIS store, Crises Prevention Hotline information. Seniors must carry their I.D. cards when off campus at lunch. *Lost or stolen I.D.s should be immediately reported to the Main Campus Office; replacement cost will be charged.*

Lost and Found

Lost and found articles should be turned in to the Front Office on each campus. Items will be held for one (1) month. After such time period, items will be discarded or given to charity.

Lost or Damaged School Property

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

Work Permits

BEFORE students start working, the Registrar at Main Campus must be contacted at (909) 622-0699. ***Students must be 15 years of age, maintain a 2.0 GPA with no grade less than "C", and maintain satisfactory attendance in order to qualify for and retain a work permit.*** The Executive Director/designee shall revoke a student's work permit whenever the Executive Director/ designee determines that employment is impairing the student's health or education. Therefore, The SAE will maintain the following policy:

1. Students whose total block absences exceed 50 blocks in any given semester, 90 per school year, will lose their right to a work permit and the Executive Director/designee will revoke the work permit.
2. In order for a work permit to be re-issued, students must meet the following criteria: No more than 3 unexcused blocks absences during the following grading period. Students must also maintain a 2.5 grade point average with no grade less than "C".

School Breakfast and Lunch Program – Annual Notice

Breakfast will be served five days a week and is 20 minutes long. Lunch Break is approximately 30 minutes. The SAE participates in the National School Lunch Program. Free and reduced lunch applications are available during registration or they may be picked up in the front offices. They must be completed and returned by the due date and a new application must be completed each year. The SAE requires all student(s)/parent(s) to fill out the lunch form even if they may not be eligible for free or reduced lunch. The SAE will provide each student who meets federal eligibility criteria for free and reduced-price meals with at least one free or reduced-price, nutritionally adequate meal per school day. If a student fails to complete an application, the student may be charged the full price for a school lunch. Menus are posted in the office and The SAE website each month. Students may bring lunch or purchase lunch. Students in the lunch line are identified using a student ID scanner. Students may receive breakfast during break or prior to school. Check with the Main Campus Office for current breakfast serving times.

Students are NOT allowed to leave campus during break, unless they are a senior and have followed all applicable guidelines for off-campus lunch. Students are required to return promptly to their class or activity at the end of nutrition break and lunch. Activities such as using the phone, the restroom, etc. should occur at breaks, and before or after school. Students unable or unwilling to follow the break and lunch schedules will be subject to disciplinary policies. Lunch break times may vary according to flex scheduling or special events.

Parents may provide their child with food that may be eaten during nutrition and/or lunch and may only drop food off for their student. **Glass bottles and glass containers are not permitted on school campus.** Parents may not bring food for any students other than their own (i.e., a whole pizza to share with class). The sale of any outside food items is prohibited on campus. If a student is having lunch dropped off at the Main Campus, please bring it to the Main Office. Middle School lunch drop-off is handled in the Middle School Front Office. Delivery services, such as Postmates, DoorDash and UberEats, **must be called into the office for approval by the parent before the food is delivered.** Parent(s)/Guardian(s) should call the main office of their student's campus and inform the office staff that food is going to be delivered by a service, specifically for their student. Students may not authorize or order food delivery. Food will be held at the Front Office and students may pick the food up when lunch begins. Students will not be permitted to eat in the classroom, unless instructed to do so by school officials. Senior students at DTC may provide the Parent Permission Food Form for food delivery.

Student Meals

A copy of The SAE's complete Free and Reduced Price Meals Policy is available within the Appendix of this Handbook. SAE also maintains a School Wellness Policy pursuant to state and federal requirements. A copy of the complete Policy is available within the Appendix of this Handbook.

On-Campus lunch is located at The SAE Main and Middle School Campuses

All students are to return to and remain on The SAE Main Campus for lunch. Students found off campus without school and parent/legal guardian permission are subject to disciplinary action.

Off Campus Lunch

Only 12th grade students with parent/guardian permission may be eligible for Off-Campus Lunch Privileges. Eligible 12th grade students must produce their I.D. card on request from The SAE staff before leaving campus for lunch. Students must ensure they are responsible for being off-campus only during the

designated time for lunch, and return before their class time begins. Off-campus lunch privileges can be revoked for attendance, behavior, and/or academic issues.

Unacceptable behavior while off campus may result in the permanent removal of a student's Off-Campus Lunch Privilege. Administration reserves the right to remove a student's Off-Campus Lunch Privilege indefinitely. Senior students are eligible to participate in The SAE's Off-Campus Lunch Privilege by submitting a permission form with parent/legal guardian signature, and by completing any HOUSE requirements submitted by the HOUSE teacher within the first 5 -10 school days.

STUDENT RECORDS AND INFORMATION

If parents/guardians would like to examine a child's record, the parents/guardians should submit a request in writing to the Executive Director or designee. The School will make the records available within five (5) business days of receipt of a written request. A copy of the SAE's complete Educational Records and Student Information Policy is available within the Appendix of this Handbook.

Gender Support Plans

The purpose of the plan is to foster inclusive and welcoming learning environments that are free from discrimination, harassment, and bullying regardless of sex, sexual orientation, gender identity, or gender expression (including transgender and gender nonconforming students). Additionally, to facilitate compliance with SAE policy, and local, state and federal laws that prohibit discrimination, harassment and bullying; to provide professional development to school staff regarding gender identity issues; and to create safe and supportive learning and working environments. The process should be used on a case-by-case basis to address the needs of transgender and gender nonconforming students. A copy of the plan is available within the Appendix of this Handbook.

SCHOOL SPONSORED EVENTS AND REGULATIONS

Dress for most school sponsored events and functions, including dances, will be regular school attire. Any special attire will be announced prior to the event, function or dance. Students who are not dressed appropriately will not be allowed into the event, function or dance.

Students will be asked to present their SAE Identification card (ID) to enter any school sponsored events and functions. Students need to bring their I.D. cards to all dances. Students must remain inside or within specified areas once they have arrived. Once a student leaves the event, function or dance, the student cannot return. The SAE's discipline policy and dress code policy applies.

Students are expected to follow school rules and the Code of Conduct at all school sponsored events and functions (including dances). Rules prohibiting smoking and drinking apply at all times, including at SAE sponsored events or functions held off campus. Serious behavior violations and all substance-use violations may be referred to the police.

Guest Passes for School Sponsored Events

Students may obtain special permission to escort a Guest to school sponsored events or functions. Students must complete the Guest Pass form at least one (1) week prior to the event or function.

Guests must accompany the identified student at all times during the event or function; must be a student of another school of 18 years of age or younger; and must present ID to staff or faculty members upon entering the event or function. The SAE Code of Conduct and other school rules and regulations apply. The SAE reserves the right to refuse service/entry to guests.

STUDENT FREEDOM OF SPEECH AND EXPRESSION POLICY

The SAE respects students' rights to express ideas and opinions, take stands, and support causes, whether controversial or not, through their speech, their writing, their clothing, and the printed materials they choose to post or distribute. Student freedom of expression shall be limited only as allowed by state and federal law in order to maintain an orderly school environment and to protect the rights, health, and safety of all members of the school community. A copy of the SAE's complete Student Freedom of Speech and Expression Policy is available within the Appendix of this Handbook.

PARKING INFORMATION

Parents/legal guardians and other visitors to The SAE are subject to the parking procedures and restrictions that apply to the facility that they are visiting. If visiting The SAE Main Campus, there is free street parking on the streets surrounding the school, most notably on Thomas and Commercial Streets, but also on Monterey and Main Streets. If visiting The Downtown Center, visitors must purchase a parking pass (subject to change) at the pay box on the corner of 3rd and Main Streets. Cars may be subject to ticketing and towing by Pomona PD if the parking pass is not displayed. Middle School parking is on Main and Third Streets as directed by city regulations. In addition, two (2) hours of free parking is available on the streets surrounding the school and in the Downtown Center parking lot in the marked spaces only.

Student Parking

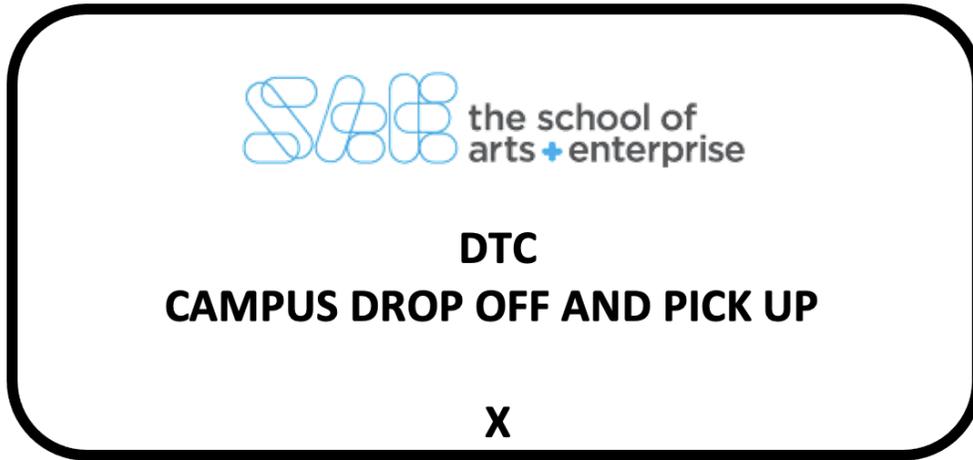
Students are not allowed to drive from campus to campus during the school day. They are required to walk under teacher/staff supervision, unless released with approved lunch permit, during lunch break. Students who choose to drive and park at the DTC must purchase a parking pass. Main Campus student parking is available in the west lot of The American Museum of Ceramic Arts (AMOCA). This is a privilege to use our neighbor's parking lot.

Student Drop-off and Pick-up

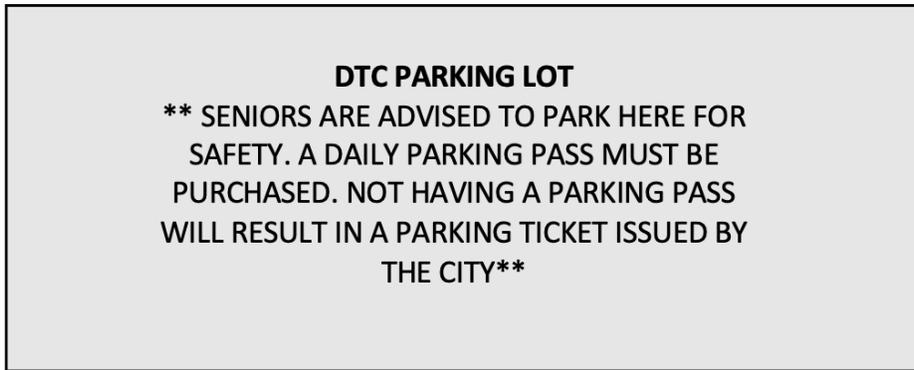
Each campus has its own procedures to follow to ensure the safety of students. Please refer to the illustrated maps on the following pages relevant to the building your student is attending. Please also remember to follow the instructions of staff and faculty when dropping off or picking up your students. Parents should drop-off their student(s) no later than 8:10 a.m. prior to school opening and pick up no later than 3:50 p.m. unless scheduled tutoring/ practice/ rehearsal.

SECOND STREET

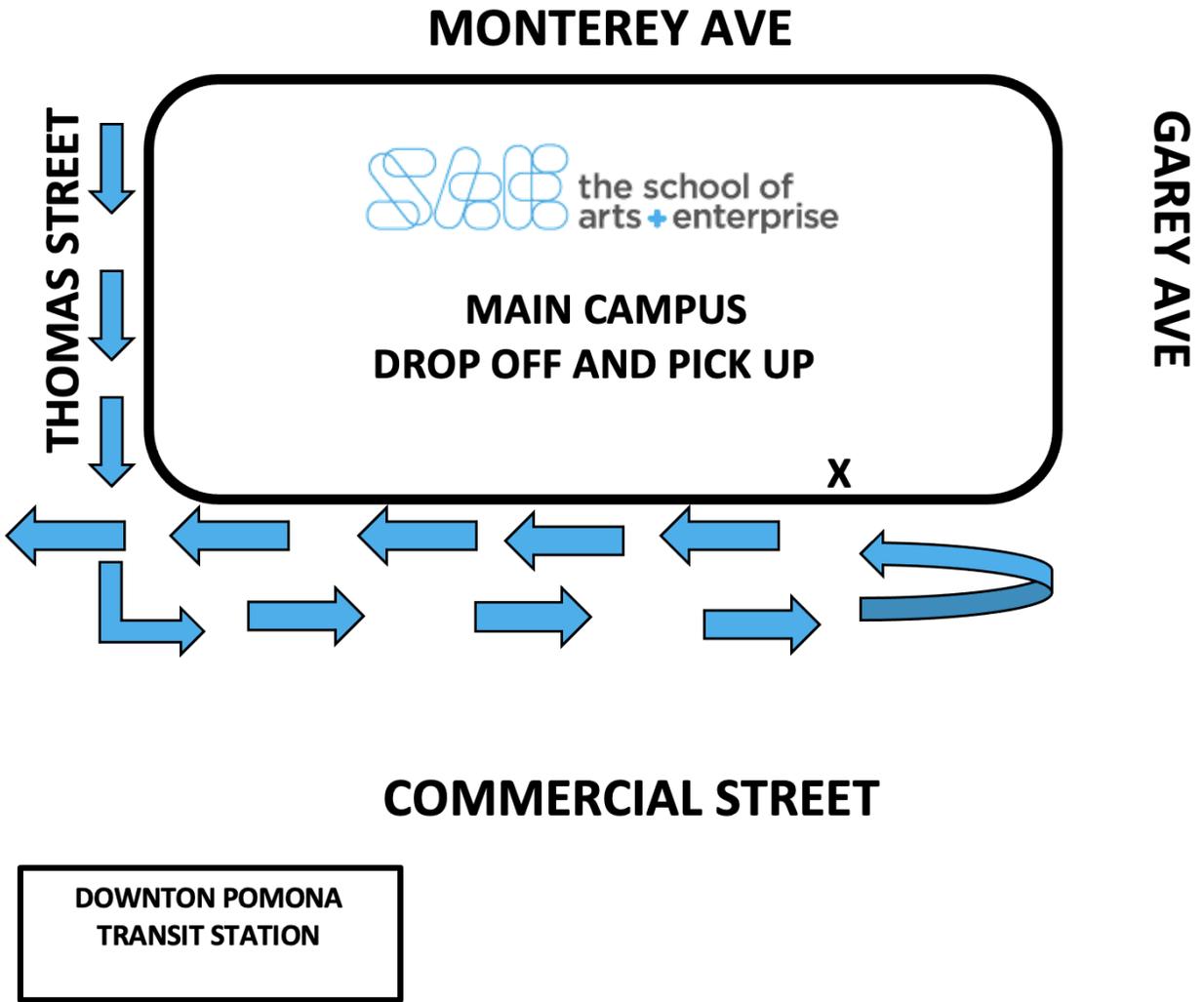
GORDON STREET



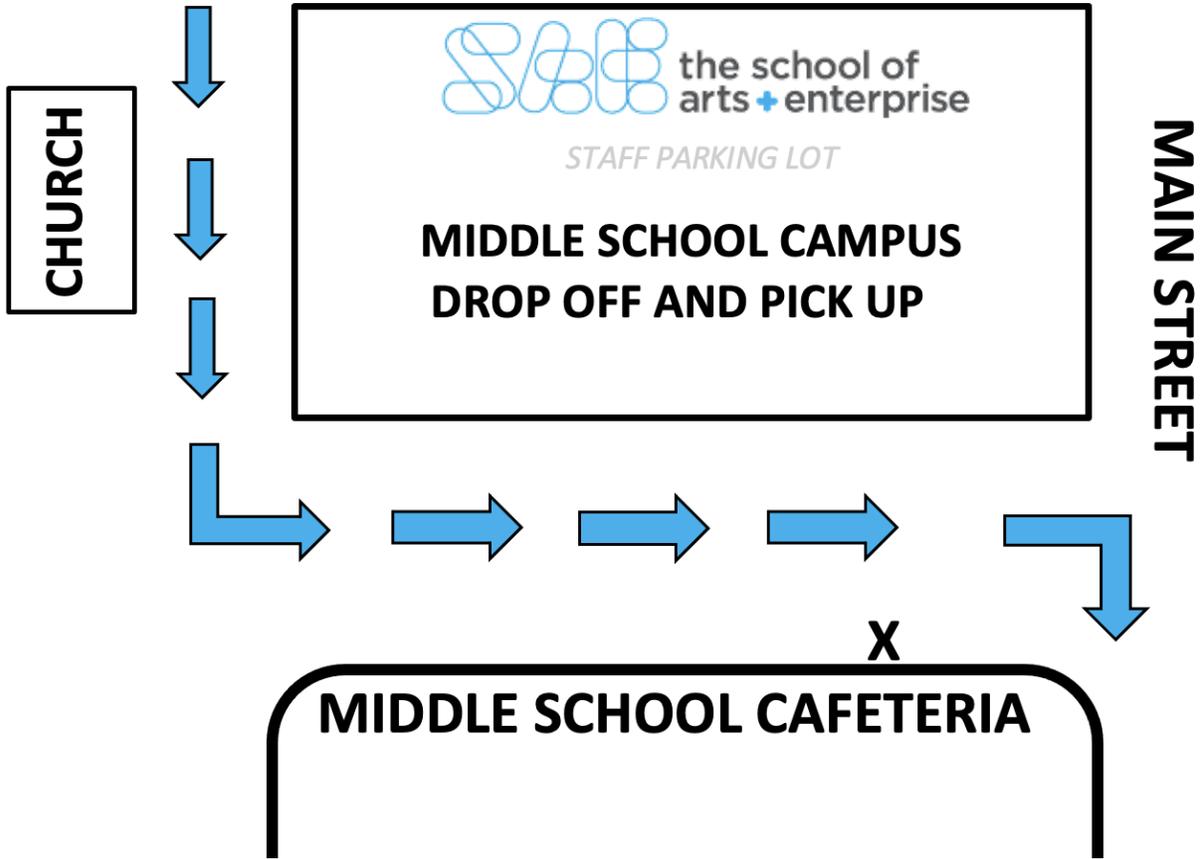
MAIN STREET



THIRD STREET



THIRD STREET



APPENDIX

Complete Board Approved Policies

1. Mathematics Placement Policy
2. Special Education Policy
3. Section 504: Policy, Procedures, and Parent Rights Regarding Identification, Evaluation and Education
4. Education for Foster and Mobile Youth Policy
5. Education for Homeless Children and Youth Policy
6. Independent Study Policy
7. Suspension/Expulsion Policy and Procedures
8. Uniform Complaint Procedures and Form
9. Title IX, Harassment, Discrimination and Bullying Policy and Form
10. Campus Search and Seizure Policy
11. Suicide Prevention Policy
12. Immunization Policy
13. Visual and Performing Arts Equipment Policy
14. Student Computing Devices/Equipment Policy and Acceptable Use Agreement
15. Electronic/Digital Device Policy
16. Transportation Safety
17. Free and Reduced Price Meals Policy
18. School Wellness Policy
19. Educational Records and Student Information Policy
20. Student Freedom of Speech and Expression Policy
21. Title I Parent Involvement Policy
22. Nondiscrimination Statement
23. Campus Visitors
24. Staff and Student Interaction Policy
25. Gender Support Plan
26. Gender Identity Inclusiveness and Nondiscrimination Policy
27. Golf Cart Policy and Procedures
28. Health and Safety Policy for COVID-19

1. Mathematics Placement Policy

Board Policy #: SAE-BP-001
Adopted/Ratified: September 9, 2021
Revision Date: N/A

This policy of the School of Arts and Enterprise (“The SAE” or the “Charter School”) Board of Directors has been adopted to establish a fair, objective, and transparent protocol for placement in mathematics courses for students entering 9th grade, in order to ensure the success of every student and to meet the Legislative intent of the California Mathematics Placement Act of 2015.

In determining the mathematics course placement for entering 9th grade students, the Charter School systematically takes multiple objective academic measures of student performance into consideration, including:

- a. Eighth grade mathematics classroom assignment;
- b. Final grade in mathematics on the student’s official, end of the year 8th grade report card;
- c. Statewide mathematics assessments, including interim and summative assessments through the California Assessment of Student Performance and Progress (“CAASPP”);
- d. Placement tests that are aligned to state-adopted content standards in mathematics;
 - i. A remedial test to determine if entering 9th graders require a support class to be taken concurrently with Integrated Math I.
 - ii. The Integrated Math I final exam to determine if entering 9th graders are ready for acceleration into Integrated Math II.
- e. Recommendation, if available, of each student’s 8th grade mathematics teacher based on classroom assignment and grades;
- f. Recommendation, if any, of each student’s 9th grade mathematics teacher based on classroom assignments and grades provided at the beginning of the school year;
- g. Results from all placement checkpoints, including at least one (1) placement checkpoint within the first month of the school year as described in Section 2, below.

The Charter School will provide at least one (1) placement checkpoint within the first month of the school year to ensure accurate placement and permit reevaluation of individual student progress. All mathematics teachers responsible for teaching 9th grade students will assess the mathematics placements for each 9th grade student assigned to the teacher’s mathematics class. The teacher’s assessment will take into consideration factors which may include, but are not limited to, the student’s classroom assignments, quizzes, tests, exams, grades, classroom participation, and any comments provided by the student, the student’s parent/legal guardian, and/or the student’s other teachers regarding the student’s mathematics placement. Based on the assessment, the teacher will then recommend that the student remain in the current mathematics placement or be transferred to another mathematics placement, in which case the teacher shall specify the mathematics course or level recommended for the student.

The Charter School Executive Director, or designee, shall examine aggregate student placement data annually to ensure that students who are qualified to progress in mathematics courses based on their performance on objective academic measures included in Section 1 of this Policy are not held back in a disproportionate manner on the basis of their race, ethnicity, gender, or socioeconomic background. The

Charter School shall annually report the aggregate results of this examination to the Charter School Board.

The Charter School offers clear and timely recourse for each student and his or her parent or legal guardian who questions the student's placement, as follows:

A parent/legal guardian of any 9th grade student may submit a written request to the Charter School Executive Director, or designee, that:

- i. Requests information regarding how the student's mathematics placement was determined. Within five (5) days of receipt of the written request, the Charter School Executive Director or designee shall respond in writing to the parent/legal guardian's request by providing the information, including the objective academic measures that the Charter School relied upon in determining the student's mathematics placement.
- ii. Requests that the student retake the placement test, in which case the Executive Director or designee will attempt to facilitate the retest within two (2) weeks.
- iii. Requests that the student retake the 8th grade end of course final mathematics assessment, in which case the Executive Director or designee will attempt to facilitate the retest within two (2) weeks.
- iv. Requests reconsideration of the student's mathematics placement based on objective academic measures. Within five (5) school days of the written request, the Charter School Executive Director or designee shall respond in writing to the parent/legal guardian's request. The Executive Director or designee and the student's mathematics teacher must assess the objective academic measures provided by the parent in conjunction with the objective academic measures identified in Section 1 and 2 of this Policy.

Based on this assessment, the Executive Director or designee must determine whether the most appropriate mathematics placement for the student is the student's current placement or another placement, in which case the Executive Director shall specify the mathematics course or level recommended for the student. The Executive Director's or designee's response must provide the determination as well as the objective academic measures that the Executive Director or designee relied upon in making that determination.

Notwithstanding the foregoing, if the Executive Director or designee requires additional time to respond to a parent/legal guardian's request, the Executive Director or designee will provide a written response indicating that additional time is needed. In no event shall the Executive Director's or designee's response time exceed one (1) month.

If, after reconsideration of the student's mathematics placement by the Executive Director or designee, the parent/legal guardian is dissatisfied with the student's mathematics placement, the parent/legal guardian may choose to sign a voluntary waiver requesting that the student be placed in another mathematics course against the professional recommendation of the Executive Director or designee, acknowledging and accepting responsibility for this placement.

The SAE must ensure that this Mathematics Placement Policy is posted on its website.

This Policy is adopted pursuant to the Mathematics Placement Act of 2015, enacted as Education Code Section 51224.7.

2. Special Education Policy

Board Policy #:SAE-BP-002

Adopted/Ratified: September 9, 2021

Revision Date: N/A

The Board of Directors of the School of Arts and Enterprise (“The SAE” or the “Charter School”) recognizes the need to identify, evaluate, and serve students with disabilities in order to provide them with a free appropriate public education in the least restrictive environment. Accordingly, this Policy has been adopted consistent with Education Code section 56195.8.

Identification, Referral, and Evaluation for Special Education

Charter School shall follow applicable state and federal law and regulations and El Dorado Charter Special Education Local Plan Area (“SELPA”) policy with respect to the identification, referral, and assessments of students for special education and related services.

Individualized Education Program (“IEP”) Team Meetings

The SAE shall convene IEP team meetings with the legally required composition within all legally applicable timelines, in accordance with state and federal law and regulations and SELPA policy.

Charter School shall also review, at the request of a student’s general or special education teacher, the assignment of an individual with exceptional needs to his/her class and a mandatory meeting of the IEP team shall be convened if the review indicates a change to the student’s placement, instruction, related services, or any combination thereof may be required. The Director of Special Education and school psychologist shall be responsible for completing the review within fifteen (15) school days of the teacher’s request.

Procedural Safeguards

Parents/guardians shall receive written notice of their rights in accordance with state and federal law and regulation, and SELPA policy.

Please see the Director of Special Education for a copy of your procedural safeguards.

Nonpublic, Nonsectarian Services

The SAE may contract with state-certified nonpublic, nonsectarian schools or agencies to provide special education services or facilities when an appropriate public education program at The SAE is not available in accordance with Education Code section 56366 and Section 3062 of Title 5 of the California Code of Regulations. When entering into agreements with nonpublic, nonsectarian schools (“NPSs”) or agencies (“NPAs”), The SAE shall consider the needs of the individual student and the recommendations of the IEP team. The IEP team shall remain accountable for monitoring the progress of students placed in nonpublic, nonsectarian programs towards the goals identified in each student's IEP.

In accordance with Education Code section 56366.1, when entering into a Master Contract with an NPS where The SAE has not previously placed a student, the Charter School shall conduct an onsite visit to the NPS at the time of placement. The SAE shall also conduct at least one onsite monitoring visit to the NPA during each school year in which the Charter School has a student attending pursuant to a Master Contract. The monitoring visit shall include the following:

- A review of services provided to the student through the individual service agreement between The SAE and the NPS;
- A review of progress the student is making toward the student's IEP goals;
- A review of progress the student is making toward the goals set forth in the student's behavior intervention plan;
- If applicable, an observation of the student during instruction;
- A walkthrough of the facility; and
- Any other reviews and/or observations deemed necessary by The SAE.

The SAE shall follow state and federal law and regulations and SELPA policy when contracting with nonpublic, nonsectarian schools or agencies.

Resource Specialist Program

The SAE shall employ or contract with certificated resource specialists to provide services for students with disabilities which shall include, but not be limited to:

1. Providing instruction and services to students whose needs have been identified in an IEP developed by the IEP team and who are assigned to regular classroom teachers for a majority of the school day. Students shall not be enrolled in a resource specialist program for the majority of the school day without approval of the IEP team.
2. Providing information and assistance to students with disabilities and their parents/guardians.
3. Providing consultation, resource information, and material regarding students with disabilities to their parents/guardians and regular education staff members.
4. Coordinating special education services with the regular school programs for each student with disabilities enrolled in the resource specialist program.
5. Monitoring student progress on a regular basis, participating in the review and revision of IEPs as appropriate, and referring students who do not demonstrate appropriate progress to the IEP team.
6. At the secondary school level, emphasizing academic achievement, career and vocational development, and preparation for adult life.
7. Resource specialists shall not simultaneously be assigned to serve as resource specialists and to teach regular classes.

The SAE's resource specialist program shall be under the direction of a resource specialist who possesses:

1. A special education credential or clinical services credential with a special class authorization.
2. Three or more years of teaching experience, including both regular and special education teaching experience, as defined by rules and regulations of the Commission on Teacher Credentialing.
3. Demonstration of competencies required for a resource specialist as established by the Commission on Teacher Credentialing.

The Executive Director shall ensure that caseloads for special education teachers are within the maximum caseloads established by law, collective bargaining agreement, and/or SELPA policy. No resource specialist shall have a caseload which exceeds twenty-eight (28) students, unless a valid waiver is obtained through the State Board of Education, consistent with Title 5, California Code of Regulations, section 3100.

Transportation

Charter School shall ensure appropriate, no cost transportation services are provided for students with disabilities as specified in their IEP as a related service when required. The specific needs of the student shall be the primary consideration when an IEP team is determining the student's transportation needs. Considerations may include, but are not limited to, the student's health needs, travel distances, physical accessibility and safety of streets and sidewalks, accessibility of public transportation systems, midday or other transportation needs, extended-year services, and, as necessary, implementation of a behavioral intervention plan.

When transportation services are required, the Executive Director or designee shall arrange transportation schedules so that students with disabilities do not spend an excessive amount of time on buses compared to other students. Arrivals and departures shall not reduce the length of the school day for these students except as may be prescribed on an individual basis.

When contracting with a nonpublic, nonsectarian school or agency to provide special education services, the Executive Director or designee shall ensure that the contract includes general administrative and financial agreements related to the provision of transportation services if specified in the student's IEP.

Guide dogs, signal dogs and service dogs trained to provide assistance to persons with disabilities may be transported in a school bus when accompanied by students with disabilities, teachers with disabilities, or persons training the dogs.

Charter School shall ensure that all school buses, school student activity buses, youth buses and childcare motor vehicles, whenever they may be used, are equipped with an operational child safety alert system. Charter School shall ensure that all buses are equipped with a passenger restraint system.

Mobile seating devices, when used, shall be compatible with the securement systems required by Federal Motor Vehicle Safety Standard No. 222 (49 C.F.R. § 571.222). The SAE shall ensure school bus drivers are trained in the proper installation of mobile seating devices in the securement systems.

Information on the Number of Individuals with Exceptional Needs

Information regarding the number of individuals with exceptional needs who are being provided special education and related services shall be provided in accordance with state and federal law and regulation and SELPA policy.

Independent Educational Evaluations

A. IEE at Parent Expense

Charter School acknowledges that a parent/guardian has the right to obtain an independent educational evaluation(s) (“IEE”) at their own expense at any time. In these circumstances, the Executive Director or designee(s) shall ensure that the student’s IEP team shall consider the results of the IEE when determining an offer of a free appropriate public education (“FAPE”) for the student. However, the results of an IEE will not dictate the IEP team’s determinations.

If a parent/guardian requests reimbursement for an IEE assessment obtained by the parent/guardian at their own expense, the Executive Director or designee(s) shall ensure that the unilaterally obtained IEE meets the following criteria:

1. The parent disagreed with the Charter School’s evaluation and the Charter School received a request within a reasonable time after receipt of the results of the evaluation.
2. The parent timely and upon request provided Charter School with written consent to exchange information with the examiner.
3. The private evaluation meets all criteria contained in this Policy
4. The parent timely provided a copy of the written evaluation report and all other documents\tests related to the report.
5. The examiner attends the relevant IEP team meeting by phone or in person to discuss his or her findings and provides protocols of all assessments to Charter School.

The reimbursement will be in an amount no greater than the actual cost to the parents. Parents may only be reimbursed for one (1) IEE for each assessment area or discipline with which they disagree.

In all cases, if Charter School initiates a due process hearing to show that Charter School’s evaluation is appropriate, no reimbursement shall be made unless ordered by a Hearing Officer.

B. IEE at Public Expense

Charter School recognizes that federal and state laws provide parents/guardians of students with disabilities with the right to obtain an IEE, at public expense, when the parent/guardian disagrees with an assessment conducted by Charter School within the last two (2) years. Parents may only receive one (1) IEE for each assessment area or discipline with which they disagree.

The Executive Director or designee(s) shall ensure that when a parent/guardian requests an IEE at public expense, Charter School shall provide the parent/guardian with a copy of their Procedural Safeguards *and*, without unnecessary delay, either:

1. Initiate a due process hearing to show that the evaluation, completed by the Charter School, is appropriate; or
2. Provide the parent/guardian with information about where an IEE may be obtained, the Charter School’s criteria applicable for IEEs, and ensure that an IEE is provided at public expense.

Should the Charter School grant the parent’s request for an IEE, the Executive Director or designee(s) shall ensure the following:

1. The criteria under which the IEE is obtained at public expense, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that Charter School uses when it initiates an evaluation.
2. Charter School does not impose conditions or timelines related to obtaining an IEE at public expense.
3. All assessments shall be completed by persons competent to perform the assessment as determined by Charter School. Parent has the right to choose the examiner.
4. If the original evaluation completed by Charter School included in-class observation of the student, an equivalent opportunity shall apply to an independent educational assessment of the student in the student's current educational placement and setting.
5. A parent/guardian shall have the opportunity to demonstrate that unique circumstances justify a waiver of any of the criteria listed above as defined by Charter School.
6. The evaluator must prepare and sign a full evaluation report containing:
 - a. A list of all information/data reviewed.
 - b. A clear explanation of the testing and assessment results.
 - c. A complete summary of all test scores, including, for all standardized testing administered, all applicable full scale or battery scores, domain or composite scores, and sub-test scores reported in standard, scaled or T-score format.
 - d. A complete summary of all information obtained or reviewed from sources other than testing conducted by the evaluator.
 - e. Recommendations for IEP team consideration for educational programming and, if appropriate, placement that is educationally relevant and realistic within a public educational setting.

The cost determination for an IEE shall be comparable to the costs incurred by Charter School when it uses its own employees or contractors to complete an assessment, whenever possible and shall reflect reasonable and customary rates for such services in the area. As a result, the Executive Director or designee(s) shall provide a parent/guardian with a recommended cost ceiling. The cost ceiling shall be updated (*once every three (3) years*) and determined by averaging the cost of the following three factors:

1. The cost of an assessment provided by a Charter School employee.
2. The cost of an assessment provided by a neighboring local educational agency.
3. The cost of an assessment provided by a private service provider, with appropriate qualification, within 40 miles from the Charter School.

The Executive Director or designee(s) shall ensure a parent/guardian may demonstrate that unique circumstances, related to the student's education need(s), justify a financial waiver of any for the cost as defined by Charter School.

The Executive Director or designee(s) shall ensure a parent/guardian voluntarily have their private health insurance pay the costs of the IEE if covered by their insurance. However, Charter School recognizes that federal and state laws specify that parents/guardians are not required to have private insurance cover the costs of an IEE if the process would result in a financial cost to the parent/guardian including but not limited to:

1. A decrease in available lifetime coverage or any other benefit under an insurance policy;
2. An increase in premiums or the discontinuance of the policy; or
3. An out-of-pocket expense such as payment of a deductible amount incurred in filing a claim.

3. SECTION 504: POLICY, PROCEDURES, AND PARENT RIGHTS REGARDING IDENTIFICATION, EVALUATION AND EDUCATION

Board Policy #: SAE-BP-003

Adopted/Ratified: September 24th, 2020

Revision Date: September 9, 2021

A. SECTION 504 POLICY

The Board of Directors of the School of Arts and Enterprise (“The SAE” or the “Charter School”) recognizes the need to identify and evaluate students with disabilities in order to provide them with a free, appropriate public education and its legal responsibility to ensure that “no qualified person with a disability shall, solely by reason of their disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” This Policy and the related administrative regulation has been developed to ensure the implementation of Section 504 of the Rehabilitation Act of 1973 (“Section 504”), and its implementing regulations as amended, which pertains to public schools. The intent is to ensure that all students with disabilities, who are eligible under Section 504, are identified and evaluated and have access to a free, appropriate public education (“FAPE”).

Under Section 504, individuals with physical or mental impairments that substantially limit one or more major life activities, including learning, are entitled to receive regular or special education and/or related aids and services designed to meet their individual needs as adequately as the needs of nondisabled students are met. Major Life Activities include functions such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working, as well as the operation of a major bodily functions, including functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. Students may be disabled and entitled to services under Section 504 even though they are not eligible for services pursuant to the Individuals with Disabilities Education Act Improvement Act of 2004 (“IDEA”).

The SAE’s Executive Director or designee shall ensure that this policy and set of procedures is implemented and followed. Whenever there is reason to believe that, because of a disability, a student needs regular or special education and/or related aids and services (and the student has not been found eligible under IDEA) that student will be evaluated under this policy’s corresponding procedures.

A Section 504 Team will be convened to determine the student’s need for regular or special education and/or related aids and services. The 504 Team will include persons knowledgeable about the Section 504 standards, the student’s individual needs and school history, the meaning of evaluation data, and placement options. The student’s parent/guardian shall be invited to participate in this 504 Team and shall receive notice of procedural safeguards guaranteed by law.

If The SAE does not assess a student after a parent has requested an assessment, the Charter School shall provide notice of the parent’s/guardian’s procedural safeguards. The school will follow up in writing within 15 days of the request to explain why the request to assess was denied and provide procedural safeguards. The SAE shall not retaliate in any way against parents/guardians or students who exercise any rights under the procedural safeguards and/or Section 504.

If the student, due to disability, is found to require regular or special education and/or related aids and services under Section 504, the Section 504 Team shall develop a 504 plan for the provision of such services to the student. The student shall be educated with nondisabled students to the maximum extent appropriate to the student's individual needs. The student's parent/guardian shall be provided a copy of the 504 plan and shall receive notice of procedural safeguards guaranteed by law. The SAE shall periodically review the student's progress and placement.

The Charter School does not discriminate on the basis of disability or any other characteristic protected under law. The SAE will implement this policy through its corresponding procedures.

B. SECTION 504 PROCEDURES

A. Definitions

1. **Academic Setting** – the regular, educational environment operated by The SAE.
2. **Individual with a Disability under Section 504** – An individual who:
 - a. has a physical or mental impairment that substantially limits one or more major life activities;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
3. **Evaluation** – procedures used to determine whether a student has a disability as defined within these Procedures, and the nature and extent of the services that the student needs. The term means procedures used selectively with an individual student and does not include basic tests administered to, or procedures used with, all students in a school, grade or class.
4. **504 Plan** – is a plan developed to identify and document the student's needs for regular or special education and related aids and services for participation in educational programs, activities, and school-sponsored events.
5. **Free Appropriate Public Education (“FAPE”)** – the provision of regular or special education and related aids and services that are designed to meet the individual needs of persons with disabilities as adequately as the needs of persons without disabilities are met.
6. **Major Life Activities** - Functions such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions.
7. **Physical or Mental Impairment** –

- a. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory; including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin; and endocrine; or
 - b. Any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
8. **504 Coordinator** – The Chief Accountability Officer shall serve as the Charter School’s Section 504 Coordinator. The parents or guardians may request a Section 504 due process hearing from or direct any questions or concerns to the Section 504 Coordinator at (909) 622-0699.
9. **Has a record of such an impairment** - means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
10. **Is regarded as having an impairment** - means
- a. An individual meets the requirement of 'being regarded as having such an impairment' if the individual establishes that they have been subjected to an action prohibited under this Act because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity.
 - b. Being regarded as having an impairment shall not apply to impairments that are transitory and minor. A transitory impairment is an impairment with an actual or expected duration of 6 months or less.

B. Referral, Assessment and Evaluation Procedures

- 1. The SAE will evaluate any student who, because of disability, needs or is believed to need regular or special education and/or related aids and services.
- 2. A student may be referred by anyone, including a parent/guardian, teacher, other school employee or community agency, for consideration as to whether the student qualifies as a student with disabilities under Section 504. Requests for evaluation shall be made in writing, and a copy of said request will remain in the student’s file regardless of the final determination. This referral should be made to the Section 504 Coordinator who will convene a 504 Team. Any requests made to another Charter School employee will be forwarded to the Section 504 Coordinator.
- 3. The Charter School has the responsibility to ensure that students with disabilities are evaluated. Therefore, it is important that students who have or may have a disability are referred to the Section 504 Coordinator so that the assessment process is initiated.
- 4. The 504 Team convened by the Section 504 Coordinator will be composed of the student’s parents/guardians and other persons knowledgeable about the student (such as the student’s regular education teachers), the student’s school history, the student’s individual needs (such as a person knowledgeable about the student’s disabling condition), the meaning of evaluation data, the options for placement and services, and the legal requirements for least restrictive environment and comparable facilities.

5. The 504 Team shall promptly consider the referral and determine what assessments are needed in all suspected areas of disability to evaluate whether the student is a student with a disability under Section 504 and what special needs the student may have. The decision regarding what assessments shall be undertaken shall be based on a review of the student's school records (including academic, social and behavioral records), any relevant medical records, and the student's needs. Students requiring assessment shall be provided appropriate assessments administered by qualified assessment specialists.
6. The 504 Team will consider the following information in its evaluation of the student:
 - a. Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel;
 - b. Tests and other evaluation materials including those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
 - c. Tests are selected and administered so as to best ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure.)
7. The evaluation of the student must be sufficient for the 504 Team to accurately and completely describe: (a) the nature and extent of the disabilities; (b) the student's special needs; (c) the impact upon the student's education; and (d) what regular or special education and/or related aids and services are appropriate to ensure that the student receives a free appropriate public education. All significant factors relating to the learning process for that student, including adaptive behavior and cultural and language background, must be considered. The evaluation may include, but is not limited to, classroom and playground observation, performance-based testing, academic assessment information, and data offered by the student's teachers and parent/guardian.
8. Mitigating measures cannot be considered when evaluating whether or not a student has a substantially limiting impairment. Mitigating measures could include medications, prosthetic devices, assistive devices, or learned behavioral or adaptive neurological modifications a student uses to eliminate or reduce the effects of an impairment.
9. The parents/guardians shall be given an opportunity in advance of 504 Team meetings to examine assessment results and all other relevant records.
10. If a request for evaluation is denied, the 504 Team shall inform the parents/guardians in writing of this decision and of their procedural rights as described below.

C. 504 Plan

1. When a student is identified as having a disability within the meaning of Section 504, the 504 Team shall determine what, if any, services are needed to ensure that the student receives a FAPE.

2. The 504 Team responsible for making the placement decision shall include the parents/guardians and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.
3. For each identified eligible student, the 504 Team will develop a 504 Plan describing the student's disability and the regular or special education and/or related aids and services needed. The Plan will specify how the special education and/or related aids and services will be provided to the eligible student and by whom. The 504 Plan will also identify the person responsible for ensuring that all the components of the Plan are implemented.
4. The student's teacher and any other staff who are to provide services to the student or who are to make modifications in the classroom for the student shall be informed of the services or modifications necessary for the student and, if appropriate, provided a copy of the 504 Plan. A copy of this plan shall be kept in the student's cumulative file in a manner that limits access to those persons involved in the 504 process and/or the provision of services and modifications.
5. The eligible student shall be placed in the regular education environment unless it is demonstrated that the student's needs cannot be met in the regular education environment with supplementary aids and services. The student shall be educated with students who are not disabled to the maximum extent appropriate to their individual needs.
6. The referral, assessment, evaluation and placement process will be completed within a reasonable time. It is generally not reasonable to exceed fifty (50) school days in completing this process.
7. The parents/guardians shall be notified in writing of the final decision concerning the student's identification as a person with disabilities, the educational program and services to be provided, if any, and of the Section 504 procedural safeguards, as described below, including the right to an impartial hearing to challenge the decision.
8. If the 504 Team determines that the student has a disability but that no special services are necessary for the student, the 504 Plan shall reflect the identification of the student as a person with a disability under Section 504 and shall state the basis for the decision that no special services are presently needed.
9. The 504 Plan shall include a schedule for annual review of the student's needs and indicate that this review may occur more frequently at the request of the parent/guardian or school staff.
10. The SAE shall immediately implement a student's prior 504 Plan, when a student enrolls at the Charter School. Within thirty (30) calendar days of starting school, The SAE shall schedule a 504 Team meeting to review the existing 504 Plan. The SAE shall request a copy of the prior 504 plan from both the prior school and the parent/guardian.

D. Review of the Student's Progress

1. The 504 Team shall monitor the progress of the eligible student and the effectiveness of the student's 504 Plan. According to the review schedule set out in the student's 504 Plan, the 504 Team shall annually determine whether the services and modifications are appropriate.
2. A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement.

E. Procedural Safeguards

1. Parents/guardians shall be notified in writing of all decisions regarding the identification, evaluation or educational placement of students with disabilities or suspected disabilities. Notifications shall include a statement of their rights to:
 - Examine relevant records
 - Have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel
 - Have the right to file a Uniform Complaint pursuant to Charter School policy
 - Seek review in federal court if the parents/guardians disagree with the hearing decision.

2. Notifications shall also set forth the procedures for requesting an impartial hearing. Requests shall be made to the following:

Paul Treesuwan, Chief Accountability Office, Director of Special Education
375 S. Main St. Pomona, CA 91766
ptreesuwan@thesae.org/ (909) 622-0699

- Notifications shall also advise that reimbursement for attorney's fees is available only as authorized by law.

3. The Executive Director or designee shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with The SAE or any district within the El Dorado Charter SELPA or the Los Angeles County Office of Education in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.

4. If a parent/guardian disagrees with the identification, evaluation or educational placement of a student with disabilities under Section 504, the parent/guardian may request a hearing to initiate due process procedures. The parent/guardian shall set forth in writing their request for a hearing. A request for hearing should include:
 - The specific decision or action with which the parent/guardian disagrees.
 - The changes to the 504 Plan the parent/guardian seeks.
 - Any other information the parent/guardian believes is pertinent.

5. Within five (5) calendar days of receiving the parent/guardian's request for a hearing, the Charter School may offer the parent/guardian an optional alternative dispute resolution process. However, the timeline for the hearing shall remain in effect unless it is extended by mutual written agreement of the parent/guardian and the Charter School. Alternative dispute resolution options include:
 - Mediation by a neutral third party.
 - Review of the 504 Plan by the Executive Director or designee.

6. Within ten (10) calendar days of receiving the parent/guardian's request, the Executive Director or designee shall select an impartial hearing officer. These 10 days may be extended for good cause or by mutual agreement of the parent/guardian and Executive Director.

7. Within thirty-five (35) calendar days of the selection of the hearing officer, the due process hearing shall be conducted. These thirty-five (35) calendar days may be extended for good cause or by mutual agreement of the parent/guardian and Executive Director.
8. The parent/guardian and the School shall be afforded the rights to:
 - Be accompanied and advised by counsel and by individuals with special knowledge or training related to the individual needs of students who are qualified as having a disability under Section 504.
 - Present written and oral evidence.
 - Question and cross-examine witnesses.
 - Receive written findings by the hearing officer.
9. The hearing officer shall issue a written decision within ten (10) calendar days of the hearing.
10. If desired, either party may seek a review of the hearing officer's decision by a federal court. The decision shall be implemented unless the decision is stayed, modified or overturned by a court.
11. The SAE shall not retaliate in any way against parents/guardians or students who exercise any rights under the procedural safeguards and/or Section 504.

F. Suspension and Expulsion, Special Procedures for Students with Disabilities

The SAE shall follow the suspension and expulsion policy and procedures as set forth in the charter. A pupil who is qualified for services under Section 504 of the Rehabilitation Act of 1973 is subject to the same grounds for disciplinary action, including suspension and expulsion, and is accorded the same due process procedures applicable to general education pupils except when federal and state law mandates additional or different procedures. The SAE will follow Section 504 and all applicable federal and state laws when imposing any form of discipline on a pupil identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in accordance with due process to such pupils. The following procedures shall be followed when a student with a disability is considered for suspension or expulsion. These procedures will be updated if there is a change in the law.

1. Services During Suspension

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

2. Procedural Safeguards/Manifestation Determination

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

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

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

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

- a. Conduct an FBA and implement a behavioral intervention plan (“BIP”) for such child, provided that The SAE had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b. If the child has a BIP, review the BIP and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed, unless the parent and The SAE agree to a change of placement as part of the modification of the BIP.

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

3. Appeals

The parent/guardian of a child with a disability under a 504 Plan who disagrees with any decision regarding placement, or the manifestation determination, or if the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, either party may request to utilize the appeal process outlined in the Procedural Safeguards section of these Procedures.

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

4. Special Circumstances

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

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

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

5. Interim Alternative Educational Setting

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

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

A student who has not been identified as an individual with disabilities pursuant to the IDEA 2004 and who has violated The SAE's disciplinary procedures may assert the procedural safeguards granted under these Procedures only if The SAE had knowledge that the student had a disability before the behavior occurred.

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

The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to The SAE supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.

- a. The parent has requested an evaluation of the child.
- b. The child's teacher, or other The SAE personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the Director of Special Education or to other The SAE supervisory personnel.

If The SAE knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEA 2004-eligible children with disabilities, including the right to stay-put.

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

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

C. PARENT/STUDENT RIGHTS IN IDENTIFICATION, EVALUATION, ACCOMMODATION AND PLACEMENT

The following is a description of the rights granted by federal law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions. Please keep this explanation for future reference.

You have the right to:

1. Have your child take part in and receive benefits from public education programs without discrimination because of their disabling condition.
2. Have The SAE advise you of your rights under federal law.
3. Receive notice with respect to Section 504 identification, evaluation and/or placement of your child.
4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have The SAE make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided to non-disabled students.
6. Have your child receive special education and related services if your child is found to be eligible under the Individuals with Disabilities Education Improvement Act (IDEA 2004).
7. Have an evaluation, educational recommendation, and placement decision developed by a team of persons who are knowledgeable of the student, the assessment data, and any placement options. This includes the right to an evaluation before the initial placement of the student and before any subsequent significant change in placement.
8. Have your child be given an equal opportunity to participate in non-academic and extracurricular activities offered by The SAE.
9. Examine all relevant records relating to decisions regarding your child's Section 504 identification, evaluation, educational program, and placement.
10. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
11. Obtain a response from The SAE to reasonable requests for explanations and interpretations of your child's records.
12. Request an amendment of your child's educational records if there is reasonable cause to believe they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If The SAE refuses this request for amendment, the Charter School shall notify you within a reasonable time and advise you of your right to an impartial hearing.
13. Request mediation or file a grievance in accordance with Charter School's Section 504 mediation grievance and hearing procedures, outlined above.
14. Request an impartial hearing regarding the Section 504 identification, evaluation, or placement of your child. You and the student may take part in the hearing and have an attorney represent you.
15. File a formal complaint pursuant to the Charter School's Uniform Complaint Policy and Procedures. Please ask the Executive Director for a copy of the Charter School's Uniform Complaint Policy and Procedures if you need one.
16. File a formal complaint with the U.S. Department of Education.

Office for Civil Rights, U.S. Department of Education San Francisco Office
50 United Nations Plaza
San Francisco, CA 94102
(415) 486-5555 PHONE
(415) 486-5570 FAX
Email: OCR.SanFrancisco@ed.gov

17. Be free from any retaliation from The SAE for exercising any of these rights.

Please contact Paul Treesuwan, 504 Coordinator, c/o The School of Arts and Enterprise, 295 N. Garey Ave. Pomona, CA 91766 (909) 622-0699 with any questions regarding the information contained herein.

4. EDUCATION FOR FOSTER AND MOBILE YOUTH POLICY

Board Policy #: SAE-BP-004

Adopted/Ratified: September 9, 2021

Revision Date:

Introduction

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

Definitions

- *“Foster youth”* means a child who has been removed from their home pursuant to California Welfare and Institutions Code section 309 and/or is the subject of a petition filed under Welfare and Institutions Code section 300 or 602. This includes children who are the subject of cases in dependency court and juvenile justice court. A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court pursuant to the tribal court’s jurisdiction in accordance with the tribe’s law.
- *“Former juvenile court school pupil”* means a pupil who, upon completion of the pupil’s second year of high school, transfers from a juvenile court school to the SAE.
- *“Child of a military family”* refers to a student who resides in the household of an active duty military member.
- *“Currently Migratory Child”* refers to a child who, within the last 12-months, has moved with a parent, guardian, or other person having custody to the SAE from another Local Educational Agency (“LEA”), either within California or from another state, so that the child or a member of the child’s immediate family might secure temporary or seasonal employment in an agricultural or fishing activity, and whose parents or guardians have been informed of the child’s eligibility for migrant education services. “Currently Migratory Child” includes a child who, without the parent/guardian, has continued to migrate annually to secure temporary or seasonal employment in an agricultural or fishing activity.

- “*Pupil participating in a newcomer program*” means a pupil who is participating in a program designed to meet the academic and transitional needs of newly arrived immigrant pupils that has as a primary objective the development of English language proficiency.
- “*Educational Rights Holder*” (“*ERH*”) means a parent, guardian, responsible adult appointed by a court to make educational decisions for a minor pursuant to Welfare and Institutions Code sections 319, 361 or 726, or a person holding the right to make educational decisions for the pupil pursuant to Education Code section 56055.
- “*School of origin*” means the school that the foster youth attended when permanently housed or the school in which the foster youth was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which the student was last enrolled, or if there is some other school that the foster youth attended within the immediately preceding 15 months, the SAE liaison for foster youth, in consultation with and with the agreement of the foster youth and the ERH for the youth, shall determine, in the best interests of the foster youth, the school that shall be deemed the school of origin.
- “*Best interests*” means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, the opportunity to be educated in the least restrictive educational program and the foster youth’s access to academic resources, services, and extracurricular and enrichment activities that are available to all SAE students.

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

Foster and Mobile Youth Liaison

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

Joanna Hernandez/Social Emotional Counselor (909) 622-0699

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

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

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

This Policy does not grant the Foster and Mobile Youth Liaison authority that supersedes the authority granted under state and federal law to a parent or legal guardian retaining educational rights, a responsible person appointed by the court to represent the child pursuant to Welfare and Institutions Code sections 319, 361 or 726, a surrogate parent, or a foster parent exercising authority under Education Code section 56055. The role of the Foster and Mobile Youth Liaison is advisory with respect to placement options and determination of the school of origin.

School Stability and Enrollment

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

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

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

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

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

Per Ed. Code section 48204.7(c), if the foster youth, currently migratory child or child of a military family is transitioning between school grade levels, the youth shall be allowed to continue in the district of origin in the same attendance area to provide the youth the benefit of matriculating with their peers in accordance with the established feeder patterns of school districts. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

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

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

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

Transportation

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

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

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

Effect of Absences on Grades

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

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

Transfer of Coursework and Credits

The SAE shall accept coursework satisfactorily completed by a Foster and Mobile Youth while attending another public school¹, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school or agency even if the student did not complete the entire course and shall issue that student full or partial credit for the coursework completed.

If the Foster and Mobile Youth did not complete the entire course, the student shall be issued partial credit for the coursework completed and shall not be required to retake the portion of the course that the student completed at another school unless the SAE, in consultation with the student’s ERH, finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a Foster and Mobile Youth in any particular course, the student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course.

In no event shall the SAE prevent a Foster and Mobile Youth from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California.

¹ For purposes of coursework completed by a student who is a child of a military family, “public school” includes schools operated by the United States Department of Defense.

Applicability of Graduation Requirements

To obtain a high school diploma from the SAE, a student must complete all courses required by the SAE and fulfill any additional graduation requirements prescribed by the Board. However, Foster and Mobile Youth who transfer to the SAE any time after the completion of their second year of high school, and pupils participating in a newcomer program who are in their third or fourth year of high school, shall be exempt from any of the SAE's graduation requirements that are in excess of the California minimum graduation requirements specified in Education Code section 51225.3 ("additional graduation requirements") unless the SAE makes a finding that the student is reasonably able to complete the SAE's graduation requirements by the end of the student's fourth year of high school.

To determine whether a Foster and Mobile Youth is in their third or fourth year of high school, either the number of credits the student has earned to the date of transfer or the length of the student's school

enrollment may be used, whichever will qualify the student for the exemption. For a pupil participating in a newcomer program, enrollment in grade 11 or 12 may be used to determine whether the student is in their third or fourth year of high school.

Within thirty (30) calendar days of the date that a student who may qualify for exemption under the above requirements transfers into the SAE, the SAE shall notify the student, the ERH, and where applicable, the student's social worker or probation officer, of the availability of the exemption and whether the student qualifies for the exemption. If the SAE fails to provide timely notice of the availability of the exemption, the Foster and Mobile Youth shall be eligible for the exemption from the additional graduation requirements once notified, even if that notification occurs after the termination of the court's jurisdiction over the student, if the foster youth otherwise qualifies for the exemption.

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

The Executive Director or designee shall notify a Foster and Mobile Youth and their ERH if the SAE grants an exemption from the additional graduation requirements, how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution, and shall provide information about transfer opportunities available through the California Community Colleges.

A Foster and Mobile Youth who would otherwise be entitled to remain in attendance at the SAE shall not be required to accept the exemption from additional graduation requirements or be denied enrollment in, or the ability to complete, courses for which the student is otherwise eligible, including courses necessary to attend an institution of higher education, regardless of whether those courses are required for statewide graduation requirements.

If an eligible student is not exempted from additional graduation requirements or has previously declined the exemption pursuant to this Policy, the SAE shall exempt the student at any time if an exemption is requested by the youth and the youth qualifies for the exemption. Likewise, if the youth is exempted, the SAE may not revoke the exemption.

If a Foster and Mobile Youth is exempted from additional graduation requirements pursuant to this section, the exemption shall continue to apply after the termination of the court's jurisdiction over the student or after the termination of circumstances which make the Student eligible while he or she is enrolled in school or if the student transfers to another school, including a charter school, or school district.

The SAE shall not require or request a Foster and Mobile Youth to transfer schools in order to qualify for an exemption from additional graduation requirements, and no Foster and Mobile Youth or any person acting on behalf of a Foster and Mobile Youth may request a transfer solely to qualify for an exemption from the SAE's additional graduation requirements.

Upon making a finding that a Foster and Mobile Youth is reasonably able to complete the SAE's graduation requirements within the student's fifth year of high school, the Executive Director or designee shall:

1. Inform the student and the student's ERH of the student's option to remain in school for a fifth year to complete the SAE's graduation requirements, consistent with the laws regarding continuous enrollment and satisfactory progress for SAE students over age 19.
2. Inform the student and the student's ERH how remaining in school for a fifth year will affect the student's ability to gain admission to a postsecondary educational institution.
3. Provide information to the student about transfer opportunities available through the California Community Colleges.
4. Upon agreement with the student or, if the student is under 18 years of age, the ERH, permit the student to stay in school for a fifth year to complete the SAE's graduation requirements.

If a juvenile court youth satisfies the requirements for high school graduation while enrolled at a juvenile court school but has elected to decline the issuance of the diploma for the purpose of taking additional coursework, the SAE will not prevent the juvenile court youth from enrolling in the SAE and pursuing additional coursework if requested by the youth or by the youth's ERH.

Eligibility for Extracurricular Activities

A student who is in foster care whose residence changes pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities.

Waiver of Fees for Afterschool Programs

The SAE shall not charge any student who the SAE knows are eligible for free or reduced-price meals, are homeless as defined in the McKinney-Vento Homeless Assistance Act, or in currently in foster care any family fees associated with an After-School Education and Safety ("ASES") Program operated by the SAE.

Student Records

When the SAE receives a transfer request and/or student records request for the educational information and records of a foster youth from a new LEA, the SAE shall provide these student records within five (5) business days. The SAE shall compile the complete educational record of the student, including but not

limited to a determination of seat time, full or partial credits earned, current classes and grades, immunization and other records, and, if applicable, a copy of the student's special education records including assessments, IEPs, and/or 504 plans. All requests for student records will be shared with the Foster and Mobile Youth Liaison, who shall be aware of the specific educational record keeping needs of Foster and Mobile Youth.

In accordance with the SAE's Educational Records and Student Information Policy, under limited circumstances, the SAE may disclose student records or personally identifiable information contained in those records to certain requesting parties including but not limited to a foster family agency and state and local authorities within a juvenile justice system, without parental consent.

Complaints of Noncompliance

Complaints of noncompliance with this Policy shall be governed by the SAE's Uniform Complaint Procedures. A copy of the Uniform Complaint Policy and Procedures is available withing the Parent Student Handbook and on The SAE's website.

5. EDUCATION FOR HOMELESS CHILDREN AND YOUTH POLICY

Board Policy #: SAE-BP-005

Adopted/Ratified: September 9, 2021

Revision Date: N/A

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

Definition of Homeless Children and Youth

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

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

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

Charter School Liaison

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

Joanna Hernandez, Social-Emotional Counselor
300 W 2nd St., Pomona, CA. 91766 909-620-1196 ext. 2426

Maria Cuadros-Solis, High School Principal
295 N Garey Ave., Pomona, CA. 91767 909-622-0699 ext. 1236

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

Homeless students are identified by school personnel and through outreach and coordination activities with other entities and agencies.

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

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

Enrollment

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

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

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

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

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

Enrollment Disputes

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

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

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

Comparable Services

Each homeless child or youth shall promptly be provided services comparable to services offered to other students in The SAE such as (but not limited to) (42 U.S.C. § 11432(g)(4)):

- Transportation services

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

Transportation

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

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

Professional Development

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

High School Graduation Requirements

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

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

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

The Charter School shall notify students who are exempted from the Charter School's additional graduation requirements and the student's educational rights holder of how any of the requirements that

are waived will affect the student's ability to gain admission to a postsecondary educational institution and provide information about transfer opportunities available through the California Community Colleges.

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

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

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

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

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

Acceptance of Course Work

The Charter School will accept any coursework satisfactorily completed at any public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency by a homeless student.

The Charter School will provide homeless students credit for the partial completion of courses taken while attending a public school, a juvenile court school, a school in a country other than the United States,

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

Notice

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

Annual Policy Review

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

6. Independent Study Policy

Board Policy #: SAE-BP-006

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

The School of Arts and Enterprise (the “Charter School”) may offer independent study to meet the short or long-term educational needs of pupils enrolled in the Charter School.

Independent study is an optional educational alternative in which no pupil may be required to participate and is designed to teach the knowledge and skills of the core curriculum. Independent Study requires approval from the Executive Director or designee in writing. To the extent possible, requests for independent study should be submitted at least five (5) days before a planned absence. The Executive Director’s considerations may include, but are not limited to, the student’s current academic standing; the student’s grade level; the timing relative to the grading period; the purpose of the absence for which independent study is requested; previous participation in independent study; available information about medical condition(s) which limit participation in classroom instruction; and input from teachers, MTSS team or IEP team as applicable. The Executive Director shall not deny a request for independent study on the basis of race, ethnicity, age, gender, mental or physical disability or on the basis of any other protected characteristic, either actual or perceived.

The Charter School shall provide appropriate existing services and resources to enable pupils to complete their independent study successfully. The following written policies have been adopted by the School of Arts and Enterprise Board of Directors for implementation at Charter School:

1. For pupils in all grade levels and programs offered by the Charter School, the maximum length of time that may elapse between the time an assignment is made and the date by which the pupil must complete the assigned work shall be ten (10) school days.
2. The Executive Director or designee shall conduct an evaluation to determine whether it is in the best interests of the pupil to remain in independent study upon the following triggers:
 - a. When any pupil fails to complete three (3) assignments during any period of ten (10) school days.
 - b. In the event Student's educational progress falls below satisfactory levels as determined by the Charter School's policies and procedures which considers ALL of the following indicators:
 - i. The pupil's achievement and engagement in the independent study program, as indicated by the pupil's performance on applicable pupil-level measures of pupil achievement and pupil engagement set forth in Education Code Section 52060(d) paragraphs (4) and (5).
 - ii. The completion of assignments, assessments, or other indicators that evidence that the pupil is working on assignments.
 - iii. Learning required concepts, as determined by the supervising teacher.
 - iv. Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher.

A written record of the findings of any evaluation conducted pursuant to this policy shall be treated as a mandatory interim pupil record. The record shall be maintained for a period of three years from the date of the evaluation and, if the pupil transfers to another California public school, the record shall be forwarded to that school.

3. The Charter School shall provide content aligned to grade level standards that is provided at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high school grade levels this shall include access to all courses offered by the Charter School for graduation and approved by the UC or CSU as creditable under the A-G admissions criteria.
4. The Charter School has adopted tiered reengagement strategies for all pupils who are not generating attendance for more than three (3) school days or 60% of the instructional days in a school week, or who are in violation of the written agreement pursuant to Education Code Section 51747(g). These procedures are as follows:
 - a. Verification of current contact information for each enrolled pupil;
 - b. Notification to parents or guardians of lack of participation within one school day of the absence or lack of participation;
 - c. Outreach from the Charter School to determine pupil needs including connection with health and social services as necessary;
 - d. When the evaluation described above under paragraph 2.b.iv. is triggered to consider whether remaining in independent study is in the best interest of the pupil, a pupil-parent-education conference shall be required to review a pupil's written agreement and reconsider the independent study program's impact on the pupil's achievement and well-

being. This conference shall be a meeting involving, at a minimum, all parties who signed the pupil's written independent study agreement.¹

5. The following plan shall be in place in accordance with Education Code Section 51747(e) for synchronous instruction and live interaction:
 - a. For pupils in grades 6-8, inclusive, the plan to provide opportunities for daily live interaction between the pupil and a certificated or non-certificated employee of the Charter School and at least weekly synchronous instruction for all pupils throughout the school year by each pupil's assigned supervising teacher shall be as follows: The supervising teacher will provide a schedule of daily synchronous meeting time opportunities via Google Meets, Google Hangouts, phone conference, in-person office hours, or other communication platform.
 - b. For pupils in grades 9-12, inclusive, the plan to provide opportunities for at least weekly synchronous instruction for all pupils throughout the school year by each pupil's assigned supervising teacher shall be as follows: The supervising teacher will provide a schedule for weekly synchronous instruction times opportunities via Google Meets.²
6. The following plan shall be utilized to transition pupils whose families wish to return to in-person instruction from independent study expeditiously, and, in no case, later than five instructional days: SST Meeting³
7. A current written agreement shall be maintained on file for each independent study pupil, including but not limited to, all of the following:
 - a. The manner, time, frequency, and place for submitting a pupil's assignments, for reporting the pupil's academic progress, and for communicating with a pupil's parent or guardian regarding a pupil's academic progress.
 - b. The objectives and methods of study for the pupil's work, and the methods used to evaluate that work.
 - c. The specific resources, including materials and personnel, that will be made available to the pupil. These resources shall include confirming or providing access to all pupils to the connectivity and devices adequate to participate in the educational program and complete assigned work.
 - d. A statement of the policies adopted pursuant to Education Code Section 51747, subdivisions (a) and (b) regarding the maximum length of time allowed between the assignment and the completion of a pupil's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether or not the pupil should be allowed to continue in independent study.
 - e. The duration of the independent study agreement, including the beginning and ending dates for the pupil's participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than one school year.
 - f. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the pupil upon completion.

[1] The tiered reengagement strategies shall not apply to pupils that participate in an independent study program for fewer than 15 schooldays in a school year

[2] The plan for synchronous instruction and live interaction shall not apply to pupils that participate in an independent study program for fewer than 15 schooldays in a school year.

- g. A statement detailing the academic and other supports that will be provided to address the needs of pupils who are not performing at grade level, or need support in other areas, such as English learners, individuals with exceptional needs in order to be consistent with the pupil’s individualized education program or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils in foster care or experiencing homelessness, and pupils requiring mental health supports.
 - h. The inclusion of a statement in each independent study agreement that independent study is an optional educational alternative in which no pupil may be required to participate. In the case of a pupil who is referred or assigned to any school, class, or program pursuant to Section 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the pupil through independent study only if the pupil is offered the alternative of classroom instruction.
 - i. Each written agreement shall be signed, before the commencement of independent study, by the pupil, the pupil’s parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the pupil. For purposes of this paragraph “caregiver” means a person who has met the requirements of Part 1.5 (commencing with Section 6550) of Division 11 of the Family Code.
8. The Charter School shall comply with the Education Code sections 51745 through 51749.3 and the provisions of the Charter Schools Act of 1992 and the State Board of Education regulations adopted there under.
9. The Executive Director shall establish regulations to implement these policies in accordance with the law.

[3] The plan to transition pupils whose families wish to return to in-person instruction shall not apply to pupils that participate in an independent study program for fewer than 15 schooldays in a school year.

7. Suspension and Expulsion Policy and Procedures

Board Policy #:SAE-BP-007

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

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

Consistent with this Policy, it may be necessary to suspend or expel a student from regular classroom instruction. This shall serve as the Charter School’s policy and procedures for student suspension, expulsion and involuntary removal and it may be amended from time to time without the need to seek a material revision of the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This policy and its procedures will be printed and distributed annually as part of the SAE Student Handbook which will clearly describe discipline expectations. During the 21/22 school year, the printing will be available by parent/guardian request.

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

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline and involuntary removal policies and procedures. The notice shall state that this Policy and its procedures are available upon request at the Executive Director’s office. Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

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

Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by The SAE for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five school days before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform the student, the student's parent/guardian, or educational rights holder of the basis for which the student is being involuntarily removed and the student's parent, guardian, or educational rights holder's right to request a hearing to challenge the involuntary removal. If a student's parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until The SAE issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below. Students may be involuntarily removed for reasons including, but not limited to, failure to comply with the terms of the student's independent study Master Agreement pursuant to Education Code Section 51747(c)(4).

A. Grounds for Suspension and Expulsion of Students

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

B. Enumerated Offenses

- 1) **Discretionary Suspension Offenses** Students may be suspended for any of the following acts when it is determined the pupil:
 - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force or violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
 - e) Committed or attempted to commit robbery or extortion.
 - f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
 - g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
 - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew

packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.

- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. This section shall only apply to pupils in any of grades 9 to 12, inclusive.
- l) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in, or attempted to engage in hazing. For the purposes of this Policy, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this policy, “hazing” does not include athletic events or school-sanctioned events.
- q) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases For purposes of this policy, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This provision shall apply to pupils in any of grades 4 to 12, inclusive.
- s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This provision shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This provision shall apply to pupils in any of grades 4 to 12, inclusive.

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

electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

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

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

- v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
- w) Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.

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

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

3) Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:

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

sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.

- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including

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

- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. This section shall only apply to pupils in any of grades 9 to 12, inclusive.
- l) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in, or attempted to engage in hazing. For the purposes of this Policy, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this policy, “hazing” does not include athletic events or school-sanctioned events.
- q) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases For purposes of this policy, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact

upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This provision shall apply to pupils in any of grades 4 to 12, inclusive.

- s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This provision shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This provision shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

1. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - vi. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - vii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - viii. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by The SAE.
2. "Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - iv. A message, text, sound, video, or image.
 - v. A post on a social network Internet Web site including, but not limited to:
 - a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

- c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- vi. An act of cyber sexual bullying.
 - a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - b) For purposes of this policy, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

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

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

w) Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

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

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

If it is determined by the Board of Directors that a student has brought a firearm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm

or destructive device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994.

In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

The Charter School will use the following definitions:

- The term “knife” means (A) any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing; (B) a weapon with a blade fitted primarily for stabbing; (C) a weapon with a blade longer than 3 1/2 inches; (D) a folding knife with a blade that locks into place; or (E) a razor with an unguarded blade.
- The term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.
- The term “destructive device” means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses.

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Suspension Conference

Suspension shall be preceded, if possible, by a conference conducted by the Executive Director or the Executive Director’s designee with the student and his or her parent/guardian and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Executive Director or designee.

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

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

2. Notice to Parents/Guardians

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

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed ten (10) consecutive school days per suspension. Upon a recommendation of expulsion by the Executive Director or Executive Director's designee, the pupil and the pupil's parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parent/guardian, unless the pupil and the pupil's parent/guardian fail to attend the conference.

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

4. Homework Assignments During Suspension

In accordance with Education Code Section 47606.2(a), upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the student, or the affected student, a teacher shall provide to a student in any of grades 6 to 12, inclusive, who has been suspended from school for two (2) or more school days, the homework that the student would otherwise have been assigned.

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

D. Authority to Expel

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

A student may be expelled either by the neutral and impartial Charter School Board of Directors following a hearing before it or by the Charter School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board of Directors as needed. The Administrative Panel shall consist of at least three members who are certificated and neither a teacher of

the pupil or a member of the Charter School Board of Directors. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense., and the Board of Directors shall make the final determination.

E. Expulsion Procedures

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

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

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

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

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of their right to (a) receive five (5) calendar days’ notice of their scheduled testimony, (b) have up to two (2) adult support persons of their choosing present in the hearing at the time the complaining witness testifies, which may include a parent/guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.

2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours the complaining witness is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding entity finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany the complaining witness to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising their discretion to remove a person from the hearing whom they believe is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have their testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm.

The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

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

G. Record of Hearing

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

H. Presentation of Evidence

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

If, due to a written request by the expelled 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.

I. Expulsion Decision

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

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

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

J. Written Notice to Expel

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

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

K. Disciplinary Records

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

L. No Right to Appeal

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

M. Expelled Pupils/Alternative Education

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

N. Rehabilitation Plans

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

O. Readmission or Admission of Previously Expelled Student

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

The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission or admission to the Charter School.

P. Notice to Teachers

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

Q. Involuntary Removal for Truancy

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

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

1. Notification of SELPA

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

2. Services During Suspension

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

3. Procedural Safeguards/Manifestation Determination

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

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

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

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

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

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

4. Due Process Appeals

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

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

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

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

5. Special Circumstances

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

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

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

6. Interim Alternative Educational Setting

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

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

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

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

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

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

If the Charter School had no basis for knowledge of the student’s disability, it shall proceed with the proposed discipline.

The Charter School shall conduct an expedited evaluation if requested by the parents; however, the student shall remain in the education placement determined by the Charter School pending the results of the evaluation.

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

8. Uniform Complaint Procedure

Board Policy #: SAE-BP-008

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

The School of Arts and Enterprise (“The SAE” or the “Charter School”) complies with applicable federal and state laws and regulations. The SAE is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. Pursuant to this policy, persons responsible for compliance and/or conducting investigations shall be knowledgeable about the laws and programs, which they are assigned to investigate.

Scopes

This complaint procedure is adopted to provide a uniform system of complaint processing for the following types of complaints:

- (1) Complaints alleging unlawful discrimination, harassment, intimidation or bullying against any protected group, on the basis of the actual or perceived characteristics of age, ancestry, color, immigration status/citizenship, mental disability, physical disability, ethnic group identification, gender expression, gender identity, gender, genetic information, medical condition, marital status, nationality, national origin, race or ethnicity, religion, sex, or sexual orientation, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity.

- (2) Complaints alleging a violation of state or federal law or regulation governing the following programs:
 - a. Accommodations for Pregnant, Parenting or Lactating Students;
 - b. Adult Education;
 - c. Career Technical and Technical Education;
 - d. Career Technical and Technical Training;
 - e. Child Care and Development Programs;
 - f. Consolidated Categorical Aid;
 - g. Education of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a public school, Migratory Children and Children of Military Families;

- h. Every Student Succeeds Act;
- i. Migrant Education Programs;
- j. Regional Occupational Centers and Programs; and/or
- k. School Safety Plans.

- (3) Complaints alleging that a pupil enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below.
- a. “Educational activity” means an activity offered by the charter school that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.
 - b. “Pupil fee” means a fee, deposit or other charge imposed on pupils, or a pupil’s parents/guardians, in violation of Section 49011 of the Education Code and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free

of charge to all pupils without regard to their families’ ability or willingness to pay fees or request special waivers, as provided for in *Hartzell v. Connell* (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:

- i. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
- ii. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.
- iii. A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.
- c. A pupil fees complaint and complaints regarding local control and accountability plans (“LCAP”) only, may be filed anonymously (without an identifying signature), if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with Education Code sections 52060 - 52077, including an allegation of a violation of Education Code sections 47606.5 or 47607.3, as referenced in Education Code section 52075, regarding local control and accountability plans.
- d. If the Charter School finds merit in a pupil fees complaint, or the California Department of Education (“CDE”) finds merit in an appeal, the Charter School shall provide a remedy to all affected pupils and parents/ guardians that, where applicable, includes reasonable efforts by the Charter School to ensure full reimbursement to all affected pupils and parents/guardians, subject to procedures established through regulations adopted by the state board.
- e. Nothing in this section shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, the SAE, and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.

- (4) Complaints alleging noncompliance with the requirements governing the Local Control Funding Formula (“LCFF”) or LCAP under Education Code sections 47606.5 and 47607.3 of the Education Code, as applicable. If the SAE adopts a School plan for Student Achievement in

addition to its LCAP complaints of noncompliance with the requirements of the School Plan for Student Achievement under Education Code sections 640000, 64001, 65000, and 65001 shall also fall under this policy.

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

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

The Charter School acknowledges and respects every individual’s rights to privacy. Unlawful discrimination, harassment, intimidation or bullying complaints shall be investigated in a manner that protects [to the greatest extent reasonably possible and as permitted by law] the confidentiality of the parties, including but not limited to the identity of the complainant and maintains the integrity of the process. The Charter School cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, the SAE will attempt to do so as appropriate. The SAE may find it necessary to disclose information regarding the complaint/complainant to the extent required by law or necessary to carry out the investigation or proceedings, as determined by the Executive Director or designee on a case- by-case basis. The SAE shall ensure that complainants are protected from retaliation.

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:

*Jon Gundry, Executive Director, The School of Arts and Enterprise
295 N. Garey Ave Pomona, CA 91767
909 622 0699*

The Executive Director or designee shall ensure that the compliance officer(s) designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. The compliance officer may have access to legal counsel as determined by the Executive Director or designee.

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

Notifications

The Executive Director or designee shall make available copies of this Policy free of charge. The annual notice of this Policy may be made available on the SAE’s website.

The SAE shall annually provide written notification of the SAE’s UCP to employees, students, parents/guardians, advisory committees, private school officials or representatives, and other interested parties as applicable.

The annual notice shall be in English. When necessary under Education Code section 48985, if fifteen (15) percent or more of the students enrolled in The SAE speak a single primary language other than English, this annual notice will also be provided to the parent/guardian of any such students in their primary language.

The annual notice shall include the following:

1. A list of the types of complaints that fall under the scope of the UCP and the state and federal provisions that govern complaints regarding child nutrition programs and special education programs.
2. A statement clearly identifying any California State preschool programs that The SAE is operating as exempt from licensing pursuant to Health and Safety Code section 1596.792(o) and corresponding Title 5 health and safety regulations, and any California State preschool programs that The SAE is operating pursuant to Title 22 licensing requirements.
3. A statement that The SAE is primarily responsible for compliance with federal and state laws and regulations.
4. A statement that a student enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.
5. A statement identifying the title of the compliance officer, and the identity(ies) of the person(s) currently occupying that position, if known.
6. A statement that if a UCP complaint is filed directly with the CDE and the CDE determines that it merits direct intervention, the CDE shall complete an investigation and provide a written decision to the complainant within sixty (60) calendar days of receipt of the complaint, unless the parties have agreed to extend the timeline or the CDE documents exceptional circumstances and informs the complainant.
7. A statement that the complainant has a right to appeal The SAE's decision to the CDE by filing a written appeal within thirty (30) calendar days of the date of The SAE's decision, except if The SAE has used its UCP to address a complaint that is not subject to the UCP requirements.
8. A statement that a complainant who appeals The SAE's decision on a UCP complaint to the CDE shall receive a written appeal decision within sixty (60) calendar days of the CDE's receipt of the appeal, unless extended by written agreement with the complainant or the CDE documents exceptional circumstances and informs the complainant.
9. A statement that if The SAE finds merit in a UCP complaint, or the CDE finds merit in an appeal, The SAE shall take corrective actions consistent with the requirements of existing law that will provide a remedy to the affected student and/or parent/guardian as applicable.
10. A statement advising the complainant of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal pursuant to Education Code section 262.3.
11. A statement that copies of The SAE's UCP shall be available free of charge.

Procedures

The following procedures shall be used to address all complaints which allege that the Charter School has violated federal or state laws or regulations enumerated in the section “Scope,” above. The compliance officer shall maintain a record of each complaint and subsequent related actions for at least three (3) calendar years.

All parties named 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, including a person’s duly authorized representative or an interested third party, public agency or organization may file a written complaint of alleged noncompliance or unlawful discrimination, harassment, intimidation or bullying pursuant to this policy.

A complaint of unlawful discrimination, harassment, intimidation or bullying may be filed by an individual who alleges that the individual has personally suffered unlawful discrimination, harassment, intimidation or bullying or by one who believes any specific class of individuals has been subjected to unlawful discrimination, harassment, intimidation or bullying or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. An investigation of alleged unlawful discrimination, harassment, intimidation or bullying shall be initiated by filing a complaint no later than six (6) months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying unless the time for filing is extended by the Executive Director or designee, upon written request by the complainant setting forth the reasons for the extension. Such extension by the Executive Director or designee shall be made in writing. The period for filing may be extended by the Executive Director or designee for good cause for a period not to exceed ninety (90) calendar days following the expiration of the six-month time period. The Executive Director shall respond immediately upon a receipt of a request for extension.

All other complaints under this Policy shall be filed not later than one (1) year from the date the alleged violation occurred. For complaints relating to the LCAP, the date of the alleged violation is the date on which The SAE Board of Directors approved the LCAP or the annual update was adopted by The SAE.

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.

Complaints filed pursuant to this Policy must be in writing and signed. A signature may be handwritten, typed (including in an email) or electronically generated. Only complaints regarding pupil fees or LCAP compliance may be filed anonymously as set forth in this Policy. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, the Charter School staff shall assist the complainant in the filing of the complaint.

- Step 2: Mediation

Within three (3) business days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process.

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

If the mediation process does not resolve the complaint to the satisfaction of the complainant, the compliance officer shall proceed with their investigation of the complaint.

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

- Step 3: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within five (5) business days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or the complainant's representative to repeat the complaint orally.

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

A complainant's refusal to provide the Compliance Officer with documents or other evidence related to the allegations in the complaint, or a complainant's failure or refusal to cooperate in the investigation or the complainant's 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 Compliance Officer 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: Final Written Decision

The SAE shall issue an investigation report (the "Decision") based on the evidence. The SAE's Decision shall be in writing and sent to the complainant within sixty (60) calendar days of The SAE's receipt unless the timeframe is extended with the written agreement of the complainant. The SAE'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 providing a clear determination for each allegation as to whether The SAE is in compliance with the relevant law.

3. Corrective actions, if the SAE finds merit in the complaint and any are warranted or required by law.
4. Notice of the complainant's right to appeal the Charter School's Decision within thirty (30) calendar days to the CDE , except when the SAE has used its UCP to address complaints that are not subject to the UCP requirements.
5. Procedures to be followed for initiating such an appeal.

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 Decision shall not give any further information as to the nature of the disciplinary action except as required by applicable law.

Appeals to the CDE

If dissatisfied with the Decision, the complainant may appeal in writing to the CDE within thirty (30) calendar days of receiving the Decision. The appeal shall be accompanied by a copy of the complaint filed with The SAE and a copy of the Decision. When appealing to the CDE, the complainant must specify and explain the basis for the appeal, including at least one of the following:

1. The SAE failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, The SAE's Decision lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in The SAE's Decision are not supported by substantial evidence.
4. The legal conclusion in The SAE's Decision is inconsistent with the law.
5. In a case in which The SAE's Decision found noncompliance, the corrective actions fail to provide a proper remedy.

Upon notification by the CDE that the complainant has appealed the Decision, the Executive Director or designee shall forward the following documents to the CDE within ten (10) calendar days of the date of notification:

1. A copy of the original complaint.
 2. A copy of the Decision.
 3. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by the parties or gathered by the investigator
 4. A report of any action taken to resolve the complaint. A copy of The SAE's complaint procedures.
- Other relevant information requested by the CDE.

If the CDE determines the appeal raises issues not contained in the local complaint, the CDE will refer those new issues back to The SAE for resolution as a new complaint. If the CDE notifies The SAE that its Decision failed to address an allegation raised by the complaint and subject to the UCP process, The SAE will investigate and address such allegation(s) in accordance with the UCP requirements and provide the CDE and the appellant with an amended Decision addressing such allegation(s) within twenty (20) calendar days of the CDE's notification. The amended Decision will inform the appellant of the right to separately appeal the amended Decision with respect to the complaint allegation(s) not addressed in the original Decision.

Within thirty (30) calendar days of the date of the CDE's appeal Decision pursuant to 5 C.C.R. section 4633(f)(2) or (3), either party may request reconsideration by the State Superintendent of Public

Instruction (“SSPI”) or the SSPI’s designee. The request for reconsideration shall specify and explain the reason(s) for contesting the findings of fact, conclusions of law, or corrective actions in the CDE’s appeal Decision. The SSPI will not consider any information not previously submitted to the CDE by a party during the appeal unless such information was unknown to the party at the time of the appeal and, with due diligence, could not have become known to the party. Pending the SSPI’s response to a request for reconsideration, the CDE appeal Decision remains in effect and enforceable, unless stayed by a court.

The CDE may directly intervene in the complaint without waiting for action by The SAE when one of the conditions listed in 5 C.C.R. section 4650 exists, including but not limited to cases in which through no fault of the complainant, The SAE has not taken action within sixty (60) calendar days of the date the complaint was filed with The SAE.

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the Charter School’s complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For unlawful discrimination, complaints arising under state law, however, a complainant must wait until sixty (60) calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.

The moratorium does not apply to injunctive relief and is applicable only if the Charter School has appropriately, and in a timely manner, apprised the complainant of their right to file a 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"/> Education of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a Public School, Migratory Children Children of Military Families | <input type="checkbox"/> Regional Occupational Centers and Programs |
| <input type="checkbox"/> Career Technical and Technical Education/Career Technical and Technical Training | <input type="checkbox"/> Every Student Succeeds Act. | <input type="checkbox"/> School Plans for School Achievement |
| <input type="checkbox"/> Child Care and Development | <input type="checkbox"/> Migrant Education Programs | <input type="checkbox"/> School Safety Plan |
| <input type="checkbox"/> Consolidated Categorical Aid Programs | | <input type="checkbox"/> Pupil Fees |

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

- | | | |
|--|---|--|
| <input type="checkbox"/> Age | <input type="checkbox"/> Genetic Information | <input type="checkbox"/> Sex (Actual or Perceived) |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> Immigration Status/Citizenship | <input type="checkbox"/> Sexual Orientation (Actual or Perceived) |
| <input type="checkbox"/> Color | <input type="checkbox"/> Marital Status | |
| <input type="checkbox"/> Disability (Mental or Physical) | <input type="checkbox"/> Medical Condition | <input type="checkbox"/> Based on association with a Person or group with one or more of these actual or perceived characteristics |
| <input type="checkbox"/> Ethnic Group Identification | <input type="checkbox"/> Nationality / National Origin | |
| <input type="checkbox"/> Gender / Gender Expression/ Gender Identity | <input type="checkbox"/> Race or Ethnicity | |
| | <input type="checkbox"/> Religion | |

9. TITLE IX, HARASSMENT, DISCRIMINATION AND BULLYING POLICY

Board Policy #: SAE-BP-009

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

Discrimination, sexual harassment, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn, negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, The School of Arts and Enterprise ("The SAE" or the "Charter School") prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying" describe altogether. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means.

As used in this policy, "discrimination, sexual harassment, harassment, intimidation, and bullying" are described as the intentional conduct, including verbal, physical, written communication, or cyberbullying, including cyber sexual bullying, based on the actual or perceived characteristics of mental or physical disability, sex (including pregnancy, and related conditions, and parental status), sexual orientation, gender, gender identity, gender expression, immigration status, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twist), religion (including agnosticism and atheism, religious affiliation, medical condition, genetic information, marital status, age or association with a person or group with one or more of these actual or perceived characteristics. Or based on any other characteristic protected under applicable state or federal, law or local ordinance. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."

To the extent possible, The SAE will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated and/or bullied, and will take action to investigate, respond, address, and report on such behaviors in a timely manner. The SAE staff who witness acts of misconduct prohibited by this Policy will take immediate steps to intervene, when it is safe to do so.

Moreover, The SAE will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with whom The SAE does business, or any other individual, student, or volunteer. This Policy applies to all employees, students, or volunteer actions and relationships, regardless of position or gender. The SAE will promptly and thoroughly investigate and respond to any complaint of misconduct prohibited by this Policy in a manner that is not deliberately indifferent and will take appropriate corrective action, if warranted The SAE complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports of misconduct prohibited by this Policy.

Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator:

Jon Gundry, Executive Director The School of Arts and Enterprise
295 N. Garey Ave Pomona, CA 91767 909 622 0699
jgundry@thesae.k12.ca.us

Definitions

Prohibited Unlawful Harassment

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

Prohibited Unlawful Harassment under Title IX

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

The SAE is committed to providing a work and educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action. Inquiries about the application of Title IX and 34 C.F.R. Part 106 may be referred to the Coordinator, the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

Sexual harassment consists of conduct on the basis of sex, including but not limited to unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct on the basis of sex, regardless of whether or not the conduct is motivated by sexual desire when: (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, education, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of employment, educational or academic decisions affecting the individual; (c) the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

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

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
 - Rape, sexual battery, molestation or attempts to commit these assaults
 - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body
- Unwanted sexual advances, propositions or other sexual comments, such as:
 - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's

- sexuality or sexual experience
 - Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct
 - Subjecting or threats of subjecting a student or employee to unwelcome sexual attention or conduct or intentionally making the student's academic or employee's performance more difficult because of the student's or the employee's sex
- Sexual or discriminatory displays or publications anywhere in work or the educational environment, such as:
 - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view in the work or educational environment
 - Reading publicly or otherwise publicizing in the work or educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic
 - Displaying signs or other materials purporting to segregate an individual by sex in an area of the work or educational environment (other than restrooms or similar rooms)

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

Prohibited Bullying

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

1. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
3. Causing a reasonable student to experience a substantial interference with his or her academic performance.
4. Causing a reasonable student to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by The SAE.

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

“**Electronic Act**” means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless

communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

1. A message, text, sound, video or image.
2. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of “bullying,” above.
 - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in the definition of “bullying,” above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of “bullying,” above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
3. An act of “Cyber sexual bullying” including, but not limited to:
 - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of “bullying,” above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - b. “Cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
4. Notwithstanding the definitions of “bullying” and “electronic act” above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

Formal Complaint of Sexual Harassment means a written document filed and signed by a complainant who is participating in or attempting to participate in The SAE’s education program or activity or signed by the Coordinator alleging sexual harassment against a respondent and requesting that The SAE investigate the allegation of sexual harassment.

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Bullying and Cyberbullying Prevention Procedures

The SAE has adopted the following procedures for preventing acts of bullying, including cyberbullying.

1. Cyberbullying Prevention Procedures

The SAE advises students:

1. To never share passwords, personal data, or private photos online.
2. To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.

3. That personal information revealed on social media can be shared with anyone including parents, teachers, administrators, and potential employers. Students should never reveal information that would make them uncomfortable if the world had access to it.
4. To consider how it would feel receiving such comments before making comments about others online.

The SAE informs Charter School employees, students, and parents/guardians of The SAE's policies regarding the use of technology in and out of the classroom. The SAE encourages parents/guardians to discuss these policies with their children to ensure their children understand and comply with such policies.

2. Education

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

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

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

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

3. Professional Development

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

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

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

- Self-destructiveness or displays of odd behavior
- Decreased self-esteem

Charter School also informs certificated employees about the groups of students determined by The SAE, and available research, to be at elevated risk for bullying. These groups include but are not limited to:

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

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

Grievance Procedures

1. Scope of Grievance Procedures

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

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

The following grievance procedures shall be utilized for reports of misconduct prohibited by this Policy that do not comply with the writing, timeline, or other formal filing requirements of a uniform complaint. For formal complaints of sexual harassment, The SAE will utilize the following grievance procedures in addition to its UCP when applicable.

2. Reporting

All staff are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of misconduct prohibited by this Policy, to intervene as soon as it is safe to do so, call for assistance, and report such incidents.

The Board requires staff to follow the procedures in this policy for reporting alleged acts of misconduct prohibited by this Policy.

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

Jon Gundry, Executive Director
The School of Arts and Enterprise
295 N. Garey Ave Pomona, CA 91767
909 622 0699 jgundry@thesae.k12.ca.us

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

While submission of a written report is not required, the reporting party is encouraged to submit a written report to the Coordinator

The SAE will investigate and respond to all oral and written reports of misconduct prohibited by this Policy in a manner that is not deliberately indifferent. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

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

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

The SAE prohibits any form of retaliation against any individual who files a report or complaint, testifies, assists, participates, or refuses to participate in any investigation or proceeding related to misconduct prohibited by this Policy. Such participation or lack of participation shall not in any way affect the status, grades or work assignments of the individual. Individuals alleging retaliation in violation of this Policy may file a grievance using the procedures set forth in this Policy. Knowingly making false statements or knowingly submitting false information during the grievance process is prohibited and may result in disciplinary action.

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

3. Supportive Measures

Upon the receipt of an informal or formal complaint of sexual harassment, the Coordinator will promptly contact the complainant to discuss the availability of supportive measures. The Coordinator will consider

the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint of sexual harassment, and explain the process for filing a formal complaint of sexual harassment.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint of sexual harassment or where no formal complaint of sexual harassment has been filed. Such measures are designed to restore or preserve equal access to The SAE's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or The SAE's educational environment, or deter sexual harassment. Supportive measures available to complainants and respondents may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The SAE will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of The SAE to provide the supportive measures.

4. Investigation and Response

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent/guardian, volunteer, visitor or affiliate of The SAE, the Coordinator or designee will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the Coordinator (or administrative designee) determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the Coordinator (or administrative designee) will inform the complainant of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.

At the conclusion of the investigation, the Coordinator or designee will meet with the complainant and, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation, including any actions necessary to resolve the incident/situation. However, the Coordinator (or administrative designee) will not reveal confidential information related to other students or employees.

For investigations of and responses to formal complaints of sexual harassment, the following grievance procedures will apply:

- Notice of the Allegations
 - Upon receipt of a formal complaint of sexual harassment, the Coordinator will give all known parties written notice of its grievance process, including any voluntary informal resolution process. The notice will include:
 - A description of the allegations of sexual harassment at issue and to the extent known, the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident;
 - A statement that the respondent is presumed not responsible for the alleged conduct until a final decision is reached;
 - A statement that the parties may have an advisor of their choice, who may be an attorney, and may inspect and review evidence; and

- A statement that The SAE prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process.

- Emergency Removal

- The SAE may place a non-student employee respondent on administrative leave during the pendency of a formal complaint of sexual harassment grievance process in accordance with The SAE's policies.
- The SAE may remove a respondent from The SAE's education program or activity on an emergency basis, in accordance with The SAE's policies, provided that The SAE undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.
- This provision may not be construed to modify any rights under the IDEA, Section 504, or the ADA.

- Informal Resolution

- If a formal complaint of sexual harassment is filed, The SAE may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If The SAE offers such a process, it will do the following:

Provide the parties with advance written notice of:

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

Obtain the parties' advance voluntary, written consent to the informal resolution process.

- The SAE will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

- Investigation Process

- The decision-maker will not be the same person(s) as the Coordinator or the investigator. The SAE shall ensure that all decision-makers and investigators do not have a conflict of interest or bias for or against complainants or respondents.
- In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the investigator determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the investigator

will inform the complainant and any respondents in writing of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.

- The parties will be provided with an equal opportunity to present witnesses, to inspect and review any evidence obtained that is directly related to the allegations raised, and to have an advisor present during any investigative meeting or interview.
 - The parties will not be prohibited from discussing the allegations under investigation or to gather and present relevant evidence.
 - A party whose participation is invited or expected at an investigative meeting or interview will receive written notice of the date, time, location, participants, and purpose of the meeting or interview with sufficient time for the party to prepare to participate.
 - Prior to completion of the investigative report, The SAE will send to each party and the party's advisor, if any, a copy of the evidence subject to inspection and review, and the parties will have at least ten (10) days to submit a written response for the investigator's consideration prior to the completion of the investigation report.
 - The investigator will complete an investigation report that fairly summarizes relevant evidence and send a copy of the report to each party and the party's advisor, if any, at least ten (10) days prior to the determination of responsibility.
- Dismissal of a Formal Complaint of Sexual Harassment
 - If the investigation reveals that the alleged harassment did not occur in The SAE's educational program in the United States or would not constitute sexual harassment even if proved, the formal complaint with regard to that conduct must be dismissed. However, such a dismissal does not preclude action under another applicable The SAE policy.
 - The SAE may dismiss a formal complaint of sexual harassment if:
 - The complainant provides a written withdrawal of the complaint to the Coordinator;
 - The respondent is no longer employed or enrolled at The SAE; or
 - The specific circumstances prevent The SAE from gathering evidence sufficient to reach a decision on the formal complaint or the allegations therein.
 - If a formal complaint of sexual harassment or any of the claims therein are dismissed, The SAE will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties.
 - Determination of Responsibility
 - The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
 - Determinations will be based on an objective evaluation of all relevant evidence and credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
 - The SAE will send a written decision on the formal complaint to the complainant and respondent simultaneously that describes:
 - The allegations in the formal complaint of sexual harassment;
 - All procedural steps taken including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
 - The findings of facts supporting the determination;
 - The conclusions about the application of The SAE's code of conduct to the facts;
 - The decision and rationale for each allegation;

- Any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
- The procedures and permissible bases for appeals.

5. Consequences

Students or employees who engage in misconduct prohibited by this Policy, knowingly make false statements or knowingly submit false information during the grievance process may be subject to disciplinary action, up to and including expulsion from The SAE or termination of employment. The Coordinator is responsible for effective implementation of any remedies ordered by The SAE in response to a formal complaint of sexual harassment.

6. Right of Appeal

Should the reporting individual find The SAE's resolution unsatisfactory, the reporting individual may, within five (5) business days of notice of The SAE's decision or resolution, submit a written appeal to the President of The SAE Board, who will review the investigation and render a final decision.

The following appeal rights and procedures will also apply to formal complaints of sexual harassment:

- The complainant and the respondent shall have the same appeal rights and The SAE will implement appeal procedures equally for both parties.
- The SAE will notify the other party in writing when an appeal is filed.
- The decision-maker for the appeal will give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome; issue a written decision describing the result of the appeal and the rationale for the result; and provide the written decision simultaneously to both parties.

7. Recordkeeping

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

The SAE will maintain the following records for at least seven (7) years:

- Records of each sexual harassment investigation, including any determination of responsibility; any audio or audiovisual recording or transcript; any disciplinary sanctions imposed on the respondent; and any remedies provided to the complainant.
- Records of any appeal of a formal sexual harassment complaint and the results of that appeal.
- Records of any informal resolution of a sexual harassment complaint and the results of that informal resolution.
- All materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
- Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

TITLE IX, DISCRIMINATION & BULLYING COMPLAINT FORM

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

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

List any witnesses that were present: _____

Where did the incident(s) occur? _____

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

I hereby authorize The SAE to disclose the information I have provided as it finds necessary in pursuing its investigation. I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief. I further understand that providing false information in this regard could result in disciplinary action up to and including termination.

Date: _____

Signature of Complainant

Print Name

To be completed by the Charter School:

Received by: _____

Date: _____

Follow up Meeting with Complainant held on: _____

10. Campus Search and Seizure Policy

Board Policy #: SAE-BP-010

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

The School of Arts and Enterprise (“The SAE” or the “Charter School”) recognizes and has determined that the occurrence of incidents which may include the possession of firearms, weapons, alcohol, controlled substances, or other items of contraband prohibited by law or Charter School rules and regulations, jeopardizes the health, safety and welfare of students and Charter School employees.

The California Constitution requires that all students and staff of public schools have the inalienable right to attend campuses that are safe, secure, and peaceful. As such, The SAE adopts this Policy outlining the reasonable search of students and their property, student use areas and/or student lockers and the seizure of illegal, unsafe, unauthorized or contraband items and materials through a search based upon reasonable suspicion.

Definitions

- “*Reasonable Suspicion*” means a sufficient probability that the search will reveal evidence the student has violated or is violating the law. Certainty is not required. Articulate facts must support a school official’s reasonable suspicion that a search is justified. In no case shall a search be conducted if predicated on mere curiosity, rumor or hunch.
- A “*violation of either the law or Charter School rules and regulations*” includes, but is not limited to, possession of illegal, unauthorized or contraband materials. Illegal, unauthorized or contraband materials include those materials which are dangerous to the health or safety of students or school personnel, are disruptive or potentially disruptive, or which have been cited as unauthorized in Charter School rules or regulations.
- “*Personal electronic device*” means a device that stores, generates, or transmits information in electronic form, and is not owned or otherwise loaned to the student by Charter School.
- “*Electronic communication*” means the transfer of signs, signals, writings, images, sounds, data, or intelligence of any nature in whole or in part by a wire, radio, electromagnetic, photoelectric, or photo-optical system.
- “*Electronic communication information*” means any information about an electronic communication or the use of an electronic communication service, including, but not limited to, the contents, sender, recipients, format, or location of the sender or recipients at any point during the communication, the time or date the communication was created, sent, or received, or any information pertaining to any individual or personal device participating in the communication, including, but not limited to, an IP address .

Notice

Written notice of this policy shall be provided to students and their parents and/or guardians at the commencement of each school year and/or upon enrollment during the school year.

A summary of this policy shall also be placed in the Student Handbook and other materials, as appropriate, to be disseminated by The SAE to students, parents and/or guardians and The SAE employees.. In addition, The SAE shall place signs and/or other posted notifications on campus regarding this policy, as appropriate.

Student Searches

A Charter School official (e.g. administrator, employee, teacher, school police officer, and/or employee), may conduct a reasonable search of a student's person and/or personal effects (e.g. backpack, purse, etc.) if the school official has reasonable suspicion that the student is engaged in or has engaged in illegal activity or a violation of SAE rules and regulations. Whether a search is reasonable depends on the context within which a search takes place. The SAE official must assess the reliability of the student or person providing the information, the degree of danger to others, and the immediacy of the need for a search based on articulable facts for suspecting that the student has violated or is violating either the law or The SAE rules and regulations, including, but not limited to: possession of illegal, unauthorized or contraband materials. Illegal, unauthorized, or contraband materials include those materials, which are dangerous to the health or safety of students or school personnel, are disruptive or potentially disruptive, or which have been cited as unauthorized in school rules or regulations.

The search of a student and/or of their personal effects must be:

1. **Justified at its Inception:** There are reasonable grounds for suspecting the search will turn up evidence that the student is violating or has violated the law or Charter School rules. Articulable facts must support a Charter School official's reasonable suspicion that a search is justified. In no case shall a search be conducted if predicated on mere curiosity, rumor or hunch; and
2. **Reasonable in Scope:** The measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the pupil and the nature of the infraction. For example, if a school official has reasonable suspicion to believe that a student has on his or her person an item imminently dangerous to the student or others, a more intrusive search of the student's person may be conducted.

Additionally, any search of a student and/or their personal effects shall be:

1. Conducted by a school official of the same gender as the student, and in the presence of another adult witness, whenever possible.
2. Conducted out of the presence of other students to maintain student confidentiality;
3. Documented by keeping a log of the search methods as well as a written description and/or pictures of any prohibited or illegal items ultimately seized as a result of the search.

In no case shall school officials conduct a strip search or body cavity search of a student manually or with an instrument. Impermissible searches include asking a student to remove or arrange some or all of their clothing to permit visual inspection of the underclothing, breast, buttocks, or genitalia of the student, and/or undergo the inspection of parts of the student's underclothing or body.

A search of a group of students where no particular student within the group is suspected may be conducted only if there is reasonable suspicion of conduct imminently dangerous to students, others or school property.

Student Use Areas

Student use areas, including, but not limited to, instructional space, recreational space, are school property and remain at all times under the control of The SAE. Periodic general inspections of instructional space and other areas of the school property may be conducted by school officials for any reason at any time without notice.

Searches of Private Electronic Devices

A student's personal cell phone, smartphone, or other personal electronic device shall not be searched by Charter School officials without a warrant, the student's consent, or a legitimate emergency, unless the device is lost or abandoned. An emergency is any situation involving danger of death or serious physical injury to any person, that requires access to the information located or reasonably believed to be located on the electronic device. If the Charter School has a good faith belief that the device is lost, stolen, or abandoned, the Charter School may only access electronic device information in order to attempt to identify, verify, or contact the owner of the device.

Nothing in this Policy prohibits the Charter School from seizing/confiscating a student's personal electronic device, without searching its contents, if the student's use or possession of the private electronic device is in violation of Charter School rules or regulations.

Metal Detectors

The SAE Board believes that the presence of weapons in the schools threatens the school's ability to provide the safe and orderly learning environment to which students and staff are entitled. The Board also believes that metal detector searches offer a reasonable means to keep weapons out of the schools and mitigate the fears of students and staff.

Metal detectors, such as metal detection wands or other metal detection devices, may be used to search a student's person and/or personal effects whenever a school official has reasonable suspicion to believe that the student is in possession of a weapon. or in the context of a random search to maintain and protect the safety, security, and peace of students, The SAE employees, and The SAE. A school official must conduct the search.

Searches involving metal detectors shall be minimally intrusive and involve the use of neutral criteria for selection. Metal detectors shall not touch students during the search and students will only be required to open pockets or jackets if the wand is triggered. For example, if the metal detector goes off during the search, a school official shall have reasonable suspicion justifying a separate search of a jacket, backpack, etc.

Canine Inspections

School officials, including campus security or school police/resource officers, may use trained detection dogs in inspections of unaccompanied belongings for illegal, unauthorized or contraband materials in

school facilities, grounds, and school parking lots. All dogs must be accompanied by a qualified and authorized trainer who will be responsible for the dog's actions and who can verify the reliability and accuracy in sniffing out contraband. Trained detection dogs may sniff all unaccompanied locations, including, but not limited to: lockers, student use areas, motor vehicles located on school property, unattended backpacks and other student belongings and other inanimate objects throughout school property. Prior to initiating a search, Charter School officials must have reasonable suspicion of a schoolwide concern.

An indication by the dog that illegal, unauthorized or contraband materials are present on school property shall constitute reasonable suspicion, authorizing school officials to search the locker, area, vehicle, or other inanimate object and closed containers and objects within, without securing the consent of the student.

The SAE shall not use dogs to search a student's person without individualized reasonable suspicion of illegal, unauthorized, or contraband material. If a dog alerts on a student's person, the alert shall constitute reasonable suspicion for a lawful search and all applicable law and policy discussed herein shall be followed in the subsequent search.

Vehicle Inspections

Students are permitted to park on school premises. However, any public school ground utilized by any student or any other area that may be set aside for the personal use of the students remains under the exclusive control of The SAE. As such, student vehicles may not be used to store illegal, unauthorized, or contraband materials.

The acceptance and use of the parking facilities for privately owned vehicles on school campus by any student shall constitute consent by the student to the search of such vehicles by authorized school personnel and/or law enforcement if a school official has reasonable suspicion based on articulable facts for suspecting that the student has violated or is violating either the law or The SAE rules and regulations, including, but not limited to, possession of illegal, unauthorized or contraband materials.

Seizure of Illegal, Unauthorized, or Contraband Materials

If a lawfully conducted search yields illegal, unauthorized, or contraband materials, such materials shall be turned over to the proper legal authorities for ultimate disposition.

Discipline

If illegal, unauthorized or contraband materials are discovered through a lawfully conducted search, including but not limited to searches conducted by Charter School officials, trained detection dogs or metal detectors, The SAE may impose discipline upon the student(s) (including suspension and/or expulsion) in accordance with The SAE's discipline policies and procedures.

The SAE shall notify law enforcement authorities if any search and/or seizure results in the discovery of illegal contraband.

Video Surveillance and Other Recording Devices

The SAE may utilize video surveillance devices in all common areas of the school campus including, but not limited to, outdoor spaces, entrances and exits, parking lots, stairwells, hallways, classrooms, the main office, school buses, and any other commonly used spaces. Charter School shall not utilize video surveillance devices in private spaces such as restrooms and locker rooms. Charter School's intent and purpose in utilizing video surveillance devices is to ensure student and staff health, welfare, and safety in order to maintain safe and orderly conduct throughout the school day.

The SAE shall not use audio recording where there is an expectation of privacy without prior consent of all parties subject to recording. Students, staff, parents, and other members of the public are similarly prohibited from audio recording on Charter School campus without prior consent. This policy does not prohibit the Charter School from recording classes as needed for student achievement nor any other permissible audio recording by the Charter School otherwise provided under the law.

Video surveillance recordings are not considered student education records unless the recording is maintained and (1) intended for use in a disciplinary action or proceeding, (2) depicts an activity that shows a student violating the law, (3) shows a student getting injured, attacked, victimized, ill, or having a health emergency, (4) contains personally identifiable information from a student's educational record. A video surveillance recording is not considered a student's education record when the student's image is incidental to the activity shown in the recording or when the student is participating in a public activity.

The SAE shall comply with all state and federal law regarding access to, review, and disclosure of student records, including Family Educational Rights and Privacy Act ("FERPA"). This includes compliance with lawful requests under the California Public Records Act, from law enforcement, and other appropriate agencies. Charter School will evaluate the legality of any requests in advance of disclosure and will comply with all notice requirements under FERPA.

Temperature Screening

In light of the novel coronavirus ("COVID-19") health emergency, The SAE shall follow the below procedures for temperature screening, as necessary, in accordance with all applicable law and state and local health orders to prevent the spread of COVID-19. The Charter School will follow its COVID-19 Prevention Policy and/or Comprehensive School Safety Plan which outlines the temperature screening requirements.

11. SUICIDE PREVENTION POLICY

Board Policy #: SAE-BP-011
Adopted/Ratified: September 9, 2021
Revision Date: September 9, 2021

The Board of Directors of The School of Arts and Enterprise (“The SAE” or the “Charter School”) recognizes that suicide is a major cause of death among youth and should be taken seriously. To attempt to reduce suicidal behavior and its impact on students and families, the Board of Directors has developed prevention strategies and intervention procedures.

In compliance with Education Code section 215, this policy has been developed in consultation with The SAE and community stakeholders, The SAE school-employed mental health professionals (e.g., school counselors, psychologists, social workers, nurses), administrators, other school staff members, parents/guardians/caregivers, students, local health agencies and professionals, the county mental health plan, law enforcement, and community organizations in planning, implementing, and evaluating The SAE’s strategies for suicide prevention and intervention. The SAE must work in conjunction with local government agencies, community- based organizations, and other community supports to identify additional resources.

To ensure the policies regarding suicide prevention are properly adopted, implemented, and updated, The SAE shall appoint an individual (or team) to serve as the suicide prevention point of contact for The SAE. The suicide prevention point of contact for The SAE and the Executive Director shall ensure proper coordination and consultation with the county mental health plan if a referral is made for mental health or related services on behalf of a student who is a Medi-Cal beneficiary. This policy shall be reviewed and revised as indicated, at least annually in conjunction with the previously mentioned community stakeholders.

Staff Development

The SAE, along with its partners, has carefully reviewed available staff training to ensure it promotes the mental health model of suicide prevention and does not encourage the use of the stress model to explain suicide.

Training shall be provided for all school staff members. It may also be provided, when appropriate, for other adults on campus (such as substitutes and intermittent staff, volunteers, interns, tutors, coaches, and afterschool staff). Training shall include the following:

1. All suicide prevention trainings shall be offered under the direction of mental health professionals (e.g., school counselors, school psychologists, other public entity professionals, such as psychologists or social workers) who have received advanced training specific to suicide. Staff training may be adjusted year-to-year based on previous professional development activities and emerging best practices.
2. At least annually, all staff shall receive training on the risk factors and warning signs of suicide, suicide prevention, intervention, referral, and postvention.

3. At a minimum, all staff shall participate in training on the core components of suicide prevention (identification of suicide risk factors and warning signs, prevention, intervention, referral, and postvention) at the beginning of their employment or annually. Core components of the general suicide prevention training shall include:
 - a. Suicide risk factors, warning signs, and protective factors.
 - b. How to talk with a student about thoughts of suicide.
 - c. How to respond appropriately to the youth who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and an immediate referral for a suicide risk assessment.
 - d. Emphasis on immediately referring (same day) any student who is identified to be at risk of suicide for assessment while staying under constant monitoring by staff member.
 - e. Emphasis on reducing stigma associated with mental illness and that early prevention and intervention can drastically reduce the risk of suicide.
 - f. Reviewing the data annually to look for any patterns or trends of the prevalence or occurrence of suicide ideation, attempts, or death. Data from the California School Climate, Health, and Learning Survey (Cal-SCHLS) should also be analyzed to identify school climate deficits and drive program development. See the Cal-SCHLS Web site at <http://cal-schls.wested.org/>.
 - g. Information regarding groups of students judged by the school, and available research, to be at elevated risk for suicide. These groups include, but are not limited to, the following:
 - i. Youth affected by suicide.
 - ii. Youth with a history of suicide ideation or attempts.
 - iii. Youth with disabilities, mental illness, or substance abuse disorders.
 - iv. Lesbian, gay, bisexual, transgender, or questioning youth.
 - v. Youth experiencing homelessness or in out-of-home settings, such as foster care.
 - vi. Youth who have suffered traumatic experiences.

4. In addition to initial orientations to the core components of suicide prevention, ongoing annual staff professional development for all staff may include the following components:

- a. The impact of traumatic stress on emotional and mental health.
- b. Common misconceptions about suicide.
- c. Charter School and community suicide prevention resources.
- d. Appropriate messaging about suicide (correct terminology, safe messaging guidelines).
- e. The factors associated with suicide (risk factors, warning signs, protective factors).
- f. How to identify youth who may be at risk of suicide.
- g. Appropriate ways to interact with a youth who is demonstrating emotional distress or is suicidal. Specifically, how to talk with a student about their thoughts of suicide and (based on The SAE guidelines) how to respond to such thinking; how to talk with a student about thoughts of suicide and appropriately respond and provide support based on The SAE guidelines.
- h. Charter School-approved procedures for responding to suicide risk (including multi-tiered systems of support and referrals). Such procedures should emphasize that the suicidal student should be constantly supervised until a suicide risk assessment is completed.
- i. Charter School-approved procedures for responding to the aftermath of suicidal behavior (suicidal behavior postvention).

- j. Responding after a suicide occurs (suicide postvention).
- k. Resources regarding youth suicide prevention.
- l. Emphasis on stigma reduction and the fact that early prevention and intervention can drastically reduce the risk of suicide.
- m. Emphasis that any student who is identified to be at risk of suicide is to be immediately referred (same day) for assessment while being constantly monitored by a staff member.

Employee Qualifications and Scope of Services

Employees of The SAE must act only within the authorization and scope of their credential or license. While it is expected that school professionals are able to identify suicide risk factors and warning signs, and to prevent the immediate risk of a suicidal behavior, treatment of suicidal ideation is typically beyond the scope of services offered in the school setting. In addition, treatment of the mental health challenges often associated with suicidal thinking typically requires mental health resources beyond what schools are able to provide.

Parents, Guardians, and Caregivers Participation and Education

1. Parents/guardians/caregivers may be included in suicide prevention efforts. At a minimum, the Charter School shall share this Policy with parents/guardians/caregivers by notifying them where a complete copy of the policy is available.
2. This Suicide Prevention Policy shall be easily accessible and prominently displayed on The SAE Web page and included in the parent handbook.
3. Parents/guardians/caregivers should be invited to provide input on the development and implementation of this policy.
4. All parents/guardians/caregivers may have access to suicide prevention training that addresses the following:
 - a. Suicide risk factors, warning signs, and protective factors.
 - b. How to talk with a student about thoughts of suicide.
 - c. How to respond appropriately to the student who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and referral for an immediate suicide risk assessment.

Student Participation and Education

Messaging about suicide has an effect on suicidal thinking and behaviors. Consequently, The SAE along with its partners has carefully reviewed and will continue to review all materials and resources used in awareness efforts to ensure they align with best practices for safe messaging about suicide. Suicide prevention strategies may include, but not be limited to, efforts to promote a positive school climate that enhances students' feelings of connectedness with The SAE and is characterized by caring staff and harmonious interrelationships among students.

The SAE's instructional and student support program shall promote the healthy mental, emotional, and social development of students including, but not limited to, the development of problem-solving skills, coping skills, and resilience. The instruction shall not use the stress model to explain suicide.

The SAE's instructional curriculum may include information about suicide prevention, as appropriate or needed. If suicide prevention is included in the Charter School's instructional curriculum, it shall consider

the grade level and age of the students and be delivered and discussed in a manner that is sensitive to the needs of young students. Under the supervision of an appropriately trained individual acting within the scope of her/his credential or license, students shall:

1. Receive developmentally appropriate, student-centered education about the warning signs of mental health challenges and emotional distress. The content of the education may include:
 - a. Coping strategies for dealing with stress and trauma.
 - b. How to recognize behaviors (warning signs) and life issues (risk factors) associated with suicide and mental health issues in oneself and others.
 - c. Help-seeking strategies for oneself and others, including how to engage school-based and community resources and refer peers for help.
 - d. Emphasis on reducing the stigma associated with mental illness and the fact that early prevention and intervention can drastically reduce the risk of suicide.
2. Receive developmentally appropriate guidance regarding The SAE's suicide prevention, intervention, and referral procedures.

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

The SAE will support the creation and implementation of programs and/or activities on campus that raise awareness about mental wellness and suicide prevention (e.g., Mental Health Awareness Week, Peer Counseling, Freshman Success, and National Alliance on Mental Illness on Campus High School Clubs).

Intervention and Emergency Procedures

The SAE designates the following administrators to act as the primary and secondary suicide prevention liaisons:

1. High School Principal- Maria Cuadros-Solis
2. Middle School Principal – Brianna Nix

Whenever a staff member suspects or has knowledge of a student's suicidal intentions, they shall promptly notify the primary designated suicide prevention liaison. If this primary suicide prevention liaison is unavailable, the staff shall promptly notify the secondary suicide prevention liaison.

The suicide prevention liaison shall immediately notify the Executive Director or designee, who shall then notify the student's parent/guardian as soon as possible if appropriate and in the best interest of the student. Determination of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.

The suicide prevention liaison shall also refer the student to mental health resources at The SAE or in the community.

When a student is in imminent danger (has access to a gun, is on a rooftop, or in other unsafe conditions), a call shall be made to 911.

When a suicide attempt or threat is reported on campus or at a school-related activity, the suicide prevention liaison shall, at a minimum:

1. Ensure the student's physical safety by one or more of the following, as appropriate:
 - a. Securing immediate medical treatment if a suicide attempt has occurred.
 - b. Securing law enforcement and/or other emergency assistance if a suicidal act is being actively threatened.
 - c. Keeping the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene.
 - d. Remaining calm, keeping in mind the student is overwhelmed, confused, and emotionally distressed.
 - e. Moving all other students out of the immediate area.
 - f. Not sending the student away or leaving him/her alone, even to go to the restroom.
 - g. Providing comfort to the student, listening and allowing the student to talk and being comfortable with moments of silence.
 - h. Promising privacy and help, but not promising confidentiality.
2. Document the incident in writing as soon as feasible.
3. Follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed and coordinate and consult with the county mental health plan if a referral is made for mental health or related services on behalf of a student who is a Medi-Cal beneficiary.
4. After a referral is made, The SAE shall verify with the parent/guardian that the follow up treatment has been accessed. Parents/guardians will be recommended to provide documentation of care for the student. If parents/guardians refuse or neglect to access treatment for a student who has been identified to be at risk for suicide or in emotional distress, the suicide prevention liaisons shall meet with the parent to identify barriers to treatment (e.g., cultural stigma, financial issues) and work to rectify the situation and build understanding of care. If follow up care is still not provided, The SAE may contact Child Protective Services.
5. Provide access to counselors or other appropriate personnel to listen to and support students and staff who are directly or indirectly involved with the incident at The SAE.
6. Provide an opportunity for all who respond to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.

In the event a suicide occurs or is attempted on The SAE campus, the suicide prevention liaison shall follow the crisis intervention procedures contained in The SAE's safety plan. After consultation with the Executive Director or designee and the student's parent/guardian about facts that may be divulged in accordance with the laws governing confidentiality of student record information, the Executive Director or designee may provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. The SAE staff may receive assistance from The SAE counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students.

In the event a suicide occurs or is attempted off The SAE campus and unrelated to school activities, the Executive Director or designee shall take the following steps to support the student:

1. Contact the parent/guardian and offer support to the family.
2. Discuss with the family how they would like The SAE to respond to the attempt while minimizing widespread rumors among teachers, staff, and students.
3. Obtain permission from the parent/guardian to share information to ensure the facts regarding the crisis are correct.
4. The suicide prevention liaisons shall handle any media requests.
5. Provide care and determine appropriate support to affected students.
6. Offer to the student and parent/guardian steps for reintegration to school. Reintegration may include obtaining a written release from the parent/guardian to speak with any health care providers; conferring with the student and parent/guardian about any specific requests on how to handle the situation; informing the student's teachers about possible days of absences; allowing accommodations for make-up work (being understanding that missed assignments may add stress to the student); appropriate staff maintaining ongoing contact with the student to monitor the student's actions and mood; and working with the parent/guardian to involve the student in an aftercare plan.

Supporting Students during or after a Mental Health Crisis

Students shall be encouraged through the education program and in The SAE activities to notify a teacher, the Executive Director, another The SAE administrator, psychologist, The SAE counselor, suicide prevention liaisons, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions. The SAE staff should treat each report seriously, calmly, and with active listening and support. Staff should be non-judgmental to students and discuss with the student, and parent/guardian, about additional resources to support the student.

Responding After a Suicide Death (Postvention)

A death by suicide in the school community (whether by a student or staff member) can have devastating consequences on the school community, including students and staff. The SAE shall follow the below action plan for responding to a suicide death, which incorporates both immediate and long-term steps and objectives:

The suicide prevention liaison shall:

1. Coordinate with the Executive Director to:
 - a. Confirm death and cause.
 - b. Identify a staff member to contact deceased's family (within 24 hours).
 - c. Enact the Suicide Postvention Response.
 - d. Notify all staff members (ideally in-person or via phone, not via e-mail or mass notification).
2. Coordinate an all-staff meeting, to include:

- a. Notification (if not already conducted) to staff about suicide death.
 - b. Emotional support and resources available to staff.
 - c. Notification to students about suicide death and the availability of support services (if this is the protocol that is decided by administration).
 - d. Share information that is relevant and that which you have permission to disclose.
3. Prepare staff to respond to needs of students regarding the following:
 - a. Review of protocols for referring students for support/assessment.
 - b. Talking points for staff to notify students.
 - c. Resources available to students (on and off campus).
 4. Identify students significantly affected by suicide death and other students at risk of imitative behavior.
 5. Identify students affected by suicide death but not at risk of imitative behavior.
 6. Communicate with the larger school community about the suicide death.
 7. Consider funeral arrangements for family and school community.
 8. Respond to memorial requests in respectful and non-harmful manner; responses should be handled in a thoughtful way and their impact on other students should be considered.
 9. Identify a media spokesperson if needed.
10. Include long-term suicide prevention responses:
 - a. Consider important dates (i.e., anniversary of death, deceased birthday, graduation, or other significant event) and how these will be addressed.
 - b. Support siblings, close friends, teachers, and/or students of deceased.
 - c. Consider long-term memorials and how they may impact students who are emotionally vulnerable and at risk of suicide.

Student Identification Cards

Charter School will include the telephone number for the National Suicide Prevention Lifeline (1-800-273-8255) on all student identification cards. The SAE will also include the number for the Crisis Text Line, which can be accessed by texting HOME to 741741 and a local suicide prevention hotline on all student identification cards.

12. IMMUNIZATION POLICY

Board Policy #: SAE-BP-012

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

The School of Arts and Enterprise (“The SAE” or the “Charter School”) will adhere to all laws related to legally required immunizations for entering students pursuant to Health and Safety Code Sections 120325-120380, and Title 17, California Code of Regulations Sections 6000-6075.

Required Immunizations, Records and Reports

California law requires that an immunization record be presented to The SAE staff before a child can be unconditionally enrolled in school. The SAE requires written verification from a doctor or immunization clinic of the following immunizations:

Entering students who are not exempt will need the following immunization requirements:

Child’s Grade	Immunization	Dosage
Entering Kindergarten ²	Diphtheria, Pertussis, and Tetanus (DTaP)	Five (5) doses
	Polio	Four (4) doses
	Measles, Mumps, and Rubella (MMR)	Two (2) doses
	Hepatitis B (Hep B)	Three (3) doses
	Varicella (chickenpox)	Two (2) doses
Entering 7 th Grade ³	Tetanus, reduced Diphtheria, and acellular Pertussis (Tdap)	One (1) dose
	Varicella	Two (2) doses

² **NOTE:** Four doses of DTaP are allowed if one was given on or after the fourth birthday. Three doses meet the requirement if at least one dose of Tdap, DTaP, or DTP vaccine was given on or after the seventh birthday (also meets the 7th-12th grade Tdap requirement.) One or two doses of Td vaccine given on or after the seventh birthday count towards the requirement. Three doses of Polio are allowed if one was given on or after fourth birthday. MMR doses must be given on or after first birthday. Two doses of measles, two doses of mumps, and one dose of rubella vaccine meet the requirement, separately or combined. Combination vaccines (e.g., MMRV) meet the requirements for individual component vaccines.

³ **NOTE:** In order to begin seventh grade, students who had a valid personal belief exemption on file with a public or private elementary or secondary school in California before January 1, 2016 must meet all requirements for children 7-17 years old (i.e., polio, MMR, chickenpox/varicella and primary series for diphtheria, tetanus, and pertussis), **in addition to** the seventh grade requirements for Tdap (at least one dose of pertussis-containing vaccine on or after the seventh birthday) and two (2) doses of Varicella (varicella requirement for seventh grade advancement expires after June 30, 2025).

Verification of immunizations will be completed with written medical records from the child's doctor or immunization clinic. Immunization records shall be part of the mandatory permanent pupil record and shall be kept in accordance with The SAE's Educational Records and Student Information Policy. Charter School will file a written report on the immunization status of all new entrants to The SAE with the California Department of Public Health, on at least an annual basis, as required by law.

Any child leaving the United States for a short vacation to or long stay in any country considered by the Center of Disease Control and Prevention ("CDC") to have increased risk of TB exposure MUST contact the County Tuberculosis Clinic for a TB Screening upon return.

Charter School shall immediately admit a foster child, as defined in Education Code § 48853.5(a), and a homeless child, as defined in Section 11434a(2) of Title 42 of the United States Code, even if the foster or homeless child's immunization records are not available or are missing. However, this does not alter The SAE's obligation to obtain immunization records for foster and homeless students or to ensure the full immunization of foster and homeless students as required by law.

If Charter School discovers that an admitted student who was previously believed to be in compliance with the immunization requirements is subsequently discovered to not be in compliance with either the unconditional admission requirements or the conditional admission requirements, The SAE will notify the student's parent/guardian of: 1) the time period within which the doses must be received, which may be no more than ten (10) school days after notification; and 2) that the student shall continue in attendance only if the parent/guardian provides documentation that the immunization requirements have been met within the time period designated by the School. If the student does not provide documentation of having received all required immunizations within the time period designated by the School, The SAE shall exclude this student from attendance. The student shall remain excluded from Charter School until the student is fully immunized as required by law. The student shall also be reported to the School Registrar.

The Executive Director, or designee, may arrange for a licensed physician or a qualified registered nurse to administer immunizations at Charter School to any student whose parent/guardian has consented in writing.

Conditional Admittance

Students may be conditionally admitted in accordance with Health and Safety Code Section 120340 and Title 17, California Code of Regulations Section 6035. The Executive Director or designee shall notify the student's parents/guardians of the date by which the student must complete all the remaining doses. The Executive Director or designee shall review the immunization record of each student admitted conditionally at least every thirty (30) days from the date of admission until that student has received all the required immunizations or submitted an exemption. If a student conditionally admitted fails to fulfill the conditions of admission, The SAE will prohibit the student from further attendance until that student has been fully immunized as required by law.

Documentary Proof

The SAE shall maintain the student's immunization information in the student's mandatory permanent record and shall file annual immunization status reports as required by the California Department of Public Health.

Exemptions from Immunization Requirements

All students must be fully immunized in accordance with the California Health and Safety Code, the California Code of Regulations, and this Policy with the following exceptions:

1. Students who show proof of a medical exemption by a physician licensed to practice medicine in California pursuant to Health and Safety Code Section 120370.
 - a. Commencing January 1, 2021, the California Department of Public Health standardized medical exemption form shall be the only documentation of a medical exemption that the School shall accept.
 - b. On and after July 1, 2021, the School shall not unconditionally admit or readmit, or admit or advance any student to 7th grade, unless the student has been fully immunized or files a California Department of Public Health standardized medical exemption form as required by law.
 - c. Medical exemptions issued before January 1, 2020 will continue to remain valid until the child enrolls in the next grade span, defined below.
2. Students who are enrolled in a home-based private school or independent study program and do not receive any classroom-based instruction.
 - a. A student who has not received all of the required immunizations will not be eligible to attend classes at a Charter School resource center unless the student is otherwise exempt under #1 or #3.
3. Students who, prior to January 1, 2016, submitted a letter or affidavit on file at a private or public elementary or secondary school in California stating beliefs opposed to immunization, and who provides said letter or affidavit to the The SAE, shall be allowed to enroll at the Charter School without being fully immunized until the student enrolls in the next grade span pursuant to Health and Safety Code Section 120335(g).
 - a. “Grade span” means each of the following:
 - i. Birth to Preschool.
 - ii. Kindergarten and grades 1 to 6, inclusive, including transitional kindergarten.
 - iii. Grades 7 to 12, inclusive.

If there is good cause to believe that a child has been exposed to a disease listed in subdivision (b) of Section 120335 and his or her documentary proof of immunization status does not show proof of immunization against that disease, that child may be temporarily excluded from the School until the local health officer is satisfied that the child is no longer at risk of developing or transmitting the disease.

This Policy does not prohibit a student who qualifies for an individualized education program (“IEP”), pursuant to federal law and Education Code Section 56026, from accessing any special education and related services required by the student’s IEP.

13. VISUAL AND PERFORMING ARTS EQUIPMENT POLICY

Board Policy #: SAE-BP-013
Adopted/Ratified: September 9, 2021
Revision Date: September 9, 2021

Visual and Performing Arts equipment at The School of Arts and Enterprise (“The SAE” or the “Charter School”) is provided for the purpose of supporting the mission and vision of the school. The goal in loaning equipment to students is to promote educational excellence by facilitating resource sharing, innovation, creativity, and increased productivity.

The SAE’s unique focus on the integration of arts and academics is considered in this policy and works as a safeguard for student use of equipment. Use of The SAE equipment is a privilege that carries responsibility and behavioral expectations consistent with all school rules and policies, including, but not limited to those stated in The SAE Parent-Student Handbook. It is understood that members of our SAE community will use all types of loaned equipment in a responsible, ethical, and legal manner at all times.

The SAE retains sole right of ownership of all equipment loaned to students. The SAE retains the right to collect and/or inspect the equipment at any time.

Equipment

Visual and Performing Arts equipment within the school's inventory is available for registered student use depending on availability. The rental inventory includes items such as musical instruments, costumes, and film equipment for use in Visual and Performing Arts classes and special performances. The equipment is administered by the student’s Arts Instructor or Artistic Director. Students who do not wish to borrow school equipment will be able to use equipment on The SAE’s campus during school hours.

Check Out Procedures

Checkout forms are available upon request from either the student’s Art Instructor or the Artistic Director. Please complete the checkout form(s) including authorizing signatures from parents/guardians, student, and instructor/director. This process must be completed before equipment will be checked out. This process must be repeated each academic semester that equipment is issued. For further questions or concerns contact your art teacher.

Dates and Deadlines

Equipment cannot be checked out for an entire year. All school equipment must be checked out each semester. Please see The SAE’s Student Computing Devices/Equipment Policy and Acceptable Use Agreement for additional information regarding use of school equipment and materials.

14. STUDENT COMPUTING DEVICES/EQUIPMENT POLICY AND ACCEPTABLE USE AGREEMENT

Board Policy #: SAE-BP-014

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

Technology resources at The School of Arts and Enterprise (“The SAE” and the “Charter School”) are provided for the purpose of supporting the mission and vision of The SAE. The goal in providing these devices is to promote educational excellence by facilitating resource sharing, innovation, research, creativity, communication, increased productivity, and mobile learning.

The SAE’s unique focus on the integration of arts and academics is considered in this policy and works as a safeguard for student use of technology and equipment.

Use of these technologies is a privilege that carries responsibility and behavioral expectations consistent with all school rules and policies, including, but not limited to those stated in The SAE Parent-Student Handbook. It is understood that members of our SAE community will use all types of computing devices and the school’s network in a responsible, ethical, and legal manner at all times.

The SAE retains sole right of ownership of computing devices and related equipment. The SAE retains the right to collect and/or inspect the computing device at any time, and to alter, add, or delete installed software or hardware.

Computing Devices and Equipment

Receiving Your Computing Device or Equipment

Parents/guardians and students must sign and return the Acceptable Use Agreement and Handbook Acknowledgement documents before their child is allowed to use SAE-issued technology and equipment, including but not limited to: labs, recording equipment, tablets and classroom laptops. In that agreement, the student and the student’s 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.

Students, who transfer, withdraw or are expelled from The SAE during the school year, must surrender any device or equipment upon termination of enrollment.

Device/Equipment Return Fines

If a student willfully damages or fails any SAE device or technology, the student’s parents/guardians are liable for all damages caused by the student’s misconduct not to exceed ten thousand dollars (\$10,000), adjusted annually for inflation. After notifying the student’s parent or guardian in writing of the student’s alleged misconduct and affording the student due process The SAE may withhold the student’s grades, transcripts, and diploma until the damages have been paid. If the student and the student’s parent/guardian are unable to pay for the damages or to return the property, The SAE will provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Upon completion of the voluntary work, the student’s grades and diploma will be released.

Maintenance of Devices and Equipment

Students are responsible for the general care of the device or equipment they have been issued by the school. Devices and/or Equipment that are broken or fail to work properly must be taken to The SAE's Information Technology (IT) Department for an evaluation of the equipment.

General Precautions

Devices and Equipment are school property and all users will follow this policy and The SAE's Acceptable Use Policy for technology;

- Cords and cables must be handled carefully to prevent damage;
- Laptops must be returned in their original working condition to the appropriate laptop cart and plugged in correctly;
- Devices and Equipment must remain free of any writing, drawing, stickers, or labels that are not the property of The SAE;
- Devices must never be left in an unsupervised area including but not limited to: unlocked cars, and campus common areas;
- Students may not use "skins" or stickers to "personalize" devices and equipment. Devices and Equipment are intended for all authorized students and personnel of The SAE.

Carrying Devices

The guidelines below should be followed:

- Carry laptops with both hands.
- Avoid placing too much pressure and/or weight (such as folders and workbooks) on the tablet screen or laptop.

Screen Care

Device screens can be damaged if subjected to rough treatment. The screens are particularly sensitive to damage from excessive pressure on the screen.

- Do not lean on the top of the device.
- Do not place anything near the device that could put pressure on the screen.
- Do not place anything that will press against the cover. Clean the screen with a soft, dry cloth, microfiber or anti-static cloth. No harsh cleaners that can damage the surface of the device can be used.
- Do not "bump" the device against walls, car doors, floors, etc. as it will eventually break the screen.

Passwords

Devices will be password protected. Students are prohibited from sharing their password with anyone else except their parents/guardians for their own protection. Students who use an account that is not their own may be subject to disciplinary consequences.

Screensavers/Background Photos

A standard screensaver or background will be pre-set on laptops and tablets. Backgrounds that are considered, but not limited to, inappropriate, abusive, hateful, harassing, or sexually explicit in nature

cannot be used as a screensaver or background photo. Students are subject to consequences based on the nature of a modified screensaver/background.

Photos/Music

Photo/image storage on the devices will be for school projects only. Storage of student personal sound, music, games, programs, photos or downloaded images is not allowed.

- Students may not download music from iTunes or any other music-sharing site unless directed by or with the permission of a teacher.
- Music is only allowed on the device if provided by the teacher for educational use.
- Sound must be muted at all times unless permission is obtained from the teacher for instructional purposes.
- Non-educational games or applications are not allowed on the devices.

Managing Your Files and Saving Your Work

Saving Work to Google Docs, iCloud or The SAE Approved Data Storage Solution

It is the student's responsibility to ensure that work is not lost due to mechanical failure or accidental deletion. Tablet and Laptop malfunctions are not an acceptable excuse for not submitting work; therefore, students should back up all work.

Software on Devices

Originally Installed Software

The SAE will synchronize the device to contain the necessary programs for school work. The software/apps originally installed by The SAE must remain on the tablet in usable condition and be easily accessible at all times.

Procedure for Reloading Software

If technical difficulties occur or illegal software (non SAE-approved) is discovered, devices will be restored from backup. The school does not accept responsibility for the loss of any software or documents deleted due to a reformat or reimage. In this event, the student can lose the privilege of device use.

Acceptable Use

The SAE's technology resources that are provided by the school are not transferable or extendible by students to people or groups outside the school and terminates when a student is no longer enrolled in the school.

This policy is provided to make all users aware of the responsibilities associated with efficient, ethical, and lawful use of technology resources. If a person violates any of the responsibilities named in this policy, privileges may be terminated, access to the school's technology resources may be denied, and the appropriate disciplinary action shall be applied.

Violations may result in disciplinary action up to and including suspension/expulsion for students. When applicable, law enforcement agencies may be involved.

Parent/Guardian Responsibilities

Parents/guardians are to talk to their children about values and the standards that they should follow that pertain to the use of the appropriate internet and all other digital media resources.

The SAE Responsibilities

- Provide internet and email access to students, including a SAE-issued email address.
- Provide data storage areas through Google Drive. The SAE reserves the right to review, monitor and restrict information stored on or transmitted via school-owned equipment and to investigate inappropriate use of resources.
- Provide staff guidance to aid students in doing research and help assure student compliance of this Policy.

Students' Responsibilities

- Use computers/tablets in a responsible and ethical manner. Comply with general school rules concerning behavior and communication that apply to tablets/computer use.
- Use all technology resources in an appropriate manner so as to not damage school equipment. Damages include, but are not limited to, the loss of data resulting from delays, non-deliveries, or service interruptions caused by the student's own negligence, errors or omissions.
- Help The SAE protect their computer system/device by contacting an administrator or teacher about any security problems encountered.
- Monitor all activity on their account(s).
- Turn off and secure devices after use to protect work and information.
- Return devices to their source after use or as directed by The SAE personnel. In the event that the student is unsure of its source for any reason, the device should be returned to their teacher, an administrator, or the campus main office.
- Do not post personal identifiable information, including, but not limited to: name, address, or social security number.

Strictly Prohibited Student Activities

- Illegal installation or transmission of copyrighted materials.
- Any action that violates existing school policy or law.
- Sending, accessing, uploading, downloading, or distributing offensive, profane, threatening, pornographic, obscene, or sexually explicit materials. Use of chat rooms, sites selling term papers, book reports and other forms of student work.
- Use of any messaging services (e.g., Google Chat, MSN Messenger, ICQ, AIM, IMO). Non-educational games or games not approved by a teacher.
- Use of social media outside of approved educational purposes (e.g. Facebook, Instagram, Snapchat). Please see "Social Media" section of this policy.
- Use of outside data disks or external attachments without prior approval from the administration or teacher.
- Changing or removing device settings or The SAE's loaded device management profiles (exceptions include personal settings such as font size, brightness, etc.).
- "Jailbreaking" a tablet/device or loading software that bypasses the system's original security measures or normal mode of operation.

- Spamming or sending mass or inappropriate emails.
- Gaining access to other students' accounts, files, and/or data.
- Use of the school's internet/email accounts for financial or commercial gain or for any illegal activity.
- Use of anonymous and/or false communications such as, but not limited to, MSN Messenger, Yahoo Messenger, email, etc.
- Participation in credit card fraud, electronic forgery or other forms of illegal behavior.
- Vandalism of school equipment (any malicious attempt to harm or destroy hardware, software or data, including, but not limited to, the uploading or creation of computer viruses or computer programs that can infiltrate computer systems and/or damage software components).
- Transmitting or accessing materials that are obscene, offensive, threatening or otherwise intended to harass or demean recipients.
- Bypassing The SAE's school web filter through a web proxy.
- Creating, sending, accessing or downloading material, which is abusive, hateful, harassing, or sexually explicit (e.g., engaging in inappropriate activity, such as but not limited to, sending threatening messages on social media or other forms of cyber-bullying⁴).

Social Media

Students of The SAE are expected to set and maintain high ethical standards in their use of social networking. Since social media reaches audiences far beyond the community, students must use social sites responsibly and be accountable for their actions. If a student sees anything of concern on a fellow SAE student's social networking page or account, he/she should immediately contact the school's administration, teachers, or another adult within the school.

- *"Think before you post."* The SAE asks students to use discretion when posting information onto the internet.
- The SAE reserves the right to request school-related images or content posted without permission to be removed.
- Do not misrepresent statements or information by using someone else's identity.
- Social media venues are public and information can be shared beyond a student's control. *Be conscious of what you post online as you will leave a long-lasting impression on many different audiences.*
- Do not post or link anything (photos, videos, web pages, audio files, forums, groups, fan pages, etc.) to social networking sites that you would not want friends, peers, parents, teachers, college admissions officers, or future employers to access. Any digital content that is created and/or posted will create a personal digital footprint that cannot be erased.
- When responding to others, remember to be respectful and avoid comments that may be hurtful. Do not use profane, obscene, or threatening language.
- Only accept invitations to share information from people you know. Utilize privacy settings to control access to the network, web pages, profile, posts, blogs, wikis, podcasts, digital media, forums, groups, fan pages, etc.
- Online stalkers and identity thieves are a real threat. Never share personal information, including, but not limited to, Social Security numbers, phone numbers, addresses, exact birth dates, and pictures with unknown parties or on unsecure sites.
- Users should keep passwords secure and never share passwords with others. *If someone tampers with your blog, email, or social networking account without you knowing about it, you could be held accountable.*

- Cyber-bullying is considered an act of harassment and is considered unlawful.

Tablet and Laptop Care

Students will be held responsible for maintaining school devices and keeping them in good working order. Batteries must be charged and ready by following the check-in/out policy at the school.

Devices that malfunction or are damaged must be reported to the teacher, administrator, or the campus main office. The school will be responsible for repairing devices that malfunction or are accidentally damaged. A device that is willfully damaged by the student will be repaired and the insurance deductible cost will be borne by the student. Repairs may take between 7 to 10 days to complete.

A device that is stolen must be reported immediately to a teacher, administrator, or the campus office.

Legal Propriety

Students must comply with trademark and copyright laws and all license agreements. Ignorance of the law is not immunity. If a student is unsure, ask a teacher, administrator, or parent.

Plagiarism is a Violation of the School's Code of Conduct

Give credit to all sources used, whether quoted or summarized. This includes all forms of media on the internet, such as graphics, movies, music, and text.

Use or possession of hacking software is strictly prohibited and violators will be subject to disciplinary action. Violation of applicable state or federal law may result in criminal prosecution.

Student Discipline

If a student violates any part of the above policy, he/she may be subject to disciplinary action in accordance with The Handbook policies and procedures outlined for discipline. Student discipline may vary based on the infraction.

Protecting and Storing the Device

Storing the Device

When students are not using devices, they should be stored in a tablet or laptop storage unit in the classroom or designated charging cart.

Devices Left in Unsupervised Areas

Under no circumstances should devices be left in unsupervised areas. Unsupervised areas include the school grounds and campus, eating areas, technology labs, unlocked classrooms, and hallways. Any device left in these areas is in danger of being stolen. If a device is found in an unsupervised area, it will be taken to the school main office.

Technology and Internet Safety

Internet Safety

In compliance with the Children's Internet Protection Act ("CIPA"), The SAE will implement filtering and/or blocking software to restrict access to Internet sites that have no educational purpose and/or contain child pornography, obscene depictions, or other materials harmful to minors under 18 years of age. The software will work by scanning for objectionable words or concepts, as determined by The SAE. However, no software is foolproof, and there is still a risk an internet user may be exposed to a site containing such materials. A user who accidentally connects to such a site must immediately disconnect from the site and notify a teacher or administrator. If a user sees another user is accessing inappropriate sites, he/she should notify a teacher or administrator immediately. Neither the SAE nor its staff shall be responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes, misuse or negligence.

The SAE will implement a mechanism to monitor all minors' online activities, including website browsing, email use, chat room participation and other forms of electronic communications. Such a mechanism may lead to a discovery that a user has violated or may be violating this policy, the disciplinary code or the law. Monitoring is aimed to protect minors from accessing inappropriate matter, as well as help enforce this policy, on the internet. The SAE reserves the right to monitor other users' online activities, and to access review, copy, store or delete any electronic communications or files and disclose them to other school officials and/or law enforcement as it deems necessary.

The Executive 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.

If a student under the age of 18 accesses their The SAE school account or the internet outside of school, a parent/guardian must supervise the student's use of the account or Internet at all times and is completely responsible for monitoring the use. Filtering and/or blocking software may or may not be employed to screen home access to the internet. Parents/guardians should inquire at the school if they desire more detailed information about the software.

Student information shall not be posted unless it is necessary to receive information for instructional purposes, and only if the student's teacher and parent or guardian has granted permission.

Users shall not reveal on the Internet personal information about themselves or about other persons. For example, users should not reveal their full names, home addresses, telephone numbers, school addresses, or parents' names on the Internet.

Users shall not meet in person anyone they have met on the Internet in a secluded place or a private setting. Users who are under the age of 18 shall not meet in person anyone they have met on the Internet without their parent's permission.

In compliance with the Children's Online Privacy Protection Act ("COPPA"), The SAE strictly follows the rules and regulations set forth by the Federal Trade Commission and for this reason, The SAE emails provided to students under the age of 13 are prohibited from sending and receiving emails outside of The SAE domain.

All users will abide by The SAE's security policies.

No Expectation of Privacy

The SAE System Administrator has the authority to monitor all accounts, including e-mail and other materials transmitted or received via the accounts. All such materials are the property of The SAE. Account users do not have any right to or expectation of privacy regarding such materials.

Penalties for Improper Use of The SAE Accounts

The use of the account is a privilege, not a right, and inappropriate use will result in the restriction or cancellation of the account. Inappropriate use may lead to any disciplinary and/or legal action, including but not limited to suspension or expulsion, or criminal prosecution by government authorities. The SAE will attempt to tailor any disciplinary action to meet the specific concerns related to each violation.

Computer and Internet Policies

Computers are available for students' academic use in classrooms and in the Main Campus computer lab, Middle School computer lab, and the DTC Campus computer lab.

While The SAE attempts to provide complete computer and internet access to its students, computer facilities are limited. The SAE upholds community standards of decency in computer use and students will lose computer privileges should they engage in any conduct that violates this Policy or other SAE policies.

Computers in classrooms are managed by the classroom teachers and cannot be used without their permission.

The computer labs are available to students during regular school hours when classroom teachers have arranged for its use and/or if classroom teachers have made specific arrangements with the Digital Media Faculty. Before and after school, as well as during lunch, use of the computer lab is a privilege that can be given or taken away at the discretion of school faculty and staff.

Notice

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 Charter School's 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 SAE believes that providing access to technology enhances the educational experience for students. However, student use of Charter 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, employees, officers, directors or volunteers shall be responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes, misuse or negligence. The student and parent/guardian agree not to hold the Charter School or any Charter School staff, employees, officers, directors or volunteers responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes, misuse or negligence. They also agree to indemnify and hold harmless the Charter School, Charter School staff, employees, officers, directors and volunteers for any damages or costs incurred. Parents/guardians are required to supervise and monitor their child's use of The SAE equipment including but not limited to their child's access to the internet and any online services through such equipment any and all times during which any The SAE equipment is being used by their child outside school facilities or school hours to ensure compliance with this policy.
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 Charter 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

- 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 Charter 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. Conducting for-profit business.
 - h. Using hacking tools on the network or intentionally introducing malicious code or viruses into the Charter School's network.
 - i. Using any software or proxy service to obscure either the student's IP address or the sites that the student visits.
 - j. Disabling, bypassing, or attempting to disable or bypass any system monitoring, filtering or other security measures.
 - k. 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.
9. Technology Systems/Equipment Care. Students are not permitted to have food or drink near computers/other technology and must keep equipment and assigned areas free of vandalism.

After reading the Student Use of Technology Policy and the Acceptable Use Agreement, please complete this form to indicate that you agree with the terms and conditions provided. The signature of both the student and parent/guardian are mandatory before access may be granted to the technologies available. This document, which incorporates the Use Procedure, reflects the entire agreement and understanding of all parties. The SAE encourages parents/guardians to discuss this Policy with their children to ensure their children understand and comply with this Policy.

As a user of Charter School technologies, I have read Student Use of Technology Policy and hereby agree to comply with it and the Acceptable Use Agreement.

I understand that computer use is a privilege and not a right. I understand that students who violate this policy in any way will be subject to a referral and possible suspension or expulsion. I understand that if a student willfully damages The SAE's property, including but not limited to The SAE's technology, equipment and networks, or fails to return The SAE's property that has been loaned to the student, the student's parents/guardians are liable for all damages caused by the student's misconduct up to an amount not to exceed ten thousand dollars (\$10,000), adjusted annually for inflation. After notifying the student's parent or guardian in writing of the student's alleged misconduct and affording the student due process, The SAE may withhold the student's grades, transcripts, and diploma until the damages have been paid or the property has been returned. If the student and the student's parent/guardian are unable to pay for the damages or to return the property, The SAE will provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Upon completion of the voluntary work, the student's grades, transcripts and diploma will be released. A student over the age of majority shall be liable for the same. (Ed. Code § 48904).

Student Name (please print): _____ Grade: _____

Student Signature: _____ Date: _____

Parent/Guardian Name (Please Print): _____

Parent/Guardian Signature: _____ Date: _____

_____ **For School Employees Only** _____

I have read, understand and agree to abide by the Student Use of Technology Policy and the Acceptable Use Agreement. I understand that the Charter School's policies, procedures, rules, and regulations which apply to students also apply to me as an adult user of the Charter School's technology, in addition to any separate policies governing employee use of technology.

Employee Signature: _____

Employee Name (Please Print) _____

15. ELECTRONIC/DIGITAL DEVICE POLICY

Board Policy #: SAE-BP-015

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

Personal electronic/digital devices, including but not limited to phones, tablets, portable game players, bluetooth devices, CD players, and iPods are brought to school at your own risk. The School for Arts and Enterprise (“The SAE” or the “Charter School”) is neither liable, nor responsible, for preventing theft, loss or damage to any personal electronics brought onto campus or at SAE sponsored activities. these personal items.

The SAE will not replace an item if it is lost, stolen, or damaged during school hours or at any school-sponsored event or function. The SAE is not responsible for providing secured and locked places to store these items. This includes when students are in PE classes or during an emergency drill. When devices are confiscated, The SAE will ensure that devices are kept secure and returned to parents/guardians.

Phones, which include mobile phones and school telephones, are not to be used during school hours, except at break times and lunch. This includes using the mobile phone's text messaging, games or camera features. Students may use the telephone, which includes mobile phones and school phones:

- Before and after school (before 8:05 am and after 3:20 pm) and during break and lunch
- Before or after any Charter School sponsored activity occurring before or after the regular school day.
- In the case of an emergency, or in response to a perceived threat of danger.
- When a teacher or administrator of the Charter School grants permission to a student to possess or use a private device, subject to any reasonable limitation imposed by that teacher or administrator.
- When a licensed physician and surgeon determines that the possession or use of a private device is necessary for the health or well-being of the student.
- When the possession or use of a private device is required in a student’s individualized education program (“IEP”).

Cell phones may not be seen or heard on campus during class unless it is a part of the teacher's curriculum. Mobile phones are to be left IN THE STUDENT’S BACKPACK and TURNED OFF. Mobile phones (which are on, go on ring, send or receive messages, or that disrupts class or are used during class time) will be confiscated.

Private devices may be used by students:

- In the case of an emergency, or in response to a perceived threat of danger.
- When a teacher or administrator of the Charter School grants permission to a student to possess or use a private device, subject to any reasonable limitation imposed by that teacher or administrator.
- When a licensed physician and surgeon determines that the possession or use of a private device is necessary for the health or well-being of the student.

- When the possession or use of a private device is required in a student’s individualized education program (“IEP”).

First and second violations of the cell phone policy will result in phones being confiscated and stored by teacher until the end of the school day. Should a third violation occur, the student’s phone will need to be turned in to the Principal’s office and retrieved by a parent and will be returned only to the parent/legal guardian. Students may not use office telephones except for school business approved by the administration.

Personal speakers and/or noise-emitting devices should not be used and are not permitted at any time. Music or any other media may not be played without personal headphones. This must not infringe on another person’s noise space. Earphones are allowed during passing periods and lunch only. Earphones should be removed before entering class. Any visible earphones (inside the classroom) will be confiscated. Teachers may determine if students are allowed to use them during certain instructional activities. Camera functions on a phone or any other device may not be used at any time except under Teacher/Administration supervision and permission.

Cameras can be used for cheating and taking pictures of people secretly, so the use of them needs to be monitored by school personnel. Students are not permitted to voice record, take pictures of, video record, or keep electronic record of other students, staff, or guests of The SAE without permission. Students are also not permitted to post pictures or recordings of other students, staff, or guests of The SAE to social media in any form without permission. This can constitute harassment and/or bullying and may lead to disciplinary consequences based on the infraction.

16. Transportation Safety Plan

Board Policy #: SAE-BP-016

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

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

Definitions

- “*School bus*” is any motor vehicle designed, used, or maintained for the transportation of a The SAE student at or below the grade 12 level to or from The SAE or to and from The SAE activities. “*School bus*” does not include a passenger vehicle designed for and when actually carrying not more than 10 persons, including the driver, except any vehicle or truck transporting two or more students who use wheelchairs.
- “*School activity bus*” is any motor vehicle, other than the school bus, operated by a common carrier, or by and under the exclusive jurisdiction of a publicly owned or operated transit system, or by a passenger charter-party carrier, used under a contractual agreement between The SAE and

carrier to transport The SAE students at or below the grade 12 level to or from a The SAE activity, or used to transport students from residential schools, when the students are received and discharged at off-highway locations where a parent or adult designated by the parent is present to accept the student or place the student on the bus.

Determining Whether a Student Requires an Escort

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

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

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

Boarding:

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

Exiting:

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

7. Students should always use crosswalks and controlled intersections when available and should not cross in the middle of the block.
8. Students must avoid trespassing on other people's property, stay on sidewalks when possible.

Procedures for All Students to Follow as They Board or Exit a School Bus at The SAE or Other School Activity Location

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

Boarding Buses at School Site or School Activity Location:

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

Exiting Buses at School Site or School Activity Location:

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

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

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

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

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

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

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

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

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

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

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

1. A list of school bus stops near the student's home.
2. General rules of conduct at school bus loading zones, such as:
 - a. While waiting for the school bus to arrive, students must stand single file in an orderly and well-behaved line.
 - b. Students are not to play in or be in the street or private property
 - c. Students shall be on the proper side of the street before the bus arrives at the bus stop.
 - d. Students should arrive at their bus stop five minutes prior to the scheduled leaving time.

- e. If the student is late and needs to cross the street that the bus is stopped on, the student must wait for the bus driver to escort the student across the street.
 - f. Students should not approach the bus until it comes to a complete stop at the stop;
 - g. Students should board and exit the bus in an orderly fashion, with no pushing or shoving.
 - h. Students should understand the bus driver is in charge at all times, and students should follow the bus driver's directions.
 - i. The driver will immediately activate the red flashing crossover lights and stop arm if so equipped.
 - j. Animals, birds, reptiles, fish, insects, breakable containers, weapons, or any object or substance that could be hazardous will not be transported on the bus.
3. Red light crossing instructions, consistent with this Plan.
 4. School bus danger zone(s).
 5. Walking to and from school bus stops.

Instruction for all Students Prior to Departure on School Trip

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

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

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

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

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

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

The length of time for the suspension or delay of school bus services shall be at the discretion of the Executive Director.

17. FREE AND REDUCED-PRICE MEALS POLICY

Board Policy #: SAE-BP-017

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

The School of Arts and Enterprise (“The SAE” or the “Charter School”) Governing Board (the “Board”) recognizes that adequate nutrition is essential to the development, health, and learning of all students. The Executive Director or designee shall facilitate and encourage the participation of students from low-income families in the Charter School’s food service program.

Each SAE school site shall provide a nutritionally adequate meal (breakfast and lunch) each school day, free of charge.

Free and Reduced-Price Meals Application and Notification

The Executive Director or designee shall ensure that the application form for free and reduced-price meals and related materials include the following statements:

1. Applications for free and reduced-price meals may be submitted at any time during a schoolday.
2. Children participating in the federal National School Lunch Program will not be overtly identified by the use of special tokens, special tickets, special serving lines, separate entrances, separate dining areas, or by any other means.

The application packet shall include the following notifications and information using simple and culturally appropriate language:

1. A notification that if a child qualifies for free school lunches, then the child may qualify for free or reduced-cost health coverage.
2. A request for the applicant’s consent for the child to participate in the Medi-Cal program, if eligible for free school lunches, and to have the information on the school lunch application shared with the entity designated by the State Department of Health Care Services to make an accelerated determination and the local agency that determines eligibility under the Medi-Cal program.
3. A notification that the Charter School will not forward the school lunch application to the entity designated by the State Department of Health Care Services to make an accelerated determination and the local agency that determines eligibility under the Medi-Cal program, without the consent of the child’s parent or guardian.
4. A notification that the school lunch application is confidential and, with the exception of

forwarding the information for use in health program enrollment upon the consent of the child's parent or guardian, the Charter School will not share the information with any other governmental agency, including the federal Department of Homeland Security and the Social Security Administration.

5. A notification that the school lunch application information will only be used by the entity designated by the State Department of Health Care Services to make an accelerated determination and the state and local agencies that administer the Medi-Cal program for purposes directly related to the administration of the Medi-Cal program and will not be shared with other governmental agencies, including the federal Department of Homeland Security and the Social Security Administration for any purpose other than the administration of the Medi-Cal program.
6. Information regarding the Medi-Cal program, including available services, program requirements, rights and responsibilities, and privacy and confidentiality requirements.

If The SAE elects to post its free and reduced-price meals application online, it will include the following:

1. Include a link to the Internet Web site on which translated applications are posted by the United States Department of Agriculture, with instructions in that language that inform the applicant how to submit the application.
2. Require completion of only those questions necessary for determining eligibility.
3. Include clear instructions for families that are homeless or migrant.
4. Comply with the privacy rights and disclosure protections established by Public Laws 113-79 and 105-277.
5. Include links to all of the following:
 - (i) The online application to CalFresh.
 - (ii) The online single state application for health care.
 - (iii) The Internet Web page maintained by the State Department of Public Health entitled "About WIC and How to Apply," or another Internet Web page identified by the State Department of Public Health that connects families to the Special Supplemental Nutrition Program for Women, Infants and Children.
 - (iv) The Internet Web site of a summer lunch program authorized to participate within the city or school district.

Eligibility and ongoing eligibility shall be determined for the free and reduced-price meal program based on the criteria made available by the California Department of Education.

Direct Certification

Although every family should submit an application for free or reduced-price lunch, in certain circumstances, The SAE may be able to determine student eligibility without further application. The

SAE shall directly certify as eligible the following students:

1. Any child who is a member of a household receiving assistance under the supplemental nutrition assistance program as eligible for free lunches and/or free breakfasts under the Child Nutrition Act of 1966.
2. Any child who is a member of a household that receives CalWORKs (also known as Temporary Assistance for Needy Families or “TANF”) or CalFresh aid.
3. Any child who is a member of a household that receives the assistance of a Food Distribution program on Indian Reservations.
4. Any child identified as a foster, migrant, homeless or runaway youth, as defined by the California Education Code.

It is the policy of the Board that non-paying students shall not be shamed, treated differently, or served a meal that differs from the meal of a paying student. This Policy prohibits the Charter School from disciplining a student which would result in the denial or delay of a nutritionally adequate meal to that student.

Unpaid Meals

The SAE shall notify a parent/guardian of the negative balance of a student’s school meal account no later than ten (10) days after the account has reached a negative balance. Before sending this notification to the parent/guardian, The SAE will exhaust all options and methods to directly certify the student for free or reduced-price meals. The SAE shall ensure that a student who is eligible for a reimbursable meal whose parent or guardian has unpaid school meal fees is not denied a reimbursable meal of the student’s choice because of the fact that the student’s parent or guardian has unpaid meal fees.

In the event that The SAE determines that a student who has accrued a negative balance would have been eligible for free or reduced-price school meals, the Charter School shall credit such balance in accordance with this Policy. The SAE shall reimburse school meal fees paid by a student’s parent/guardian in the event that the student is subsequently determined to have qualified for free or reduced-price meals. In the event that The SAE is not able to directly certify the student, The SAE shall provide the parent or guardian with a paper copy of, or an electronic link to, an application with the notification and contact the parent or guardian to encourage application submission.

The SAE will not overtly identify any student with unrecovered or delinquent debt. Should it become necessary that The SAE take action to recover unpaid meal charges, The SAE shall not take any action directed at a student to collect unpaid school meal fees and the cost to recover such debt will not exceed the amount of the debt owed. The SAE may attempt to collect unpaid school meal fees from a parent or guardian, but shall not use a debt collector, as defined in Section 803 of the federal Consumer Credit Protection Act (15 U.S.C. Sec. 1692a). The SAE shall comply with the cost principles set forth in 2 C.F.R. section 200.426 and applicable law. The SAE’s collection policies for unpaid meal charges is consistent with The SAE’s collection procedures and policies for all debt, and with state agency guidance.

Confidentiality/Release of Records

All applications and records related to eligibility for the free and reduced-price meal program shall be confidential and may not be released except as provided by law and authorized by the Board or pursuant to a court order.

The Board authorizes designated employees to use individual records pertaining to student eligibility for the free and reduced-price meal program for the following purposes:

1. Disaggregation of academic achievement data
2. Identification of students eligible for alternative supports in any school identified as a Title 1 program improvement school

If a student transfers from the Charter School to another charter school, district, county office of education program, or private school, the Executive Director or designee may share the student's meal eligibility information to the other educational agency to assist in the continuation of the student's meal benefits.

The Executive Director or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to another charter school, school district, or county office of education that is serving a student living in the same household as an enrolled student for purposes related to program eligibility and data used in local control funding formula calculations.

The Executive Director or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to the Superintendent of Public Instruction for purposes of determining funding allocations under the local control funding formula and for assessing accountability of that funding.

The Executive Director or designee may release information on the school lunch program application to the local agency that determines eligibility for participation in the Medi-Cal program if the student has been approved for free meals and if the applicant consents to the sharing of this information.

The Executive Director or designee may also release information on the school lunch application to the local agency that determines eligibility for CalFresh or to an agency that determines eligibility for nutrition assistance programs if the student has been approved for free or reduced-price meals and if the applicant consents to the sharing of this information.

This information released shall adhere to the following requirements:

1. Individual indicators of participation in a free or reduced-price meal program shall not be maintained in the permanent record of any student, unless otherwise authorized by law.
2. The public release of information regarding individual student participation in a free or reduced-price meal program is not permitted.
3. All other confidentiality requirements imposed by law or regulation are met.

18. STUDENT WELLNESS POLICY

Board Policy #: SAE-BP-018

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

The Board of Directors of The School of Arts and Enterprise (“The SAE” or the “Charter School”) is committed to the optimal development of every student. The SAE believes that for students to have the

opportunity to achieve personal, academic, developmental and social success, we need to create positive, safe and health-promoting learning environments at every level, in every setting, throughout the school year.

Research shows that two components, good nutrition and physical activity before, during and after the school day, are strongly correlated with positive student outcomes. Conversely, less-than-adequate consumption of specific foods including fruits, vegetables and dairy products, is associated with lower grades among students. In addition, students who are physically active through active transport to and from school, recess, physical activity breaks, high-quality physical education and extracurricular activities – do better academically. Finally, there is evidence that adequate hydration is associated with better cognitive performance.

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

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

This Policy applies to all students and staff in The SAE. Specific measurable goals and outcomes are identified within each section below.

I. Charter School Wellness Committee

Committee Role and Membership

The SAE will convene a representative Charter School Wellness Committee (“Well-Com”), or work within an existing school health committee, that meets at least four (4) times per year to establish goals for and oversee school health and safety policies and programs, including development, implementation and periodic review and update of this Policy.

The Well-Com membership will represent all grade/school levels (elementary and secondary schools) and include (to the extent possible), but not be limited to: parents and caregivers; students; representatives of the school nutrition program (e.g., school nutrition director); physical education teachers; health education teachers; school health professionals (e.g., health education teachers, school health services staff [e.g., nurses, physicians, dentists, health educators, and other allied health personnel who provide

school health services], and mental health and social services staff [e.g., school counselors, psychologists, social workers, or psychiatrists]; school administrators (e.g., Executive Director, principal, assistant principal); school board members; health professionals (e.g., dietitians, doctors, nurses, dentists); and the general public. When possible, membership will also include Supplemental Nutrition Assistance Program Education coordinators (“SNAP-EDEDSNAP-Ed”). To the extent possible, the Well-Com will include representatives from each school building and reflect the diversity of the community.

Leadership

The Executive Director or designee(s) will convene the Well-Com and facilitate development of and updates to the Policy and will ensure each Charter School’s compliance with the Policy.

Additionally, the designated official for oversight of the Well-Com is: Jon Gundry, Executive Director jgundry@thesae.org.

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

Implementation Plan

Using the steps outlined below, The SAE will ensure the Charter School meets legal obligations regarding implementation of this Policy.

This Policy and the progress reports can be found at: thesae.k12.ca.us

Recordkeeping

The SAE will retain records to document compliance with the requirements of this policy in the main office. Documentation maintained in this location will include but will not be limited to:

- The written Policy.
- Documentation demonstrating that the Policy has been made available to the public.
- Documentation to demonstrate compliance with the annual public notification requirements and community involvement requirements.
- Documentation of the triennial assessment of the Policy.
- Documentation demonstrating the most recent assessment on the implementation of the Policy has been made available to the public.

Annual Notification of Policy

The SAE will actively inform families and the public each year of basic information about this Policy, including its content, any updates to the Policy, and implementation status. The SAE will make this information available via the Charter School website and/or Charter School-wide communications. The SAE will provide as much information as possible about the Charter School nutrition environment. This will include a summary of Charter School’s events or activities related to Policy implementation. Annually, The SAE will also publicize the name and contact information of the Charter School official(s) leading and coordinating the Well-Com, as well as information on how the public can get involved with the Well-Com.

Triennial Progress Assessments

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

- The extent to which the Charter School in compliance with this Policy;
- The extent to which the Charter School’s Policy compares to model wellness policies; and
- A description of the progress made in attaining the goals of the Charter School’s Policy.

The position/person responsible for managing the triennial assessment and contact information is: Jon Gundry, Executive Director, jgundry@thesae.k12.ca.us

The Well-Com/Executive Director will monitor the Charter School’s compliance with this Policy.

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

Revisions and Updating the Policy

The SAE will update or modify this Policy as appropriate based on the results of the annual Charter School Health Index and triennial assessments and/or as Charter School priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. This Policy will be assessed and updated as indicated at least every three (3) years, following the triennial assessment.

Community Involvement, Outreach and Communications

The SAE is committed to being responsive to community input, which begins with awareness of the Policy. The SAE will actively communicate ways in which representatives of Well-Com/the Charter School and others can participate in the development, implementation and periodic review and update of this Policy through a variety of means. The SAE will also inform parents of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs and how to apply, and a description of and compliance with Smart Snacks in Charter School nutrition standards.

The SAE will use electronic mechanisms, such as email or displaying notices on the Charter School’s website, as well as non-electronic mechanisms, such as newsletters, presentations to parents, or sending information home to parents, to ensure that all families are actively notified of the content of, implementation of, and updates to this Policy, as well as how to get involved and support the Policy. The Charter School will ensure that communications are culturally and linguistically appropriate to the community and accomplished through means similar to other ways that other local schools are communicating important school information with parents.

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

Nutrition

School Meals

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

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

- Are accessible to all students.
- Are appealing and attractive to children.
- Are served in clean and pleasant settings.
- Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations. (The SAE offers reimbursable school meals that meet USDA nutrition standards.)
- Menus will be posted on the School website or individual school websites and will include nutrient content and ingredients.
- Menus will be created/reviewed by a Registered Dietitian or other certified nutrition professional from where we order our NSLP
- School meals are administered by a team of child nutrition professionals.
- The school child nutrition program will accommodate students with special dietary needs.
- Students will be allowed at least 10 minutes to eat breakfast and at least 30 minutes to eat lunch.
- Students are served lunch at a reasonable and appropriate time of day.
- Lunch will follow the break period to better support learning and healthy eating.

Participation in federal child nutrition programs will be promoted among students and families.

Staff Qualifications and Professional Development

All SAE nutrition program directors, managers, and staff will meet or exceed hiring and annual continuing education/training requirements in the USDA professional standards for child nutrition professionals. These SAE school nutrition personnel will refer to USDA’s Professional Standards for School Nutrition Standards website to search for training that meets their learning needs.

Water

To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the school day and throughout every school campus. The SAE will make drinking water available where school meals are served during mealtimes.

Water cups will be available in the cafeteria if a drinking fountain is not present.

All water sources and containers will be maintained on a regular basis to ensure good hygiene and health safety standards.

Students will be allowed to bring and carry (approved) water bottles filled with only water with them throughout the day. Refill stations by water fountain.

Competitive Foods and Beverages

The school is committed to ensuring that all foods and beverages available to students on the school campus during the school day support healthy eating. The foods and beverages sold to students on campus during the school day (including the period from the midnight before, to 30 minutes after the end of the official school day) and served outside of the school meal programs (e.g., “competitive” foods and

beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits. A summary of the standards and information, as well as a Guide to Smart Snacks in Schools are available at: <http://www.fns.usda.gov/healthierschoolday/tools-schools-smart-snacks>. The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at www.foodplanner.healthiergeneration.org.

To support healthy food choices and improve student health and well-being, all foods and beverages outside the reimbursable School meal programs that are sold to students on the School campus during the school day will meet or exceed the USDA Smart Snacks nutrition standards. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, the vending machines.

Celebrations and Rewards

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

1. Celebrations and parties. The school will provide a list of healthy party ideas to parents and teachers, including non-food celebration ideas. Healthy party ideas are available from the USDA.
2. Classroom snacks brought by parents. The District will provide to parents a list of foods and beverages that meet Smart Snacks nutrition standards.
3. Foods and beverages will not be used as a reward or withheld as punishment for any reason, such as for performance or behavior. The SAE will provide teachers and other relevant school staff a list of alternative ways to reward students.

Fundraising

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus* during the school day*. The SAE will make available to parents and teachers a list of healthy fundraising ideas.

Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout schools, classrooms, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented in the classroom by teachers and school staff.

The school will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will occur through at least:

Implementing at least ten evidence-based healthy food promotion techniques through the school meal programs using Smarter Lunchroom techniques described above; and Ensuring 100% of

foods and beverages promoted to students meet the USDA Smart Snacks in School nutrition standards.

Nutrition Education

The District will teach, model, encourage and support healthy eating by all students. Schools will provide nutrition education and engage in nutrition promotion that:

- Is designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Is part of not only health/physical education classes, but also integrated into other classroom instruction through subjects such as math, science, language arts, social sciences and elective subjects;

Food and Beverage Marketing in Schools

The school is committed to providing an environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The school strives to teach students how to make informed choices about nutrition.

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the USDA Smart Snacks in School nutrition program.

As the school nutrition services department reviews existing contracts and considers new contracts, equipment and product purchasing (and replacement) decisions should reflect the applicable marketing guidelines established by this Policy.

1. Physical Activity

Students should participate in at least 60 minutes of physical activity every day. A substantial percentage of students' physical activity can be provided through a comprehensive school physical activity program. We offer a variety of dance classes, physical education and active theatre classes to keep our students fit. We also have a walk-over to and from Main campus to DTC which is a 7 minute walk daily one way.

To the extent practicable, the school will ensure that its grounds and facilities are safe and that equipment is available to students to be active. The school will conduct necessary inspections and repairs.

Physical Education

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

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

All secondary students (middle and high school) are required to take the equivalent of one academic year of physical education. In middle school students take dance or active theater.

Active Academics

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

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

Active Transport

The school will support active transport to and from school, such as walking or biking. The school will encourage this behavior by engaging in *six or more* of the activities below; including but not limited to: Designate safe or preferred routes to walk to other campuses

III. Other Activities that Promote Student Wellness

The school will integrate wellness activities across the entire school setting, not just in the cafeteria, other food and beverage venues and physical activity facilities.

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

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

All school-sponsored events will adhere to the wellness policy guidelines. All school-sponsored wellness events will include physical activity and healthy eating opportunities when appropriate.

Community Partnerships

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

Community Health Promotion and Family Engagement

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

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

Staff Wellness and Health Promotion

The SAE will have a staff wellness subcommittee that focuses on staff wellness issues, identifies and disseminates wellness resources and performs other functions that support staff wellness in coordination with human resources staff.

Professional Learning

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

19. Educational Records and Student Information Policy

Board Policy #: SAE-BP-019

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

The Board of Directors of The SAE (“The SAE” or the “Charter School”), a California nonprofit public benefit corporation operating public charter schools, adopts this Educational Records and Student Information Policy to apply to all educational records and student information maintained by The SAE.

Definitions

- *“Education Record”*: An education record is any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche that directly relates to a student and is maintained by The SAE or by a party acting for The SAE. Such information includes, but is not limited to:
 1. Date and place of birth; parent and/or guardian’s address, mother’s maiden name and where the parties may be contacted for emergency purposes;
 2. Grades, test scores, courses taken, academic specializations and school activities;
 3. Special education records;
 4. Disciplinary records;
 5. Medical and health records;
 6. Attendance records and records of past schools attended; and/or
 7. Personal information such as, but not limited to, a student’s name, the name of a student’s parent or other family member, student identification numbers, social security numbers, photographs, biometric record or any other type of information that aids in identification of a student.

An education record does not include any of the following:

1. Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
 2. Records maintained by a law enforcement unit of The SAE that were created by that law enforcement unit for the purpose of law enforcement;
 3. In the case of a person who is employed by The SAE but not in attendance at The SAE, records made and maintained in the normal course of business, relate exclusively to the individual in that individual's capacity as an employee and are not available for any other purpose;
 4. Records of a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are: a) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in their professional capacity or assisting in a paraprofessional capacity; b) made, maintained, or used only in connection with treatment of the student; and c) disclosed only to individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at The SAE;
 5. Records that only contain information about an individual after the individual is no longer a student at The SAE; or
 6. Grade on peer-graded papers before they are collected and recorded by a teacher.
- *"Personally Identifiable Information"*: Personally identifiable information ("PII") is information about a student that is contained in their education records that cannot be disclosed without compliance with the requirements of Family Educational Rights and Privacy Act of 2001 ("FERPA"). PII includes, but is not limited to: a student's name; the name of a student's parent or other family member; the address of a student or student's family; a personal identifier, such as the student's Social Security number, student number or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who The SAE reasonably believes knows the identity of the student to whom the education record relates.
 - *"Parent"*: Parent means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
 - *Eligible Student*: Eligible student means a student who has reached eighteen (18) years of age.
 - *"Legitimate Educational Interest"*: A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility.
 - *"School Official"*: A school official is a person employed by Charter School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the Board of Directors of the Charter School. A school official also may include a volunteer for Charter School or an independent contractor of Charter School or other party who performs an institutional service or function for which Charter School would otherwise use its own employees and who is under the direct control of Charter School with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an

official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing their tasks.

Copies of Education Records

Parents and eligible students have the right to review the student's education records. If parents/guardians would like to examine a child's record, the parents/guardians should submit a request in writing to the Executive Director or designee. The SAE will make the records available within five (5) business days of receipt of a written request. The SAE may charge reasonable fees for copies it provides to parents or eligible students. However, no charge shall be made for furnishing (1) up to two transcripts of former students' records or (2) up to two verifications of various records of former students. The charge will not include a fee to search for or to retrieve the education records.

Disclosure of Educational Records and Directory Information

The School must have a signed and dated written consent from the parent or eligible student before releasing any non-directory information from a student's education record except to the extent that FERPA authorizes disclosure without consent. The written permission must specify the records that may be disclosed, the purpose of the disclosure and the party or class of parties to whom the disclosure may be made. When disclosure is made pursuant to written permission, the parent or eligible student may request a copy of the disclosed records and The SAE shall provide the requestor with a copy of the records disclosed upon request. Signed and dated written consent may include a record and signature in electronic form if it identifies and authenticates a particular person as the source of the electronic consent and indicates such person's approval of the information contained in the electronic consent.

The SAE will only disclose PII on the condition that the receiving party not disclose the information to any party without the prior written consent of the parent or eligible student and that the receiving party use the information for the purposes for which the disclosure was made. This restriction does not apply to disclosures that fall within the disclosure exceptions listed below. The SAE must maintain the appropriate records related to these disclosure exceptions, as described below. Except for disclosures pursuant to a warrant, judicial order or lawfully issued subpoena, or directory information or to parents or eligible students, The SAE will inform a receiving party of the requirement that the party not disclose the information to any other party without the prior written consent of the parent or eligible student and that the receiving party use it for the purpose for which the disclosure was made. Note specifically that The SAE will not release information to third parties for immigration-enforcement purposes, except as required by law or court order.

The SAE may disclose educational records without obtaining prior written consent of the parent or the eligible student to the following parties:

1. School officials who have a legitimate educational interest as defined by 34 Code of Federal Regulations ("C.F.R.") Part 99.
2. Other schools to which a student seeks or intends to enroll so long as the disclosure is for purposes related to the student's enrollment or transfer. When a student transfers schools, The SAE will mail the original or a copy of a student's cumulative file to the receiving district or private school within ten (10) school days following the date the request is received from the public school or private school where the student intends to enroll. The SAE will make a reasonable attempt to notify the parent or eligible student of the request for records at their last known address, unless the disclosure is initiated by the parent or eligible student. Additionally,

The SAE will give the parent or eligible student, upon request, a copy of the record that was disclosed and give the parent or eligible student, upon request, an opportunity for hearing pursuant to Section (IV)(3) above;

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

Directory Information

FERPA requires that the School, with certain exceptions, obtain a parent/guardian or eligible student signed and dated written consent prior to the disclosure of any non-directory information from your child's education records except as provided within this policy. However, the School may disclose appropriately designated "directory information" without written consent, unless a parent/guardian or eligible student has advised the School to the contrary in accordance with this policy.

"Directory information" is information that is generally not considered harmful or an invasion of privacy if released. Directory information can be disclosed to outside organizations without a parent/guardian's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. The School has designated the following information as directory information:

1. Student's name
2. Student's address

3. Parent/guardian's address
4. Telephone listing
5. Student's electronic mail address
6. Parent/guardian's electronic mail address
7. Photograph
8. Date and place of birth
9. Dates of attendance
10. Grade level
11. Participation in officially recognized activities and sports
12. Weight and height of members of athletic teams
13. Degrees, honors, and awards received
14. The most recent educational agency or institution attended
15. Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.)

At the beginning of each school year, The SAE shall provide parents and eligible students with a notice containing the following information: 1) The type of PII it designates as directory information; 2) The parent's or eligible student's right to require that The SAE not release "directory information" without obtaining prior written consent from the parent or eligible student; and 3) The period of time within which a parent or eligible student must The SAE in writing of the categories of "directory information" that it may not disclose without the parent's or eligible student's prior written consent. The SAE will continue to honor a valid request to opt out of the disclosure of a former student's directory information made while the former student was in attendance unless the student rescinds the opt out request. Please notify:

Jon Gundry, Executive Director
 The School of Arts and Enterprise 295 N. Garey Ave.
 Pomona, CA 91767
 (909) 622- 0699

Complaints

If parents/guardians and eligible students believe The SAE is not in compliance with federal regulations regarding privacy, they have the right to file a complaint with the Family Policy Compliance Office of the U.S. Department of Education at 400 Maryland Avenue, SW, Washington, DC 20202-4605.

Pupil Record Challenges

Following an inspection and review of a pupil's records, the parent or guardian of a pupil or former pupil of a school district may challenge the content of any pupil record. To challenge a pupil record, a parent/guardian or eligible student must file a written request with the Executive Director to correct or remove any information recorded in the written records concerning his or her child which the parent alleges to be any of the following:

- 1) Inaccurate
- 2) An unsubstantiated personal conclusion or inference
- 3) A conclusion or inference outside of the observer's area of competence
- 4) Not based on the personal observation of a named person with the time and place of the observation noted

- 5) Misleading
- 6) In violation of the privacy or other rights of the pupil

A parent/guardian or eligible student may use a pupil record challenge to appeal a suspension of a pupil which has already been served.

Within 30 days of receipt of a written request from a parent/guardian, the Executive Director or the Executive Director's designee must meet with the parent/guardian or eligible student and the certificated employee who recorded the information in question, if any. The Executive Director must then sustain or deny the parent/guardian or eligible student's request and provide a written statement of the decision to the parent/guardian or eligible student.

If the Executive Director sustains any or all of the allegations, he or she must order the correction or the removal and destruction of the information. The Executive Director or Executive Director's designee must then inform the parent/guardian or eligible student of the amendment in writing.

If the Executive Director denies any or all of the allegations and refuses to order the correction or the removal of the information, the Executive Director must inform the parent/guardian or eligible student of their right to a hearing under FERPA.

Hearing to Challenge Education Record

If Charter School denies a parent or eligible student's request to amend an education record, the parent or eligible student may, within 30 days of the refusal, request in writing that the parent or eligible student be given the opportunity for a hearing to challenge the content of the student's education record on the grounds that the information contained in the education record is: inaccurate, misleading, or in violation of the privacy rights of the student.

Within 30 days of receipt of a written appeal from a parent, the Board of Directors will hold a formal hearing, in closed session, with the parent/guardian, eligible student, the certificated employee who recorded the information in question, if any. The Board of Directors will give the parent/guardian or eligible student notice of the date, time, and place of the hearing no later than twenty (20) days before the hearing. The Chair of the Board will serve as the chairman and shall not be required to use formal rules of evidence or procedure. The Board of Directors will give the parent/guardian or eligible student a full and fair opportunity to present evidence relevant to the requested amendment of pupil records. The parent/guardian or eligible student may, at their own expense, be assisted or represented by one or more individuals of their choice, including an attorney.

Within thirty (30) days after the conclusion of the hearing, The SAE's decision regarding the challenge will be made in writing and will include a summary of the evidence and the reasons for the decision. The Board of Directors' decision will be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision. If the Board of Directors sustains any or all of the allegations, it must order the correction or the removal and destruction of the information and shall inform the parent or eligible student of the amendment in writing.

The decision of the Board of Directors shall be final.

The Executive Director or the Board Chairman may convene a hearing panel to assist in making determinations regarding pupil record challenges provided that the parent/guardian has given written consent to release information from the pupil's records to the members of the panel convened. The hearing panel shall consist of the following persons:

- 1) The Executive Director of a public school other than the public school at which the record is on file
- 2) A certificated employee
- 3) A parent appointed by the Executive Director or by the Board of Directors, depending upon who convenes the panel.

If, as a result of the hearing, Charter School decides that the information in the education record is not inaccurate, misleading, or in violation of the privacy rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why they disagree with the decision of The SAE, or both. If The SAE places a statement by the parent or eligible student in the education records of a student, it will maintain the statement with the contested part of the record for as long as the record is maintained and disclose the statement whenever it discloses the portion of the record to which the statement relates.

Annual Notification To Parents And Eligible Students

At the beginning of each school year, in addition to the notice required for directory information, Charter School shall provide eligible students currently in attendance and parents of students currently in attendance with a notice of their rights under the FERPA. The notice shall inform the parents and eligible students that they have the right to:

- 1) Inspect and review the student's education records;
- 2) Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading or otherwise in violation of the student's privacy rights;
- 3) Consent to disclosures of PII contained in the student's education records, except to the extent that disclosure is permitted without prior written consent pursuant to FERPA;
- 4) File with the U.S. Department of Education a complaint concerning alleged failures by The SAE to comply with the requirements of FERPA and its promulgated regulations; and
- 5) Request that The SAE not release student names, addresses and telephone listings to military recruiters or institutions of higher education without prior written parental consent.

The notice must also include the following:

- 1) The procedure for exercising the right to inspect and review educational records;
- 2) The procedure for requesting amendment of records;
- 3) A statement that The SAE forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer; and
- 4) The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

Record Keeping Requirements

The SAE will maintain a record of each request for access to and each disclosure of PII from the education records of each student for as long as the records are maintained. For each request, the record must include the following information: the parties who have requested or received the information and the legitimate interests the parties had in requesting or obtaining the information.

For disclosures of PII to institutions that make disclosures of the information on behalf of The SAE in accordance with 34 C.F.R. § 99.33(b), the record must include the names of the additional parties to which the receiving party may disclose the information on behalf of The SAE and the legitimate interests that each of the additional parties has in requesting or obtaining the information.

These record keeping requirements do not apply to requests from or disclosure to parents or eligible students, The SAE officials with a legitimate purpose of inspecting the records, a party with written consent from the parent or eligible student, a party seeking directory information, or a party seeking or receiving the records as directed by a court order or subpoena.

The records relating to disclosures of student PII may be inspected by parents and eligible students, The SAE officials (or their assistants) responsible for the custody of the records, and parties authorized by regulations for the purpose of auditing the recordkeeping procedures of Charter School.

Student cumulative records may not be removed from the premises of The SAE, unless the individual removing the record has a legitimate educational interest, and is authorized by the Executive Director, or by a majority of a quorum of the Board of Directors at a duly agendized meeting. Employees who remove student cumulative records or other student records from The SAE premises without a legitimate educational interest and authorization may be subject to discipline. Employees are permitted to take student work-product, or other appropriate student records, off premises without authorization for legitimate academic purposes (e.g. grading work-product, assigning credit, reviewing materials for classroom discussion, etc.).

Complaints

Parents and eligible students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by Charter School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-5920

Record Retention

Charter School complies with the definition and retention of student records as established in Title 5 of the California Code of Regulations (“CCR”) sections 431 through 438, per the following:

- “*Mandatory Permanent Student Records*”: must be maintained indefinitely or an exact copy thereof for every student who was enrolled in the charter school. These records are defined as:
 1. Legal name of student
 2. Date of birth
 3. Method of verification of birth date

4. Sex of student
5. Place of birth
6. Name and address of parent of minor student
7. Address of minor student if different than above
8. An annual verification of the name and address of the parent and the residence of the student
9. Entering and leaving date of each school year and for any summer session or other extra session Subjects taken during each year, half year, summer session or quarter
10. If marks or credit are given, the mark or number of credits toward graduation allows for work taken.
11. Verification of or exemption from required immunizations
12. Date of high school graduation or equivalent

The mandatory permanent student record or a copy thereof shall be forwarded by the Charter School upon request of a public or private school in which the student has enrolled or intends to enroll. If the Charter School forwards the original mandatory permanent student record, a copy must be maintained by the Charter School. If the Charter School forwards a copy, the original must be maintained by the Charter School.

- “*Mandatory Interim Student Records*”: Must be maintained until judged to be disposable defined as “when the student leaves the charter school or when their usefulness ceases.” These records may be destroyed during the third (3rd) school year following the determination that the records are disposable (i.e. 2019-2020 records may be destroyed after July 1, 2023). These records are defined as:
 1. A log or record identifying those persons (except authorized school personnel) or organizations requesting or receiving information from the record. The log or record shall be accessible only to the legal parent or guardian or the eligible student, or a dependent adult student, or an adult student, or the custodian of records.
 2. Health information, including Child Health Developmental Disabilities Prevention Program verification or waiver
 3. Participation in special education programs including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge
 4. Language training records
 5. Progress slips and/or notices
 6. Parental restrictions regarding access to directory information or related stipulations.
 7. Parental or adult student rejoinders to challenged records and to disciplinary action
 8. Parental authorizations or prohibitions of student participation in specific programs
 9. Results of standardized tests administered within the preceding three years

The mandatory interim student record or a copy thereof shall be forwarded by the Charter School upon request of a public school in California in which the student has enrolled or intends to enroll. If the transfer is to an out of state or to a private school, the mandatory interim student record may be forwarded. If the Charter School forwards the original mandatory interim student record, a copy must be maintained by the Charter School until it is destroyed in accordance with this Policy. If the Charter School forwards a copy, the original must be maintained by the Charter School until destroyed in accordance with this Policy.

- “*Permitted Student Records*”: may be maintained and may be destroyed when their usefulness ceases or after six (6) months following the student’s completion or withdrawal from school. These records are defined as:
 1. Objective counselor and/or teacher ratings
 2. Standardized test results older than three years
 3. Routine discipline data
 4. Verified reports of relevant behavioral patterns
 5. All disciplinary notices
 6. Attendance records not covered in the 5 CCR § 400

Permitted student records may be forwarded upon a request by a public or private school in which a student is enrolling. If the Charter School forwards the original permitted student record, a copy must be maintained by the Charter School until it is destroyed in accordance with this Policy. If the Charter School forwards a copy, the original must be maintained by the Charter School until destroyed in accordance with this Policy.

Charter School shall update a **former** pupil’s records to include the pupil’s updated legal name or gender if the school district, charter school, or county office of education receives government-issued documentation, as described, demonstrating that the former pupil’s legal name or gender has been changed.

20. Student Freedom of Speech and Expression Policy

Board Policy #: SAE-BP-020

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

The Board of Directors of The School of Arts and Enterprise (“The SAE” or the “Charter School”) respects students’ rights to express ideas and opinions, take stands, and support causes, whether controversial or not, through their speech, writing, printed materials, including the right of expression in official publications, and/or the wearing of buttons, badges and other insignia.

Definitions

1. “*Obscenity*”: when the (1) average person applying current community standards finds the work as a whole appeals to the prurient interest, (2) the work is patently offensive, and (3) the work lacks serious literary, artistic, political, or scientific value. Examples include pornography or sexually explicit material.
2. “*Defamation*”: Libel (written defamation) and Slander (oral defamation), which includes but is not limited to inaccurately attributing a statement to another, either on purpose for public officials (which includes Charter School staff) or by mistake for private officials, that mischaracterizes the statement.
3. “*Discriminatory Material*”: material that demeans a person or group because of the person/group’s disability, pregnancy, gender, gender identity, gender expression, nationality, ancestry, race or ethnicity, immigration status, religion, religious affiliation, sexual orientation, childbirth or related medical conditions, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or any other basis protected by

federal, state, local law, ordinance or regulation that has the purpose of humiliating, offending, or provoking a person/group.

4. *“Harassment (including sexual harassment), Intimidation and/or Bullying”*: severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act. Bullying includes one or more acts committed by a student or group of students that may constitute sexual harassment, hate violence, or creates an intimidating and/or hostile educational environment, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following: (1) placing a reasonable student or students in fear of harm to that student’s or those students’ person or property, (2) causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health, (3) causing a reasonable student to experience a substantial interference with his or her academic performance, (4) causing a reasonable student 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.
5. *“Fighting Words”*: words likely to cause (1) the average person to fight or (2) the creation of a clear and present danger of violence, unlawful acts in violation of lawful school regulations, or the substantial disruption of school.
6. *“Vulgarity and/or Profanity”*: the continual use of curse words by a student, even after warning.
7. *“Violating Privacy”*: publicizing or distributing confidential or private material without permission.

On-Campus Expression

Student free speech rights include, but are not limited to, the use of bulletin boards, the distribution of printed materials or petitions, the wearing of buttons, badges, and other insignia, and the right of expression in official publications, whether or not the publications or other means of expression are supported financially by the school or by use of school facilities. Student expression on the Charter School website and online media shall generally be afforded the same protections as print media within the Policy.

Student freedom of expression shall be limited only as allowed by law in order to maintain an orderly school environment and to protect the rights, health, and safety of all members of the school community. Unprotected Expression includes the following: obscenity; defamation; discriminatory material; harassment (including sexual harassment), intimidation and/or bullying; fighting words; vulgarity and/or profanity; or violating privacy as defined above. Also prohibited shall be material that incites a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations or the substantial disruption of the orderly operation of the Charter School.

Distribution of Circulars, Un-Official Newspapers, and Other Printed Matter

Students shall be allowed to distribute circulars, leaflets, newspapers, and pictorial or other printed matter, and to circulate petitions, subject to the following specific limitations:

1. Leaflets, pictorial and other printed matter to be distributed shall be submitted to The SAE school site Executive Director or designee at least one school day prior to distribution. The SAE Executive Director or designee shall review material submitted in a reasonable amount of time and shall allow the approved material to be distributed according to the time and manner established by this Policy. Any student may appeal the decision of the SAE Executive Director or designee to the Board who shall render a decision within a reasonable period of time after receipt

of the appeal. The appeal by the student must be made within five (5) school days from the time the unsatisfactory decision was rendered.

2. Distribution, free or for a fee, may take place at any time except during instructional time and providing there is no substantial disruption in the school programs (as determined by The SAE school site Executive Director or designee). Distribution should not occur in locations that disrupt the normal flow of traffic within the school or at school entrances.
3. The manner of distribution shall be such that coercion is not used to induce students to accept the printed matter or to sign petitions.

The solicitation of signatures must not take place in instructional classes or school offices, nor be substantially disruptive to the school program (as determined by The SAE Executive Director or designee).

The SAE Executive Director or designee shall work with student government representatives in the development of these procedures. Student responsibilities shall be emphasized.

Official School Publications

1. Pupil editors of official school publications shall be responsible for assigning and editing the news, editorial, and feature content of their publications subject to the limitations of this policy. "Official school publications" refers to material produced by students in the journalism, newspaper, yearbook, or writing classes and distributed to the student body either free or for a fee. However, it shall be the responsibility of the adviser or advisers of pupil publications to supervise the production of the pupil staff, to maintain professional standards of English and journalism, and to maintain the provisions of this section. The journalism staff adviser(s) shall help the student editors judge the literary value, newsworthiness and propriety of materials submitted for publication.
2. There shall be no prior restraint of material prepared for official school publications except insofar as it violates this policy. The SAE officials shall have the burden of showing justification without undue delay prior to a limitation of student expression under this Policy. If the journalism staff adviser(s) consider material submitted for publication to violate this Policy, he or she will notify the student without undue delay and give specific reasons why the submitted material may not be published. The student should be given the opportunity to modify the material or appeal the decision of the journalism staff adviser to the Charter School Executive Director.

Buttons, Badges, and Other Insignia of Symbolic Expression

Students shall be permitted to wear buttons, badges, armbands, and other insignia as a form of expression, subject to the prohibitions enumerated in this Policy.

Posted Materials

Students will be provided with bulletin boards, upon request and subject to availability, for use in posting student materials on campus locations convenient to student use. Where feasible, the location and quantity of such bulletin boards shall be by mutual agreement of student government representatives and The SAE administration. Posted material must be in compliance with other sections of this Policy, particularly

regarding the distribution of materials and prohibited speech. Students may not post or distribute materials regarding the meetings of non-curricular student-initiated groups.

Organized Demonstrations

Students have the right to lawful organized on-campus demonstrations, subject to the provisions of this Policy and applicable law. Demonstrations that incite pupils to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or demonstrations that substantially disrupt the orderly operation of the school are prohibited.

No individual student may demonstrate in the name of the school or as an official school group at any time unless authorized by the school to participate in the activity.

No student may participate in an organized demonstration that occurs during the hours of mandatory school attendance unless sanctioned by the SAE and supervised by a designated SAE employee. Missing school to attend an organized demonstration is not an excused absence. The SAE will follow its Attendance Policy when determining consequences for students which may include but are not limited to detention, a low grade for a missed test, or receiving a truancy letter. The SAE will follow its Suspension and Expulsion Policy when determining consequences for students if Charter School policy is violated.

Student Speeches

If a student is selected to speak at a Charter School sponsored event, including but not limited to graduation or school assemblies, Charter School has the right to review the pre-prepared speech to ensure that unprotected speech is not included. If unprotected speech is included, the student will be given the opportunity to revise the speech or deliver a modified speech. If not revised or removed, the student will not be permitted to speak at the Charter School sponsored event.

Off-Campus Expression

Off-campus student expression, including but not limited to student expression on off-campus internet web sites, is generally constitutionally protected but shall be subject to discipline when there is a sufficient nexus between the speech and the school.

Relevant considerations include:

1. The degree and likelihood of harm to the Charter School (staff, students, volunteers, and/or property) caused or augured by the expression,
2. Whether it is reasonably foreseeable that the expression would reach and impact the Charter School, and
3. The relation between the content and/or context of the expression and the Charter School. There is always a sufficient nexus between the expression and the Charter School when the Charter School reasonably concludes that it faces a credible, identifiable threat of school violence.

The Charter School Executive Director or designee shall document the impact the expression had or could be expected to have on the educational program. Off-campus expression that results in the material disruption of classwork or involves substantial disorder or invasion of the rights of others may be subject to discipline.

Off-campus expression may result in discipline if the expression involves but is not limited to:

- a. Serious or severe bullying or harassment targeting particular individuals;
- b. Threats aimed at teachers or other students;
- c. The failure to follow rules concerning lessons, the writing of papers, the use of computers, or participation in other online school activities; or
- d. Breaches of school security devices.

Enforcement

1. Upon learning that students are considering actions in the areas covered by this Policy, they will be informed of the possible consequences of their action under each specific circumstance. The SAE Executive Director shall ensure that due process is followed when resolving disputes regarding student freedom of expression.
2. This Policy does not prohibit or prevent The SAE Governing Board from adopting otherwise valid rules and regulations relating to oral communications by pupils upon the premises of each The SAE school.
3. No SAE employee shall be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a pupil engaged in the conduct authorized under this Policy, or refusing to infringe upon conduct that is authorized under this Policy, the First Amendment to the United States Constitution, or Section 2 of Article I of the California Constitution.
4. The SAE shall not make or enforce a rule subjecting a student to disciplinary sanctions solely on the basis of conduct that is speech or other communication that, when engaged in outside of the campus, is protected from governmental restriction by the First Amendment to the United States Constitution or Section 2 of Article I of the California Constitution.

Complaints

The following procedures shall be used to address general disputes regarding student freedom of speech and expression:

1. The student and faculty member shall first attempt to resolve the problem internally.
2. If the student and faculty member are unable to resolve the dispute, the student and/or faculty member may bring the matter to the Charter School Executive Director or designee, who shall hear both sides and strive to resolve the dispute as quickly as possible.
3. Any student or faculty member may appeal the decision of the Charter School Executive Director or designee to the Board who shall render a decision within a reasonable period of time after receipt of the appeal. The appeal by the student must be made within five (5) school days from the time the unsatisfactory decision was rendered.

A student who feels their freedom of expression was unconstitutionally limited and/or limited on the basis of discrimination may file a complaint with the SAE through following the Charter School's General Complaint Policies and Procedures.

21. Title I Parental Involvement Policy

Board Policy #: SAE-BP-021

Adopted/Ratified: September 24th, 2020

Revision Date: September 9, 2021

The School of Arts and Enterprise (“The SAE” or the “Charter School”) has developed a written Title I Parental Involvement Policy with input from Title I parents. Through parent and stakeholder input, The SAE has distributed the policy to parents of Title I students by including it in the Parent-Student Handbook, posting it on the school’s website (TheSAE.k12.ca.us) and having copies readily available in the office. This Policy describes the means for carrying out the following Title I parental involvement requirements.

The SAE Expectations and Objectives

In establishing the Charter School’s expectations and objectives for meaningful parent and family involvement, The SAE has established the following practices:

1. The SAE involves parents and family members in the joint development of the Charter School’s Parent and Family Engagement Plan.
2. The SAE provides the coordination, technical assistance, and other support necessary to assist and build the capacity within the Charter School in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education.
3. The SAE coordinates and integrates parent and family engagement strategies to the extent feasible and appropriate, with other relevant federal, state, and local laws and programs.
4. The SAE conducts, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the Policy in improving the academic quality at the Charter School.
5. The SAE conducts, with the meaningful involvement of parents and family members, an annual evaluation of barriers to greater participation by parents/families (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background).
6. The SAE conducts, with the meaningful involvement of parents and family members, an annual evaluation of the needs of parents and family members to assist with the learning of their children, including engaging with Charter School personnel and teachers.
7. The SAE conducts, with the meaningful involvement of parents and family members, an annual evaluation of strategies to support successful Charter School and family interactions.
8. The SAE uses the findings of the annual evaluation to design evidence-based strategies for more effective parental and family engagement, and to revise, if necessary, the Parent and Family Engagement Policy.
9. The SAE involves parents in the activities of the Charter School to adequately represent the needs of the population.

Involvement of Parents in the Title I Program

To involve parents in the Title I program at The SAE, the following practices have been established:

1. The School As a Whole (SAW) will convene an annual meeting to inform parents of Title I students about Title I requirements and about the right of parents to be involved in the Title I program.
 - a. 4 SAW Meetings to take place at least once per quarter throughout the school year.
 - b. 1 English Language Learner (EL) Empowerment Night to take place during the 2nd semester.
2. The SAE offers a flexible number of meetings for Title I parents, such as meetings in the morning or evening.
 - a. Coffee with The Director Meetings to be held monthly from September to May throughout the school year
 - b. Parent Conferences are held throughout the year based on student/parent need
 - c. Meet your Major Nights are held in the evenings at the beginning of the school year
 - d. SAW meetings are held in the evening, quarterly
3. The SAE involves parents of Title I students in an organized, ongoing, and timely way, in the planning, review, and improvement of the school's Title I programs and the Title I Parental Involvement Policy.
 - a. School Board Meetings held at least quarterly
 - b. School Site Council (SSC) meetings held at least monthly
4. The SAE provides parents of Title I students with timely information about Title I programs.
 - a. ParentSquare communication platform
 - b. Home Mailers
 - c. Website Updates
5. The SAE provides parents of Title I students with a description and explanation of the curriculum used at the Charter School, the assessments used to measure student progress, and the proficiency levels students are expected to meet.
 - a. Back to School Night
 - b. Parent Conferences held twice a year and at parent/teacher/student discretion
 - c. EL Empowerment Night held during the 2nd Semester
6. If requested by parents of Title I students, The SAE provides opportunities for regular meetings that allow the parents to formulate suggestions and to participate in decisions relating to the education of their children.
 - a. 504/SST/IEP Meetings (if applicable)
 - b. Parent Conferences held twice a year and at parent/teacher/student discretion

The policy must be updated periodically to meet changing needs of parents and the School. If The SAE has a process in place for involving parents in planning and designing the Charter School's programs, the school may use that process if it includes adequate representation of parents of Title I children.

The SAE Family Compact

The SAE distributes to parents of Title I students "The SAE Family Compact." The Compact, which has been jointly developed with parents, outlines how parents, the entire Charter School staff, and students will share the responsibility for improved student academic achievement. It describes specific ways the Charter School and families will partner to help children achieve the State's high academic standards. It addresses the following legally required items, as well as other items suggested by parents of Title I students.

- The SAE's responsibility to provide high-quality curriculum and instruction to meet the challenging State academic standards.

- The ways parents will be responsible for supporting their children’s learning, volunteering in the classroom, and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time.
- The importance of ongoing communication between parents and teachers through, at a minimum, annual parent-teacher conferences; frequent reports on student progress; access to staff; opportunities for parents to volunteer and participate in their child’s class; and opportunities to observe classroom activities and ensuring regular communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.
- A commitment to ensuring regular and on-time attendance of all stakeholders.

Building Capacity for Involvement

The SAE engages Title I parents in meaningful interactions with the School. The School supports a partnership among staff, parents, and the community to improve student academic achievement. To help reach these goals, The SAE has established the following practices.

1. The SAE provides Title I parents with assistance in understanding the State’s challenging academic content standards, state and local assessments, and how to monitor and improve the achievement of their children.
 - a. Parent Conferences are held throughout the year based on student/parent need.
 - b. Mastery Learning assessments
2. The SAE provides Title I parents with materials and training, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to foster parental involvement, to help them work with their children to improve their children’s achievement.
 - a. PowerSchool Parent training to be held during Back to School Night and SAW Meetings
 - b. ParentSquare informational videos
 - c. Technology Agreement
3. With the assistance of Title I parents, The SAE educates staff members about the value of parent contributions, and in how to reach out, communicate with, and work with parents as equal partners to implement and coordinate parent programs and build ties between parents and the Charter School.
 - a. Invite a parent to participate on the School Site Council board.
 - b. Invite parents to SAW meetings and help participate & evaluate school programs
 - c. Coffee with Director encourages parents to provide ideas and feedback.
4. The SAE coordinates and integrates the Title I parental involvement program with other programs, and conducts other activities, such as parent resource centers, to encourage and support parents in more fully participating in the education of their children.
 - a. School events are accessible to all and encourages all parents to attend.
 - b. School informational handouts are available on all campus locations.
5. The SAE distributes information related to Charter School and parent programs, meetings, and other activities to Title I parents in a format and language that the parents understand.
 - a. The school website, Parent Portals with PowerSchool (SIS system) and ParentSquare (online communications system) Spanish version are available on website and ParentSquare mediums.
 - b. Mailers include year-long calendar, quarterly newsletters, flyers, upcoming events information, school signage, teacher notifications. All printed materials are in Spanish and English.

6. The SAE provides support for parental involvement activities requested by Title I parents.
 - a. Parents are invited to all school culminations, to include both academic and arts focus learning objectives
 - b. Parents are encouraged to attend school wide stakeholder meetings such as SAW, EL Empowerment, orientation, awards events.

Accessibility

The SAE provides opportunities for the participation of all Title I parents and family members, including parents/family with limited English proficiency, parents with disabilities, and parents of migratory students. Information and school reports are provided in a format and language that parents/family understand, including by:

- Formal document translation
- Translation during all parent meetings
- Facilities are accessible to all parents
- There are no costs associated with parental involvement

22. NONDISCRIMINATION STATEMENT

Board Policy #: SAE-BP-022

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

The School of Arts and Enterprise (“The SAE”) does not discriminate against any student or employee on the basis of actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, immigration status, religion, religious affiliation, sexual orientation, pregnancy, or any other characteristic that is contained in the definition of hate crimes in Section 422.55 of the Penal Code.

The SAE adheres to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 (“ADA”) and the Individuals with Disabilities in Education Improvement Act of 2004 (“IDEA”). Section 504 Policies and procedures are available through the Main Campus Office.

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

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

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

The SAE is committed to providing an educational atmosphere that is free of unlawful harassment under Title IX of the Education Amendments of 1972 (sex), Titles IV, VI and VII of the Civil Rights Act of 1964 (race, color, religion, sex, or national origin), The Age Discrimination Act of 1975, the IDEA, and Section 504 and Title II of the ADA. (mental or physical disability). The SAE also prohibits sexual harassment, including cyber sexual bullying, and harassment based upon pregnancy, childbirth or related medical conditions, race or ethnicity, religion, religious affiliation, creed, color, citizenship, immigration status, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation.

The SAE does not condone or tolerate harassment of any type, including but not limited to discrimination, intimidation, or bullying, including cyber sexual bullying, by any employee, independent contractor or other person with which The SAE does business, or any other individual, student, or volunteer. This applies to all employees, students, or volunteers and relationships, regardless of position or gender. The SAE will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted. Inquires, complaints, or grievances regarding harassment as described in this section, above, should be directed to the SAE Uniform Complaint Procedures (“UCP”) Compliance Officer: Jon Gundry, Executive Director, at jgundry@thesae.k12.ca.us (909) 622-0699.

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

23. CAMPUS VISITORS POLICY

Board Policy #: SAE-BP-023

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

Conditions for Classroom and School Visitation and Removal Policy

While the School of Arts and Enterprise (“The SAE”) encourages parents/guardians and interested members of the community to visit and view the educational program, The SAE also endeavors to create a safe environment for students and staff.

To help ensure the safety of students and staff, as well as to minimize interruption of the instructional program, The SAE has established the following procedures, pursuant to California Penal Code Sections 627, et. seq., to facilitate visits during regular school days:

1. Visits during school hours should first be arranged with the teacher and Executive Director or designee, at least three (3) days in advance. If a conference is desired, an appointment should be set with the teacher during non-instructional time, at least three days in advance. Parents seeking to visit a classroom during school hours must first obtain the written approval of the classroom teacher and the Executive Director or designee.
2. All visitors shall register with the Front Office immediately upon entering any school building or grounds during regular school hours. When registering, the visitor is required to provide his/her name, address, age (if under 21), his/her purpose for entering school grounds, and proof of identity. For purposes of school safety and security, the Executive Director or designee may design a visible means of identification for visitors while on school premises.
3. All visitors are asked to comply with current mandated and recommended health and safety protocols. Visitors (including volunteers) who demonstrate signs of a contagious disease (e.g. fever, coughing) may be denied registration. When recommended or requested by the Department of Public Health, visitors will be required to wear personal protective equipment, such as masks, and practice social distancing. The SAE reserves the right to implement additional measures for the protection of its school community, such as requiring contactless temperature checks before entry to the same extent being utilized for students and employees.
4. If the visitor is a government officer/official (including but not limited to local law enforcement officers, immigration enforcement officers, social workers, district attorneys, or U.S. attorneys) the officer/official will also be asked to produce any documentation that authorizes school access. The SAE shall make reasonable efforts to notify parents or guardians prior to permitting a student to be interviewed or searched, consistent with the law and/or any court order, warrant or instructions from the officer/official. A copy of the documentation provided by the officer and notes from the encounter may be maintained by the school, consistent with the law. The SAE Governing Board and Bureau of Children’s Justice in the California Department of Justice, at BCJ@doj.ca.gov, will be timely informed regarding any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes, as recommended by the Attorney General. Except for unusual circumstances, approved by the Executive Director, The

SAE visits should not exceed approximately sixty (60) minutes in length and may not occur more than twice per semester.

5. While on campus, visitors are to enter and leave classrooms as quietly as possible, not converse with any student, teacher, or other instructional assistant unless permitted, and not interfere with any school activity. No electronic listening or recording device may be used in a classroom without the teacher's and Executive Director's written permission.
6. Before leaving campus, the visitor shall return the Visitor's Permit and sign out of the Visitors Log Book in the main office.
7. The Executive Director, or designee, may refuse to register an outside visitor if the Executive Director has a reasonable basis for concluding that the visitor's presence or acts would disrupt the school, its students, its teachers, or its other employees; would result in damage to property; or would result in the distribution or use of unlawful or controlled substances.
8. The Executive Director or designee may withdraw consent to be on campus even if the visitor has a right to be on campus whenever there is reasonable basis for concluding that the visitor presence on school grounds would interfere or is interfering with the peaceful conduct of the activities of the school, or would disrupt or is disrupting the school, its students, its teachers, or its other employees.
9. The Executive Director or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds.

When a visitor is directed to leave, the Executive Director or designee shall inform the visitor that if he/she reenters the school without following the posted requirements he/she will be guilty of a misdemeanor.

10. The Executive Director or designee may withdraw consent to be on campus for up to fourteen (14) days even if the visitor has a right to be on campus whenever there is reason to believe that the person has willfully disrupted or is likely to disrupt The SAE's orderly operation. Consent shall be reinstated whenever the Executive Director has reason to believe that the presence of the person will not constitute a substantial and material threat to the orderly operation of the School campus. Any visitor that is denied registration or has his/her registration revoked may request a hearing before the Executive Director or the Board on the propriety of the denial or revocation. The request shall be in writing, shall state why the denial or revocation was improper, shall give the address to which notice of hearing is to be sent, and shall be delivered to either the Executive Director or the Board President within five days after the denial or revocation. The Executive Director or Board President shall promptly mail a written notice of the date, time, and place of the hearing to the person who requested the hearing. A hearing before the Executive Director shall be held within seven days after the Executive Director receives the request. A hearing before the Board shall be held at the next regularly scheduled Board meeting after the President receives the request.
11. The Executive Director or designee shall seek the assistance of the police in dealing with or reporting any visitor in violation of this policy.
12. At each entrance to the grounds of The SAE, signs shall be posted specifying the hours during which registration is required, stating where the office of the Executive Director or designee is located and what route to take to that office, and setting forth the penalties for violation of this policy.
13. No electronic listening or recording device may be used by students or visitors in a classroom without the teacher's and Executive Director's written permission.

Penalties

1. Pursuant to the California Penal Code, if a visitor does not leave after being asked or if the visitor returns without following the posted requirements after being directed to leave, he/she will be guilty of a crime as specified which is punishable by a fine of up to \$500.00 or imprisonment in the County jail for a period of up to six (6) months or both.
2. Under California Education Code section 44811, any parent, guardian, or other person whose conduct materially disrupts classwork or extracurricular activities or involves substantial disorder is guilty of a misdemeanor and is punishable, upon the first conviction, by a fine of no less than \$500.00 (five hundred dollars) and no more than \$1,000.00 (one thousand dollars) or by imprisonment in a County jail for no more than one (1) year, or both, the fine and imprisonment.
3. Further conduct of this nature by the visitor may lead to the School's pursuit of a restraining order against such visitor which would prohibit him/her from coming onto school grounds or attending School activities for any purpose for a period of (3) three years.

COVID-19 Safety Procedures for Visitors:

Masks are required by all visitors while on campus

- Appropriate and consistent use of masks is most important when visitors are indoors and when social distancing is difficult to implement or maintain.
- Individuals should not touch the face covering or mask while in use
- Social distancing is recommended
- Visitors should stay home if they have tested positive for or are showing COVID-19 symptoms

24. STAFF AND STUDENT INTERACTION POLICY

Board Policy #: SAE-BP-024
Adopted/Ratified: September, 2021
Revision Date: September 9, 2021

Professional Boundaries: Staff/Student Interaction Policy

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

Corporal Punishment

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

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

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

Duty to Report Suspected Misconduct

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

Examples of Specific Behaviors

The following examples are not an exhaustive list:

Unacceptable Staff/Student Behaviors (Violations of this Policy)

- a. Giving gifts to an individual student that are of a personal and intimate nature.
- b. Kissing of any kind.
- c. Any type of unnecessary physical contact with a student in a private situation.
- d. Intentionally being alone with a student away from school
- e. Making or participating in sexually inappropriate comments.
- f. Sexual jokes.

- g. Seeking emotional involvement with a student for your benefit.
- h. listening to or telling stories that are sexually oriented.
- i. Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding.
- j. Becoming involved with a student so that a reasonable person may suspect inappropriate behavior

Unacceptable Staff/Student Behaviors without Parent and Supervisor Permission

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

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

Cautionary Staff/Student Behaviors

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

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

Acceptable and Recommended Staff/Student Behaviors

- (a) Getting parents' written consent for any after-school activity.
- (b) Obtaining formal approval to take students off school property for activities such as field trips or competitions.
- (c) Emails, text, phone and instant messages to students must be very professional and pertaining to school activities or classes (Communication should be limited to school technology).
- (d) Keeping the door open when alone with a student.
- (e) Keeping reasonable space between you and your students.
- (f) Stopping and correcting students if they cross your own personal boundaries. (g) Keeping parents informed when a significant issue develops about a student. (h) Keeping after-class discussions with a student professional and brief.
- (i) Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries.
- (j) Involving your supervisor if conflict arises with the student.
- (k) Informing the Executive Director or designee about situations that have the potential to become more severe.
- (l) Making detailed notes about an incident that could evolve into a more serious situation later.
- (m) Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- (n) Asking another staff member to be present if you will be alone with any type of special needs student.
- (o) Asking another staff member to be present when you must be alone with a student after regular school hours.
- (p) Giving students praise and recognition without touching them. (q) Pats on the back, high fives and handshakes are acceptable.
- (r) Keeping your professional conduct a high priority.
- (s) Asking yourself if your actions are worth your job and career

Confidentiality & Privacy

How public or private will information about this student's gender be? (check all that apply)

_____ Site level leadership/administration will know (Principal, associate principal, assistant principal, counselor, etc.)

_____ Teachers and/or other staff will know

Specify the adult staff members: _____

_____ Student will not be openly "out" but some students are aware of the student's gender

Specify the students: _____

_____ Student is open with others (adults and peers) about gender

_____ Other: Describe: _____

How will "in the know" teachers/staff respond to any questions about the student's gender?

Peers? _____

Staff Members? _____

Parents/Community Members? _____

Communication Plan***

- Ideas include Community Circle, empowering student to communicate their gender to teachers, staff members, friends, peers, etc.
- We need a plan to tell staff members: email, Power School, etc.

Student Safety

1) Who will be the student's "go to" adult on campus? _____

Who is the "backup" if this person is unavailable? _____

2) What process will be utilized for periodically checking in with the student and/or parents/guardians?

3) What are the expectations in the event the student is feeling unsafe/how will the student signal their need for assistance? _____

4) If necessary, who should the student's parents/guardians contact with concerns about their student's treatment at school? _____

Name, Pronouns, Records

- 1) What name and pronouns should be used when referring to the student? _____

- 2) How will the team address any instances where the incorrect name or pronouns are used by staff or students? _____

- 3) What considerations will be made to maintain the student’s privacy in the following situations?
 - a) During Registration _____
 - b) Powerschool _____
 - c) Class Rosters/taking attendance _____
 - d) With substitute teachers _____
 - e) Standardized tests _____
 - f) School photos _____
 - g) Yearbook/ID badge _____
 - h) IEP/ Other services _____
 - i) Student Cumulative file _____
 - j) Lunch line _____
 - k) Summons to the office _____
 - l) Awards/Certificates _____
 - m) Assignment of IT accounts _____
 - n) Official school-home communication
 - i) Letters home _____
 - ii) Calls/emails from teacher _____
 - iii) Discipline _____

If the student’s guardians are not aware and/or supportive of the student’s gender status, how will school-home communications be handled? _____

What are some other ways the school needs to anticipate information about this student's preferred name and gender marker potentially being compromised? How will these be handled?

Use of Facilities

- 1) Student will use the following bathroom(s) on campus _____
- 2) Student will change clothes in the following place(s) _____
- 3) If student has questions/concerns about facilities, who will be the contact person?

- 4) What are the expectations regarding the use of facilities for any class trips?

- 5) What are the expectations regarding rooming for any overnight trips? _____

- 6) Are there any questions or concerns about the student's access to facilities? _____

Arts Programs

- 1) Which art classes or activities does the student participate in? _____

- 2) What considerations need to be made to support the student in above activities?

Other Considerations

- 1) Are there any specific social dynamics with other students, families, or staff members that need to be discussed or accounted for? _____

2) Does the student have any siblings at school? Any factors need to be considered regarding a sibling's needs? _____

3) What considerations will need to be made in regards to the dress code? _____

4) Will considerations need to be made for human growth & development lessons?

- Yes
- No

If yes, please specify: _____

5) Will LGBTQ+ sensitivity training for staff be needed in order to build awareness/capacity?

6) Other issues/concerns to be addressed: _____

Support Plan Review and Revision

1) Who will lead the team in monitoring the utilization and effectiveness of this plan?

2) What steps will be taken in the event the Gender Support Plan needs to be revised?

3) Are any future action steps or follow up tasks necessary?

Action Steps	Who is Responsible	Time Frame

4) Does a follow up meeting need to be scheduled?

- Yes
- No

If yes, when will it be held and who is responsible for coordinating the meeting? _____

Additional Resources & Contact Info

Parentsupport@thesae.org

School Counselor Contact

Middle School: Vanessa Duran vduran@thesae.org

High School: Casey Furr, cfurr@thesae.org

SEL Counselor: Joanna Hernandez jhernandez@thesae.org

PFLAG Claremont Contact

info@pflagclaremont.com

www.pflagclaremont.com

In case of Crisis:

National Suicide Prevention Hotline 1-800-273-8255

TrevorLifeline 1-866-488-7386

Tri-City Mental Health Authority 909- 623-6131

Supplemental Crisis Services for residents in Claremont, La Verne & Pomona. Staffed by trained & experienced therapists

26. GENDER IDENTITY INCLUSIVENESS AND NONDISCRIMINATION POLICY

Board Policy #: SAE-BP-026

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

The Governing Board of the School of Arts and Enterprise (“Charter School”) is committed to fostering an environment of inclusiveness, supporting students' preferred form of self-identification, and ensuring that every student shall have equal access to educational programs and activities.

The purpose of this policy is to delineate state and federal law as well as Charter School’s practices relating to recognition and protection of each student’s gender identity. This is consistent with Charter School’s goals of reducing stigmatization and ensuring equal access for students. The guidelines provided in this policy do not anticipate every situation that might occur with respect to gender identity and expression and students. While the needs of each student are unique, in all cases, the goal is to ensure the opportunity of all students to thrive and retain equal access school programs and activities in accordance with their gender identity without fear of harassment, discrimination, intimidation, bullying, or stigmatization.

This Policy shall apply to all Charter School programs and activities, including those that that occur during school hours, before- or after-school programs, field trips, extracurricular or co-curricular activities, and camps or other activities that typically involve at least one (1) overnight stay from home.

Definitions

(Intended as functional descriptors, not to label):

- “*Gender*”: A person's actual or perceived sex, and includes a person's gender identity and gender expression.
- “*Gender Expression*”: A person’s gender-related appearance and behavior whether or not stereotypically associated with the person’s assigned sex at birth. Gender expression refers to external cues that one uses to represent or communicate one’s gender to others, such as behavior, clothing, hairstyles, activities, voice, mannerisms, or body
- “*Gender Identity*”: A person’s gender-related identity, appearance or behavior, whether or not different from that traditionally associated with the person’s physiology or assigned sex at birth.
- “*Gender Nonconformity*”: refers to one’s gender expression, gender characteristics, or gender identity that does not conform to gender stereotypes “typically” associated with one’s legal sex assigned at birth, such as “feminine” boys, “masculine” girls and those who are perceived as androgynous. Sexual orientation is not the same as gender identity. Not all transgender youth identify as gay, lesbian or bisexual, and not all gay, lesbian and bisexual youth display gender-nonconforming characteristics.
- “*Transgender*”: describes people whose gender identity or gender expression is different from that traditional associated with their assigned sex at birth. “Transgender boy” and “transgender male” refer to an individual assigned the female sex at birth who has a male gender identity. “Transgender girl” and “transgender female” refer to an individual assigned the male sex at birth who has a female gender identity. An individual can express or assert a transgender gender identity in a variety of ways, which may but do not always include specific medical treatments or procedures. Medical treatments or procedures are not considered a prerequisite for one’s recognition as transgender.

Guiding Principles and Requirements

Charter School shall accept the gender identity that each student asserts. There are no medical or mental health diagnoses or treatment thresholds that students must meet in order to have their gender identity recognized and respected.

The Charter School shall:

1. Respect all students’ gender identity and gender expression by honoring the right of students to be identified and addressed by their preferred name and pronoun.
2. Prohibit, within academic programming, the separation of students based upon gender unless it serves as a compelling pedagogical (instructional) tool.
3. Permit all students to participate in co-curricular and extracurricular activities in a manner consistent with their gender identity including, but not limited to, intramural and interscholastic athletics.
4. Provide all students access to facilities that best align with students’ gender identity.

Privacy and Confidentiality

All persons, including students, have a right to privacy. This includes student's right to keep their actual or perceived gender identity and expression private. Such private information shall be shared only on a need to know basis.

Students have the right to openly discuss and express their gender identity and expression, and to decide when, with whom, and how much information to share.

In situations where students have not publicly disclosed their gender identity; school personnel must be mindful of the confidentiality and privacy rights of students when communicating with others, so as to not reveal, imply or refer to a student's gender identity or expression. To ensure confidentiality when discussing a particular concern such as conduct, discipline, grades, attendance or health, school personnel should focus on the concern, not the student's gender identity or expression. For example, describe the matter in terms of the underlying issue (behavior/conduct, grade issue, attendance issue, health concern) without referring or linking to gender identity or expression.

When communicating with a student's parent, legal guardian, or educational rights holder, school personnel should **use the student's legal name and the pronoun corresponding to the student's gender assigned at birth unless the student, parent, or guardian has specified otherwise.**

There will be instances when school personnel may find it important to discuss a student's gender identity or expression with parents (if, for example, the student is being bullied based on their gender identity or expression). In such cases, school personnel should consult and work closely with the student to assess the degree to which, if any, the parent is aware of the student's gender identity or expression and is supportive of the student, and school personnel shall take into consideration the safety, health and well-being of the student in deciding whether to disclose the student's gender identity or expression to parents.

Preferred Names and Pronouns

Charter School recognizes that name and gender identity are central to most individuals' sense of self and well-being, and that it is important for the school to establish mechanisms to acknowledge and support students' self-identification."

Charter School shall accept and respect a student's assertion of their gender identity where the student expresses that identity at school or where there is other evidence that this is a sincerely held part of the student's core identity.

Charter School shall not require a student to provide any particular type of diagnosis, proof of medical treatment, or meet an age requirement as a condition to receiving the protections afforded under California's antidiscrimination statutes. Similarly, there is no threshold step for social transition that any student must meet in order to have his or her gender identity recognized and respected by a school.

Charter School supports student self-identification by honoring the name and pronouns that students wish to go by, in accordance with the following:

1. Students shall be addressed by the name and pronoun that corresponds to their gender identity asserted at school without obtaining a court order, changing their pupil records or obtaining parent/legal guardian permission.

2. Students may request a meeting with a school counselor to discuss a Gender Support Plan. The counselor will work with school administration and staff to ensure the desired name and pronouns are used.
3. Charter School shall modify its student information system to prevent disclosure of confidential information and ensure, to the best of our abilities, that school personnel use a student's preferred name and pronouns consistent with the student's gender identity.
4. All members of the school community must use a student's chosen name and pronouns. The school shall implement safeguards to reduce the possibility of inadvertent slips or mistakes, particularly among temporary personnel such as substitute teachers. Every effort should be made to use names and pronouns consistent with a student's gender identity. While inadvertent slips or honest mistakes may occur, the intentional and persistent refusal to respect a student's gender identity is a violation of this Policy and may constitute discrimination under State law.
5. There may be situations (e.g., communications with the family, state or federal records, pupil records where a name or gender with which the student identifies isn't authorized, and assessment data) where it may be necessary and recommended for staff to be informed of the student's legal name and gender. In these situations, staff should prioritize safety, confidentiality and respect of the student in a manner consistent with the law.
6. If school personnel are unsure how a student wants to be addressed in communications to home or in conferences with parents/legal guardians/educational rights holders, they may privately ask the student how they want to be referred to when communicating with parents/legal guardians.
7. If a member of the school community, including staff and students, intentionally uses a student's incorrect name and pronoun, persistently refuses to respect a student's chosen name and pronouns, or targets a student based on that student's chosen name and pronouns, that conduct should be treated as harassment, discrimination, and/or bullying and investigation in accordance with the school's *Title IX, Harassment, Discrimination, Intimidation, and Bullying Policy*.

Equal Access to School Activities and Programs

Students have the right to equitable access to activities and programs in their school. Students may not be excluded from participation in, be denied the benefits of, or be subjected to harassment or other forms of discrimination on the basis of their actual or perceived gender identity or expression in any program or activity. These activities and programs may include, but are not limited to cheer class, homecoming, prom, spirit day, celebrations, assemblies, acknowledgments, field trips, afterschool activities and programs, and all extra-curricular activities.

Participation in sex-segregated school programs and activities, including competitive athletics, intramural sports, athletic teams, competitions and contact sports shall be facilitated in a manner consistent with the student's gender identity. Students who identify as nonbinary should be granted the opportunity to participate in sex-segregated programs and activities that they find best align with their gender identity.

Student Records

Charter School shall use the student's requested name, pronoun, and gender designation unless there is a legal reason not to do so.

- *Official Records*

Charter School shall change a student's name and gender on official records only upon receipt of documentation that such change has been made pursuant to a court order. Certain education records may still require a school to use a student's legal name. For example, birth certificates, passports, standardized testing documentation, transcripts, financial aid documents, immunization and other health records, etc.

- *Unofficial Records*

Charter School may change a student's name, gender, or pronoun designation on unofficial student records in the absence of a court order indicating legal name change.

Unofficial student records include school-issued identification cards, athletic rosters, certificates, playbills, diplomas, attendance lists, etc.

The school may include an "also known as" or a "prefers to be called" field in its electronic data system and list the preferred name/gender identity/pronoun of the student alongside the legal name/assigned sex. This way the preferred name may be cross-referenced with the legal name and administrators will know to use the preferred name when addressing the student.

Nothing in this section changes the obligation of Charter School personnel to **address** the student with the name and pronouns consistent with the student's gender identity. Thus, while a student's records may still indicate the name/sex assigned at birth, upon request of the student, the student should be referred to day-to-day by the name and pronouns that correspond to their gender identity.

Restroom Accessibility

Charter School maintains separate restroom facilities for male and female students. Students shall have access to restrooms that corresponds to their gender identity. Students who identify as nonbinary shall be granted access to the facility which they find best aligns with their gender identity.

If a student desires increased privacy, regardless of the reason, the administrator shall make every effort to provide the student with reasonable access to an alternative restroom such as a single-stall or all-gender restroom. The use of a restroom should be determined by the student's choice; no student shall be compelled to use an alternative restroom. For safety reasons, students should be given access to a restroom that allows reasonable access for appropriate supervision by staff. Regardless, all students are expected to exemplify appropriate behavior in restrooms.

Locker Room and Changing-Area Accessibility

Charter School maintains separate locker room facilities and changing areas for male and female students. Students shall have access to the locker room and changing areas facility that corresponds to their gender identity, with the goals to provide equal opportunity to participate in physical education classes, competitive athletics, and extracurricular activities (such drama/theater). Students who identify as

nonbinary should be granted access to the locker rooms/changing facilities with which they find best aligns with their gender identity, including access to reasonable accommodations as indicated below.

If there is a request for increased privacy, any student shall be provided access to a reasonable accommodation such as:

- a) Assignment of a student locker or changing areas in near proximity to the coaches'/staff person's office or a supportive peer group.
- b) Use of a private area within the public area of the locker room facility or changing area (e.g., nearby restroom stall with a door or an area separated by a curtain).
- c) Use of a nearby private area (e.g., nearby restroom or a health office restroom).
- d) A separate changing schedule.

Any alternative arrangement should be provided in a way that protects the student's privacy and confidentiality.

Gender Support Plan

Charter School shall, wherever possible, meet with a gender-nonconforming student, relevant school personnel, and parents, to discuss and draft a Gender Support Plan. The purpose of the plan shall be to memorialize any specific wishes/needs of the student regarding navigating their gender-confirming status during the regular school-day, and discuss general welfare and safety issues. The plan may include but is not limited to the following, and shall be tailored to the needs of the individual student:

1. Preferred Name/Pronouns
2. The names and contact information of "safe" adults with whom the student can share any concerns, including instances of bullying, discrimination, intimidation, or harassment
3. Assurances that all staff would receive training and instruction regarding Title IX, and that teachers shall teach about anti-bullying and harassment
4. Assurances that the physical education ("PE") teacher or athletics coach would be the first to enter and last to leave the locker room
5. Assurances that student's assigned locker would be in direct sight of the PE teacher/athletics coach's office
6. Assurance regarding access to the student restroom facilities and locker rooms that correspond to the student's gender identity or biological sex.
7. Accommodations for student's use of an alternate restroom (i.e. in the health office or elsewhere) if the student is uncomfortable using student restrooms
8. Accommodations for the student's use of a private changing area if the student is uncomfortable changing in a locker room with other peers.
9. Any other accommodation appropriate for the student

Dress Code

All Charter School students have the right to dress in accordance with their gender identity within the parameters of the dress code as it relates to the school uniform or safety issues. A copy of the Charter School Dress Code is available for review at the main office.

General-Segregated Activities

In rare situations permitted by law, students may be segregated by gender, such as for health education classes. In situations where students are segregated by gender, such as for health education classes, students should be included in the group that corresponds to their consistently asserted gender identity.

Harassment, Bullying, and Student Safety

Charter School shall ensure that all staff who regularly interact with students receive professional development and training opportunities as required and recommended by the California Department of Education (“CDE”) and Charter School Title IX, *Harassment, Discrimination, Intimidation, and Bullying Policy*.

Charter School shall also inform staff about the groups of students determined by Charter school and available research, to be at elevated risk for bullying. These groups include but are not limited to: Students who are lesbian, gay, bisexual, transgender, or questioning youth (“LGBTQ”) and those youth perceived as LGBTQ.

School staff shall take all reasonable steps to ensure safety and access for students and support students’ rights to assert their gender identity and expression. Students shall be informed they have the responsibility to report incidents of discrimination, harassment, bullying or intimidation to the designated site administrator or Title IX Coordinator in cases where they may be a target or witness. School staff and families shall work together to resolve complaints alleging discrimination, harassment, bullying or intimidation based on a student’s actual or perceived gender identity or expression, in accordance with the school’s *Title IX, Harassment, Discrimination, Intimidation, and Bullying Policy*. A copy of that policy is available for review within the Appendix of the Parent/Student [Handbook](#) and on the SAE website.

Charter School personnel shall immediately intervene, when it is safe to do so, whenever they witness acts of discrimination, harassment, bullying or intimidation on the basis of a student’s gender identity or expression. Charter School may provide interim safety and emotional support measures as needed. Interim safety measures may include increased monitoring of the parties to a harassment, discrimination, intimidation, or bullying complaint, providing options for the parties to avoid or minimize contact in academic and extracurricular settings, provision of safety plans, training and educational materials to address gender-inclusiveness, and provision of support resources (e.g., academic support, counseling, health and mental health services).

27. GOLF CART PROCEDURES AND PROTOCOLS

Board Policy #: SAE-BP-027

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

Golf Carts are utilized on campus for security personnel, maintenance workers, emergency student or staff transportation, and special events. Though relatively simple to operate, driver inattention and lack of training can lead to significant incidents including property damage and personal injury. Only trained and authorized personnel may operate gold carts.

Background Information

[School of Arts and Enterprise](#) (“The SAE”) provides the use of its golf carts to security and maintenance staff so that they may fulfill their job-related duties. **Golf carts may not be used for personal business.** Golf carts are available during normal school business hours, Monday – Friday from 7:30 am - 4:00 pm.

Security desk at Main Campus will secure the golf cart key for check-out. Golf cart will be stored at Main Campus in Room 305. Cart check-in procedures will include recharging the battery. Battery should be charged overnight for storage, even if the cart has only been used for a short time during the day.

Inspection and Maintenance

- Inspect the golf cart before each use.
 - Check tires for proper inflation, cuts, or punctures.
 - Make sure the steering wheel turns both wheels properly.
 - Test that forward, reverse, and breaks all work as they should.
 - Check for possible battery leaks.
- If any of the items are not working correctly, report it to your supervisor and ensure the cart is taken out of service.

Golf Cart Operation

- ALL operators must possess a valid driver’s license and a copy must be on file with Human Resources.
- Do not exceed the golf cart passenger capacity. All passengers must be seated before travel.
- No students may operate the vehicle at ANY time. This violation will be grounds for termination.
- The operator and passenger (if applicable) must use seat belts at all times.
- Operate the golf with a defensive driving mentality. Operators must maintain control of the vehicle at all times. Pedestrians always have the right of way.
- Driver MAY NOT drive students or staff if they have had a DUI in the past 7 years.
- Try to keep to roadways and designated paths. When traveling on roadways, observe all traffic laws. Ensure other drivers see you before proceeding.
- Remain seated and keep arms/legs inside the cart while in motion.
- Adverse conditions, such as rain or driving off-pavement, will affect the cart’s safe speed limit and handling characteristics.
- **Student passengers MUST SIT in the back of the golf cart if transported**
- No horseplay allowed.
- Be safe and attentive---avoid cell phone use, text, or reading while driving.
- Reduce speed when making sharp turns or when carrying a heavy load.
- When the golf cart is not in use, place the cart in neutral and apply the parking brake.
- **DO NOT LEAVE THE KEYS IN AN UNOCCUPIED VEHICLE.**
- Golf carts must never be parked where they will block emergency equipment, pedestrian aisles, doorways, intersections, or the normal traffic flow.
- Report any accidents or damage to your supervisor immediately
- **DO NOT DRIVE ON GARY AVE.** Must drive on streets 35 MPH or less

28. Health and Safety Policy for COVID-19

Board Policy #: SAE-BP-028

Adopted/Ratified: September 9, 2021

Revision Date: September 9, 2021

It is the policy of The School of Arts and Enterprise (“Charter School”) to take all reasonable measures to prevent the spread of the novel coronavirus disease (“COVID-19”) among students and staff. In accordance with this policy, the Charter School is temporarily implementing health and safety measures to mitigate the spread of COVID-19, to be used when the Charter School is allowed to resume in-person instruction. This policy recognizes that these measures are each designed to provide some protection against COVID-19. While there may be

times when one measure may not be feasible, implementing the other measures can make up for the absence of another. This Policy includes both mandatory measures (using terms “shall” or “will”) as well as recommended measures intended to guide decisions in light of practical limitations.

This Policy is based on guidance provided by the Centers for Disease Control (“CDC”), the California Department of Education (“CDE”), the California Department of Public Health (“CDPH”), and several county public health officials. The Governor and each county public health official is vested with the authority to impose health and safety standards, which may vary by locality in response to different local conditions. The Charter School will, as necessary, consult with their county health officer, or designated staff, who are best positioned to monitor and provide advice on local conditions to individually determine whether more or less stringent measures are necessary to align with the applicable public health order.

This Policy constitutes the COVID-19 Infection Control Plan for each Charter School worksite. Prior to resuming in-person instruction, the Executive Director shall perform a comprehensive risk assessment of all work areas and work tasks in accordance with guidance from CDPH and this Policy. The following staff member(s) is (are) responsible for implementing this Policy at each campus:

Middle School Campus	Brianna Nix	909-436-1005
DTC	Maria Cuadros-Solis	909-620-1196
Main Campus	Maria Cuadros-Solis	909-622-0699

The Charter School offers in-person instruction for the 2021-22 school year. Independent Study is offered on a case-by-case basis in alignment with The Charter School’s Independent Student Program and Policy. Independent Study will remain available for students who are medically fragile or would be put at risk by an in-person instructional model. For example, students with a health condition, students with family members with a health condition, students who cohabitate or regularly interact with high-risk individuals, or individuals, or are otherwise identified as “at-risk” by the parents or guardians are students whose circumstances otherwise merit distance learning.

1. Limited campus access:

- The Charter School will allow only necessary visitors and volunteers on the Charter School campus and limit the number of students and staff with whom they come into contact.
- The Charter School will exclude from the campus on the basis of an elevated temperature or other COVID-19 related symptoms any employee, student, parent, caregiver or visitor.
- Students excluded from campus on the basis of an elevated temperature or other COVID-19 related symptoms shall be provided with independent study opportunities to support their academic success to the greatest extent possible during exclusion.
- Students and employees who are well but who have a household member that has been diagnosed with COVID-19 are directed to notify their teacher or the principal,

respectively, and the Charter School will work with them to ensure that CDC- and State-recommended precautions are followed.

- Currently LAC DPH does not allow use of school facilities for non-school purposes. When/If allowed on campus, any community groups and other third-party users of campus facilities shall be subject to applicable health and safety plans and restrictions.
- Health and safety standards and procedures shall be applied equally to all users of a public-school campus that is subject to a co-location arrangement.
- The Charter School will minimize close contact between students, staff, families, and the broader community at arrival and departure through one or more of the following methods:
 - Designate routes for entry and exit, using as many entrances and exits as can be supervised appropriately to decrease crowding at entry and exit points.
 - High School students will enter and exit campus through the Commercial Street gate. Middle school students will enter and exit through the side Cafe door.
 - Instruct drivers to remain in their vehicles, to the extent possible, when dropping off or picking up students. When in-person drop-off or pick-up is needed, only a single parent or caregiver should enter the facility to pick up or drop off the child.
 - Require adults entering campus for in-person pick-up or drop-off to wear a face covering.
 - Provide supervision to disperse student gatherings during school arrival and departure.
 - Maximize space between students and between students and the driver on school buses and open windows to the greatest extent practicable. The Charter School will ensure each bus is equipped with extra unused face coverings on school buses for students who may have inadvertently failed to bring one.
 - Minimize contact at school between students, staff, families and the community at the beginning and end of the school day. The Charter School will prioritize minimizing contact between adults at all times.
 - Stagger arrival and drop off-times and locations as consistently as practicable as to minimize scheduling challenges for families.
 - Designate routes for entry and exit, using as many entrances as feasible.
 - Implement health screenings of students and staff upon arrival at school in the event of an COVID-19 outbreak (see Section 2).

2. Wellness Checks and Temperature Screenings:

- *COVID-19 Symptoms.* Currently, the CDC has identified the following as potential symptoms of COVID-19:
 - Fever or chills
 - Cough
 - Shortness of breath or difficulty breathing
 - Fatigue
 - Muscle or body aches
 - Headache

- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea
- If required, in-person wellness checks administered under this Policy shall:
 - Confirm that the subject has not experienced COVID-19 symptoms in the prior 24 hours or potentially been exposed to COVID-19, by soliciting the following information:
 - Have you had any one or more of these symptoms today or within the past 24 hours? Are these symptoms new or not explained by another reason?
 - Fever or chills
 - Cough
 - Shortness of breath or difficulty breathing
 - Fatigue
 - Muscle or body aches
 - Headache
 - New loss of taste or smell
 - Sore throat
 - Congestion or runny nose
 - Nausea or vomiting
 - Diarrhea
 - Do you live in the same household with, or have you had close contact with, someone who in the past 10 days has been in isolation for COVID-19 or had a test confirming they have the virus? Close contact means being within six feet of someone, unmasked, for more than 15 minutes at one time.
 - Be conducted safely and respectfully, and in a manner that maintains physical distancing within lines, by providing multiple screening entries into the campus if possible.
- No-touch temperature screening is recommended to be conducted before visitors and staff enter the school.
- In-person wellness checks do not need to be performed by a nurse or other health professional.
- *Home Screening (Students)*. Parents shall be instructed to screen their student before leaving the house for school. Before leaving the house, a parent should confirm that the student has a temperature below 100.4 degrees Fahrenheit and does not exhibit any other COVID-19 symptoms.
 - Any student who has a fever or other COVID-19 symptoms must stay home from school for at least 10 days after the onset of symptoms, or such period as required by local health order or directive.
 - Exclusion from school instructions do not apply to students who have a confirmed exposure but demonstrates proof of full vaccination against COVID-19 and is asymptomatic. Those individuals are not required to quarantine but are strongly recommended to be tested for COVID-19 as a result of their exposure regardless

of their vaccination status.

- *Home Screening (Staff)*. All employees who report to work (in-person) are required to perform a self-administered wellness check for COVID-19 symptoms before leaving home for work. Active symptom screening shall be conducted at the worksite if required by local order.
 - Any employee who has a fever of 100.4 degrees Fahrenheit or higher and/or any of the COVID symptoms is directed to remain home, notify his or her supervisor and await instructions.
 - If symptoms are secondary to an underlying condition (i.e., allergies or asthma) and have not worsened, then the employee can report to work and follow hygiene practices.
- *Campus Screening (Students)*. Staff shall actively monitor students for COVID-19 symptoms when the student enters the school site, which shall include a visual wellness check and a temperature check (confirming temperature below 100.4 degrees Fahrenheit) using a no-touch thermometer, to the extent feasible.
 - Complete an in-person wellness check for signs and symptoms of COVID-19.
 - If student answers “no” to all questions and appears well, student will be allowed to proceed onto campus
 - If the student answers “yes” to any question or upon visual check, and the screener feels the student may be exhibiting signs and symptoms of illness, the student’s temperature should be taken, preferably using a touchless infrared thermometer.
 - If the student’s temperature is 100.4 or above or they have verbally confirmed symptoms, have them don a surgical facemask and go to the isolation area; have office staff contact the parent to pick up the student.
- *Campus Screening (Visitors)*. Each visitor to the school site shall be screened for COVID-19 symptoms before entering the school site.
 - The staff member who greets the visitor at the entrance shall be asked to submit to temperature screening.
 - If necessary, an in-person wellness check prior to escorting the visitor to his or her destination:
 - If the visitor answers “no” to all questions, he or she may enter the school.
 - If the visitor answers “yes” to any of the questions, he or she may not enter the school.
- *Bus Screening (Students)*. The bus operator, a staff member or a volunteer shall conduct a wellness check of each student prior to entering the bus, which should include a temperature check using a no-touch thermometer, if possible. In the event that a temperature or wellness check confirms that a student is exhibiting symptoms of COVID-19, the student shall not be permitted to ride.
- To prevent stigma and discrimination in the school setting, student and employee health screenings should be kept as private as possible to maintain the confidentiality of student and employee medical and student records. Race, nationality, country of origin and other protected characteristics should never be used as a basis for particularized health screening.
- To the extent feasible and when required, a no-touch thermometer should be used for

temperature checks if possible.

- If a thermometer requiring a touch method (under the tongue or arm, forehead, etc.) is the only type available, it should only be used when a fever is suspected and caution is taken by temperature screeners such as gloves, eye protection, and mask.
- Thermometers must be properly cleaned and disinfected after each use.
- The Charter School will not penalize students and families for missing in-person instruction due to COVID-19.

3. COVID-19 testing and reporting:

- Per the State of California, school staff are required to either show proof of full vaccination or be tested at least once per week.
- Consistent with CDPH Guidance, the Charter School will implement surveillance testing of staff as directed by the Los Angeles County Department of Public Health (“LAC DPH”) and the following standards.
 - Surveillance testing is either 1) in response to an outbreak at a school site, and/or 2) on a staff-wide basis when instructed by LAC DPH based upon local disease trends.
 - In response to an outbreak, only one (1) test per symptomatic person or close contact is required. A repeat test may be necessary if the initial test is positive or if symptoms later develop.
 - For staff-wide testing, all staff shall be tested, other than any staff who only work remotely and have no contact with students or other staff. However, the ability to test all staff may not be possible if laboratory capacity is limited (see below).
 - The goal of staff-wide testing is to test 100% of staff within two (2) months. This could be implemented as 50% one month and 50% the next month, or 25% every two (2) weeks.
 - If LAC DPH orders ongoing staff-wide testing, then repeated testing must be continued every two (2) months as directed by LAC DPH.
 - The Charter School can cause tests to be provided at any one of its campuses, or have staff get tested at any local testing site or by their health insurance provider, which must cover the cost.
 - If County-provided testing is not available, then private labs and health insurance providers may be used, and the cost of testing must be covered by the health insurance provider under an emergency state regulation.
 - The Charter School’s liaison must be made aware of the staff test results and report those results to LAC DPH.
 - Staff cannot refuse to take a test or to report the test results to the Charter School. Both the testing and the reporting are required under the local health order. The Charter School cannot otherwise require employees to disclose medical information.
 - The Charter School cannot retaliate against an employee for disclosure of a positive test, diagnosis or order to self-quarantine or isolate. Any

employee who believes that the Charter School has violated this policy may file a complaint pursuant to the Charter School's discrimination prevention policy.

- The Charter School must maintain confidentiality of test results, other than reporting the results to LAC DPH. All medical information about any employee must be stored separately from the employee's personnel file in order to limit access to this confidential information. The Charter School must have a separate confidential medical file for each employee where the Charter School stores employee medical information. Medical information includes COVID-19 test results, an employee's statement via any symptom screening that they have symptoms or COVID-19, medical certifications showing an employee needs time off due to COVID-19, etc.
- Students and family members are strongly encouraged to be tested for COVID-19 before returning to the school facility and monthly while receiving in-person instruction
- In the event of a positive test result of a student or family member:
 - The Charter School requires that parents/guardians notify school administration immediately if the student tested positive for COVID-19 or if one of their household members or non-household close contacts tested positive for COVID-19.
 - Upon receiving notification that staff or a student has tested positive for COVID-19 or been in close contact with a COVID-19 case, the Charter School will take actions as required in Section 4 below.
- Follow the process set forth in Section 4 upon receipt of test results.

4. COVID -19 Containment, Response and Control Plan:

- The Charter School's COVID-19 Compliance Team includes: the Executive Director, the Chief Business Officer and Human Resources Director, the High School Principal, and the Middle School Principal.
- In the event of notice of potential exposure, the Charter School will take the following actions within one (1) business day of the notice of potential exposure:
 - Provide a written notice to all employees who were on the premises in the same worksite as the qualifying individual within the infectious period that they may have been exposed to COVID-19.
 - Provide a written notice to the exclusive representative, if any, of the above employees.
 - Provide all employees who may have been exposed and the exclusive representative, if any, with information regarding COVID-19-related benefits to which employees may be entitled under applicable federal, state, or local laws.
 - Information regarding COVID-19-related benefits includes, but is not limited to, workers' compensation, and options for exposed employees, including COVID-19-related leave, Charter School sick leave, state-mandated leave, supplemental sick leave, or negotiated leave provisions, as well as antiretaliation and antidiscrimination protections applicable to employees.

- Notify all employees, and the employers of subcontracted employees and the exclusive representative, if any, on the disinfection and safety plan that the Charter School plans to implement and complete per the guidelines of the CDC.
- Records of the above notices shall be retained for a minimum of three (3) years.
- In the event of a suspected COVID-19 case(s) on campus:
 - The Charter School will identify isolation rooms and/or outdoor areas to separate anyone who exhibits COVID-19 symptoms.
 - Quarantine exposed unvaccinated employees and/or students
 - Any students or staff exhibiting symptoms should immediately be required to wear a face covering and wait in a separate isolation area until they can be transported home or to a healthcare facility, as soon as practicable. For serious illness, call 9-1-1 without delay.
- In the event of three or more confirmed COVID-19 case(s) in 14 days, in addition to the steps required in response to a notice of potential exposure, the Charter School will follow the CDPH Framework for Reopening K-12 Schools, including implementation of the following practices:
 - Notify LAC DPH immediately via email to ACDC-Education@ph.lacounty.gov or by calling (888) 397-3993 or (213) 240-7821.
 - Notify all staff and families in the school community of any positive COVID-19 case while maintaining confidentiality as required by state and federal laws.
 - Close off areas used by any sick person and do not use before cleaning and disinfection. Follow cleaning and ventilation procedures in Section 6 and 7.
 - Investigate the COVID-19 illness and exposures and determine if any work-related factors could have contributed to risk of infection.
 - Update protocols as needed to prevent further cases in accordance with CDPH Guidelines (“Responding to COVID-19 in the Workplace”).
 - Implement communication plans for exposure at school and potential school closures to include outreach to students, parents, teachers, staff and the community.
 - Include information for staff regarding labor laws, information regarding Disability Insurance, Paid Family Leave and Unemployment Insurance, as applicable to schools.
 - Develop a plan for continuity of education. Consider in that plan how to also continue nutrition and other services provided in the regular school setting to establish alternate mechanisms for these services to continue.
 - Maintain regular communications with the local public health department.
 - Where stable classrooms have not been maintained: Utilize class seating rosters and consultation with teachers/staff to identify close contacts to the confirmed COVID-19 case in all classrooms and on-campus activities.

- A “close contact” is someone who has been within six feet of the person who tested positive for a prolonged period of time (at least 15 minutes) regardless of face covering use, had direct physical contact, shared eating or drinking utensils, or was exposed to a sneeze, cough, or respiratory droplets.
 - Close contacts should be instructed to get COVID-19 testing and should self-quarantined for 10 days and monitor their symptoms.
- For all settings: Provide information regarding close contacts to the LAC DPH via email.
- In the event of an outbreak, as defined by CDPH, at the school site: Within forty-eight (48) hours, the Executive Director or designee shall notify LAC DPH of the names, number, occupation, and worksite of employees who meet the definition of a qualifying individual. The Executive Director shall also report the address and North American Industry Classification System “NAICS”) code of the worksite where the qualifying individuals work. Additional notice will be provided of any subsequent laboratory-confirmed cases of COVID-19 at the worksite.
- In accordance with state guidance regarding closing schools in response to confirmed cases, and in consultation with the local public health department, the appropriate school official may decide whether school closure versus cleaning and quarantine of exposed persons or other intervention is warranted, including the length of time necessary, based on the number of cases at the school and the risk level within the specific community as determined by the local public health officer.
- If the school site must be closed for in-person instruction, for continuity of education implement distance learning Consistent with the Charter School’s adopted Distance Learning Policy and Procedures, distance learning shall include all of the following:
 - Confirmation or provision of access for all students to connectivity and devices adequate to participate in the educational program and complete assigned work;
 - Content aligned to grade level standards that is provided at a level of quality and intellectual challenge substantially equivalent to in-person instruction;
 - Academic and other supports designed to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with exceptional needs, students in foster care or experiencing homelessness, and students requiring mental health supports;
 - Special education, related services, and any other services required by a student’s individualized education program, with accommodations necessary to ensure that individualized education program can be executed in a distance learning environment;

- Designated and integrated instruction in English language development for English learners, including assessment of English language proficiency, support to access curriculum, the ability to reclassify as fully English proficient, and, as applicable, support for dual language learning;
 - Daily live interaction with certificated employees and peers for purposes of instruction, progress monitoring, and maintaining school connectedness in the form of internet or telephonic communication, or by other means permissible under public health orders; and
 - Continuing to provide school meals.
 - Provide guidance to parents, teachers and staff reminding them of the importance of community physical distancing measures while a school is closed, including discouraging students or staff from gathering elsewhere.
- Close contacts to confirmed COVID-19 case(s):
 - Close contacts (household or non-household) of confirmed COVID-19 cases should be sent home immediately, instructed to get COVID-19 testing immediately and ten (10) days after their last day of exposure to the case. If they remain asymptomatic, quarantine can end after DAY 10 from the last date of exposure without testing, but they must continue to monitor their health and adhere to COVID-19 prevention precautions through Day 14.
 - Quarantine may end after DAY 7 for contacts who remain asymptomatic, if a diagnostic specimen is collected after Day 5 from the date of last exposure and tests negative, but they must continue to monitor their health and adhere to COVID-19 prevention precautions through Day 14.
 - No actions need to be taken for persons who have not had direct contact with a confirmed COVID-19 case, and instead have had close contact with persons who were in direct contact.
 - Asymptomatic persons who are fully vaccinated AND who are a close contact to a confirmed case are recommended to test for COVID-19 as a result of their exposure but are not required to quarantine.
 - Those who test positive should not return until they have met county health department criteria to discontinue home isolation.
- Returning to school after home isolation
 - Symptomatic individuals who test either positive or negative for COVID-19 can return ten (10) days after onset of symptoms, and at least twenty-four (24) hours have passed since last fever without the use of fever-reducing medications, and symptoms (cough, shortness of breath, etc.) have improved.
 - Asymptomatic individuals who test positive for COVID-19 can return ten (10) days after their first positive test. If they develop symptoms, the requirements for symptomatic individuals outlined above apply.
 - Asymptomatic individuals who never had symptoms but were tested due to close contact with a laboratory-confirmed case patient, and who tested negative, can

return no earlier than fourteen (14) days after the last known close contact with the case patient.

- Close contacts to confirmed COVID-19 cases at home or outside school can return no earlier than fourteen (14) days after 1) the date of last exposure to COVID-19 positive non-household contact, or 2) the date that COVID-19 positive household member completes their isolation.

5. Sanitizing/hygiene materials and practices:

- The Charter School will develop routines to ensure that students and staff wash or sanitize hands frequently, including upon arrival to campus, after using the restroom, after playing outside and returning to the classroom, before and after eating, and after coughing or sneezing.
- Sanitation routines will enable students and staff to regularly wash their hands at staggered intervals.
- Staff will teach and reinforce proper handwashing technique, avoiding contact with one's eyes, nose, and mouth, using a tissue to wipe the nose, and covering coughs and sneezes.
- The Charter School shall make soap, tissues, no-touch trashcans, face coverings, water and paper towels or dryers for hand washing available. Students and staff should wash their hands for 20 seconds with soap, rubbing thoroughly after application. Soap products marketed as "antimicrobial" are not necessary or recommended.
- If soap and water are not readily available, the Charter School shall make available fragrance-free alcohol-based hand sanitizer that is at least sixty percent (60%) ethyl alcohol (Note: frequent handwashing is more effective than the use of hand sanitizers.)
- Children under age 9 should only use hand sanitizer under adult supervision. Call Poison Control if consumed: 1-800-222-1222.
- The Charter School shall place posters conspicuously that encourage hand hygiene to help stop the spread of COVID-19.
- Employees should visit the CDC's coughing and sneezing etiquette and clean hands webpage for more information.

6. Routine cleaning and disinfecting: The Charter School will incorporate the CDPH and CDC Guidance for Cleaning, Disinfection and Ventilation as appropriate to maintain a high level of cleanliness throughout the year and reduce the risk of exposure to and spread of COVID-19 at the school site.

- Custodial staff will perform thorough cleaning when students are not present. When cleaning, the space will be aired out before children arrive.
- Staff should wait twenty-four (24) hours before cleaning and disinfecting any area that was used by a person who was experiencing COVID-19 symptoms. If it is not possible to wait twenty-four (24) hours, then staff should wait as long as possible.
- The Charter School will ensure proper ventilation during cleaning and disinfecting. Staff are encouraged to introduce fresh outdoor air as much as possible, by opening windows where practicable.

- All frequently touched surfaces in the workplace, such as chairs, desks, tables, keyboards, telephones, handrails, light switches, sink handles, bathroom surfaces and door handles, will be routinely disinfected.
- Students and employees are discouraged from sharing desks, computers, books, phones, pens, art supplies, or other work tools and equipment, including playground equipment, when possible. When shared use is allowed, the items and equipment will be cleaned and disinfected between uses.
- Staff will be trained as appropriate in the chemical hazards, manufacturer’s directions, and Cal/OSHA requirements for safe and correct application of cleaning and disinfectant agents in accordance with the Healthy Schools Act guidance from the California Department of Pesticide Regulation and Cal/OSHA.
- When choosing disinfecting products, the Charter School will use those approved for use against COVID-19 on the Environmental Protection Agency (“EPA”)- approved list “N” and require staff to follow product instructions.
 - To reduce the risk of asthma and other health effects related to disinfecting, the Charter School will select disinfectant products on list N with asthma-safer ingredients (hydrogen peroxide, citric acid or lactic acid) as recommended by the US EPA Design for Environment program.
 - The Charter School will avoid products that contain peroxyacetic (peracetic) acid, sodium hypochlorite (bleach) or quaternary ammonium compounds, which can cause asthma.
 - Staff shall follow label directions for appropriate dilution rates and contact times.
 - The Charter School will establish a cleaning and disinfecting schedule in order to avoid both under- and over-use of cleaning products.
- Subject to available resources, disposable disinfecting wipes shall be made available so that employees can wipe down commonly used surfaces (e.g., doorknobs, keyboards, remote controls, desks, other work tools and equipment) before each use. Disinfectant wipes and sprays will be kept away from students.
- To the extent feasible, site resources that necessitate sharing or touching items (e.g., drinking fountains) will not be used and replacement items (e.g., reusable water bottles) will be used to the extent practicable.
- Each student’s belongings will be kept in an individually labeled storage container, cubby, or locker. Students are encouraged to take belongings home each day to be cleaned.

7. Facility measures: The Charter School will incorporate CDE guidance for maintaining a healthy facility, to include some or all of the following:

- Maintenance staff will ensure that ventilation systems and fans operate properly and increase circulation of outdoor air as much as possible by opening windows and doors and other methods.
- Windows and doors should not be opened if doing so poses a safety or health risk by exacerbating seasonal allergies or asthma symptoms.

- The Charter School will consider alternatives, such as increased central air filtration (targeted filter rating of at least MERV 13) if opening windows poses a safety or health risk to persons using the facility.
- Maintenance staff will ensure that all water systems and features (e.g., drinking fountains) are safe to use after a prolonged facility shutdown to minimize the risk of Legionnaires' disease and other diseases associated with water.
- If possible, suspend or modify use of site resources that necessitate sharing or touching items. For example, consider suspending use of drinking fountains and installing hydration stations; encourage the use of reusable water bottles.
- Consider installing additional temporary handwashing stations at all school entrances and near classrooms to minimize movement and congregation in bathrooms.
- Consider installing privacy boards or clear screens to increase and enforce separation between staff and students.

8. Physical distancing (staff): The Charter School will incorporate CDPH and CDE guidance with respect to physical distancing between employees, to include some or all of the following:

- The Charter School will consider arranging work schedules and providing telework options to limit the total number of staff on campus each day in the event of a COVID-19 outbreak.
- If possible, the Charter School will arrange desks and workspaces to create a recommended six (6) feet between individuals.
- Break rooms, staff rooms and conference rooms will have posted recommended occupancy limits. Staff should minimize use of staff rooms, break rooms and other indoor settings. Staff are encouraged to eat meals outdoors or in large, well ventilated spaces.
- Where possible, trainings and other meetings will be conducted virtually or in a manner that accommodates recommended physical distancing.

9. Physical distancing (students): The Charter School will incorporate CDE and LAC DPH guidance with respect to physical distancing between students on campus, to include some or all of the following:

- The Charter School will consider different options for instructional scheduling models, including using a blended learning model to support the maximum total number of students on campus each day.
- The Charter School will establish a maximum occupancy of each classroom. Desks will be arranged to minimize face-to-face contact and maintain a recommended six (6) feet between students and teacher and individual students.
- To reduce possibilities for infection, it is recommended that students remain in the same space and in cohorts as small and consistent as practicable, including for recess and lunch. In the event where COVID-19 outbreak occurs:

- Ensure students and staff remain in stable classroom cohorts by keeping the same students and teacher or staff together for the entire school day. Students should not mix with other stable classroom cohorts.
 - Prioritize the use and maximization of outdoor space for activities where practicable.
 - Minimize movement of students and teachers or staff as much as practicable. For example, consider ways to keep teachers with one group of students for the whole day.
 - In secondary schools or in situations where students have individualized schedules, plan for ways to reduce mixing among cohorts and to minimize contact.
 - Maximize space between seating and desks. Distance teacher desks at least six feet away from students. Consider additional ways to establish separation of students through other means if practicable, such as, partitions between desks, markings on classroom floors to promote distancing or arranging desks in a way that minimizes face-to-face contact.
 - Consider redesigning activities for smaller groups and rearranging furniture and play spaces to maintain separation.
 - The Charter School will implement measures to maintain physical distancing while students move between classrooms that are easy for students to understand and are developmentally appropriate, including potentially one or more of the following recommendations.
 - Hallways: Minimize congregate movement through hallways as much as practicable. For example, establish more ways to enter and exit a campus, stagger passing times when necessary or when students cannot stay in one room, and establish designated one-way walking/passage areas.
 - Lockers: Minimize use of lockers to avoid unnecessary mixing and congregation of students in hallways.
 - Restrooms: Stagger restroom use by groups of students to the extent practicable, and/or assign certain groups of students to use certain restrooms.
 - Libraries: Stagger group use of libraries.
 - Outdoors: Consider holding recess activities in separated areas designated by class.
 - Outdoor and large format spaces (e.g., auditoriums) may be used for instructional activities where physical distancing cannot be maintained in classrooms.
 - Activities where there is increased likelihood for transmission from contaminated exhaled droplets such as band (i.e., wind instruments) and choir practice and performances are not permitted indoors without proper face covering.
 - The Charter School will implement procedures for turning in assignments to minimize contact.
1. The Charter School will implement a plan to maintain recommended physical distancing during meals (serving meals in the classroom or outdoors, staggering cafeteria use, etc.). Lunch and other breaks: Students may sit or walk around outside during lunch or other breaks. It is recommended that students remain six (6) feet away from any other student

or adult while outside without a face covering. Students are recommended to eat six (6) feet away from any other student or adult when possible.

- Food will be distributed in single-service meals instead of buffet, salad bar or family-style formats.
- The Charter School will implement appropriate physical distancing measures during physical activities.
 - Sporting Events and Gatherings: Outdoor and indoor sporting events and competitions, assemblies, dances, rallies, field trips, and other activities that require close contact or that would promote congregating are not permitted.
 - Playgrounds and Recess: The Charter School will consider holding recess activities in separated areas designated by class and/or staggered throughout the day, and limiting use of shared playground equipment in favor of physical activities that require less contact with surfaces and allow for greater physical distancing.
 - Youth Sports and Physical Education: The Charter School will conduct sports and physical education classes only when the following can be maintained (1) physical distancing of at least six (6) feet, and (2) a stable cohort, such as a class, that limits the risk of transmission. Activities should take place outside to the maximum extent practicable.
 - For sports that cannot be conducted with sufficient distancing or cohorting, only physical conditioning and training is permitted and only where physical distancing can be maintained. Conditioning and training should focus on individual skill building (e.g., running drills and body weight resistance training) and should take place outside, where practicable. Indoor physical conditioning and training is allowed only in counties where gyms and fitness centers are allowed to operate indoors.
 - Avoid equipment sharing, and if unavoidable, clean and disinfect shared equipment between use by different people to reduce the risk of COVID-19 spread.
 - Consistent with guidance for gyms and fitness facilities, cloth face coverings must be worn during indoor physical conditioning and training or physical education classes (except when showering). Activities that require heavy exertion should be conducted outside in a physically distanced manner without face coverings. Activities conducted inside should be those that do not require heavy exertion and can be done with a face covering. Players should take a break from exercise if any difficulty in breathing is noted and should change their mask or face covering if it becomes wet and sticks to the player's face and obstructs breathing. Masks that restrict airflow under heavy exertion (such as N-95 masks) are not advised for exercise.

10. Physical distancing (buses): The Charter School will incorporate CDE guidance with respect to physical distancing between students on buses (if bus transportation is provided).

- The Charter School will limit the total number of students on each bus. Younger students and students with disabilities will be given highest priority.
- Seats on buses will be marked to require students to provide physical distancing on buses. Seating will be staggered in accordance with CDE guidance.

11. Use of face coverings: The Charter School will follow LAC DPH, CDPH, CDE and CDC guidance state and local health orders on the use of face coverings. All staff are encouraged to review the CDPH and CDC guidance on cloth face coverings; face coverings must be used in accordance with CDPH Guidelines and this Policy unless a person is exempt as explained in this Policy, particularly in indoor environments, on school buses, and areas where physical distancing alone is not sufficient to prevent disease transmission.

- Until such time as the statewide order is lifted, all adults must wear a cloth face covering at all times while on campus INDOORS, except while eating or drinking.
 - Staff excluded from this requirement are those that require respiratory protection according to Cal/OSHA standards.
- Employees should wear a clean face mask to work every day.
- Employees should avoid touching the mask and should wash their hands frequently, including after removing the mask.
- Employees are expected to teach and reinforce proper use of face coverings, and in limited circumstances, face shields.
- Teachers may use clear plastic face shields with an appropriate seal (cloth covering extending from the bottom edge of the shield and tucked into the shirt collar) in certain limited situations in the classroom to enable students to see their faces and avoid potential barriers to phonological instruction as long as the wearer maintains physical distance from others, to the extent practicable. Staff must return to wearing a face covering outside of the classroom.
- The Charter School will post signs regarding the proper use, removal, and washing of face coverings.
- The Charter School will post signs to remind employees that CDC recommends maintaining social distancing of at least six (6) feet, and that the State of California currently requires face masks to be worn indoors in public settings with certain limited exceptions.
- All students over age 2 who are not prevented from doing so by a breathing problem or disability as described under State and County guidance shall wear a clean cloth face covering:
 - As they enter the classrooms on school campus and/or school buildings.
 - In any area on school property that is indoors (except when eating or drinking or carrying out other activities that preclude use of face coverings).
 - While they are exiting school classrooms to outside area or buildings.
 - While waiting for or riding on a school bus.
- A face shield is an acceptable alternative for children in this cohort who cannot wear a face mask properly.
- Proper use of cloth face coverings by students will be strictly enforced. The Charter School will exclude from campus who refuses to wear a face mask. Students excluded

from face covering requirements include anyone who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove the covering without assistance.

- The Charter School shall educate students, particularly younger elementary school students, on the rationale and proper use of face coverings.
- A cloth face covering or face shield may be removed for meals, snacks, naptime, or outdoor recreation, or when it needs to be replaced. When a cloth face covering is temporarily removed, it should be placed in a clean paper bag (marked with the student's name and date) until it needs to be put on again.
- The Charter School will provide face coverings for students and staff who lose their face coverings or forget to bring them to school.

12. Use of gloves and PPE: The Charter School requires employees to wear gloves and other Personal Protective Equipment (“PPE”) in accordance with the following standards.

- The Charter School will provide surgical masks, face shields, and disposable gloves for employees engaging in Wellness and Temperature Screenings.
- Workers or other persons handling or serving food must use gloves in addition to cloth face coverings.
- The Charter School will provide a clear plastic barrier or face covering and disposable gloves for front office and food service employees.
- The Charter School will provide a clear plastic barrier to desks in classrooms to students upon request.
- The Charter School will provide equipment and PPE to custodial staff for cleaning and disinfecting, including:
 - For regular surface cleaning, gloves appropriate for all cleaning and disinfecting.
 - For classified staff engaged in deep cleaning and disinfecting, proper PPE for COVID-19 disinfection (disposable gown, gloves, eye protection, and mask or respirator) in addition to PPE as required by product instructions.
 - All cleaning and disinfecting products must be kept out of children's reach and stored in a space with restricted access.
- As required by Cal/OSHA, the Charter School will provide training on the proper use of PPE to protect employees from the hazards of the cleaning products used.
- Employees must wash hands after removing gloves.

13. Support for Students at Increased Risk of Becoming Infected or Unrecognized Illness:

- The Executive Director or designee will review student health plans, including 504 Plans, to identify students who may need additional accommodations to minimize potential exposure.
- The Executive Director or designee will develop a process for engaging families for potentially unknown concerns that may need to be accommodated.
- The Charter School will identify additional preparations for classroom and non-classroom environments as needed to ensure the safety of students at increased risk of becoming infected or having unrecognized illness. Persons who might be at increased risk of

becoming infected or having unrecognized illness include the following:

- Individuals who have limited mobility or require prolonged and close contact with others, such as direct support providers and family members;
- Individuals who have trouble understanding information or practicing preventive measures, such as hand washing and physical distancing; and
- Individuals who may not be able to communicate symptoms of illness.

14. Maintaining Healthy Operations: The Charter School will follow local public health orders and guidance and CDPH Guidance for maintaining healthy operations, including the following practices.

- Monitor, on a weekly basis, COVID-19 Guidance from LAC DPH, CDPH, and the Los Angeles County Office of Education.
- Monitor staff absenteeism and have a roster of trained back-up staff where available.
- Monitor the types of illnesses and symptoms among your students and staff to help isolate them promptly as needed.
- Designate a staff liaison or liaisons to be responsible for responding to COVID-19 concerns. Workers should know who they are and how to contact them. The liaison should be trained to coordinate the documentation and tracking of possible exposure, in order to notify local health officials, staff and families in a prompt and responsible manner.
- Maintain communication systems that allow staff and families to self-report symptoms and receive prompt notifications of exposures and closures, while maintaining confidentiality, as required by FERPA and state law related to privacy of educational records.
- Implement routine surveillance testing of staff as directed by local county health officers. encourage students and families to receive testing from community testing sites before returning to school for in-person instruction and regularly while attending school in person.
- Consult with local health departments if routine testing is being considered by a local educational agency. The role of providing routine systematic testing of staff or students for COVID-19 (e.g., PCR swab testing for acute infection, or presence of antibodies in serum after infection) is currently unclear.
- Support students who are at higher risk for severe illness or who cannot safely distance from household contacts at higher risk, by providing options such as virtual learning or independent study.

15. Protection of higher risk employees:

- The Charter School recognizes that older adults and people of any age who have serious underlying medical conditions are at higher risk for severe illness from COVID-19.
- Consistent with operational needs, the Charter School shall support options to telework and other options, if available and reasonable.
- The Charter School shall attempt to limit vulnerable employees' duties to minimize their contact with visitors and other employees.

16. Communications to the Charter School community:

- The Charter School will engage with families and staff to develop strategies to prepare and respond to the COVID-19 emergency, including guidelines for families about when to keep students home from school and other topics.
- Prior to the start of the school year, the Charter School will communicate to staff, students, and parents about new, COVID-19-related protocols, including:
 - Enhanced sanitation practices
 - Physical distancing requirements and recommendations
 - Proper use, removal and washing of face coverings.
 - Screening practices.
 - How COVID-19 is spread.
 - COVID-19 specific symptom identification.
 - Preventing the spread of COVID-19 if you are sick, including the importance of not coming to work if staff members have symptoms, or if they or someone they live with has been diagnosed with COVID- 19.
 - Local community testing sites and options for obtaining COVID-19 testing from private medical providers, including testing arranged by the Charter School.
 - Guidelines for employees regarding COVID-19 specific symptom identification and when to seek medical attention
 - Guidelines for families about when to keep students home from school.
 - Systems for self-reporting symptoms.
 - Criteria and plan to close schools again for physical attendance of students.
- The Charter School will train staff and students on protocols for physical distancing for both indoor and outdoor spaces.
- The Charter School will provide information to parents and guardians regarding this Policy and related guidance, along with the safety measures that will be in place in indoor and outdoor settings with which parents and guardians must comply.
- Communications will be targeted to the most vulnerable members of the Charter School community.
- The Charter School will develop a communications plan for implementation if the school has a positive COVID-19 case in accordance with CDPH and CDE guidelines.

The Executive Director is authorized to implement changes or additions to this policy in order to ensure compliance or consistency with new or revised orders or guidance from local, county, state or federal authorities (“Agencies”), to take any and all actions consistent with orders and guidance from the Agencies that is not specifically addressed by this policy, and to ensure compliance with the Charter School’s charter petition. The Executive Director shall provide the Board with regular updates as to actions taken pursuant to this section.