



Gateway Community Charter Schools

COMPREHENSIVE SCHOOL SAFETY PLAN 2026-2027

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INTRODUCTION

The purpose of this Comprehensive School Safety Plan (CSSP) is to fulfill the requirements outlined in California Education Code Section 32280-32289.5 and provides a framework to ensure the safety and well-being of all students, staff, and visitors at Gateway Community Charters (GCC). The plan outlines school policy and procedures for preventing and responding to a variety of emergency situations, as well as strategies for creating a safe and secure learning environment.

The scope of this safety plan addresses the following key areas:

- Processes for developing, reviewing, evaluating, and updating the CSSP
- Policies to promote a safe and orderly school environment
- Reporting and notification requirements related to threats, violence, and crime
- All-hazard emergency preparedness and response procedures
- Tactical response plans for criminal incidents, including active shooter scenarios
- Partnerships to support community and public agencies during emergencies
- Instructional continuity plan to limit disruption of learning following emergencies

By having a CSSP, GCC aims to minimize the impact of emergencies, protect human life, and maintain the continuity of teaching and learning during times of crisis.

School / District Information

Gateway Community Charters is located at 5112 Arnold Ave. Suite A, McClellan, CA 95652. The Organization serves approximately 5,800 from grades TK - 12.

DEVELOPMENT & APPROVAL INFORMATION

Annual Review and Governing Board Approval

Gateway Community Charters shall review and update the Comprehensive School Safety Plan annually in accordance with applicable law. The annual review shall include consultation with the applicable school safety planning participants. Following the annual review and any necessary revisions, the Comprehensive School Safety Plan shall be presented to the GCC Governing Board for approval in accordance with applicable law.

The annual review date, applicable consultation, and Governing Board approval date shall be documented as part of the Comprehensive School Safety Plan.

Evaluation of Plan for Adaptations for Disability

The plan is evaluated to ensure adaptations for pupils with disabilities. The Americans with Disabilities Act (ADA) includes the following elements related to safety and disability:

- o GCC has addressed ADA requirements and has plans for compliance.
- o GCC has considered appropriate accommodations for students with disabilities.
- o GCC has developed procedures to accommodate staff/students with disabilities in the event of an emergency.
- o GCC's emergency alarm system is in compliance with ADA requirements, taking into consideration students and staff who may be hearing or visually impaired.
- o In the event of a hostage or intruder event, GCC has considered the unique safety needs of students and staff members with disabilities.

Dissemination and Access

This policy was disseminated to staff and site admin to share via email and the GCC staff webpage.

This policy is available in the following languages other than English to increase accessibility and understanding.

For public access to safety-related plans and materials, contact Gateway Community Charters at (916) 286-5129

SCHOOL SAFETY POLICY

School safety policies should be developed collaboratively and be complete and current.

Beginning this section with an overview of the philosophy and values related to school discipline helps set the tone for a broader focus beyond identifying only misconduct and consequences and instead focuses on prevention and overall issues of school climate.

Teachers should talk to students about school definitions of misconduct and policies.

School Discipline Rules and Procedures

At least every four years, each public school may, at its discretion, adopt rules and procedures on school discipline applicable to the school.

- o The student code of conduct is reviewed and updated annually.
 - o Disciplinary consequences for infractions to the student code of conduct are fairly and consistently enforced.
 - o Parents are an integral part of the planning of student discipline procedures and actions.
 - o Alternatives to suspensions and expulsions have been built into the discipline policy and are used consistently.
 - o Behavior expectations and consequences for violations are clearly outlined in the code of conduct, including sanctions for weapon and drug offenses and other criminal actions.
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Title IX Sex Discrimination & Sex-Based Harassment Complaint Procedures

Student Safety SS 5145.71

Board Policy: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

This Title IX Policy Prohibiting Discrimination on the Basis of Sex (“Policy”) contains the policies and grievance procedures of Gateway Community Charters Inc. (“Charter School”) to prevent and address sex discrimination, including but not limited to sexual harassment, sex-based hostile environment harassment, discrimination-based on pregnancy or related conditions, sex-based discrimination in access to athletics or educational resources, and retaliation against a person who has reported sex discrimination.

Charter School does not discriminate on the basis of sex and prohibits any acts of sex discrimination in any education program or activity that it operates, as required by California law, Title IX (20 U.S.C. § 1681 et seq.) and the Title IX regulations (34 C.F.R. Part 106), including in admission and employment. Charter School will take actions to promptly and effectively end any sex discrimination in its education program or activity, prevent its recurrence, and remedy its effects.

This Policy applies to conduct occurring in Charter School's education programs or activities on or after August 1, 2024, including but not limited to incidents occurring on the school campus, during school-sponsored events and activities, regardless of the location, and through school-owned technology, whether perpetrated by a student, parent/guardian, employee, volunteer, independent contractor or other person with whom Charter School does business.

Inquiries about the application of Title IX and 34 C.F.R. Part 106 (hereinafter collectively referred to as "Title IX") may be referred to the Charter School Title IX Coordinator, the Office for Civil Rights of the U.S. Department of Education, or both.

Definitions

Prohibited Sex Discrimination

Title IX and California law prohibit discrimination on the basis of sex, including sex-based harassment and differences in the treatment of similarly situated individuals on the basis of sex with regard to any aspect of services, benefits, or opportunities provided by Charter School. Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

Prohibited Sex-Based Harassment

Under Title IX, "sex-based harassment" means conduct on the basis of sex that satisfies one or more of the following:

- Quid pro quo harassment occurs when an employee, agent, or other person authorized by Charter School to provide an aid, benefit, or service under Charter School's education program or activity explicitly or impliedly conditions the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.
- Hostile environment harassment is unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from a Charter School's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
 - The degree to which the conduct affected the complainant's ability to access the Charter School's education program or activity;
 - The type, frequency, and duration of the conduct;
 - The parties' ages, roles within the Charter School's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 - The location of the conduct and the context in which the conduct occurred; and
 - Other sex-based harassment in the Charter School's education program or activity.
 - Sexual assault, meaning an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
- Dating violence, meaning violence committed by a person:
 - Who is or has been in a social relationship of a romantic or intimate nature with the victim; and

- Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship;
 - The type of relationship; and
 - The frequency of interaction between the persons involved in the relationship.
- Domestic violence, meaning felony or misdemeanor crimes committed by a person who:
 - Is a current or former spouse or intimate partner of the victim under applicable family or domestic violence laws, or a person similarly situated to a spouse of the victim;
 - Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
 - Shares a child in common with the victim; or
 - Commits acts against a youth or adult victim who is protected from those acts under applicable family or domestic violence laws.
 - Stalking, meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - Fear for the person's safety or the safety of others; or
 - Suffer substantial emotional distress.

Under California Education Code section 212.5, sexual harassment consists of conduct on the basis of sex, including but not limited to unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct on the basis of sex, regardless of whether or not the conduct is motivated by sexual desire, when: (a) submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, education, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of employment, educational or academic decisions affecting the individual; (c) the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through Charter School.

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

- Physical assaults of a sexual or sex-based nature, such as:
 - Rape, sexual battery, molestation or attempts to commit these assaults.
 - Intentional physical conduct that is sex-based or sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, poking another's body, violence, intentionally blocking normal movement or interfering with work or school because of sex.
- Unwanted sexual advances or propositions, derogatory sex-based comments, or other sex-based conduct, such as:
 - Sexually oriented or sex-based gestures, notices, epithets, slurs, remarks, jokes, or comments about a person's sexuality or sexual experience.

- Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
- Subjecting or threats of subjecting a student or employee to unwelcome sexual attention or conduct or intentionally making the student's or employee's performance more difficult because of the student's or the employee's sex.
- Retaliation against an individual who has articulated a good faith concern about sex-based harassment.
- Sexual or discriminatory displays or publications anywhere in the work or educational environment, such as:
 - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view in the work or educational environment.
 - 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 above are not to be construed as an all-inclusive list of sex-based harassment acts prohibited under this Policy.

Complainant means a student or employee who is alleged to have been subjected to conduct that could constitute sex-based discrimination, or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination and who was participating or attempting to participate in the Charter School's education program or activity at the time of the alleged sex discrimination. Complaints may also be made by: (1) a parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or (2) Charter School's Title IX Coordinator. For complaints of sex discrimination other than sex-based harassment, complaints can also be made by any student, employee, or other person who was participating or attempting to participate in the Charter School's education program or activity at the time of the alleged sex discrimination.

Complaint means an oral or written request to Charter School that objectively can be understood as a request for the Charter School to investigate and make a determination about alleged sex discrimination.

Confidential Employee means an employee of Charter School whose communications are privileged or confidential under Federal or State law (e.g., a licensed therapist or psychologist, etc.) or an employee whom Charter School has designated as confidential under Title IX for the purpose of providing services to persons related to sex discrimination.

Party means a complainant or respondent.

Respondent means a person who is alleged to have violated Charter School's prohibition on sex discrimination.

Supportive Measures are individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to a party to (1) restore or preserve that party's access to the Charter School's education program or activity, including measures that are designed to protect the safety of the parties or Charter School's educational environment; or (2) provide support during Charter School's grievance procedures or during an informal resolution process.

Title IX Coordinator

The Board of Directors of the Charter School ("Board") designates the Superintendent/CEO or designee as the Title IX Coordinator ("Coordinator") for Gateway Community Charters.

The Superintendent/CEO may serve as the Coordinator or designate another qualified employee to serve in that role. The name and contact information of the current Title IX Coordinator shall be posted on the Charter School's website and included in all required notices.

The Coordinator is responsible for coordinating the Charter School's efforts to comply with the requirements of Title IX, receiving reports and complaints of sex discrimination and inquiries about the application of Title IX, addressing reports and complaints of sex discrimination and taking other actions as required by this Policy, monitoring for barriers to reporting conduct that reasonably may constitute sex discrimination, and taking steps reasonably calculated to address such barriers.

The Coordinator may serve as an investigator and/or decisionmaker for complaints, except in cases where doing so would constitute a conflict of interest. The Coordinator may delegate one or more of their duties to one or more designees who have received the required Title IX training and do not have a conflict of interest or bias towards or against complainants or respondents generally or an individual complainant or respondent. However, the Coordinator must at all times retain ultimate oversight over those responsibilities and ensure the Charter School's consistent compliance with Title IX.

Reporting Sex Discrimination

All employees who are not confidential employees must promptly notify the Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination under Title IX. This requirement does not apply to an employee when the employee is the person who was subjected to the conduct that reasonably may constitute sex discrimination.

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

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

While submission of a written report is not required, the reporting party is encouraged to submit a written report to the Coordinator. Charter School will promptly and effectively investigate and respond to all oral and written complaints and reports of misconduct prohibited by this Policy. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

Privacy

Charter School acknowledges and respects every individual's right to privacy. All reports and complaints shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process to the greatest extent possible. This includes but is not limited to keeping the identity of the reporter and other personally identifiable information confidential, as appropriate, except to the extent necessary to comply with the law, carry out the investigation and/or to resolve the issue, as determined by the Coordinator or designee on a case-by-case basis.

Retaliation

Charter School prohibits any form of retaliation against any individual who files a report or complaint, testifies, assists, participates, or refuses to participate in any investigation or proceeding related to misconduct prohibited by this Policy. Such participation or lack of participation shall not in any way affect the status, grades, or work assignments of the individual. Individuals alleging retaliation in violation of this Policy may file a complaint in accordance with the grievance procedures set forth in this Policy.

Nothing in this Policy precludes Charter School from requiring an employee or other person authorized by Charter School to provide aid, benefit, or service under Charter School's education program or activity to participate as a witness in, or otherwise assist with, an investigation or proceeding under this Policy.

Confidential Employees

Contact information for the confidential employees at Charter School, if any, can be found on the Charter School website or obtained from the Coordinator.

A confidential employee's status as confidential, for Title IX purposes, is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies or with respect to information received about sex discrimination in connection with providing services to persons related to sex discrimination.

A confidential employee must explain the following to any person who informs them of conduct that may reasonably constitute sex discrimination under Title IX:

- The employee's status is confidential for the purposes of Title IX, including the circumstances in which the employee is not required to notify the Coordinator about conduct that reasonably may constitute sex discrimination;
- How to contact the Coordinator and how to make a complaint of sex discrimination; and
- That the Coordinator may be able to offer and coordinate supportive measures, as well as initiate an informal resolution process or an investigation under the grievance procedures.

Coordinator's Response to Reports of Sex Discrimination

When notified of conduct that reasonably may constitute sex discrimination, the Coordinator or designee must:

- Treat complainants and respondents equitably;
- Promptly offer and coordinate supportive measures, as appropriate, for the complainant;
- If grievance procedures are initiated or an informal resolution process is offered; offer and coordinate supportive measures, as appropriate, for the respondent; and
- Notify the complainant or, if the complainant is unknown, the reporting individual, of the grievance procedures and informal resolution process, if available and appropriate. If a complaint is made, the Coordinator will notify the respondent of the same.

In response to a complaint, the Coordinator will initiate the grievance procedures, or the informal resolution process if available, appropriate, and requested by all parties. In the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and in the absence or termination of an informal resolution process, the Coordinator must determine whether to initiate a complaint by considering, at a minimum:

- Complainant's request not to proceed with a complaint and the complainant's reasonable safety concerns;
- Risk that additional acts of sex-based discrimination would occur if a complaint is not initiated;
- Severity of the alleged conduct, including whether the discrimination, if established, would require removal or discipline of a respondent to end the discrimination and prevent its recurrence;
- The age and relationship of the parties, including whether the respondent is an employee;
- The scope of the alleged conduct including but not limited to whether there is a pattern, ongoing conduct, or impact to multiple individuals;
- The availability of evidence and the complainant's willingness to participate in the grievance procedures; and
- Whether Charter School could end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures.

The Coordinator may initiate a complaint if the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other person, or prevents Charter School from ensuring equal access on the basis of sex to its education program or activity. The Coordinator or designee must notify the complainant before initiating a complaint and appropriately address reasonable safety concerns, including by providing supportive measures.

The Coordinator will take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within Charter School's education program or activity.

Supportive Measures

Once notified of conduct that may reasonably constitute sex discrimination under Title IX, the Coordinator or designee will promptly contact the complainant to offer and coordinate supportive measures, as appropriate, for the complainant. If the grievance procedures are initiated or informal resolution is offered, the Coordinator or designee will offer and coordinate supportive measures, as appropriate, for the respondent.

Supportive measures may include but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex-based harassment.

Supportive measures must not unreasonably burden either party or be imposed for punitive or disciplinary reasons. Supportive measures will be designed to protect the safety of the parties or Charter School's educational environment, or to provide support during the grievance procedures or the informal resolution process.

Parties may contact the Coordinator to discuss modification of any supportive measures. Parties also have the opportunity to seek modification or termination of a supportive measure applicable to them if circumstances change materially.

If the party is not satisfied with the Coordinator's decision regarding a request to modify supportive measures, they may contact the Superintendent/CEO or designee at (916) 286-5129. The Superintendent/CEO or designee will be an appropriate and impartial employee or may designate such an employee to consider a request for modification or reversal of the Charter School's decision to provide, deny, modify, or terminate supportive measures applicable to them. The impartial employee is someone other than the Coordinator who made the challenged decision and has the authority to modify, alter, or reverse the decision.

If a party is a student with a disability, the Coordinator must consult with one or more members of the student's IEP Team and 504 Team, if any, in the implementation of supportive measures for that student.

Informal Resolution

At any time prior to determining whether sex discrimination occurred under Charter School's Title IX grievance procedures, Charter School may offer an informal resolution process to the parties. Charter School does not offer or facilitate informal resolution to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of an elementary school

or secondary school student, or when such a process would conflict with Federal, State, or local law.

Before initiation of the informal resolution process, the parties will be provided with notice that explains:

- The allegations;
- The requirements of the informal resolution process;
- The right to withdraw and initiate or resume the grievance procedures;
- That the parties' agreement to a resolution at the conclusion of the informal resolution process precludes the parties' use of the grievance procedures arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement (e.g., restrictions on contact and participation in activities or events) including notice that an informal resolution agreement is binding only on the parties; and
- What information is retained and whether and how it may be disclosed by Charter School for use in grievance procedures if the grievance procedures are initiated or resumed.

Parties will not be required or pressured to agree to participate in the informal resolution process. Charter School will obtain the parties' voluntary consent to participate in the informal resolution process. Parties may end the informal resolution process and proceed with the grievance procedures at any time.

The facilitator of the informal resolution process will not be the same person as the investigator or the decisionmaker in the grievance procedures. The facilitator cannot have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The Coordinator will take appropriate prompt and effective steps to ensure sex discrimination does not continue or recur.

Grievance Procedures

Scope and General Requirements

Charter School has adopted these grievance procedures to provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in Charter School's education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX. Upon receipt of a complaint, the Coordinator or designee will promptly initiate these grievance procedures, or the informal resolution process if available, appropriate, and requested by all parties.

Charter School requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A decisionmaker may be the same person as the Coordinator or investigator.

Charter School will treat complainants and respondents equitably. Charter School presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.

Charter School may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances.

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

Charter School will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties shall not engage in retaliation, including against witnesses.

Charter School will objectively evaluate all evidence that is relevant and not otherwise impermissible—including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

If a party is a student with a disability, the Coordinator or designee must consult with one or more members, as appropriate, of the student's IEP Team and 504 Team, if any, to determine how to comply with the requirements of the Individuals with Disabilities Education Act ("IDEA") and Section 504 of the Rehabilitation Act of 1973 ("Section 504") throughout the grievance procedures.

Dismissal

In most cases, Charter School will determine whether a complaint is dismissed within fifteen (15) business days of receipt of the complaint.

Charter School may dismiss a complaint if:

- Charter School is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in Charter School's education program or activity and is not employed by Charter School;
- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Coordinator declines to initiate a complaint, and Charter School determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- Charter School determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Prior to dismissing the complaint on this ground, Charter School will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, the Coordinator or designee must promptly notify the complainant in writing of the basis for the dismissal and the complainant's right to appeal the dismissal on the following grounds within five (5) business days of the dismissal notice:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the determination whether sex-based harassment occurred or dismissal was made; and
- The Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If the dismissal occurs after the respondent has been notified of the allegations, then the Coordinator or designee must also simultaneously notify the respondent in writing of the dismissal, the basis for the dismissal, and the respondent's right to appeal the dismissal on the above grounds within five (5) business days of the dismissal notice.

If the complaint is dismissed, the Coordinator or designee will offer supportive measures to the complainant, as appropriate. The Coordinator or designee will also offer supportive measures to the respondent, as appropriate, if the respondent has been notified of the allegations. The Coordinator will continue to take appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur. Dismissal does not preclude action under another applicable Charter School policy.

Appeal of a Dismissal

If a dismissal is timely appealed in accordance with this Policy, the Coordinator or designee will promptly notify the parties in writing of the appeal, including notice of the allegations if such notice was not previously provided to the respondent, the contact information for the decisionmaker for the appeal, and the parties' right to submit a statement to the decisionmaker of the appeal in support of, or challenging, the outcome within five (5) business days of the appeal notice.

The decisionmaker for the appeal will be someone who has received the required Title IX training and did not take part in an investigation of the allegations or dismissal of the complaint. The appeal procedures will be implemented equally for the parties. Within fifteen (15) business days of the appeal notice to the parties, the decisionmaker will notify the parties in writing of the result of the appeal and the rationale for the result.

Notice of the Allegations

Upon initiation of the grievance procedures, the Coordinator or designee will provide notice of the allegations to the parties whose identities are known. The notice will include:

- Charter School's grievance procedures and any informal resolution process;
- Sufficient information available at the time to allow the parties to respond to the allegations. Sufficient information includes the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination under Title IX, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available to Charter School;

- A statement that retaliation is prohibited; and
- A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence; and if Charter School provides a description of the evidence, the parties are entitled to an equal opportunity to access to the relevant and not otherwise impermissible evidence upon the request of any party.

Emergency Removal

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

Charter School may remove a respondent from Charter School's education program or activity on an emergency basis, in accordance with Charter School's policies, provided that Charter School undertakes an individualized safety and risk analysis, determines that an imminent and serious threat to the health or safety of any person arising from the allegations of sex discrimination justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

This provision must not be construed to modify any rights under the IDEA, Section 504, or the ADA.

Investigation

Investigations of complaints will be adequate, reliable, and impartial. In most cases, a thorough investigation will take no more than twenty-five (25) business days. Charter School has the burden to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred. The investigator will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance in accordance with Title IX.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be used, accessed or considered, except by Charter School to determine whether one of the exceptions listed below applies, and will not be disclosed), regardless of whether they are relevant:

- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless Charter School obtains that party's or witness's voluntary, written consent for use in the grievance procedures; and
- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply

the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

The parties will have an equal opportunity to present fact witnesses and other inculpatory and exculpatory evidence that is relevant and not otherwise impermissible and to access such evidence. The parties may submit a written response to the investigator within five (5) business days of being provided with access to the evidence or an accurate description of it. The parties' timely submitted written responses, if any, will be considered by the investigator and decisionmaker before a determination of responsibility is made.

Charter School will take reasonable steps to prevent and address any unauthorized disclosure of information or evidence by the parties.

Determination of Responsibility

Before making a determination of responsibility, the decisionmaker may question parties and witnesses to adequately assess a party's or witness's credibility to the extent that credibility is in dispute and relevant to evaluating one or more allegations of sex discrimination.

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

Within fifteen (15) business days of the expiration of the time frame for the parties to submit a written response to the evidence or an accurate description of it, the decisionmaker will notify the parties in writing of the determination whether sex discrimination occurred including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal.

Appeal of the Determination of Responsibility

Should a party find Charter School's determination unsatisfactory, the party may, within five (5) business days of notice of Charter School's determination, submit a written appeal to the Chair of the Charter School Board, who will serve as the decisionmaker for the appeal or designate a decisionmaker for the appeal. The decisionmaker for the appeal must not have taken part in the investigation of the allegations.

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

Consequences

Students or employees who engage in misconduct prohibited by this Policy may be subject to disciplinary action up to and including expulsion from Charter School or termination of employment. If there is a determination that sex discrimination occurred, the Coordinator or

designee will coordinate the provision and implementation of any remedies and/or disciplinary sanctions ordered by Charter School including notification to the complainant of any such disciplinary sanctions. The Coordinator will take appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within Charter School's education program or activity.

No party, witness, or other person participating in Charter School's grievance procedures will be disciplined for making a false statement or for engaging in consensual sexual conduct based solely on Charter School's determination whether sex discrimination occurred.

Student Pregnancy and Related Conditions

Charter School will not discriminate against any student or applicant based on their current, potential, or past pregnancy or related conditions. For more information about policies and procedures applicable to employees who are pregnant or have a related condition, please refer to the Charter School employee handbook.

When a student, or a person who can legally act on behalf of the student, informs any employee of the student's pregnancy or related condition, unless the employee reasonably believes that the Coordinator has already been notified, the employee must promptly:

- Provide that person with the Coordinator's contact information; and
- Inform that person that the Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to Charter School's education programs and activities.

If a student, or a person who has a legal right to act on behalf of the student, notifies the Coordinator of the student's pregnancy or related condition, the Coordinator or designee must promptly:

- Inform the student, and if applicable, the person who notified the Coordinator of the student's pregnancy or related conditions and has a legal right to act on behalf of the student, of Charter School's obligations under:
 - 34 C.F.R. § 106.40(b)(1) through (5), which relates to the rights of students who are pregnant or have a related condition; and
 - 34 C.F.R. § 106.44(j), which includes rules on disclosures of personal information;
- Provide Charter School's Title IX notice of nondiscrimination; and
- Consult with the student about potential reasonable modifications to policies, practices, or procedures as necessary to prevent sex discrimination and ensure equal access, and if the student accepts an offered reasonable modification, implement the modification.

A student who is pregnant or has a related condition will be provided with a lactation space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used for expressing breast milk or breastfeeding as needed.

A student who is pregnant or has a related condition may voluntarily take a leave of absence for the time deemed medically necessary by the student's licensed healthcare provider, or if the

student so chooses, the time allowed under any Charter School leave policy for which the student qualifies. A pregnant or parenting student is entitled to eight weeks of parental leave, 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.

Upon the student's return from leave, the student will be reinstated to the academic status, and, as practicable, to the extracurricular status that the student held when the leave began. The student will not be required to provide any kind of certification demonstrating their ability to physically participate in any class, program, or extracurricular activity unless:

- The certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity;
- Such certification is required of all students participating in the class, program, or extracurricular activity; and
- The information obtained is not used as a basis for sex discrimination.

Students who are pregnant or have a related condition will not be required to provide supporting documentation unless necessary and reasonable to determine reasonable modifications or additional actions related to lactation space, leaves of absence, or voluntary access to any available separate and comparable portion of the program.

Training

All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years thereafter. All employees, Coordinators and designees, investigators, decisionmakers, and other persons who are responsible for implementing Charter School's grievance procedures or have the authority to modify or terminate supportive measures will receive Title IX and sexual harassment training and/or instruction concerning sexual harassment as required by law.

Recordkeeping

Charter School will maintain the following records for at least seven (7) years:

- For each complaint of sex discrimination, records documenting the informal resolution process or the grievance procedures, and the resulting outcome.
- For each notification the Coordinator receives of information about conduct that reasonably may constitute sex discrimination, records documenting the actions Charter School took to meet its obligations under 34 C.F.R. § 106.44.
- All materials used to provide required Title IX training. Charter School will make these training materials available upon request for inspection by members of the public.

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

[1] Charter School complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports and complaints of misconduct prohibited by this Policy.

(End of Policy SS 5145.71 Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures)

Staff-Student Boundaries Policy

Board Governance BG 03-23

Board Policy: Staff-Student Boundaries Policy

Gateway Community Charters has an expectation that all employees, volunteers, contractors, Board members, and other adults acting on behalf of Gateway Community Charters maintain professional, moral, and ethical relationships with students that are conducive to an effective, safe learning environment. The provisions of this policy apply to all employees, volunteers, contractors, Board members, interns, consultants, and any other adult acting on behalf of Gateway Community Charters relative to their conduct with students in Gateway Community Charters (GCC) schools and programs. This policy also supports professional boundaries among employees, volunteers, contractors, and other adults serving students.

Boundaries Defined

For the purposes of this policy, the term “boundaries” means acceptable professional behavior by employees, volunteers, contractors, and other adults while interacting with students. Professional boundaries also include appropriate conduct among employees, volunteers, contractors, and other adults serving students when such conduct affects the safety and welfare of students.

Acceptable and Unacceptable Behaviors

Some activities may seem innocent from a staff member’s point of view but could be perceived as flirtation or sexual insinuation from the perspective of students or parents. There is no single reasonable person standard. The purpose of the following lists of unacceptable and acceptable behaviors is not to restrain innocent, positive relationships between staff and students, but to prevent relationships that could lead to or may be perceived as inappropriate, or sexual misconduct, or “grooming.” Grooming is defined as an act or series of acts by a sexual predator to gain physical and/or emotional control by gaining trust (of staff and/or family and a minor) and desensitizing the minor to various forms of touching and other intimate interaction.

Staff members must understand their own responsibilities for ensuring that they do not cross the boundaries as written in this policy. Violations could subject the teacher or staff member to discipline up to and including termination. Disagreeing with the wording or intent of these established boundaries will be considered irrelevant for any required disciplinary purposes. Thus, it is critical that all employees study this policy thoroughly and apply its spirit and intent in their daily activities.

Unacceptable Behaviors

These lists (and any subsequent lists) are not meant to be all-inclusive, but rather, illustrative of the types of behavior intended to be addressed by this policy.

1. Giving gifts of a personal and intimate nature (including photographs) to a student; or items such as money, food, outings, electronics, etc. without the written pre-approval of the Principal or School Leader. It is recommended that any such gifts be filtered through the Superintendent/CEO or designee along with the rationale therefore.
2. Kissing of ANY kind
3. Massage [Note: Prohibited in athletics unless provided by a massage therapist or other certified professional in an open public location. Coaches may not perform massage or rub-down. Permitted in special education only as instructed under an IEP or 504 Plan.]
4. Full-frontal or rear hugs and lengthy embraces
5. Sitting students on one's lap (grades 3 and above)
6. Touching buttocks, thighs, chest or genital area
7. Wrestling with students or other staff member except in the context of a formal wrestling program
8. Tickling or piggyback rides
9. Any form of sexual contact
10. Any type of unnecessary physical contact with a student in a private situation
11. Intentionally being alone with a student away from school
12. Furnishing alcohol, tobacco products, or drugs - or failing to report knowledge of such
13. "Dating" or "going out with" a student
14. Remarks about physical attributes or physiological development of anyone. This includes comments such as "Looking fine!" or "Check out that [body part]."
15. Taking or requesting photographs or videos of students for personal use or posting online
16. Either partially or fully undressing in front of a student or asking a student to undress, with the intent to view/expose private body parts
17. Leaving campus alone with a student for lunch
18. Sharing a bed, mat, or sleeping bag with a student
19. Making, or participating in, sexually inappropriate comments
20. Sexual jokes, or jokes/comments with sexual overtones or double-entendres
21. Seeking emotional involvement (which can include intimate attachment) with a student beyond the normative care and concern required of an educator.
22. Listening to or telling stories that are sexually oriented
23. Discussing your personal troubles or intimate issues with a student
24. Becoming too involved with a student so that a reasonable person may suspect inappropriate behavior
25. Giving students a ride to/from school or school activities without the express, advance written permission of the Superintendent/CEO or designee and the student's parent or legal guardian
26. Being alone in a room with a student at school with the door closed and/or windows blocked from view
27. Allowing students at your home and/or in rooms within your home without signed parental permission for a pre-planned and pre-communicated educational activity which must include another educator, parent, or designated school volunteer

28. Staff mirroring the immature behavior of minors
29. Sending emails, text messages, direct messages, social media communications, phone calls, or other electronic communication to students that are unrelated to school activities. Whenever practical, electronic communication shall occur through Gateway Community Charters-approved communication systems and include the student's parent or guardian or be otherwise transparent and capable of administrative review. Communication through personal social media accounts or private messaging applications is prohibited, except when specifically authorized by the Superintendent/CEO or designee for legitimate educational purposes.

This policy does not prevent: 1) touching a student for the purpose of guiding them along a physical path; 2) helping them up after a fall; or 3) engaging in a rescue or the application of Cardiopulmonary Resuscitation (CPR) or other emergency first-aid. Nor does it prohibit the use of reasonable force and touching in self-defense or in the defense of another. Restraining a child who is trying to engage in violent or inappropriate behavior is also allowed. Only such force as necessary to defend oneself, another person, or the child or to protect property is legally permitted. Excessive force is prohibited.

Acceptable Behaviors

1. Pats on the shoulder or back
2. Handshakes
3. "High-fives" and hand slapping
4. Touching face to check temperature, wipe away a tear, remove hair from face, or other similar types of contact
5. Placing TK through second grade students on one's lap for purposes of comforting the child for a short duration only
6. Holding hands while walking with small children or children with significant disabilities
7. Assisting with toileting of small or disabled children in view of another staff member
8. Touch required under an IEP or 504 Plan
9. Reasonable restraint of a violent person to protect self, others, or property
10. Obtaining formal written pre-approval from Superintendent/CEO or designee to take students off school property for activities such as field trips or competitions, including parent's written permission and waiver form for any sponsored after-school activity whether on or off-campus
11. Emails, text messages, phone conversations, learning management systems, and other electronic communications with students shall be professional, school-related, and conducted through Gateway Community Charters approved communication systems whenever practical. Whenever practical, a student's parent or guardian should be included in, copied on, or otherwise have access to electronic communications between employees and students. (communication should be initiated via transparent [non-private] school-based technology and equipment)
12. Keeping the door wide open when alone with a student
13. Keeping reasonable and appropriate space between you and the student
14. Stopping and correcting students if they cross your own personal boundaries, including touching legs or buttocks, frontal hugs, kissing, or caressing

15. Keeping parents informed when a significant issue develops about a student, such as a change in demeanor or uncharacteristic behavior
16. Keeping after-class discussions with a student professional and brief
17. Immediately asking for advice from senior staff or administration if you find yourself in a difficult situation related to boundaries
18. Involving your direct supervisor in discussion about boundary situations that have the potential to become more severe (including but not limited to grooming or other red flag behaviors observed in colleagues, written material that is disturbing, or a student's fixation on an adult)
19. Making detailed notes about an incident that in your best judgment could evolve into a more serious situation later
20. Recognizing the responsibility to stop "Unacceptable Behaviors" of students and/or co-workers
21. Asking another staff member to be present, or within close supervisory distance, when you must be alone with a student after regular school hours
22. Prioritizing professional behavior during all moments of student contact
23. Asking yourself if any of your actions, which could be contrary to these provisions, are worth sacrificing your job and career.

This policy does not prevent: 1) touching a student for the purpose of guiding them along a physical path; 2) helping them up after a fall; or 3) engaging in a rescue or the application of Cardiopulmonary Resuscitation (CPR) or other emergency first-aid. Nor does it prohibit the use of reasonable force and touching in self-defense or in the defense of another. Restraining a child who is trying to engage in violent or inappropriate behavior is also allowed. Only such force as necessary to defend oneself, another person, or the child or to protect property is legally permitted. Excessive force is prohibited.

Boundaries Reporting

When any staff member, parent, or student becomes aware of a staff member (or volunteer, guest, vendor) having crossed the boundaries specified in this policy, or has a strong suspicion of "grooming behavior," he or she must report the suspicion to the Superintendent/CEO or designee promptly. "Grooming behavior" is an attempt to build an emotional and/or physical connection with a minor to gain their trust for the purpose of sexual abuse. "Suspicion" means something perceived in spite of inconclusive or slight evidence. It is based on facts that would lead a reasonable person to believe that a violation of the boundaries policy occurred. Prompt reporting of "unacceptable behaviors" observed in adult interactions with minors is essential to protect students, staff, any witnesses, and the school as a whole. When observant staff members call attention to a boundary violation(s), the likelihood of harm is greatly reduced.

Child Abuse / Sexual Abuse Reporting (Mandatory Reporting)

If, within your professional capacity or within the scope of your employment, you observe or gain possession of knowledge that a child has been a victim of child abuse or sexual abuse (or you reasonably suspect it), California Penal Code Section 11166 requires YOU to immediately report this information or suspicion directly to your county child protective agency (CPS) or local police/sheriff. The report shall be made by phone immediately, and a subsequent written report must be sent within 36 hours of your knowledge or suspicion of the abuse.

You do not need permission to report. No supervisor or administrator can impede or inhibit a report or sanction you for making the report. Your report is confidential, and you are protected from liability as long as you do not discuss the matter with anyone other than law enforcement, CPS, and your school's designated responsible administrative person. Failure to meet your reporting obligation can result in a monetary fine and/or jail.

Internal reporting to the Superintendent/CEO or designee occurs after the phone-in report is made to the police/sheriff or CPS.

Internal Investigations

The Superintendent/CEO or designee will promptly communicate with the investigating enforcement agency to determine whether an investigation will be conducted by that agency. The administrator will confirm with law enforcement as to whether the initiation of an internal school investigation would interfere with any criminal investigation. Only law enforcement has the authority to grant clearance to investigate the matter administratively.

Upon receiving information from the mandated reporter, the designated responsible administrator must take immediate action to stop the alleged inappropriate conduct by removing the employee (or volunteer/vendor/guest) from the classroom or worksite when there is a potential risk to student or school safety. The Superintendent/CEO or designee shall consult with legal counsel as appropriate, prior to, during, and after conducting any investigation.

Consequences

Staff members who have violated this policy will be subject to appropriate disciplinary action, and where appropriate, will be reported to authorities for potential legal action.

DISCIPLINARY PHYSICAL CONTACT WITH STUDENTS

It is the policy of Gateway Community Charters (GCC) that no teacher or other staff member will use corporal punishment against a student. This prohibition includes spanking, slapping, pinching, hitting, tying, taping, or the use of any other physical force as retaliation or correction for inappropriate behavior.

STAFF-STUDENT INTERACTIONS

While the use of appropriate touching is part of daily life and is important for student development, teachers and other staff members must ensure that they do not exceed appropriate behavior. If a child or other staff member specifically requests that he or she not be touched, then that request must be honored without question.

Gateway Community Charters recognizes that the requirements of California Education Code section 32050 (SB 848) are implemented through multiple Board Policies, Administrative Regulations, and operational procedures. This policy shall be implemented in conjunction with Gateway Community Charters' other Board Policies, Administrative Regulations, the Comprehensive School Safety Plan, and operational procedures that collectively establish professional boundaries, student protections, facility supervision practices, electronic

communication expectations, reporting requirements, and other safeguards necessary to promote safe learning environments.

CROSS REFERENCES

[SS 0450 – Comprehensive School Safety Plan](#)

[SS 05-19 – Classroom and School Visitation and Removal Policy](#)

[SS 07-16 – Fingerprinting and Background Checks](#)

[SS 5145.71 – Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures](#)

[SS1517 – Harassment, Intimidation, Discrimination, and Bullying Policy](#)

[SP 5144.1 – Suspension and Expulsion / Due Process](#)

[Employee Handbook](#)

[Volunteer Packet](#)

(End of Policy BG 03-23 Staff-Student Boundaries Policy)

Harassment, Intimidation, Discrimination, and Bullying Policy

Student Policies SP 1517

Board Policy: Harassment, Intimidation, Discrimination, and Bullying Policy

Discrimination, 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, Gateway Community Charters, Inc. ("Charter School") prohibits any acts of discrimination, harassment, intimidation, and bullying altogether.

As used in this policy, discrimination, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of mental or physical disability, sex (including pregnancy and related conditions, and parental status), sexual orientation, gender, gender identity, gender expression, immigration status, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locs, and twists), 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, Charter School will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated, and/or bullied, and will take action to investigate, respond, address and report on such behaviors in a timely manner. Charter School staff who witness acts of misconduct prohibited by this policy will take immediate steps to intervene when it is safe to do so.

This policy applies to incidents occurring on the school campus, at school-sponsored events and activities regardless of the location, through school-owned technology, and through other electronic means, whether perpetrated by a student, employee, parent/guardian, volunteer, independent contractor or other person with whom Charter School does business, and all acts of Charter School's Board of Directors ("Board") in enacting policies and procedures that govern Charter School.

Charter School 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.

Definitions

Harassment means conduct based upon one or more of the protected characteristics listed above that is severe or pervasive, which unreasonably disrupts an individual's educational or work environment or that creates a hostile educational or work environment. Harassment includes, but is not limited to:

Verbal conduct such as epithets, derogatory jokes, comments or slurs.

Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work or school based on any of the protected characteristics listed above.

Retaliation for reporting or threatening to report harassment.

Deferential or preferential treatment based on any of the protected characteristics listed above.

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 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:

- Placing a reasonable student or students in fear of harm to that student's or those students' person or property.
- Causing a reasonable student to experience a substantially detrimental effect on the student's physical or mental health.
- Causing a reasonable student to experience substantial interference with the student's academic performance.
- Causing a reasonable student to experience substantial interference with the student's ability to participate in or benefit from the services, activities, or privileges provided by Charter School.

Cyberbullying is an electronic act that includes the transmission of harassing communication, direct threats, or other harmful texts, sounds, video 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.

(This policy becomes effective on September 10, 2024. Conduct occurring before September 10, 2024, will be addressed in accordance with the school's previously adopted Title IX, Harassment, Discrimination, Intimidation, and Bullying Policy.)

Electronic act means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- A message, text, sound, video, or image.
- A post on a social network Internet Website including, but not limited to:
 - Posting to or creating a burn page. A “burn page” means an Internet Website created for the purpose of having one or more of the effects as listed in the definition of “bullying,” above.
 - Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in the definition of “bullying,” above. “Credible impersonation” means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
 - Creating a false profile for the purpose of having one or more of the effects listed in the definition of “bullying,” above. “False profile” means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
- An act of “Cyber sexual bullying” including, but not limited to:
 - The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in the definition of “bullying,” above. A photograph or other visual recording, as described above, shall include the depiction of a nude, seminude, 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.
 - “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 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.

Bullying and Cyberbullying Prevention Procedures

Charter School has adopted the following procedures for preventing acts of bullying, including cyberbullying.

Cyberbullying Prevention Procedures

Charter School advises students:

- To never share passwords, personal data, or private photos online.

- To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
- 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.
- To consider how it would feel receiving such comments before making comments about others online.

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

Education

Charter School employees cannot always be present when bullying incidents occur, so educating students about bullying is a key prevention technique to limit bullying from happening. Charter School advises students that hateful and/or demeaning behavior is inappropriate and unacceptable in our society and at Charter School 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.

Charter School'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.

Charter School informs Charter School 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.

Professional Development

Charter School 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 Charter School employees who have regular interaction with students.

Charter School 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 Charter School and available research to be at elevated risk for bullying and provides its certificated employees with information on existing school and community resources related to the support of these groups. 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.

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

Complaint Procedures

Scope of the Complaint Procedures

Charter School 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 they have 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 based on a protected characteristic, 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 Charter School 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.

Charter School will comply with its Title IX Policy when investigating and responding to complaints alleging sex discrimination, including sex-based harassment, in its education program or activity, as applicable.

The following procedures shall be utilized for complaints of misconduct prohibited by this Policy that do not fall within the scope of the Charter School’s Title IX Policy or comply with the writing, timeline, or other formal filing requirements of the UCP. A copy of Charter School’s Title IX Policy and UCP is available in the main office.

Submitting a Report or Complaint

All staff are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of misconduct prohibited by this Policy, to intervene when safe to do so, call for assistance, and report such incidents. The Board requires staff to follow the procedures in this Policy for reporting alleged acts of misconduct prohibited by this Policy.

Reports and complaints of misconduct prohibited by this Policy shall be submitted to the Superintendent (or the Secretary of the Board if the complaint is against the Superintendent) as soon as possible after the incidents giving rise to the report or complaint.

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, and Charter School will investigate and respond to all oral and written reports of misconduct prohibited by this Policy, the reporting party is encouraged to submit a written report. 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 and other verbal or physical abuses. Any student who feels they are a target of such behavior should immediately contact a teacher, counselor, the Superintendent, 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.

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

Charter School 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.

Investigation and Response

Upon receipt of a report or complaint of misconduct prohibited by this Policy, the Superintendent or designee will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty-five (25) school days.

At the conclusion of the investigation, the Superintendent or designee will, to the extent possible with respect to confidentiality laws, provide the complainant with information about the

investigation and resolution of the incident/situation. However, the Superintendent or designee will not reveal confidential information related to other students or employees.

If the complaint is against the Superintendent, a non-employee Board member who is not the Board Chair or a parent/guardian of a student at Charter School will conduct a fact-finding investigation and provide the complainant with information about the investigation and resolution of the incident/situation.

Consequences

Students or employees who engage in misconduct prohibited by this Policy may be subject to disciplinary action up to and including expulsion from Charter School or termination of employment.

Right of Appeal

Should a complainant find Charter School's resolution unsatisfactory, for complaints within the scope of this Policy, the complainant may, within five (5) business days of notice of Charter School's decision or resolution, submit a written appeal to the Chair of the Charter School Board, who will serve as the decisionmaker for the appeal or designate a decisionmaker for the appeal. The decisionmaker for the appeal will notify the complainant of the final decision.

(End of Policy SP 1517 Harassment, Intimidation, Discrimination, and Bullying Policy)

Mobile Communications Devices

Student Policies SP 5131.8

Board Policy: Mobile Communication Devices

The GCC Board of Directors recognizes that student use of smartphones and other mobile communication devices on campus may be beneficial to student learning and well-being, and could be harmful and disruptive to the instructional program in some circumstances. When on campus or when under the supervision of district employees, students may use smartphones and other mobile communication devices only as permitted under this policy.

The Superintendent/CEO or designee may undertake measures or strategies in accordance with law to limit student access to smartphones and other mobile communication devices on campus. (Education Code 48901.7)

Students may only use smartphones or other mobile communication devices on campus during noninstructional time as long as the device is utilized in accordance with law and any applicable school rules.

Mobile communication devices shall be turned off and put away in backpacks during instructional time. The school may also provide locked storage space for devices during instructional time.

However, a student shall not be prohibited from possessing or using a mobile communication device under any of the following circumstances: (Education Code 48901.5, 48901.7)

1. In the case of an emergency or in response to a perceived threat of danger.
2. When a teacher or administrator grants permission to the student to possess or use a mobile communication device, subject to any reasonable limitation imposed by that teacher or administrator.
3. When a licensed physician or surgeon determines that the possession or use is necessary for the student's health and well-being.
4. When the possession or use is required by the student's individualized education program.

Smartphones and other mobile communication devices shall not be used in any manner that infringes on the privacy rights of any other person.

When a student uses a mobile communication device in an unauthorized manner while at a school site or under the supervision and control of a school employee, the student may be disciplined, and the school employee may temporarily confiscate the device. The employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate.

A student may also be subject to discipline, in accordance with law, Board policy, or school site procedures, for off-campus use of a mobile communication device that poses a threat or danger to the safety of students, staff, or school property or substantially disrupts school activities.

Gateway Community Charters and its Schools and staff will not be responsible or liable for a student's mobile communication device, which is brought on campus or to a school activity and is lost, stolen, or damaged.

(End of Policy SP 5131.8 Mobile Communication Devices Policy)

Discipline in General

Each school should develop a process for handling, and if necessary escalating, individual cases of student misbehavior. Strategies may include but are not limited to:

- Relocating the student's desk to a different part of the classroom/resource room
- Assigning different or additional work appropriate to the infraction
- Utilizing a peer mediation or student conflict resolution program
- Individual conversation with the classroom/resource room teacher about behavior and consequences

- Utilizing a written referral framework
- Designating selected classrooms/resource rooms and teachers (typically, lead teachers or advisors) as places for “time out”
- Referring students to the principal or a designee
- Contacting parents/guardians; and/or
- Requiring the student to attend before/after school detention or Saturday detention
- Referring student to Student Study Team

All GCC employees will report unmanageable or unusual behavior of students to the school principal or designee as soon as possible. The school principal or designee shall investigate the report and exercise his or her discretion for purposes of notification of parents, legal guardians, law enforcement, or local child protection services.

Suspension & Expulsion/Due Process

Student Policies SP 5144.1

Board Policy: Suspension and Expulsion/Due Process

The Pupil Suspension and Expulsion Policy and Procedures have been established in order to promote learning and protect the safety and well-being of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 et seq. which describes 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 removals. The language that follows is largely consistent with the language of Education Code Section 48900 et seq. The Charter School is committed to annual review of policies and procedures surrounding suspensions, expulsions and, involuntary removals, and as necessary, modification of the lists of offenses for which students are subject to suspension, expulsion, or involuntary removal

Consistent with this Policy, it may be necessary to suspend or expel a student from regular classroom instruction. This shall serve as 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 policies and procedures fairly and consistently amongst all students. This Policy and its Procedures will be printed and distributed annually as part of the Student Handbook which will clearly describe discipline expectations.

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

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

a student. For purposes of this Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employees, students, staff or other persons or to prevent damage to Charter School property.

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

The Charter School Principal shall ensure that students and their parents/guardians are notified and provided a copy upon enrollment of all discipline and involuntary removal policies and procedures. The notice shall state that this Policy and its Procedures is also available upon request at the school administrative office.

Suspended or expelled students shall be excluded from all Charter School and Charter 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 IDEA or who is qualified for services under Section 504 is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law requires additional or different procedures. The Charter School will follow Section 504, IDEA, the ADA and all federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities 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 Charter School for any reason unless the parent/guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action. The written notice shall be in the native language of the student or the student's parent/guardian and shall inform the student, and the student's parent/guardian of the basis for which the student is being involuntarily removed, and the student's parent/guardian's right to request a hearing to challenge the involuntary removal. If a student's parent/guardian 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 requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School 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 Charter School activity or Charter School attendance occurring at any time including but not limited to: a) while on Charter School grounds; b) while going to or coming from

Charter School; c) during the lunch period, whether on or off the Charter School campus; d) during, going to, or coming from a Charter School-sponsored activity.

B. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended when it is determined the student:
 - a. Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b. Willfully used force or violence upon the person of another, except self-defense.
 - c. Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
 - e. Committed or attempted to commit robbery or extortion.
 - f. Caused or attempted to cause damage to Charter School property or private property, which includes but is not limited to, electronic files and databases.
 - g. Stole or attempted to steal Charter School property or private property, which includes but is not limited to, electronic files and databases.
 - h. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of a student's own prescription products by a student.
 - i. Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
 - k. Knowingly received stolen Charter School property or private property, which includes but is not limited to, electronic files and databases.
 - l. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
 - m. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a Charter School disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
 - n. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

- o. Engaged in, or attempted to engage in, hazing. For the purposes of this policy, “hazing” means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this policy, “hazing” does not include athletic events or Charter School-sanctioned events.
- p. Made terroristic threats against Charter School officials and/or Charter School property, which includes but is not limited to, electronic files and databases. For purposes of this policy, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for their own safety or for their immediate family’s safety, or for the protection of Charter School property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.
- q. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This provision shall apply to students in any of grades 4 to 12, inclusive.
- r. Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in Education Code Section 233(e). This provision shall apply to students in any of grades 4 to 12, inclusive.
- s. Intentionally harassed, threatened or intimidated Charter 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 Charter School personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This provision shall apply to students in any of grades 4 to 12, inclusive.
- t. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a

student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with their academic performance.
 - iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
2. "Electronic Act" means the creation or transmission originated on or off the Charter School site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- i. A message, text, sound, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - b. Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
 - c. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
 - iii. An act of cyber sexual bullying.

- a. For purposes of this policy, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to Charter 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 Charter School-sanctioned activities.
 3. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
 - u. A student who aids or abets, as defined in Penal Code Section 31, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
 - v. Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated Charter School employee, with the Principal or designee’s concurrence.
2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion when it is determined the student:
 - a. Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any device of this type, the student had obtained written permission to possess the item from a certificated Charter School employee, with the Principal or designee’s concurrence.
 - b. Brandished a knife at another person.
 - c. Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, et seq.

- d. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code, or committed a sexual battery as defined in Penal Code Section 243.4.
3. Discretionary Expellable Offenses: Students may be recommended for expulsion when it is determined the student:
- a. Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b. Willfully used force or violence upon the person of another, except self-defense.
 - c. Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
 - e. Committed or attempted to commit robbery or extortion.
 - f. Caused or attempted to cause damage to Charter School property or private property, which includes but is not limited to, electronic files and databases.
 - g. Stole or attempted to steal Charter School property or private property, which includes but is not limited to, electronic files and databases.
 - h. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of a student's own prescription products by a student.
 - i. Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
 - k. Knowingly received stolen Charter School property or private property, which includes but is not limited to, electronic files and databases.
 - l. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
 - m. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a Charter School disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
 - n. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

- o. Engaged in, or attempted to engage in hazing. For the purposes of this policy, “hazing” means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this policy, “hazing” does not include athletic events or Charter School-sanctioned events.
- p. Made terroristic threats against Charter School officials and/or Charter School property, which includes but is not limited to, electronic files and databases. For purposes of this policy, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for their own safety or for their immediate family’s safety, or for the protection of Charter School property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.
- q. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This provision shall apply to students in any of grades 4 to 12, inclusive.
- r. Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in Education Code Section 233(e). This provision shall apply to students in any of grades 4 to 12, inclusive.
- s. Intentionally harassed, threatened or intimidated Charter 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 Charter School personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This provision shall apply to students in any of grades 4 to 12, inclusive.
- t. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a

student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with their academic performance.
 - iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
2. "Electronic Act" means the creation or transmission originated on or off the Charter School site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- i. A message, text, sound, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - b. Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
 - c. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
 - iii. An act of cyber sexual bullying.

- a. For purposes of this policy, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to Charter 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 Charter School-sanctioned activities.
3. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- u. A student who aids or abets, as defined in Penal Code Section 31, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).
 - v. Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated Charter School employee, with the Principal or designee’s concurrence.
4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion when it is determined pursuant to the procedures below that the student:
 - a. Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any device of this type, the student had obtained written permission to possess the item from a certificated Charter School employee, with the Principal or designee’s concurrence.
 - b. Brandished a knife at another person.
 - c. Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, et seq.

- d. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code, or committed a sexual battery as defined in Penal Code Section 243.4.

If it is determined by the Administrative Panel and/or GCC Board of Directors that a student has brought a fire arm 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 dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the student 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 3½ inches; (D) a folding knife with a blade that locks into place; or (E) a razor with an unguarded blade

The term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such a term does not include an antique firearm.

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

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Principal or the Principal's designee with the student and the student's parent/guardian and, whenever practicable, the teacher, supervisor or Charter School employee who referred the student to the Principal. The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or Charter School personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to Charter School for the purpose of a conference.

At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against the student and shall be given the opportunity to present their version and evidence in their defense, in accordance with Education Code Section 47605(c)(5)(J)(i).

This conference shall be held within two (2) Charter 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. The conference shall be held as soon as the student is physically able to return to the Charter School for the conference.

Penalties shall not be imposed on a student for failure of the student's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended student shall not be contingent upon attendance by the student's parent or guardian at the conference.

2. Notice to Parents/Guardians

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

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive Charter School days per suspension.

Upon a recommendation of expulsion by the Principal, the student and the student's parent/guardian or representative will be invited to a conference to determine if the suspension for the student should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the student or the student's parent/guardian, unless the student and the student's parent/guardian fail to attend the conference.

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

4. Homework Assignments During Suspension

In accordance with Education Code Section 47606.2(a), upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the student, or the affected student, a teacher shall provide to a student in any of grades 1 to 12, inclusive, who has been suspended from Charter 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

In accordance with 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 GCC Board following a hearing before it or by the GCC Board upon the recommendation of a neutral and impartial Administrative Panel to be assigned by the GCC Board as needed. The Panel shall consist of at least three members; neither a teacher of the student nor a board member. Each hearing shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

E. Expulsion Procedures

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

The expulsion hearing will be presided over by the Superintendent/CEO, or Superintendent/CEO's designee. In the event an Administrative Panel hears the case, it will make a recommendation to the GCC Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all student confidentiality rules under FERPA) unless the student makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

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

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of 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 an advocate;
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 student.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of their right to (a) receive five day 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 chairperson conducting the 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 chairperson 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 chairperson 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 chairperson presiding over the hearing from removing a support person whom the presiding

person finds is disrupting the hearing. The chairperson conducting the hearing may permit any one of the support persons for the complaining witness to accompany to 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 chairperson 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 chairperson shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the chairperson 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 the public at the request of the student being expelled, the complaining witness shall have the right to have their testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

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

H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense.

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay and sworn declarations may be admitted as testimony from witnesses of whom the Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

I. Expulsion Decision

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

If the Administrative Panel decides not to recommend expulsion, or the Board of Directors ultimately does not expel, the student shall immediately be returned to their 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 Principal or designee following a decision of the GCC Board to expel shall send written notice of the decision to expel, including the GCC Board's adopted findings of fact, to the student and the parent/guardian. This notice shall include the following:

1. Notice of the specific offense(s) committed by the student.
2. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.
3. Rehabilitation Plan and Reinstatement Eligibility

The Principal or designee shall send written notice of the decision to expel to the Student's district of residence, and the District. This notice shall include the following:

1. The student's name
2. The specific expellable offense(s) 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 District upon request.

L. No Right to Appeal

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

M. Suspended and Expelled Students/Alternative Education

The Charter School shall ensure that students suspended from the Charter School are provided with an appropriate alternative educational program (class work and homework assignments, etc.) during the period of the student's suspension from school. Whenever a student is expelled from the Charter School, the Charter School shall notify the student and the student's parents or guardians in writing of the student's duty to attend the public school district in which the residency of either the parent or legal guardian is located. The Charter School shall also notify the public school district in which the residency of either the parent or legal guardian is located whenever a student is expelled from the Charter School.

N. Rehabilitation Plans

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

O. Readmission or Admission of Previously Expelled Student

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

In accordance with Education Code Section 51747 and the Charter School's Board policy BP 6158 on Independent Study, an evaluation to determine whether it is in the best interest of the student to remain in independent study will be conducted if a student fails to complete two consecutive assignments or four assignments within any semester. If it is determined that continuing in independent study is not in the student's best interest, the Charter School may proceed with involuntary removal, following the Missed Assignment Policy as outlined in BP 6158 and only after providing notice and an opportunity for a parent, guardian, educational rights holder to request a hearing prior to any involuntary removal as forth herein.

R. Special Procedures for the Consideration of Suspension and Expulsion 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/guardian, 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 parent/guardian to determine:

- a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or

- b. If the conduct in question was the direct result of the LEA's failure to implement the IEP/504 Plan.

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

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

- a. Carries or possesses a weapon, as defined in 18 USC 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 USC 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 parent/guardian; 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.

(End of Policy SP 5144.1 Suspension and Expulsion/Due Process)

Suicide Prevention

Student Policies SP 5141.52

Board Policy: Suicide Prevention

The Governing Board of Gateway Community Charters (GCC) recognizes that suicide is a major cause of death among school-age children in grades Kindergarten through grade 12. In order to attempt to reduce suicidal behavior and its impact on students and families, the Superintendent/CEO or designee shall develop preventive strategies and intervention procedures.

The Superintendent/CEO or designee may involve school health professionals, school counselors, administrators, other staff, parents/guardians, students, local health agencies and professionals, and community organizations in planning, implementing, and evaluating the GCC's strategies for suicide prevention and intervention.

Prevention and Instruction

The GCC's comprehensive education program shall promote mental health, emotional well-being, and social development skills of students. Suicide prevention instruction and related activities should be age and developmentally appropriate for each grade level.

The Superintendent/CEO or designee may provide parents/guardians with educational materials and information describing the seriousness of youth suicide. This information may include an overview of GCC's suicide prevention curriculum, risk factors and warning signs, basic steps for supporting students who may be at risk, and available school and community resources for youth experiencing a crisis.

Instruction

The GCC's suicide prevention instruction shall be designed to help all students:

1. Identify and analyze signs of depression and self-destructive behaviors, and understand how feelings of depression, loss, isolation, inadequacy, and anxiety can lead to thoughts of suicide
2. Identify alternatives to suicide and develop coping and resiliency skills.
3. Learn to listen, be honest, share feelings, and get help when communicating with friends who show signs of suicidal intent.
4. Identify trusted adults, school resources, and/or community crisis intervention resources where youth can get help and recognize that there is no stigma associated with seeking mental health, substance abuse, and/or suicide prevention services.

Staff Development

Suicide prevention training for staff shall be developed to support employees in recognizing and appropriately responding who may be at risk of suicide. The training will be provided under the guidance of a GCC school counselor, school psychologist, or school nurse, and may also be conducted in partnership with one or more community mental health agencies:

1. Research identifying risk factors, such as previous suicide attempt(s), history of depression or mental illness, substance-use problems, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability, and other factors.
2. Warning signs that may indicate suicidal intentions, including changes in students' appearance, personality, or behavior.
3. Research-based instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health.
4. School and community resources and services.
5. GCC procedures for intervening when a student attempts, threatens, or discloses the desire to commit suicide.

Intervention

Whenever a staff member suspects or has knowledge of a student's suicidal intentions, he/she shall promptly notify the school principal, school psychologist, or school counselor. The principal or designee shall then notify the student's parents/guardians as soon as possible and may refer the student to mental health resources.

Students shall be encouraged to notify school staff when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.

Whenever schools establish a peer counseling system, peer counselors must complete the suicide prevention curriculum, including identification of the warning signs of suicidal behavior and referral of a suicidal student to school staff.

In the event of a student suicide crisis, Gateway Community Charters shall implement crisis intervention protocols consistent with Education Code section 215 and the California Department of Education's model suicide prevention policy. These protocols shall include:

1. School mental health professionals shall be the primary responders whenever available. If a school mental health professional is unavailable, a school employee who has completed the training required pursuant to Education Code section 49428.15 may provide a warm handoff until the student is connected with an appropriate mental health professional. If neither is available, GCC shall contact one or more qualified community-based organizations, a mobile crisis unit, the 988 Suicide & Crisis Lifeline, or another qualified mental health professional.
2. Law enforcement involvement shall be limited to situations in which a student's life is in imminent danger and the student's needs cannot be safely addressed by a mental health professional.
3. When law enforcement involvement is necessary, law enforcement officers shall assess whether notification of the student's parent or guardian could place the student at additional risk. The student shall be informed if the student's parent or guardian is notified.
4. The Superintendent/CEO or designee shall maintain procedures describing the process for deploying school personnel and external agencies during a student suicide crisis. These procedures shall prioritize the use of school mental health professionals whenever available and shall be incorporated into the Comprehensive School Safety Plan and reviewed periodically using current best practices identified in the California Department of Education's model suicide prevention policy.

The Superintendent/CEO or designee will establish crisis intervention procedures to ensure student safety and appropriate communications in the event that a suicide occurs or an attempt is made on campus or at a school-sponsored activity.

Suicide interventions shall be included in the GCC's Comprehensive School Safety Plan, which is updated annually and approved by the governing board of Gateway Community Charters.

(End of Policy SP 5141.52 Suicide Prevention)

Immigration Enforcement and Student Protections

Immigration enforcement response procedures are addressed in GCC's School Site Safety Plan and student support protocols, consistent with AB 49 and SB 89.

Student Policy SP 1445

Board Policy: Response to Immigration Enforcement

The Gateway Community Charter (GCC) Board is committed to the success of all students and to providing a safe and welcoming place for students, their families, and staff, irrespective of their citizenship or immigration status.

School site staff must immediately refer any immigration enforcement request to the Superintendent/CEO or designee and may not respond independently.

Except as required by state or federal law, or as required to administer a state or federally supported educational program, school officials and employees of any GCC school:

1. Shall not collect information or documents regarding the citizenship or immigration status of a student or their family members. (Education Code 234.7)
2. Shall request a valid identification from any officer or employee of an agency conducting immigration enforcement seeking to enter a nonpublic area of the school.
3. Shall not allow entry to an officer or employee of an agency conducting immigration enforcement to enter a nonpublic area of the school site without being presented with a valid judicial warrant or judicial subpoena, or a court order. This includes anywhere a school-sponsored program or activity is occurring, a school bus, or any other transportation provided by the school. (Education Code 234.7; Government Code 7285.1)
4. Shall immediately share any presented warrant or court order with the Superintendent/CEO or designee to determine if counsel is needed to determine validity.
5. Shall not, to the extent practicable, disclose or provide in writing, verbally, or in any other manner to an officer or employee of an agency conducting immigration enforcement:
 - a. The education records of or any information about a student or a student's family or household, such as personal information as defined in Civil Code 1798.3, information about a student's home, or information about a student's travel schedule, without the parent/guardian's written consent. (Education Code 234.7)
 - b. The personnel records of any school employee, personal information of any school employee as defined in Civil Code 1798.3, or any other confidential employee information. (Education Code 234.7; Government Code 7285.2)

However, GCC staff shall not obstruct, physically interfere with, or otherwise impede an officer or employee of an agency conducting immigration enforcement who nonetheless enters a nonpublic area of any school property or facility, or a nonpublic area where any school-sponsored program or activity is occurring, or enters school-provided transportation. GCC staff shall not assist with the physical apprehension of a person and shall not consent to immigration officers searching nonpublic areas of the school site without a judicial warrant or judicial subpoena, or court order.

Except in cases of suspected child abuse, neglect, or dependency matters, school staff must immediately notify a parent/guardian before an officer or an employee of an agency questions or removes a student for immigration enforcement purposes, except when the officer or employee of an agency has a judicial warrant or court order that restricts the disclosure to the parent/guardian. If a student is released to a law enforcement officer due to a judicial warrant, judicial subpoena, or court order, the parent/guardian must be informed immediately, except in the cases of suspected child abuse, neglect, or dependency matters.

In the event that a student experiences the detention or deportation of a parent/guardian, the school shall reach out to the emergency contacts for the child to arrange for the pupil's care. If no arrangements with emergency contacts are successful, then child protective services should be contacted. The school site must work with parents/guardians to update their emergency contact information regularly, and as needed.

The Superintendent/CEO or designee shall ensure that the student is provided appropriate support to maintain stability and access to education. The GCC school shall respond in a manner that is sensitive, confidential, and respectful of the student's family circumstances. Staff may connect students and families with available counseling services, community-based resources, and other support as appropriate. The GCC School shall continue to uphold the student's right to attend school without discrimination or interruption, and shall work with the family and authorized caregivers to support the student's safety, well-being, and educational success.

The Superintendent/CEO or designee shall annually provide parents/guardians with information regarding their children's right to a free public education regardless of immigration status or religious beliefs and their rights related to immigration enforcement. Parents/Guardians will be provided with the "Know our Educational Rights" checklist provided by the Attorney General each year. This checklist must be posted in each school administrative office and on the school's website.

The Superintendent/CEO or designee shall report to the Board in a timely manner any requests by an officer or employee of an agency conducting immigration enforcement for any of the following: (Education Code 234.7)

1. Education records or any information about a student, a student's family, or household.
2. Personnel records of any school employee, personal information of any school employee as defined in Civil Code 1798.3, or any other confidential employee information.

3. Permission to enter a nonpublic area of any school property or facility, or a nonpublic area where any school-sponsored program or activity is occurring, or to enter school-provided transportation.

Such reports shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information, as student records are protected by FERPA. (Education Code 234.7)

In accordance with law, no student shall be denied equal rights and opportunities, nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the school's programs and activities on the basis of the student's or family's immigration status or for the refusal to provide information related to the student's or family's immigration status. (Education Code 200, 220, 234.1)

Resources and data collected by the school shall not be used, directly or by others, to compile a list, registry, or database of individuals based on national origin, immigration status, religion, or other category of individual characteristics protected against unlawful discrimination. (Government Code 8310.3)

The Superintendent/CEO or designee shall develop procedures for, and provide training to staff on, interactions with an officer or employee of an agency conducting immigration enforcement, including a request for any of the following:

1. Access to a student.
2. Education records or any information about a student, a student's family, or household.
3. Personnel records of any school employee, personal information of any school employee as defined in Civil Code 1798.3, or any other confidential employee information.
4. Permission to enter a school bus, any other transportation provided by the school, a nonpublic area of any school property or facility, or a nonpublic area where any school-sponsored program or activity is occurring.

Complaints alleging discrimination, harassment, intimidation, and bullying based on actual or perceived immigration status shall be filed in accordance with the Uniform Complaint Procedures.

(End of Policy SP 1445 Response to Immigration Enforcement)

SCHOOL SAFETY PROGRAMS & STRATEGIES

CAMPUS SAFETY AND SECURITY

Each school and its staff members will maintain policies, practices and procedures so that the campus is physically secure and safe.

Entrances and Exits

The school principal and staff should develop procedures so that students, staff, parents and community members can enter and exit the building in a safe and orderly way, and that the building is secure from unauthorized entry during non-school hours, as follows:

- Designating individuals to lock the school building and/or grounds when not in use
- Training school staff members to maintain the security of the building when working during non-regular working hours (e.g. not propping doors open, re-securing the building after leaving)
- Maintaining a practice of locking doors that are not being regularly used, even during school hours
- Posting signs requesting that visitors sign in at the main office
- Establishing a culture in which any adults without a visitor or staff badge and any children not enrolled at the school are escorted immediately to the main office
- Periodically testing the security system according the manufacturer or vendor instructions, to ensure it is functioning
- Creating a dismissal plan and student pick-up traffic plan to avoid congestion of the parking lot and local streets, and to prevent students from crossing traffic unnecessarily
- Submitted to and reviewed by the GCC Superintendent/CEO or designee on an annual basis.

Releasing Students

GCC employees are responsible for releasing students to parents, legal guardians or other persons designated by parents or legal guardians, unless formally modified by a court order served to the school.

In the event that employees are uncertain of the propriety of releasing a student, they should locate or contact the school principal, principal's designee or GCC Central Office before releasing the student.

Fingerprinting & Background Checks

School Safety BP 07-16

GCC Board Policy: Fingerprinting and Background checks

Gateway Community Charters (GCC) shall comply with the applicable provisions of the Education Code, including Sections 44237, 44803.1 and 45125.1.

As required by law, all individuals working or volunteering at the GCC will be required to submit to fingerprinting and a criminal background investigation. No condition or activity will be permitted that may compromise the GCC's commitment that the safety and the well-being of students takes precedence over all other considerations. Conditions that preclude working at the GCC include conviction of a controlled substance or sex offense, or a serious violent felony. Additionally, should an employee, during his/her employment with the GCC, be convicted of a controlled substance or sex offense, or serious or violent felony, the employee must immediately report such a conviction to the principal or immediate supervisor.

The GCC shall fingerprint and background check school volunteers who will come into contact with students outside of the supervision of a GCC employee or who work with students in excess of ten (10) hours per week, prior to volunteering at the GCC. A school volunteer is defined as an individual working under the direction of a paid GCC employee to provide a service without compensation on campus while working with or around children. Campus volunteers must abide by all applicable laws and agree to abide by the policies of the GCC, including the submission of fingerprints and the approval for the GCC or its designee to perform background checks. The fingerprints will be sent to the Department of Justice for the purpose of obtaining a criminal record summary.

Additionally, the GCC on a case-by-case basis require an entity providing contract services require the entity's employees to comply with the requirements for fingerprinting, unless the GCC determines that the employees of the entity will have limited contact with pupils. In determining whether a contract employee will have limited contact with pupils, the GCC must consider the totality of the circumstances, including factors such as the length of time the contractors will be on school grounds, whether pupils will be in proximity with the site where the contractors will be working, and whether the contractors will be working by themselves or under the supervision of GCC personnel.

Procedures for Background Checks

The Director of Personnel and Academics or designee shall review Department of Justice reports on prospective employees/contractors; volunteers to determine whether an employee may be employed in accordance with Education Code Section 44237, 44803.1 or 45125.1, except with respect to her or himself, in which case the Chief Executive Officer will review. The Director of Personnel and Academics shall monitor compliance with this policy and report to the Board or Directors as needed.

(End of Policy SS 07-16 Fingerprinting & Background Checks)

Classroom & School Visitation & Removal Policy

School Safety BP 05-19

GCC Board Policy: Classroom and school visitation and removal policy

While the GCC and its Charter Schools encourage parents/guardians and interested members of the community to visit the Charter Schools and view the educational programs, the Charter Schools also endeavors to create a safe environment for students and staff. As such, parents and other visitors must adhere to the following policy in order to maximize the safety of the students and minimize the disruption to the education environment.

No outsider – which would include immigration-enforcement officers – shall enter or remain on school grounds of the GCC School during school hours without having registered with the principal or designee. If there are no exigent circumstances necessitating immediate action, and if the immigration officer does not possess a judicial warrant or court order that provides a basis for the visit, the officer must provide the following information to the principal or designee:

- Name, address, occupation;
- Age, if less than 21;
- Purpose in entering school grounds;
- Proof of identity; and
- Any other information as required by law.

GCC School personnel shall report entry by immigration-enforcement officers to the GCC School Principal and the GCC Superintendent or Designee or any on-site school police as would be required for any unexpected or unscheduled outside visitor coming on campus.

Parents/guardians and other visitors, including children who are not students at the Charter School, shall not loiter on the Charter School premises, including the parking lot and outside school buildings. The parking lot shall be used for picking up and dropping off students, and while conducting business. Parents/guardians and other visitors are expected to leave the campus premises upon the conclusion of any business matters or after dropping their student off at school. If a parent or guardian wishes to visit the Charter School to view the educational program, the visitor must follow the following procedures, which have been developed to ensure the safety of students and staff as well as to minimize interruption of the instructional program, pursuant to California Penal Code Sections 627, et. seq.:

Visits during school hours should first be arranged with the teacher and Principal or designee, at least three 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 Principal or designee.

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, occupation, age (if under 21), his/her purpose for entering school grounds, proof of identity, and any other information as required by law. For purposes of school safety and security, the Principal or designee may design a visible means of identification for visitors while on school premises.

The Principal, or designee, may refuse to register an outsider if he or she 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.

The Principal, 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.

The Principal 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 Principal 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.

Any visitor that is denied registration or has his/her registration revoked may request a hearing before the Principal, Superintendent/CEO 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 Principal, Superintendent/CEO or the Board President within five days after the denial or revocation. The Principal, Superintendent/CEO 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 Principal shall be held within seven days after the Principal receives the request. A hearing before the Board shall be held at the next regularly scheduled Board meeting after the President receives the request.

The Principal or designee shall seek the assistance of the police in dealing with or reporting any visitor in violation of this policy.

At each entrance to the Charter School grounds , signs shall be posted to notify outsiders of the hours and requirements for registration. Furthermore, posted signs will state where the office of the Principal or designee is located, what route to take to that office, and describe the penalties for violation of this policy.

No electronic listening or recording device may be used by students or visitors in a classroom without the teacher's and Principal's written permission.

Penalties

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.

Further conduct of this nature by the visitor may lead to the Charter School's pursuit of a restraining order against such visitor which would prohibit him/her from coming onto school grounds or attending Charter School activities for any purpose for a period of three (3) years.

(End of Policy SS 05-19 Classroom and School Visitation and Removal Policy)

Employees

GCC employees from school campuses and the central office are strongly encouraged to notify the site manager and principal upon arrival and should wear badges signifying that they are GCC employees. However, formal visitor registration is at the discretion of the school principal or designee.

VIP Visitors accompanied by any GCC central office team member are not required to register/sign in.

Registered Sex Offender

For the protection of pupils while they are traveling to and from school, attending school, or at a school-related activity, principals and their designees should respond appropriately when apprised of information that a registered sex offender resides or works within two (2) miles of a GCC school, or otherwise may be likely to attempt to visit a GCC school for any reason whatsoever.

In accordance with "Megan's Law", the principal or designee shall notify parents/guardians annually of the availability of the CD-ROM from local law enforcement regarding registered sex offenders, and recommend that they utilize the information contained on the disk, and that information about registered sex offenders may be obtained from the California Attorney General's Megan's Law website, found at <http://meganslaw.ca.gov>, (Penal Code 290.4 and Parra Act), subject to the disclaimer found on said website.

GCC and its employees shall be immune from liability for the good faith dissemination of sex offender information so long as the dissemination is in the manner and to the extent authorized by law. (Penal Code 290).

When a school has received information about a registered sex offender from any source, the principal or designee may, on a case-by-case basis, notify staff, including but not limited to,

campus supervisors, bus drivers, staff who may be involved in visitor/outsider registration, and teachers. If the principal or designee informs any staff member of the information about a registered sex offender, the principal or designee shall also inform the staff member of the following:

- (a) GCC schools will share public registered sex offender information with staff members of a particular school to assist in identifying a danger
- (b) Any person who uses registered sex offender information to commit a felony will be subject to criminal penalties; and
- (c) Staff is not permitted to notify any parents or any other members of the community of any information received pursuant to this policy without the written permission of the principal or designee.

If a suspected registered sex offender is seen on or nearby school grounds, and is not a parent or guardian of a pupil at the school, staff members shall immediately inform the principal or designee. When the principal or designee receives information that a suspected registered sex offender may be on or nearby school grounds or around any pupil, he or she will determine whether the suspected registered sex offender has received written permission for the entry onto school grounds, is a parent or guardian of a pupil at the school, and if possible, is actually a registered sex offender. Any such registered sex offender who does not have written permission for the entry onto school grounds or is not a parent or guardian of a pupil attending the school will be promptly directed to leave by the principal, who will notify law enforcement immediately. Law enforcement will determine if the registered sex offender is in violation of parole or probation conditions.

If a school learns or is notified that a registered sex offender is a parent/guardian of one or more pupils who attend the school, the principal or designee should attempt to schedule a meeting with the parent/guardian for the following purposes:

- (a) To establish a positive, cooperative working relationship to the extent possible.
- (b) To discuss the incident(s) leading to the registration requirement, (GCC recognizes that the parent/guardian is not required to discuss any criminal or personal history with representatives of GCC).
- (c) To explain the limitations placed upon the parent's/guardian's participation in school programs, activities or visits, as specified in this policy.
- (d) To advise the parent/guardian that the regulations limiting his/her access to children at school will be strictly enforced with the assistance of law enforcement personnel, if required.
- (e) To develop joint strategies with the parent/guardian for "normalizing" the educational experience of his/her children to the fullest extent possible; and
- (f) To be advised of any judicial restraining orders or conditions of probation or parole that may limit the parent's/guardian's ability to participate in school activities.

This meeting shall be held on school grounds unless there is a concern for the safety or welfare of pupils or staff, and in that event it may be held at a location within the principal's or designee's discretion. If this meeting with the parent is not held, the principal or designee shall

notify the parent/guardian in writing of the information contained in this policy. GCC recognizes the following rights of the parent/guardian to participate in his/her child's education:

- (a) To transport his/her child to and from school
- (b) To attend regularly scheduled parent conferences with the teacher, principal or other school official; and
- (c) To attend a regularly scheduled school program or activity in which their child is a participant.

The parent/guardian may not extend their presence at school beyond what is reasonable to exercise the aforesaid parental rights and to that end a registered sex offender shall not:

- (a) Serve as a school or class volunteer
- (b) Act as a chaperon on a school field trip
- (c) Be in the presence of children for any reason other than for the parent rights stated herein; and
- (d) Make individual contact with any student other than his/her own while at school or during a school activity.

Staff shall provide observation and/or supervision of a parent/guardian registered sex offender who is visiting a school or participating in a school activity defined herein.

When a parent/guardian is a registered sex offender, the school will make an effort to preserve the confidentiality of information obtained pursuant to the Megan's Law notification process to the fullest degree possible. School officials may share relevant information with employees as needed but will not share the information with unauthorized employees, other parents or with the community at large. In order to avoid a breach of confidentiality, copies of forms, materials or information distributed or used in connection with the implementation of this policy should be collected and/or destroyed. Under no circumstances is it appropriate to post notices, photographs, or the identity of a parent/guardian registered sex offender on school bulletin boards.

All schools shall inform parents annually about the existence of this policy regarding registered sex offenders. All schools shall cooperate to the fullest extent possible with local law enforcement for receiving, communicating and disseminating information concerning registered sex offenders.

NOTE: Pursuant to Penal Code 290(q), any person who uses registered sex offender information to commit a felony will receive a five-year state prison term; any person who uses registered sex offender information to commit a misdemeanor will be fined at least \$500 and not more than \$1000.

Emergency Preparedness

The following operational and site-specific items are maintained in each school's companion School Site-Specific Emergency Plan and are incorporated into the GCC Comprehensive School

Safety Plan by reference. Each school's companion plan shall be reviewed and updated at least annually and shall contain the operational and site-specific information necessary to implement the GCC Comprehensive School Safety Plan:

- School information
- School Safety Committee membership and meeting documentation
- Annual safety assessment
- Site emergency contacts
- Incident Command System assignments
- Site hazard assessment
- Campus maps
- Safe ingress and egress procedures
- Emergency equipment and supply locations
- Procedures for students, staff, and visitors requiring assistance
- Emergency drill schedules and documentation
- Site-specific emergency response procedures
- Annual site-plan review documentation

Every school shall maintain emergency preparedness procedures, including an up-to-date list of emergency contact numbers. This information shall be reviewed and disseminated to appropriate school staff annually.

Drills

It is the principal's responsibility to schedule emergency drills throughout the year, and record the date and time of each drill. The Site Manager may be asked to help out. Those drills are:

- **Fire Drill:** At least once per month for elementary schools and at least four times a year for intermediate levels, a fire drill should be conducted in which all pupils, teachers, and other employees are required to vacate the building.
- **Civil Defense Drill:** A Civil Defense Drill should be conducted at least twice each school year following the (school's or GCC's) Civil Defense Procedure. (Duck and Cover Drill)
- **Earthquake Duck & Cover Drill:** This drill should be performed twice per school year.
- **Major Disaster Drill:** This drill should be performed twice per school year so personnel are oriented to the (School or GCC) Major Disaster Plan.

Civil Defense Procedures

Civil defense procedures are established to promote the safety of children and adults during a period of civil emergency. The local Civil Defense and Disaster Council is responsible for coordinating disaster planning among the cities in your area. It is through this coordination that information and warning notifications are communicated. An Emergency Warning System, which includes sirens strategically positioned throughout the school's county, becomes the major Civil Defense alarm.

In addition, schools will receive warning through telephone communications from the local county office.

Alert Signals

The ability to respond quickly and efficiently when a major disaster strikes is important so that we are to provide protection for students and school staff. In order to be better prepared, the staff, students and parents should be informed of their responsibilities following a major disaster.

At the sound of the “Alert” signal:

- All students in transit between classrooms/resource rooms, in restrooms, etc., will walk to their assigned classrooms/resource rooms.
- Students on the playground or library will return to their assigned classrooms/resource rooms.
- Each teacher will stay in the classroom/resource room with his/her students.
- Each custodian will report to the school office for instructions.

At the sound of the “Take Cover” signal:

- Students will position themselves under desks or tables.
- Students on the playground or out of doors will drop, face down on the ground.
- Open all doors; leave windows as they are.
- The teacher should be ready with age appropriate activities such as stories, songs, guessing games, etc., in case of an extended waiting period.

At the “All Clear” signal:

- Students will resume their regular class activities.
- When a building is unsafe to resume classroom/resource room instruction or if the situation has made the streets and sidewalks hazardous, the superintendent (or designee) will declare the premises unsafe.
- If an evacuation is found necessary, the principal will post on a conspicuous place, the new location of the students. A notice or letter to parents designating a site as well as procedures should be included in the first day packet going home with students.

Staff Responsibilities

In the event of a disaster or civil defense alert, individuals on the school site have the following responsibilities:

Principal or Designee

- Sound appropriate alarm to evacuate the building (fire drill) or take cover within the building (civil defense).

- Following fire drill procedures check the building to ensure that all students, personnel and visitors have evacuated the building.
- Provide for administration of first aid and request other emergency assistance as needed.
- Keep the Central Office informed and, if necessary, set up telephone communications at a nearby residence or business.
- Give directions to police in search clearing procedures and take full responsibility for search.
- Coordinate supervision of students and all clean-up or security efforts.

Teachers

- Carry out appropriate emergency procedures to ensure the safety and welfare of students.
- Supervise children and maintain calm and order.
- Make sure you have access to the classroom/resource room copy of the students' emergency cards.

Site Manager/Administrative Assistant

- Assist and take direction from the principal.
- Makes sure the site has access to student's emergency cards.
- Make sure first aid supplies are handy in case they are needed.
- Carry out other duties as assigned.

Custodian

- Shut off the valves for gas, water, electricity and air conditioning (if necessary)
- Open all gates and doors to assembly and exit areas
- Aides, Volunteers and Other Adults
- Should assist teachers working with students to keep them safe, orderly and comfortable
- Should assist teachers working with students to keep them safe, orderly and comfortable.
- Be on call for Principal or designees requests.

Site Staff

In advance of emergencies, the Site Staff should ensure the following emergency supplies are stored:

- First aid kits
- Flashlights
- Batteries
- Radios
- Megaphone
- Walkie-Talkies
- Drinking Water

Emergency Procedures

All classrooms and resource rooms should have emergency exit charts posted near the door(s). In the case of an emergency, every adult should be aware of his/her role and responsibilities and follow these procedures:

1. Principal/Designee assesses the situation.
2. Principal/Designee notifies all staff members of the emergency via PA, phone, walkie-talkies, fire alarm, and/or megaphone.
3. Assigned person calls 911.
4. Assigned person notifies GCC Central Office.
5. In the event of an emergency situation, the designated GCC emergency manager will promptly contact the person/office designated by The District regarding the emergency and the steps GCC has taken. We will work with the person/office designated by The District as needed to ensure clear communication and coordinated action.
6. Principal or Designee meets with emergency crews.
7. Assigned person(s) ensures all classrooms/resource rooms; hallways and restrooms on first floor are empty after escorting students their students to assigned location.
8. Assigned person(s) ensures all classrooms/resource rooms, hallways and restrooms on second floor (if applicable) are empty after escorting students their students to assigned location
9. Assigned person(s) ensures the cafeteria and gym are empty.
10. Assigned person(s) greet, organize and comfort students outside the building.
11. Each teacher takes role and Lead Teachers pick up the names of any missing students and report these names to the emergency crew chief and the Principal/Designee.
12. Assigned person(s) will direct students who need first aid to an assigned location.
13. Principal/Designee determines, in consultation with the emergency crews, whether to release students to their homes or to return students to classes and makes announcement via mega phone.
14. If students and staff are dismissed for the day, an assigned person(s) will be responsible for securing the building against vandalism and theft.
15. All teachers will ensure that students are released to guardians' care.
16. In the case that counseling services are subsequently needed by any students, the Principal/Designee and an assigned person will coordinate that effort.
17. In the case that media coverage is an issue, Principal/Designee and an assigned person will control and organize press releases and media requests.

First Aid

The First Aid area should be located at an assigned place and properly stocked at all times. The First Aid team will consist of individuals assigned by the principal or designee.

Sudden Cardiac Arrest Response

Gateway Community Charters is committed to providing a safe learning and working environment for all students, staff, and visitors. Sudden cardiac arrest (SCA) is a life-threatening emergency that requires immediate recognition and response. Early activation of emergency

medical services (EMS), prompt cardiopulmonary resuscitation (CPR), and rapid use of an Automated External Defibrillator (AED) significantly improve survival outcomes.

Recognition

Staff should immediately seek emergency assistance if an individual exhibits signs or symptoms of sudden cardiac arrest, including but not limited to:

- Sudden collapse or loss of consciousness
- Unresponsiveness
- Absence of normal breathing or only gasping
- No detectable pulse
- Seizure-like activity following collapse

Emergency Response Procedures

If sudden cardiac arrest is suspected, staff shall:

1. Immediately call 911 or direct another individual to call 911.
2. Notify the school office and activate the site's emergency response procedures.
3. Begin CPR if trained and if the individual is unresponsive and not breathing normally.
4. Retrieve and apply the nearest available Automated External Defibrillator (AED) as soon as possible.
5. Continue CPR and follow AED voice prompts until emergency medical personnel assume care.
6. Assign staff to meet and direct emergency responders to the victim's location.
7. Notify the Superintendent/CEO or designee as soon as practical.
8. Notify the student's parent or guardian as soon as feasible, when applicable.

Student Athletes

In accordance with California Education Code requirements, student athletes who experience or are suspected of experiencing sudden cardiac arrest during athletic activities shall be immediately removed from participation and shall not return until evaluated and cleared in writing by a physician and surgeon licensed in California.

Student athletes and their parents or guardians shall annually receive information regarding the nature and warning signs of sudden cardiac arrest consistent with California law.

Documentation

Following any sudden cardiac arrest incident, school administration shall:

- Complete an incident report.
- Document emergency response actions taken.
- Review the effectiveness of the emergency response.
- Conduct a post-incident debrief, when appropriate, to identify opportunities for improvement.

AED Procedures

Gateway Community Charters maintains Automated External Defibrillators (AEDs) at designated school sites to improve emergency response capabilities during cardiac emergencies. AEDs are intended to supplement, not replace, activation of emergency medical services.

AED Locations

Each school site shall maintain clearly identified AED locations that are readily accessible during normal school operations and during school-sponsored activities. AED locations shall be identified on campus emergency maps and communicated to staff annually.

Maintenance and Inspection

The Superintendent/CEO or designee shall ensure that each AED is maintained in accordance with the manufacturer's recommendations and applicable California Health and Safety Code requirements.

Maintenance procedures shall include:

- Routine visual inspections.
- Monthly operational status checks.
- Verification of battery life and electrode pad expiration dates.
- Immediate replacement of expired or used batteries and electrode pads.
- Maintenance logs documenting inspections and corrective actions.

Staff Awareness and Training

Appropriate staff members shall be informed annually of AED locations, emergency response procedures, sudden cardiac arrest recognition, and the proper use of an AED. Gateway Community Charters encourages CPR and AED certification for staff members consistent with available resources and operational needs.

Training may include:

- Recognition of cardiac emergencies.
- Activation of the emergency response system.
- CPR techniques.
- Safe operation of an AED.
- Coordination with emergency medical responders.

Emergency Use

When a cardiac emergency occurs:

1. Call 911 immediately.
2. Send a staff member to retrieve the nearest AED.
3. Begin CPR if trained and appropriate.
4. Turn on the AED immediately upon arrival and follow all voice prompts.
5. Continue CPR and AED use until emergency medical personnel arrive or the individual regains normal breathing and responsiveness.

Any person acting in good faith to render emergency care through the use of an AED shall be afforded the protections provided under applicable California law.

Post-Incident Procedures

Following any use of an AED:

- Emergency medical personnel shall assume responsibility for patient care.
- The AED shall be removed from service until inspected and restored to operational status.
- Any data recorded by the AED shall be preserved as appropriate.
- The incident shall be documented in accordance with Gateway Community Charters' accident and emergency reporting procedures.
- School administration shall conduct a post-incident review to evaluate the effectiveness of the
- emergency response and identify any needed improvements to training or procedures.

Catapult EMS – Use & Training

Gateway Community Charters' schools have adopted the CatapultEMS (Emergency Management System) as its safety incident management, communication and accountability tool to assist sites during emergencies and other general safety incidents.

All GCC staff have access to CatapultEMS via their district email account. CatapultEMS is accessible via any web browser capable device (desktop computer, laptop computer, tablet, smartphone) at www.catapultems.com.

In the event of a safety incident or emergency; site administration, site safety team members and district staff will use CatapultEMS to:

- Manage safety incidents.
- Share safety information with site, district, and safety staff
- Communicate emergency actions such as evacuation or lockdown directives.
- Account for staff and student location and wellbeing.
- Prioritize emergency response efforts to those most vulnerable or in critical need of care.

The site principal is responsible for ensuring all staff assigned, whether permanent or temporary, have received training in and access to CatapultEMS.

- Site principals should specifically train the 'site safety team' members in the use of the Catapult EMS to include:
 - Pre-planned roles / assignments
 - How to create and update emergency incidents or initiate actions such as Evacuations, Shelter-in-Place, Lockdowns
 - How to communicate within the system directly with other site safety team members, general staff, specific staff members
 - How to share general safety and situational awareness messages

Staff rosters within CatapultEMS must be updated at the beginning of each school year and periodically throughout to ensure system accuracy and accountability.

To add new staff to the system or access online training, contact Adam Vevea in the Central Office.

It is at the site's discretion to keep using other forms of emergency communication for the site staff, but Catapult **must** be used as well to notify the GCC Safety Team as a whole.

Disaster Plans

Whenever there is any type of disaster, the primary concern is the safety of the students. The following general guidelines will offer assistance in a variety of disaster situations. Each teacher should also display Disaster Plan guidelines prominently in each classroom/resource room.

Fire

1. Principal/Designee, custodians and/or site manager will determine the location of the fire.
2. The site manager (or Principal's designee) will phone 911, pick up emergency card binder and student medication and leave the building prepared to phone parents of any injured child.
3. Custodian or principal/Designee will sound the fire alarms.
4. Staff will follow emergency procedures previously described.
5. Students should leave the room in a single file, walk briskly but carefully, and stay in their class group when they reach their designated spot.

Earthquake

If indoors:

1. All drop down to the floor and duck and cover.
2. Turn away from windows.
3. Take cover under a desk or table or against an interior wall.
4. Cover head with arms or hold to the cover and be prepared to move with it.
5. Hold the position until the ground stops shaking.
6. When initial shaking stops, the principal or site manager sounds alarms to evacuate the building.
7. Staff to follow emergency procedures previously described.

If outdoors:

1. Move away from buildings, poles and overhead wires.
2. Lie down or crouch low to the ground.
3. Look out for dangers that demand movement.

4. Be prepared to duck and cover again due to aftershocks.
5. Staff to follow emergency procedures previously described.

Flood/ Severe Weather

Warnings of severe weather are usually received via public radio or the State Warning Center. If time and conditions permit, students may be sent home. However, if the weather conditions develop during school hours, without sufficient warning, students should be held at school.

1. The principal/Designee will assess the situation and make an announcement over PA, phone, walkie- talkies, fire alarm, and/or megaphone to A) evacuate, B) stay in classes or C) release students to go home.

See emergency procedures previously described for evacuation directions.

Electrical Failure

1. Principal/Designee and/or custodian notify the local electrical company specific to your site
2. Office staff and classroom/resource room teachers turn off computers and other equipment that might be damaged by a power surge when the service is restored.

Gas Line Break

1. Principal/Designee and/or custodian notify the local gas company provider specific to your site
2. Principal/Designee and/or custodian notify the Fire Department.
3. Staff to follow the emergency procedures previously described.

Water Main Break

1. Principal/Designee and/or custodian notifies the water department.
2. Custodian shuts off water.
3. Principal/Designee or notifies the police.
4. Principal/Designee determines if it is necessary to follow the emergency procedures on page 2 to evacuate students and staff.

Water Contamination

1. Instruct teachers to move students away from drinking fountains and sinks.
2. Teacher notifies Principal/Designee and/or Custodian
3. Principal/Designee and/or custodian notify GCC Central Office.
4. Have custodian turn off pressure to drinking fountains and sinks.

Chemical Spill/ Incident

If Indoors:

1. Block or rope off area – DO NOT TOUCH ANYTHING.
2. Evacuate room and TURN OFF air conditioning system.
3. Notify school office and Custodian of the incident - contact 911 if necessary.
4. Custodian should check for chemical safety data to determine clean up procedure.

If Outdoors:

1. Upon hearing of a chemical leak (usually from the fire department or other city office) the principal will determine if students should be evacuated.
2. Move away from buildings, poles and overhead wires.
3. Close doors and windows and TURN OFF air conditioning system.
4. If it is necessary to leave the site, move crosswind, never more directly with or against the wind, which may carry fumes.
5. Give first aid.
6. Staff to follow the emergency procedures previously described.

Hazardous Materials

Before the Emergency:

- Know if your site contains any hazardous material and where they are stored. Locate the Heating, Ventilating, & Air Conditioning shut offs. Locate any emergency supplies in your workplace.
- Locate “safe” areas inside your building.
- Identify potential sources of hazardous materials in your area and insure they are stored properly.
- Make a list showing the name, quantity, and hazardous chemicals in your area for the Fire Department.

During the Emergency:

- Move away from the area of the hazardous materials incident by moving uphill, upstream, and upwind. If you are directly downwind, move across the wind.
- Never touch, sniff or taste chemicals. DO NOT assume that a chemical is not dangerous because you can't smell it.
- Dial 9-1-1 and report the incident. Make sure to mention that hazardous materials are involved.
- NEVER attempt to rescue an unconscious person from a hazardous materials scene. You will probably become a victim yourself.

In some Hazmat incidents, you may be instructed to shelter in place. In such cases, trained professionals will have determined that the building you are in at the time of the incident is the safest refuge. This is sometimes better than walking out into a chemical cloud.

If told to “Shelter In Place”, follow these steps:

- Close all doors and windows.
- Seal cracks in doors and windows with wet towels, blankets, or tape.
- Turn off all Heating, Ventilation, & Air Conditioning systems.
- Remain in protected areas away from windows and doors until the danger has passed.
- Keep a radio with you to keep you updated.
- Also, for classrooms/resource rooms which do not have a sink, they need to store some water.

If you come in contact with hazardous chemicals, follow these steps:

- If the area is contaminated, or if you have difficulty breathing, evacuate the area immediately.
- Have a co-worker dial 9-1-1 and report the incident.
- As quickly as possible, remove contaminated clothing.
- If chemicals get on your skin or eyes, flush the area with clean water for 15 minutes.
- DO NOT eat or drink until you have been checked out by a physician. Report all incidents, no matter how small to your supervisor.

Lockdown/Shooting Incident

If a shooting takes place, the first priority is to shelter students and staff. Upon hearing shots or an announcement from Principal/Designee:

1. Teachers close and lock all classroom/resource rooms doors and windows immediately.
2. Teachers take roll.
3. Teachers calmly direct students to duck under their desks.
4. Principal/Designee calls 911.
5. Principal/Designee ensure students are not in the hallways or bathrooms. Students found in these areas are immediately escorted to a secure classroom/resource room or office.
6. Office personnel close and lock all office doors and windows immediately.
7. Nobody leaves their secure sites until emergency crew members escort them to safety.
8. Assigned person(s) will control and organize media.
9. Assigned person(s) will ensure that counseling services are available as soon as possible.

Bomb Threat

There are two primary ways a bomb threat may arise. One is through a phone call or written letter in which a bomb is discussed. The other is through a citing of a suspicious object. Threats should be handled quickly and efficiently as if they were real and life threatening.

If there is a phone call or written threat of a bomb on campus, the person who took the call or read the note will:

1. Notify Principal/Designee immediately.
2. Try to obtain information from the caller such as where the bomb is, where it is set to explode, what it looks like, what kind of bomb it is, why it is there and who the caller is. Note any identifying features about the caller (i.e. gender, speech patterns).

If there is a citing of a suspicious object, the person would:

1. Notify Principal/Designee immediately.
2. Do not touch the object but note any identifying features to describe it to the Principal/Designee and emergency crews.

In all cases:

1. If Principal/Designee determines to evacuate, staff follows emergency procedures previously described.
2. Before emergency crews are on campus, do not search for any bomb, or explosive. Search only for people who should be evacuated.
3. If you see any suspicious object, steer clear of it and report it to the Principal/Designee and the emergency crew chief. Follow all emergency crew and bomb squad directives.
4. Use radios, walkie-talkies and phones only if absolutely necessary as the frequencies may set off the bomb(s).

Explosion

If indoors:

1. All drop down to the floor and duck and cover.
2. Turn away from the windows.
3. Take cover under a desk or table or against an interior wall.
4. Cover head with arms or hold to the cover.
5. Hold the position until directed to the building.
6. Staff to follow the emergency procedures previously described.

If outdoors:

1. Move away from buildings, poles and overhead wires.
2. Lie down or crouch low to the ground.
3. Look out for dangers that demand movement.
4. Staff to follow emergency procedures previously described.

Threat Assessment Protocol

Gateway Community Charters is committed to maintaining safe and supportive school environments through the early identification, assessment, and intervention of behaviors that may indicate a risk of violence or other serious harm. The purpose of the Behavioral Threat Assessment Protocol is to identify concerning behaviors, evaluate potential threats, implement appropriate interventions, and prevent acts of targeted violence while supporting student well-being.

Threat assessment is intended to identify and address behaviors of concern before they escalate and is not intended to replace disciplinary procedures, law enforcement investigations, or special education processes.

Reporting Concerning Behavior

Any student, employee, parent/guardian, or community member who observes or becomes aware of behavior that may pose a threat to the safety of students, staff, or the school community shall immediately report the concern to the school principal or designee.

Examples of concerning behavior include, but are not limited to:

- Direct or indirect threats of violence
- Threatening verbal or written statements
- Threatening social media or electronic communications
- Possession or suspected possession of weapons
- Significant changes in behavior suggesting a risk of violence
- Fascination with violence or targeted attacks
- Suicidal or homicidal statements
- Acts of intimidation, stalking, or harassment
- Any behavior creating a reasonable concern for school safety

Immediate threats to life or safety shall be reported to 911 without delay.

Initial Assessment

Upon receiving a report, the principal or designee shall promptly conduct an initial assessment to determine:

- Whether an immediate threat to safety exists;
- Whether emergency protective actions are necessary;
- Whether law enforcement or emergency medical services should be contacted; and
- Whether the Behavioral Threat Assessment Team should be convened.

When necessary, protective measures may include:

- Increased supervision
- Removal from the immediate area
- Lockdown or shelter-in-place procedures
- Parent or guardian notification

- Mental health assessment
- Emergency disciplinary action consistent with Board policy

Behavioral Threat Assessment Team

When appropriate, the principal or designee shall convene a multidisciplinary Behavioral Threat Assessment Team. Depending on the circumstances, the team may include:

- Principal or site administrator
- School counselor
- School psychologist or mental health professional
- Special education representative, when applicable
- Teacher or other staff familiar with the student
- Superintendent/CEO or designee
- Law enforcement, when appropriate

The team shall evaluate available information to determine the credibility and seriousness of the reported concern and identify appropriate interventions.

Intervention and Support

Whenever possible, Gateway Community Charters shall utilize prevention and intervention strategies designed to reduce risk while supporting the student's educational and mental health needs.

Interventions may include:

- Parent or guardian conferences
- Counseling or mental health referrals
- Behavioral intervention plans
- Safety planning
- Increased supervision
- Restorative practices
- Student support team referrals
- Special education or Section 504 review, when appropriate
- Law enforcement involvement when required to protect the safety of the school community

Disciplinary action shall be implemented in accordance with applicable Board Policies and the Student Suspension and Expulsion Policy.

Documentation

The principal or designee shall ensure that all reported threats and threat assessment activities are appropriately documented, including:

- The reported concern
- Individuals involved
- Assessment findings

- Protective measures implemented
- Interventions provided
- Referrals made
- Follow-up actions

Documentation shall be maintained in accordance with applicable student privacy laws, including FERPA and state confidentiality requirements.

Follow-Up

Following completion of the threat assessment, the Behavioral Threat Assessment Team shall monitor implementation of recommended interventions and determine whether additional actions or supports are necessary.

The school shall periodically review significant threat assessment incidents to identify opportunities for improving school safety procedures, staff training, and prevention efforts.

Mental Health and Intervention Services

This section relates to strategies, resources, and training in psychological and mental health issues, including coping with tragedy, crisis intervention and prevention, school psychology and suicide prevention. Mental health services in schools include a broad range of services, settings, and strategies. Psychological and mental health services in schools apply learning theory for individuals and groups to improve instruction and coordinate and evaluate plans to meet unique individual needs for learning or behavior problems. School psychologists also use research to design prevention and intervention programs, and provide crisis intervention, suicide prevention, and other mental health strategies as part of a student support services team. Mental health services that are provided in schools may include academic counseling, brief interventions to address behavior problems, assessments and referrals to other systems. Providing mental health services in a school-based setting helps address barriers to learning and provide supports so that all students can achieve in school and ultimately in life. Schools are also places where prevention and early intervention activities can occur in a non-stigmatizing environment (California Department of Education, 2024b).

Mental health and intervention services relate to suicide prevention, mental health instruction as part of the curriculum, telehealth and other counseling resources.

Restorative and Transformative Justice Programs

Restorative practices include a continuum of informal and formal tools, practices, and processes that build, maintain, and repair relationships (Trout, 2021). A multi-tiered framework for restorative and transformative justice programs including community-building circles for all students, restorative conferences for addressing specific conflicts, and reintegration processes for students returning from suspension. Additional information on restorative practices is available at <https://www.cde.ca.gov/ls/ss/se/restorativepractices.asp>.

SCHOOL SAFETY TRAINING & DRILLS

Comprehensive school planning and emergency preparedness should include plans for lockdowns and other drills that consider age and developmental levels, students with physical and intellectual disabilities, and language access for students and families who speak languages other than English.

Drills are a required component of school operations because they provide the opportunity for students and staff to practice the actual actions they would take in an emergency. When conducting a drill, it should ALWAYS be announced that it is a drill and not an emergency. For example, “This is an emergency drill, not an actual emergency. This is a drill. We are now practicing how to Lockdown (or evacuate). This is a drill.”

Exercises allow the school personnel and leadership to practice their developed plans to identify gaps and shortfalls, critical issues, as well as depth of knowledge and experience. Exercises occur in several ways:

- Seminars/Workshops are low-stress, informal discussions in a group setting with little or no simulation, used to provide information and introduce people to policies, plans, and procedures.
- Tabletop Exercises provide a convenient and low-cost method designed to evaluate policy, plans, procedures, and resolve coordination and responsibilities. Such exercises are a good way to see if policies and procedures exist to handle certain issues.
- Drills/Tests are conducted on a regular basis to maintain the readiness of operational procedures, personnel, and equipment. Examples include tests of fire and earthquake drills, evacuation procedures, shelter in place or lockdown drills, and testing of communication systems.
- Functional Exercises are designed to test and evaluate the capability of an individual function such as communications, evacuations, or medical capabilities.
- Full-Scale Exercises simulate an actual emergency. They typically involve complete emergency management personnel and first response agencies and are designed to evaluate the operational capability of the emergency management system. Examples include active shooter, full scale evacuation, and medical emergency exercises.

Exercise and Drill Schedule

Type / Objective	Person Responsible	Date	Time
Lockdown			
Multi-option Response			
Drop-Cover-Hold			
Shelter-in-place			
Evacuation			
Reverse Evacuation			
Reunification			

- Start with simple exercises as you prepare school staff, crisis management teams, students, first responders, and community agencies. This will help increase knowledge and the likelihood that practiced responses will take place when a real-life threat occurs.
- Select appropriate scenarios of crises that are more likely to occur in a specific school or neighborhood. Potential natural disaster hazards may be identified by local offices of emergency services, and crime data from law enforcement may assist in determining what drills are most urgent and appropriate. Multi-option drills should be practiced for multiple hazards and drills for incidents that occur between passing periods and during outdoor recess and sports activities take place.
- Practice a variety of exercises to familiarize students and school staff with school safety, building disaster, and crisis plans as well as where and what equipment, utility services, alternative systems, first aid kits, and emergency food and water resources are available at the school site or from the district or county. Awareness of agency partnership agreements, school maps, and emergency supplies are essential.
- Discussion-based exercises may include orientations such as seminars, workshops, and tabletop drills using realistic potential situations. Operations-based exercises must be carefully planned with guidance from professional first responders and agencies and can help schools prepare mentally and physically to respond to emergencies such as lockdown, fire, evacuation, reverse evacuation, and drop-cover-hold. Local and surrounding communities and parents/guardians should be informed of full-scale drills that simulate real emergencies. (California Department of Education, 2021)

PREVENTION OF CHILD ABUSE

GCC is committed to maintaining safe and secure campuses for students, and for following its legal responsibilities in reporting suspected child abuse/neglect to the proper authorities.

Child Abuse Prevention and Reporting Policy

Student Policies SP 5141.4

Board Policy: Child Abuse Prevention and Reporting

Every child has the right to live free of physical and emotional abuse, including neglect and sexual assault. The Gateway Community Charters Board recognizes that such abuse has severe consequences for the child, sometimes resulting in the child's own violent behavior or in drug addiction. Our schools are in a position to promote the prevention of child abuse and its reoccurrence, and to reduce the general vulnerability of children.

The following policy and procedures shall apply to all GCC employees. Any employee who knows or reasonably suspects a child has been the victim of child abuse shall report the instance pursuant to the following policy. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166. It is the policy of the GCC Board that all employees shall comply with the law's reporting procedures whenever they have knowledge of or observe a child in the course of their employment whom they know or reasonably suspect to have been the victim of child abuse.

Definitions

1. "Child Abuse" or "neglect" includes the following:
 - a. A physical injury inflicted by other than accidental means on a child by another person.
 - b. Sexual abuse of a child.
 - c. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody.
 - d. Unlawful corporal punishment or injury resulting in a traumatic condition.
 - e. Neglect of a child or abuse in out-of-home care.

Child abuse and/or neglect include both acts and omissions on the part of the responsible person.

2. "Mandated Reporters" are those people defined by law as "child care custodians," "health practitioners," "child visitation monitors" and "employees of a child protective agency." All GCC personnel are Mandated Reporters of suspected abuse and/or neglect, including but not limited to: Teachers, specialists, administrators, school psychologists,

licensed nurses, counselors, and Para-educators, or other classified. All GCC employees are required to report instances of suspected or known child abuse and/or neglect immediately when the employee has knowledge of or observes a child that the employee knows or reasonably suspects has been the victim of child abuse or neglect.

3. "Child Protective Agencies" are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

4. "Reasonable Suspicion" means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

5. "Child" means any person less than 18 years of age.

Reporting Procedures

Once an employee witnesses, has been made aware of, has knowledge of, or reasonably suspects that an incident, behavior, or conduct may be an indication of suspected child abuse, the employee shall:

1. Step #1: Telephone Report - The telephone report must be made immediately, or as soon as practically possible, upon knowledge or suspicion.

a. This report will include:

1. The name of the person making the report.
2. The name of the child.
3. The present location of the child.
4. The nature and extent of any injury.
5. Any other information requested by the child protective agency or law enforcement office, including the information that led the Mandated Reporter to gain knowledge of or suspect child abuse.
 - i. When the verbal report is made, the employee shall note in writing the name of the official contacted, the date and time contacted, and any instructions or advice received.

b. Appropriate agency to report to:

1. If the suspected child abuse has taken place within the family,
 - i. Call Sacramento Child Protective Services at: 916-875-5437
(Note: sites outside Sacramento should contact local CPS)
2. If the suspected child abuse has taken place outside the family,
 - i. Call the local law enforcement department at:
 - a. Sacramento Police Department 916-204-5471
* Within City of Sacramento
 - b. Sacramento Sheriff's Department 916-874-5115

* Within Sacramento County

c. Yolo County Sheriff's Department 916-375-6493

* Within Yolo County

d. West Sacramento Police Department 916-617-4900

* Within City of West Sacramento

c. If the agency asks the child to be held until authorities arrive, the employee must remain with the child.

2. Step #2: Written Report -

- a. Within 36 hours of hearing about the incident, the employee shall complete and mail to the local child protective agency (or law enforcement as appropriate) a written report, "Suspected Child Abuse Report," which includes a completed Department of Justice form (DOJ SS 8572).

Employees may obtain copies of the above form either from the GCC central office or the local child protective agency. Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the employee is personally responsible for ensuring that the written report is correctly filed.

- b. The written report is to be addressed to the person to whom the telephone report was made.

3. Employees reporting child abuse to a child protective agency or law enforcement agency are directed to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. Administrators so notified shall provide the employee with any assistance necessary to ensure that reporting procedures are carried out in accordance with applicable law and GCC policy and procedure. At the employee's request, the principal may assist in completing and filing these forms. If the employee does not disclose his/her identity to a site or GCC administrator, he/she shall at least provide or mail a copy of the written report to the GCC without his/her signature or name.

4. After completing the process above, the employee's primary responsibility is finished. The employee is not to conduct an investigation regarding the suspected abuse, not to confer with the person(s) alleged, to have mistreated the child, nor contact the child's home or the alleged perpetrator prior to making the report. There is no duty for the reporter to contact the child's parents. In fact, if a child is released to a peace officer or a child protection agency, the reporter shall not notify the parent as required in other instances of removal.

Legal Responsibility and Liability

1. Mandated Reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse. This immunity shall apply even if the Mandated Reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his or her professional capacity or outside the scope of his or her employment.

2. If a Mandated Reporter fails to report an instance of child abuse which he/she knows to exist or reasonably should know to exist, he/she is guilty of a misdemeanor punishable by confinement in jail for up to six months, a fine of up to \$1,000, or both. The Mandated Reporter may also be held personally liable for damages resulting from any injury to the child after a failure to report and could incur costs of defense and any subsequent damages to the child.
3. All employees are subject to disciplinary action for failure to report suspected child abuse pursuant to this policy. Moreover, GCC is not obligated to defend an employee who neglects or fails to make a required report.
4. When two or more persons who are required to report have joint knowledge of a suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person. However, if any person knows or should know that the designated person failed to make the report, that person then has a duty to do so.
5. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code 11174.3)

Release of Child to Peace Officer or Child Protective Services Agent

When a child is released to a peace officer or child protective services agent and taken into custody as a victim of suspected child abuse, the Superintendent or designee and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the peace officer or agent with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officers and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

When School Employees are Accused of Child Abuse

Regardless of the identity of the suspected child abuser, the major responsibilities of Mandated Reporters are to: 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to the proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

The GCC may at any time take action in accordance with the at will nature of GCC employment. Possible employee actions by the GCC may include, but are not limited to, reassignment, leave of absence, or release from employment. The Superintendent or designee may seek legal counsel in connection with employee actions related to this policy.

Training

GCC shall provide training to all new personnel regarding the obligations as Mandatory Reporters and the steps required to report suspected abuse. Employees new to the GCC will receive a more extensive Child Abuse training within 6 weeks of employment. Child abuse reporting procedures are reviewed yearly for all returning GCC employees within the first 6 weeks of the school year. Employees requiring English translation of the training will be offered translation. Both the employee and translator will sign an acknowledgment form indicating this service was used.

GCC Staff Acknowledgment

As a part of the employee hire packet, employees will sign a Child Abuse Acknowledgment form that outlines their designation as a Mandated Reporter and receipt and understanding of this policy.

(End of Policy SP 5141.4 Child Abuse Prevention and Reporting)