

2025–2026 TK–8th Grade Parent/Guardian & Student Handbook

Achieve Charter School of Chico
1494 East Ave
Chico, CA 95926
(530) 872–4100 (option 1)

Achieve Charter School of Paradise
771 Elliott Rd
Paradise, CA 95969
(530) 872–4100 (option 2)

www.achievecharter.org

Achieve



where
everyone
belongs.



where
everyone
is challenged
and supported.



where
everyone
makes the world
a better place.

MISSION AND VISION	4
ORGANIZATION	5
BOARD OF DIRECTORS	5
ADMINISTRATIVE TEAM	5
OFFICE STAFF	6
GENERAL INFORMATION	6
CAMPUS ADDRESSES	6
CAMPUS SUPERVISION	6
SCHOOL HOURS	6
OPEN ENROLLMENT/LOTTERY	7
MINIMUM AGE FOR TRANSITIONAL KINDERGARTEN (TK)	8
MINIMUM AGE FOR KINDERGARTEN	8
REGISTRATION	8
ATTENDANCE	8
ARRIVAL	8
DISMISSAL	9
ATTENDANCE GUIDELINES	9
NOTIFICATION OF ABSENCE	9
TARDIES	10
MEDICAL AND DENTAL APPOINTMENTS	10
PROGRAMS	10
INDEPENDENT STUDY PROGRAM	10
E.L.O-P AFTER SCHOOL PROGRAM	10
ADDITIONAL ELO-P DAYS	11
SUMMER SCHOOL ELO-P	11
LUNCHES/SNACKS	11
MORNING SNACK	11
BREAKFAST AND LUNCH PROGRAM	11
FORGOTTEN LUNCHES	12
DEPARTMENT OF AGRICULTURE PROHIBITS DISCRIMINATION	12
HEALTH INFORMATION	12
HEALTH EXAMINATION	12
ORAL HEALTH ASSESSMENT	13
IMMUNIZATIONS	13
HPV VACCINE	14
COMMUNICABLE DISEASES	14
MEDICAL/DENTAL APPOINTMENTS	16
MEDICATION	16
EMERGENCY EPINEPHRINE AUTO-INJECTORS	17
CONCUSSION/HEAD INJURIES	17
SUDDEN CARDIAC ARREST PREVENTION AND AED	17

SCREENING TESTS	17
PHYSICAL EXAMINATIONS AND RIGHT TO REFUSE	17
COMMUNITY MENTAL HEALTH SERVICES	18
AVAILABILITY OF INSURANCE	19
EMERGENCY	19
EMERGENCY PROCEDURES	19
EMERGENCY CONTACT INFORMATION	20
EMERGENCY - PARENT/GUARDIAN NOTIFICATION	20
STUDENT INFORMATION SYSTEM AND SCHOOL COMMUNICATION	21
AERIES/STUDENT DATA CONFIRMATION	21
PARENT SQUARE	21
WETIP	21
FROM HOME TO SCHOOL COMMUNICATION	21
FROM SCHOOL TO HOME COMMUNICATION	22
CONFIDENTIALITY	22
PARENT/GUARDIAN INVOLVEMENT	22
PARENT/GUARDIAN VOLUNTEERS	23
PARENT ADVISORY COUNCIL (PAC)	23
ACHIEVE PARADISE CHICO FAMILIAS HISPANAS	23
ACHIEVE CHARTER SCHOOL BOARD OF DIRECTORS	23
VISITOR AND VOLUNTEER POLICY AND PROCEDURES	23
PARENTS/GUARDIANS VISITING THE SCHOOL	23
VOLUNTEER GUIDELINES	24
FIELD TRIP DRIVER POLICY	24
RIGHTS OF NON-CUSTODIAL PARENTS	24
ACADEMIC POLICIES AND INFORMATION	25
PARENT/GUARDIAN RIGHT TO KNOW REGARDING TEACHER QUALIFICATIONS	25
CURRICULUM	25
PERSONALIZED LEARNING PLANS (PLPs)	27
CHARACTER EDUCATION	28
MORNING ASSEMBLY	28
LIBRARY PROGRAM	28
TESTING	28
REPORT CARDS AND PROGRESS REPORTS	29
SCHOOL DISCIPLINE	29
POSITIVE REINFORCEMENT/ DISCIPLINE POLICY	29
POSITIVE REWARDS FOR EXPECTED BEHAVIOR	29
SHOULD A CHILD CHOOSE TO BREAK A RULE	30
UNIFORM AND DRESS CODE	30
UNIFORM POLICY	30
SCHOOL UNIFORM	30

WILDCAT WEDNESDAY	31
FREE DRESS DAYS	31
LOST AND FOUND	31
ELECTRONIC DEVICES AND INTERNET USE	31
REGULATIONS FOR CELL PHONES ON SCHOOL CAMPUS	31
RULES FOR STUDENT INTERNET USE	32
GOOGLE APPLICATIONS FOR EDUCATION	33
GOOGLE APPS ACCEPTABLE USE POLICY	33
NON-DISCRIMINATION STATEMENT	34
PROFESSIONAL BOUNDARIES: STAFF/STUDENT INTERACTION POLICY	35
HOMELESS EDUCATION POLICY	38
EDUCATIONAL RECORDS AND STUDENT INFORMATION	44
LOCAL SCHOOL WELLNESS POLICY	52
SUICIDE PREVENTION POLICY 20A	56
SUICIDE PREVENTION POLICY 20B	57
HARASSMENT, DISCRIMINATION, INTIMIDATION, & BULLYING PREVENTION	58
TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION & BULLYING	63
SUSPENSION AND EXPULSION PROCEDURES	68
INTERNAL COMPLAINT PROCEDURES RELATING TO SPECIAL EDUCATION	88
UNIFORM COMPLAINT POLICY AND PROCEDURES	90
PARENT/GUARDIAN & STUDENT HANDBOOK ACKNOWLEDGMENT	98

MISSION AND VISION

Achieve Charter School: Where everyone belongs, where everyone is challenged and supported, and where everyone makes the world a better place.

Achieve Charter School is a network of TK-8 public schools committed to quality standards-based instruction through individual learning opportunities. Our character-building small school environments focus on building resilience and empowering every student to be a positive contributor to society.

The organizational vision for Achieve Charter School of Paradise Inc. is to play a role in driving change that improves the quality of life, education level, economic development, and mindset of the Ridge, Chico, and surrounding communities.

The Achieve organization will positively affect the public education system as a whole by increasing educational options for students, increasing enrollment in Paradise, and by modeling best practices for decreasing the achievement gap, increasing the number of graduates prepared for college and/or career, engaging parents, inspiring students, empowering teachers, and involving the communities of Paradise and Chico.

ORGANIZATION

BOARD OF DIRECTORS

Achieve Charter School of Paradise Inc. is organized as a not-for-profit 501c3 for the purpose of operating one or more public charter schools. Our Board of Directors is legally and fiscally responsible for the organization and approves all school policies and the annual budget. Regular board meetings are open to the public and held on the fourth Wednesday of each month at 4:00, alternating between our Chico and Paradise campuses. Check the school website for location, agendas, and minutes.

Kim Guzzetti, Community Member	Board President
Veronica Salinas, Community Member	Board Vice President
Justin Miley, Parent Member	Board Treasurer
Marcia Buie, Parent Member	Board Secretary
UpHeidi Elick, Community Member	Director
Chuck Rough, Community Member	Director
Amy Duncan, Parent Member	Director

ADMINISTRATIVE TEAM

SUPERINTENDENT: Casey Taylor

The Superintendent reports to the Board of Directors and is responsible for creating, communicating, and implementing the organization's vision, mission, and overall direction. Casey Taylor leads the development and implementation of the organization's overall strategy.

CHIEF BUSINESS OFFICER: Korin Baber

The Chief Business Officer (CBO) is delegated by the Board of Directors to administer and supervise all fiscal matters and oversee human resources and business operations.

FINANCE OFFICER: Courtney Howe

The Finance Officer is delegated by the Board of Directors to supervise all fiscal matters.

PRINCIPALS: Erika Etchison, Paradise, and Steve Wright, Chico

The Principals are delegated by the Superintendent to implement school policy, develop school programs, and supervise school staff.

DIRECTOR OF CURRICULUM AND INSTRUCTION: Kaylan Sigel

Assures the successful development and support for a rigorous and standards-based curriculum and associated curricular resources. Provides oversight for curriculum and instruction, coaching teachers and staff, and leading professional development.

SPECIAL EDUCATION AND MENTAL HEALTH SERVICES DIRECTOR: Mary Tickle

The Special Education and Mental Health Services Director oversees the Special Education and mental health programs and staff at both the Paradise and Chico campuses.

ORGANIZATION CONFIDENTIAL EXECUTIVE ASSISTANT: Nicole Maletic
Provides support to the Superintendent and other members of the leadership team.

OFFICE STAFF

Michelle Sobrero Chico Office Manager
Mishawn Delgado Paradise Office Manager

GENERAL INFORMATION

CAMPUS ADDRESSES

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1494 East Ave
Chico, CA 95926
(530) 872-4100 (option 1)

Achieve Charter School of Paradise
771 Elliott Rd
Paradise, CA 95969
(530) 872-4100 (option 2)

CAMPUS SUPERVISION

Our campus is supervised by school personnel to ensure the safety of students. Students may be on campus at 7:30 am on school days. There will be no supervision provided before 7:30 am.

SCHOOL BEGINS

6-8 8:00 am
TK-5 8:10 am

SCHOOL DISMISSAL (M-TH)

TK Regular Program 12:00 pm
TK Extended Program 2:30 pm
K-3 2:30 pm
4-8 2:45 pm

STUDENT SUPERVISION ENDS (for students not enrolled in the after-school program)

TK Regular Program. 12:30 pm
TK Extendend Program. 3:00 pm
K-3. 3:00 pm

4-8 3:00 pm

FRIDAY MINIMUM DAY DISMISSAL

TK 12:00 pm

K-8 12:30 pm

FRIDAY STUDENT SUPERVISION ENDS (students not enrolled in the after-school program)

TK 12:30 pm

K-8 1:00 pm

MONDAY-THURSDAY SCHOOL OFFICE HOURS

7:45 am – 3:00 pm

FRIDAY SCHOOL OFFICE HOURS

7:45 am – 1:00 pm

Please be prompt when picking up your child(ren). Children will only be released to parents/guardians and other adults who are appointed by a parent/guardian during registration and within the first two weeks of each school year during Aeries Parent Data Confirmation Changing. If changes occur during the school year, they need to be reported to the office. We will not release students to adults we don't recognize as parents or guardians unless specifically informed to do so by the parent/guardian. Our campus is supervised by school personnel to ensure the safety of students.

OPEN ENROLLMENT/LOTTERY

Charter schools are not allowed to discourage a pupil from enrolling or seeking to enroll in the charter school because the pupil exhibits any characteristics such as students with disabilities, academically low-achieving, English learners, neglected or delinquent, homeless, socially economically disadvantaged, foster youth, or based on nationality, race, ethnicity, or sexual orientation. Charter schools are not allowed to request a pupil's records before enrollment or encourage a child who is enrolled in a charter school to disenroll or transfer to another school. A parent, guardian, or pupil (18 years or older) may file a Charter School Complaint Form to the authorizing entity if they suspect the charter school is in violation of *Education Code* Section 47605(e)(4)(A) through (E). For more information, visit: <https://www.cde.ca.gov/sp/ch/cscomplaint.asp>.

Achieve Charter School shall admit all pupils who reside in California and wish to attend the school (up to capacity). No test or assessment shall be administered to students prior to acceptance and enrollment into the school. Pupils will be considered for admission without regard to race, ethnicity, national origin, gender, or disability.

The publicly advertised open enrollment period starts in December for enrollment for the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In

the event this happens, Achieve will hold a public random drawing to determine enrollment for the impacted grade level, with the exception of existing students (2nd year forward) who are guaranteed enrollment in the following school year. Enrollment preferences in the case of a public random drawing shall be allowed in accordance with school policy. At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a waitlist according to their draw in the lottery. This waitlist will allow students the option of enrollment in the case of an opening during the school year. The waiting list does not carry over to the following school year, so a new application must be submitted in order to be placed on that year's waiting list.

For more information, visit our website

<https://www.achievecharter.org/ENROLLMENT/index.html> or call the office at (530) 872-4100.

MINIMUM AGE FOR TRANSITIONAL KINDERGARTEN (TK)

Children who are 4 years old on or before September 1st of the school year are eligible for Transitional Kindergarten (TK) and can apply for the lottery.

MINIMUM AGE FOR KINDERGARTEN

Children who are 5 years old on or before September 1st of the school year are eligible for kindergarten and can apply for the lottery.

REGISTRATION

Each child must have a completed registration packet or their enrollment completed through the Aeries Online Enrollment process with emergency contact information. This information is kept in student files and also in the school's online student information system (Aeries). Any change in contact information (address, phone number, etc.) must be reported to the school office.

Along with the completed registration packet or completed Aeries Online Enrollment, please provide the following:

- Proof of Birth (copy of a birth certificate, passport, state-issued ID)
- Emergency Information
- Registration Health Records
- Report of Health Examination for School Entry or Waiver - (the health screening is within 18 months prior to entry into first grade or within 90 days thereafter)
- Immunization Record
- Oral Health Assessment or Waiver - (conducted the year prior to Kindergarten or by May 31st of your child's kindergarten year)

ATTENDANCE

ARRIVAL

Students may be on campus at 7:30 a.m. on school days. No supervision will be provided before 7:30 a.m.

DISMISSAL

Unless attending the after-school program, all students TK-5 must be picked up after school by 3:00 pm, and middle school students must be picked up by 3:30 pm. TK-5 students with middle school siblings may be picked up between 3:15 and 3:30 pm along with middle school students. Please be prompt in picking up your child(ren). Our staff may have other obligations after 3:30 pm. Children will only be released to parents/guardians and other adults named in your registration packet. Please contact the office if your child will be picked up by someone other than a parent or guardian. We will not release students to adults we don't recognize as parents or guardians unless specifically informed to do so by the parent/guardian.

ATTENDANCE GUIDELINES

Regular attendance is compulsory and mandated by the California Education Code. Achieve Charter School encourages and acknowledges students who display a 97% attendance rate each month. We strongly recommend that all vacations and pleasure trips be scheduled during school vacation days and not during scheduled school days. If the need should arise that an absence is due to a non-school vacation, the student will be expected to make up their missed assignments upon return. If a student is absent due to illness, his/her homework may be picked up after school. We also have an Independent Study Program for students who are absent, which allows students to stay on track, and Achieve will receive funding for each day they are in the program and engaged. Please see the Independent Study Program section in this handbook for more details.

- Thirty days of absenteeism during a school year may constitute a reasonable cause for retention. This may also be interpreted as ten days per trimester. When work has been made up, report cards may be distributed.
- In order to meet requirements for promotions, class work missed because of absenteeism (or its equivalent substituted by the teacher) must be completed satisfactorily. Please refer to the classroom teacher.
- State Law requires a written excuse whenever a child is ABSENT or TARDY. A child is marked tardy when he/she arrives after the morning assembly has begun (8:00 for Middle School and 8:10 for Elementary School). In the event of being tardy five times in a trimester, a notice will be sent to the parents/guardians.
- Students leaving campus early for any reason must be signed out in the office by an adult specified on the student's emergency contact list.

NOTIFICATION OF ABSENCE

- Notify the school of absence by 9:00 a.m., indicating why your student is absent.
- Notify the school immediately if a child has a communicable disease.
- Always keep a child home who is obviously sick, contagious, or who has a temperature of 100 degrees or higher
- An absence note is required upon return to school.

It is very important that a parent/guardian notify the office when a student is absent. When there is no verification within three (3) school days, the absences are considered unexcused and the student truant (Ed Code 48260). When leaving a message or sending an email, please state your child's name, your name, teacher's name, date of absence, and the reason.

TARDIES

Students who are tardy for school for any reason must check into the office. Students must obtain a tardy slip before being admitted to class. Tardiness will be excused for professional appointments. Other situations may also be considered excused and are left to the Principal's discretion. Arriving while morning assembly is in progress or after it has begun is considered tardy. Students may not join the assembly until they have checked in at the office.

MEDICAL AND DENTAL APPOINTMENTS

Appointments during school hours are to be kept at a minimum. If unavoidable, the child **MUST** be signed out and signed back in at the school office.

When your child has an appointment during the school day, please bring them to school before or after the appointment. Schools receive funding even if a student attends for a partial day. Funding provides curriculum, books, supplies, and other necessities.

PROGRAMS

INDEPENDENT STUDY PROGRAM

Your child's attendance is very important. We appreciate that you use our school calendar to adjust your trips so they are not scheduled on school days. Although, if your child must miss three consecutive days or more of school, please arrange with the school office and your child's teacher to sign up for the Independent Study Program. Your child will receive an independent study packet, which will help them stay on track and Achieve will receive funding for each day they are in the program and engaged. Please remember to sign and return the complete independent study packet with the assigned work to the school office or your child's teacher within 3 days of your child returning to school.

E.L.O-P AFTER SCHOOL PROGRAM

The Achieve More! ELO-P After School Program will start immediately following the regular school day and ends at 5:30 pm. Students will begin Homework Club/Tutor Time as an opportunity to complete homework and practice academic skills such as creative writing, reading, typing, learning games, computers, and more. They will be greeted at the door by a familiar, caring staff member. Students will also have time to play outdoor group games and sports as well as unstructured outside time. Throughout each day, there will be a variety of engaging and enriching activities, from academic support, games, S.T.E.A.M. activities, reading, social-emotional learning, and performing arts. The daily tuition is \$8 (Monday-Thursday) and \$10 (Friday) and **FREE for all qualifying students.**

Registration:

Please register and pay for the dates needed for the upcoming month by the fifth of each month. This can be completed by clicking the links below. Families can also sign up and make a payment in the school office. Unfortunately, refunds will not be given if your child is absent.

Please sign up by visiting the website:

<https://www.achievecharter.org/Achieve-More-E-L-O-P-After-School-Program/index.html>

The Expanded Learning Opportunities Program Plan Guide can be found on our website:

<https://www.achievecharter.org/Policies--Forms/index.html>

ADDITIONAL ELO-P DAYS

Additional ELO-P dates (on non-school days) are also offered throughout the school year. Please see the ELO-P Calendar for date info. These additional days start at 8:30 am and end at 5:30 pm. Students will engage in academic skills such as creative writing, reading, math, learning games, computers, and more. Each week there will be a variety of fun and engaging activities: crafts, S.T.E.A.M., social-emotional learning, and field trips! The daily tuition is \$10 and **FREE for all qualifying students**.

SUMMER SCHOOL ELO-P

Summer ELO-P is available! Please see the ELO-P Calendar for date info. From 8:00 am to 5:00 pm students will engage in academic skills such as creative writing, reading, math, learning games, computers, and more. Students will have structured games and water play as well as unstructured outside time. Each week, there will be a variety of fun and engaging activities: crafts, S.T.E.A.M., social-emotional learning, and field trips!

Please visit [achievecharter.org](https://www.achievecharter.org) to view dates and to sign-up your student. Sign-ups are required and the tuition is \$10/day and **free for qualifying families**.

LUNCHES/SNACKS

MORNING SNACK

Please send your child a healthy morning snack every day. Students will be encouraged to choose something healthy from their lunch for a snack if it is not designated by their parent/guardian. Students will not be allowed to bring candy, soda (caffeinated or not), or any other caffeinated drinks onto the school campus.

BREAKFAST AND LUNCH PROGRAM

Achieve Charter School utilizes the Paradise and Chico Unified Breakfast and Lunch Program and offers free meals to all students through the National School Lunch and Breakfast Program.

Breakfast and lunch are available Monday through Friday. Breakfast can be picked up each morning. Lunch count will be taken in classrooms by 8:30 a.m. Please call the school office before 8:30 a.m. if your child will be tardy and needs a lunch ordered for that day.

FORGOTTEN LUNCHES

If your child has forgotten lunch, a free lunch will be ordered for him or her. If you would like to bring your child's lunch, please drop it off in the office and identify your child's name and grade. Please do not disturb the classroom by taking it to your child.

DEPARTMENT OF AGRICULTURE PROHIBITS DISCRIMINATION

The U.S. Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and, where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities).

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at the U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email program.intake@usda.gov.

Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (Spanish).

“USDA is an equal opportunity provider and employer.”

HEALTH INFORMATION

Parents are required to keep dental and health information current. Please contact the school office with any changes.

HEALTH EXAMINATION

A child's health has an important effect on their performance. A checkup of all students within 18 months prior to entry into first grade or within 90 days thereafter. (Health and Safety Code 124040, 124085). In lieu of the certification, the parent/guardian may submit a waiver on the form indicating that they do not want or are unable to obtain a health screening. If the waiver indicates that the parent/guardian was unable to obtain the services, the reasons should be included in the waiver. (Health and Safety Code 124085).

ORAL HEALTH ASSESSMENT

Students in their first year in public school must submit proof of an oral health assessment or waiver. The assessment must be performed by a licensed or registered dental health professional, conducted the year prior to Kindergarten or by May 31st of your child's Kindergarten year. Please contact the main office if you have questions about this requirement.

IMMUNIZATIONS

Pursuant to the California Health and Safety Code and the California Code of Regulations, children must have a minimum number of immunizations before they can attend school. Verification of immunizations will be completed with written medical records from the child's doctor or immunization clinic. To ensure a safe learning environment for all students, the Charter School follows and abides by the health standards set forth by the state of California.

California schools are required to check immunization records for all new student admissions at transitional kindergarten (TK)/Kindergarten through 12th grade and all students advancing to 7th grade before entry. Parents must show their child's Immunization Record as proof of immunization. Immunization Records must be on file in the school office prior to the start date. Any student who doesn't have a current immunization record with the required immunizations on file by their first day of school will be excluded from attendance. Students entering 7th grade will not be able to attend school until proof of the Tdap is on record.

Students Admitted at TK/K–12 Need Records of:

Polio (OPV or IPV) — 4 doses

3 doses are OK if one was given on or after 4th birthday.

Diphtheria, Tetanus, and Pertussis (DTaP, DTP, Tdap, or Td) — 5 doses

4 doses are OK if one was given on or after their 4th birthday. 3 doses are OK if one was given on or after 7th birthday. For 7th–12th graders, at least 1 dose of pertussis-containing vaccine is required on or after 7th birthday.

Measles, Mumps, and Rubella (MMR) — 2 doses

Given on or after 1st birthday.

Hepatitis B — 3 doses

Required at admission to any grade except 7th grade.

Varicella (Chickenpox) — 2 doses

Usually given at ages 12 months and 4-6 years. The TK/K–12 immunization requirements apply to new admissions and transfers for all grades, including 7th grade, and students whose exemptions are no longer valid.

Tetanus, Diphtheria, Pertussis (Tdap) — 1 dose

Students advancing to 7th grade need a record of Tdap (Whooping Cough booster), usually given at 11 years and up.

For more information, please visit:

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/School/tk-12-immunizations.aspx>

Parents are required to keep dental and health information current. Please contact the school office with any changes.

HPV VACCINE

The California Health and Safety Code recommends that pupils are fully immunized against human papillomavirus (HPV) before admission or advancement to the eighth-grade level of any private or public elementary or secondary school.

HPV is a very common virus that can cause serious cancers later in life. It's estimated that HPV causes about 37,000 cases of cancer in men and women every year in the U.S.

The good news is that HPV vaccination can prevent over 90% of cancers caused by HPV. HPV vaccines are very safe, and scientific research shows that the benefits of HPV vaccination far outweigh the potential risks. Similar to other vaccines, common side effects are mild, like pain or redness where the shot was given, and get better within a day or two.

Because it is safe and effective, vaccination against HPV is recommended by the CDC Advisory Committee on Immunization Practices, the American Academy of Pediatrics, and the American Academy of Family Physicians. It's also recommended by the American Cancer Society and California's Cancer Prevention Act.

HPV vaccine is more effective when given at younger ages. All kids between the ages of 9 to 12 years are recommended to receive two doses of the HPV vaccine, with the second dose given before the start of 8th grade. The HPV vaccine is often given at the same time as whooping cough and bacterial meningitis vaccines for adolescents.

Ask your healthcare provider or local health department to learn more about the HPV vaccine and where your child can get it. The vaccine is covered by most health insurance plans. If you don't have health insurance, your child can still get vaccinated. The Vaccines for Children (VFC) Program offers free vaccines to children up to age 18 years without insurance or whose insurance does not cover the cost of vaccines.

COMMUNICABLE DISEASES

The school office **MUST** be notified immediately in the case of any of the communicable diseases listed below.

- **Chicken Pox:** A child must stay home until all blisters have scabbed (usually 5-7 days after their appearance), regardless of vaccination status.
- **Bacterial Conjunctivitis (Pink Eye):** A child may be in school 24 hours after a physician has been advised and the stated active treatment has been given.

- Head Lice: Infections with lice and mites are treatable with over-the-counter medicine. Please consult your child's physician or pharmacist. The student must be checked by school personnel before returning to school. We have a NO NIT POLICY.
- Impetigo: A common name for skin hypodermal. The organisms most commonly implicated as causing this disease are Streptococcus and Staphylococcus. As this disease is highly contagious, no child shall be permitted to return until 24 hours after treatment has been initiated and sores are drying or improving.
- German Measles (Rubella): A child cannot return until seven days after the rash appears. Unvaccinated children and staff will be excluded until guidance is given from Butte County Public Health.
- Pinworms: A student diagnosed with pinworms should not return to school until a physician has started appropriate treatment.
- Ringworms of Scalp and Body: Microsporum species are highly contagious by both direct and indirect contact. A child cannot return until treatment has been started or if the lesion cannot be covered. If on the scalp, until 24 hours after treatment has been started. Any child with ringworm should not participate in gym, swimming, and other close contact activities that are likely to expose others until 72 hours after treatment has begun or until the lesions can be completely covered.
- Pertussis (Whooping Cough): Children with whooping cough (pertussis) should be excluded from school until they have completed five days of antibiotic treatment. If left untreated, they should be excluded for 21 days from the start of their cough.
- COVID-19: Symptoms of COVID-19 include but are not limited to fever or chills, congestion or runny nose, the new loss of taste or smell, fatigue, cough, nausea or vomiting, sore throat, shortness of breath or difficulty breathing, muscle or body aches, and diarrhea.

Please visit <https://www.cdc.gov/coronavirus/2019-ncov/your-health/isolation.html> for more information.

In case of an illness, the office personnel will contact the parent/guardian. If the parent/guardian cannot be reached, the emergency contact will be called. The student will need to be picked up if they are vomiting, have diarrhea, and/or have a temperature of 100 degrees or higher.

Please keep all parent/guardian and emergency contact information up to date, including home addresses, home phone numbers, and cell phone numbers. Emergency contacts are appointed by a parent/guardian during registration and within the first two weeks of each school year during Aeries Parent Data Confirmation Changing. If changes occur during the school year,

they need to be reported to the office. A child will not be sent home unless a parent/guardian or emergency contact is able to pick them up.

MEDICAL/DENTAL APPOINTMENTS

Appointments during school hours are to be kept at a minimum. When your child has an appointment during the school day, please bring them to school before and/or after the appointment. Schools receive funding even if a student attends for a partial day. Funding provides curriculum, books, supplies, and other necessities.

Children **MUST** be signed out at the school office and then signed back in at the school office if returning after the appointment.

MEDICATION

Medical treatment is the responsibility of the parent/guardian and the family health care provider. The parent/guardian is urged, with the help of the family health care provider, to work out a schedule for giving medication outside school hours. If it is deemed absolutely necessary for a student to receive medication during regular school hours, including before or after school programs, field trips, extracurricular and co-curricular activities, and camps or other activities that typically involve at least one overnight stay away from home, then a Medication Authorization Form will need to be completed by the student's authorized health care provider and a parent/guardian. This form will need to be on file in the school office before medication (including over-the-counter) can be administered by staff. If a form is not on file, a parent/guardian can go to the school site and administer the medication to their student.

The school office provides a Medication Authorization Form. The medication name, administration method, dosage, time to administer medication, and frequency of administration, as well as any other instructions, including possible adverse reaction instructions, will need to be listed. Changes in prescribed dose and/or other details of medication administration must be provided to the school in writing by the authorized health care provider. Medication Authorization Forms expire at the end of each school year, and a new form must be completed each new school year.

A parent/guardian must bring medicine to the office, pick up any outdated, expired, or unused medication, and provide all materials and/or necessary equipment for medication administration. Medication will need to be picked up before summer break, as no medication will be kept in the school office over the summer. Medication that is not picked up by the last day of school will be destroyed/discarded. Prescription medication must be in the original container labeled by the pharmacist, and over-the-counter/non-prescription medicine will need to be in the original container and labeled with the student's name. No medication (prescription or non-prescription) may be transported by a student or be in the student's possession while at school unless indicated on the Medical Authorization Form and approved by the site Principal.

EMERGENCY EPINEPHRINE AUTO-INJECTORS

Emergency epinephrine auto-injectors are available in the school office for the school nurse or trained personnel to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction.

OPIOID ANTAGONIST ADMINISTRATION

The School will provide emergency hydrochloride or another opioid antagonist (“Opioid Antagonist”) to trained School personnel and those trained personnel may use the Opioid Antagonist to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. The training provided to School personnel shall be in compliance with the requirements of Education Code section 49414.3 and any regulations promulgated in line therewith.

Trained School personnel may administer the Opioid Antagonist to a person exhibiting potentially life-threatening symptoms of an opioid overdose at school or a school activity when a physician is not immediately available. If the Opioid Antagonist is used, it shall be restocked as soon as reasonably possible, but no later than two weeks after it is used. The School’s supply of Opioid Antagonist shall be restocked before its expiration date.

If School personnel administers an Opioid Antagonist to a student, the School will call emergency services (9-1-1) and will contact the student’s parent/guardian.

CONCUSSION/HEAD INJURIES

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

SUDDEN CARDIAC ARREST PREVENTION AND AED

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

SCREENING TESTS

In the interests of the student's health, the school provides certain health services. In the course of the year, each student (unless opted out by a parent/guardian) will participate in the following health examinations: Hearing and vision in grades K, 2, 5, and 8 (color blind screening for 1st-grade boys only). An opt-out option is available in the Aeries Parent Data Confirmation Changing (to be completed by the parent/guardian within the first two weeks of each school year) or by contacting the school office.

PHYSICAL EXAMINATIONS AND RIGHT TO REFUSE

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

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

California Department of Public Health/Shots for School: Beginning January 1, 2021, all new medical exemptions for school and child care entry must be issued through CAIR-ME. Medical exemptions can only be issued by MDs or DOs licensed in California and must meet applicable Centers for Disease Control and Prevention (CDC), Advisory Committee on Immunization Practices (ACIP), and American Academy of Pediatrics (AAP) criteria.

A medical exemption filed at a pre-kindergarten facility or school remains valid until the earliest of:

- When the child enrolls in the next grade span (TK/K-6th grade, 7th-12th grade)
- The expiration date specified in a temporary medical exemption
- Revocation of the exemption (PDF) because the issuing physician has been subject to disciplinary action from the physician's licensing entity.

COMMUNITY MENTAL HEALTH SERVICES

Available in the Community:

- [Butte 2-1-1](https://helpcentral.org/24-hour-hotlines/) (<https://helpcentral.org/24-hour-hotlines/>)
- Butte County Department of Behavioral Health –530-508-9133
- Butte County Crisis Line – 530-891-2810
- [Butte Youth Now - Signs and Symptoms of Youth Depression](https://butteyouthnow.org/) (<https://butteyouthnow.org/>)

Available Nationally:

- The 988 Suicide & Crisis Lifeline (formerly known as the National Suicide Prevention Lifeline) provides confidential support for adults and youth in distress, including prevention and crisis resources. Available 24 hours by calling 988 (<https://988lifeline.org/>).
- The Trevor Project - This organization provides suicide prevention and crisis intervention for LGBTQ youth between the ages of 13 and 24. Available at 1-866-488-7386 or visit <https://www.thetrevorproject.org/>.
- Big Brothers/Big Sisters of America – This organization is a community-based mentorship program. Community-specific program information can be found online at <https://www.bbbs.org> or by calling 1-813-720-8778.
- 24/7 Homeless Emergency Action Response Team (HEART) – 1-877-4-RUN-AWAY or 1-877-4-786-2929
- 24/7 Disaster Distress Helpline - 1-800-985-5990 or TEXT TalkWithUs to 66746

Additional resources can be found at:

<https://www.achievecharter.org/Students--Parents/Resources/index.html>

AVAILABILITY OF INSURANCE

Children—regardless of immigration status (foster youth, pregnant women, and legally present individuals, including those with deferred action for childhood arrivals [“DACA”] status) may be eligible for no or low-cost Medi-Cal insurance. Medi-Cal covers immunizations, checkups, specialists, vision and dental services, and more for children and youth at no or low cost. Medi-Cal enrollment is available year-round.

Covered California is where legal residents of California can compare quality health plans and choose the one that works best for them. Based on income and family size, many Californians may qualify for financial assistance. Enroll during Open Enrollment or any time you experience a life-changing event, like losing your job or having a baby. You have sixty (60) days from the event to complete enrollment. Information regarding the availability of insurance is provided with enrollment forms and available at:

http://hbex.coveredca.com/toolkit/PDFs/ALL_IN_Flyer_EnrollGetCareRenew_CC.pdf

The Medi-Cal Telephone Service Center can be reached at 1-800-322-6384 or visit Smile California - Find a Dentist (<https://smilecalifornia.org/find-a-dentist/>) to find a dentist that accepts Medi-Cal. For help enrolling your child in Medi-Cal, you can apply by mail, go in person to your local Social Services office, or online at Apply for Medi-Cal. (<https://www.dhcs.ca.gov/services/medi-cal/pages/applyformedi-cal.aspx>)

For additional resources that may be helpful, contact your local public health department, click Apply for Health Coverage: (<https://www.dhcs.ca.gov/services/medi-cal/Pages/CountyOffices.aspx>) to find yours.

The Charter School shall not discriminate against a student who does not have health care coverage or use any information relating to a student’s health care coverage or interest in

learning about health care coverage in any manner that would bring harm to the student or the student's family.

EMERGENCY

EMERGENCY PROCEDURES

Our campuses have evacuation procedures in place in the event that the buildings require immediate evacuation due to an emergency (fire, bomb, threat, etc.). Clearly marked exit routes are posted in each classroom. In collaboration with local law enforcement, emergency personnel, and facility landlords, multiple alternate routes have been identified to lead students, staff, and visitors off campus, depending on where the threat is located. In the event of an earthquake or other natural disaster, students will remain in their classrooms under "Duck, Cover, and Hold" instructions until the threat of injury has passed. In the event of an intruder on campus, the school will activate a "lockdown." We conduct school-wide drills for fire, earthquake, and lockdown. All drills are performed on our campuses with the assistance of facility managers and/or landlords.

Please refer to the Achieve Charter School Comprehensive School Safety Plan, available in the office, for an extensive list of emergency procedures. Each classroom is equipped with an emergency backpack, class rosters, maps showing escape routes, and directions for different types of emergency situations. Trauma kits are located in the staff room (in an easily accessible and recognizable container) next to the automated external defibrillator (AED).

EMERGENCY CONTACT INFORMATION

Each child must have emergency contacts on file in the school office and in Aeries. In the event of an emergency, accident, or illness, it is important that all contact information on file is accurate and kept up to date, including home addresses, home phone numbers, and cell phone numbers for all parents/guardians and emergency contacts. Emergency contacts are appointed by a parent/guardian during registration and within the first two weeks of each school year during Aeries Parent Data Confirmation Changing. If changes occur during the school year, they need to be reported to the office.

EMERGENCY - PARENT/GUARDIAN NOTIFICATION

Achieve Charter School's Emergency Response Plan has been prepared so that, in the event of a disaster, all conceivable actions that can be taken to ensure the safety and welfare of the students and staff will be implemented. Our first priority of notification will be for the health and safety of the children and school personnel (911).

Our priorities in the event of an emergency are as follows:

- Safety of the children and school personnel
- Effective leadership during and after the crisis
- Appropriate and timely communication (notification)
- Support services for students, parents/guardians, and staff

In the event of an emergency such as weather, fire, flood, or earthquake, ect., Achieve Charter Schools will follow Paradise Unified School District and/or Chico Unified School District with respect to school closing. Tune into your local radio station (KPAY 1060 AM) for this information. In the event of an emergency, you will be notified by a call, text or email (Parent Square), or by school personnel using Catapult CONNECT. **Please keep your information up to date in the office.**

T.V. Stations	Radio Stations			
KRCR- Channel 7	KPAY- AM	1290	KRQR- FM	106.7
KHSL- Channel 12	Town of Paradise	1500	KHSL- FM	103.5
KNVN- Channel 24	Upper Ridge- AM	1460	KCEZ-FM	102.1
	KLRS- FM	92.7	KALF- FM	95.7
	KFMF- FM	93.9	KMXI- FM	95.1

STUDENT INFORMATION SYSTEM AND SCHOOL COMMUNICATION

AERIES/STUDENT DATA CONFIRMATION

Our Charter School uses the Aeries Student Information System. Aeries is an online program that stores information such as demographic information, parent contact information, emergency contact information, medical information, attendance, grades, and much more. We encourage parents/guardians to create an account to view their student's records and keep information up to date. It is very important that all information is current, as information is pulled from Aeries for parent communication, including for emergency situations.

Aeries Student Data Confirmation is a feature where parents are asked to update student demographics, contacts, and medical conditions, view and agree to school policies, upload documents, update authorization information, and more. Please log in to your Aeries account within the first two weeks of the start of each school year and complete the Student Data Confirmation. If any information needs to be updated after completing the Aeries Student Data Confirmation, please contact the school office.

PARENT SQUARE

We use Parent Square as a form of school-to-home communication. This unified communications platform is designed to keep parents and guardians informed and encourages greater engagement and connection. It's a great way for administrators, principals, and teachers to send out newsletters, important reminders, upcoming event dates, volunteer opportunities, and much more!

Parent Square integrates with Aeries Parent Portal using parents/guardians' preferred email addresses and phone numbers from their Aeries Parent Portal. We encourage parents to create an

account (if they have not already done so) as well as to download the mobile app and update their preferences on when and how they are notified.

Sign up on ParentSquare.com or via the ParentSquare app.

WETIP

We have WeTip anonymous reporting, where anyone (students, parents, staff, neighbors, etc.) can make an anonymous report. The reporting button is on our [website's homepage](#) and can be accessed by the QR code on posters and signs throughout our campuses.

FROM HOME TO SCHOOL COMMUNICATION

The single most important factor in successful school relations is effective communication. Parents/guardians with any concerns regarding classroom instruction or the learning environment are asked to bring such concerns to the attention of the classroom teacher first. If the discussion between the parent/guardian and teacher does not resolve the concern, please notify the Principal.

Parents/guardians are encouraged to speak with the classroom teacher regularly. The Principal encourages parents/guardians and teachers to use notes, emails, and before or after school meetings to facilitate regular communication. Please DO NOT “DROP IN” during instruction time, as this disrupts the learning environment.

School concerns outside the classroom can be brought to the Principal’s attention. The Principal encourages parents to share their concerns. In order to ensure that the Principal can give parents/guardians the time and attention they deserve, it is important to schedule a meeting in advance. When you call for such an appointment, please leave your name, the nature of your concern, and a number where you can be reached.

Any concerns or issues for the Achieve Charter School Board of Directors must be made in writing and must be signed and dated. A director will follow up with the individual once the written complaint is received.

FROM SCHOOL TO HOME COMMUNICATION

To facilitate communication between school and home, TK-5th students will bring home a folder. Folders will have upcoming event information and multiple other items for parents/guardians. Your child’s schoolwork from the previous week will be included in the folder. Please sit down with your child to look at and talk about your child’s work. Parents/guardians should find something to praise their child for and something to encourage them to work on the next week. This is a good time to discuss your child's goals in his/her PLP at the beginning of the year and at each trimester. This communication between school to parent/guardian and parent/guardian to child is vital for student success. In addition, school and classroom newsletters, reminders, and information will be e-mailed and/or sent out by Parent Square to families who provide e-mail addresses and cell phone numbers. These communication tools are our primary link from school to your home and our greatest way to foster a partnership. Please visit our website at www.achievethe.org for more information.

CONFIDENTIALITY

Members of the Achieve Charter School staff cannot, by law, divulge information concerning any student to anyone who does not have what the law defines as a clear “need to know.” In disciplinary or academic situations, the only persons who meet this definition are the parent(s)/guardian(s) of the children involved. In addition, Achieve contracts with the Butte County Office of Education to handle student records.

PARENT/GUARDIAN INVOLVEMENT

Parents are encouraged to support their children’s education and partner with Achieve to ensure student success. Parents are asked to attend three annual Personalized Learning Plan Conferences with their child and their child’s teacher. PLPs take place the week before school starts and after the first and second trimesters. Please work with your child’s teacher to schedule a time that works for your family. Parents are also encouraged to attend back-to-school night and open house events where students present their learning to the community.

PARENT/GUARDIAN VOLUNTEERS

Volunteering is not mandatory but always welcome. There are multiple ways to volunteer (classrooms, school library, coaches, field trip drivers/chaperones, special events/fundraisers, etc.). Contact the school office or check the school and classroom newsletters for ways you can help. See the visitor and volunteer policy and procedure section of this handbook for more details.

PARENT ADVISORY COUNCIL (PAC)

In an effort to promote and increase parental involvement and leadership, Achieve Charter School developed the Parent Advisory Council (PAC).

Each school campus will have a PAC that acts as an advisor to the staff and to the Board of Directors, suggesting items for action or attention. Both the Paradise and Chico PACs report directly to the site Principal. The PACs shall also support parent volunteers and fundraising events. Meeting dates, times, and location details can be found in the school newsletters.

ACHIEVE PARADISE CHICO FAMILIAS HISPANAS

Achieve Paradise Chico (APC) Familias Hispanas, a parent advisory council with Spanish-speaking parents from both campuses, was formed in the Spring of 2023. Families provide program feedback and plan schoolwide events to promote and showcase diverse cultures. Meeting dates, times, and location details can be found in the school newsletters.

ACHIEVE CHARTER SCHOOL BOARD OF DIRECTORS

The Achieve Board of Directors is composed of community members and parents. Parent Board members' seats are two-year terms. Check the school office for Board member requirements and openings.

VISITOR AND VOLUNTEER POLICY AND PROCEDURES

PARENTS/GUARDIANS VISITING THE SCHOOL

Parents/guardians are welcome to visit their children's classrooms if arrangements have been made in advance with the teacher. Parents/guardians are encouraged to volunteer in the classroom. Please check with your child's teacher about the best times to volunteer. Parents/guardians are invited and encouraged to attend all school functions. All parents/guardians must sign in and out at the office and receive a visitor's badge before entering and exiting the school grounds during school hours.

Halls and playgrounds are supervised by school personnel to ensure the safety of students. All volunteers in contact with children will show proof of fingerprint clearance or be accompanied by a paid employee of the school at all times. All volunteers and visitors must sign in at the school office upon arrival and sign out when leaving.

VOLUNTEER GUIDELINES

1. Volunteers must check in through the office and pick up a volunteer ID badge.
2. School volunteers are not permitted to be in charge of students without an Achieve staff member present unless fingerprints have been cleared by the DOJ and FBI.
 - Fingerprint forms are available in the office.
 - Contact the police department or a licensed fingerprinting agency to schedule a Live Scan appointment (the office has contact phone numbers).
 - Bring a completed copy of the Fingerprint Live Scan back to the school office.
3. The authority given to a volunteer is at the discretion of the teacher, who is directly responsible for the instruction, safety, and discipline of the students.
4. The classroom teacher will specify what the volunteer's responsibilities are for that particular visit.
5. Volunteers may not divulge confidential information to which they may have access in the classroom or in the school. It is a state law that the rights of students are to be respected and that personal information about them is not to be revealed.

FIELD TRIP DRIVER POLICY

All parents/guardians who wish to drive children for school-sponsored activities must:

1. Have fingerprint clearance through the DOJ and FBI.
2. Have a valid, unrestricted driver's license and driving record subject to review by the principal.
3. Complete a Volunteer Driver Application Form (each year)
4. Provide proof of insurance for the vehicle with a minimum of \$100,000 per person/\$300,000 per accident for Liability for Bodily Injury/Property Damage.
5. Understand that according to California State Law, in any motor vehicle accident, insurance claims will first be pursued with the driver of the vehicle.
6. Provide one seat belt for each vehicle occupant.

Parents/guardians are reminded only to transport the number of people for which the car was constructed, and all children must wear a seat belt. The car seat law is 8 years old or 4'9". Field trip drivers must strictly adhere to the itinerary of the planned trip. If the driver deviates from the itinerary, the driver and students become ineligible for the school's liability insurance coverage. All cars must travel the same route to the destination.

Parents/guardians wishing to attend field trips and bring younger siblings should discuss the situation with the classroom teacher for the appropriateness and safety of each trip. If a parent/guardian attends a field trip with a sibling, they will be unable to drive other students from the class or be a chaperone for other students while on the trip.

RIGHTS OF NON-CUSTODIAL PARENTS

In the absence of a court order to the contrary, the school will provide all the child's parents, custodial or non-custodial, with equal access to the child and equal access to academic records and other school-related information regarding the child. If there is a court order specifying that there is no information to be given, no contact with the child, etc., it is the responsibility of the custodial parent to provide the school with an official copy of the court order.

ACADEMIC POLICIES AND INFORMATION

PARENT/GUARDIAN RIGHT TO KNOW REGARDING TEACHER QUALIFICATIONS

Your child is attending a school receiving Title I federal funds through the Elementary and Secondary Education Act (ESEA). At the beginning of each school year, local educational agencies receiving Title I funds are required to notify parents whose student(s) attend a Title I school that they may request, and the agency will provide the parents on request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including at a minimum:

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

If you would like this information, please contact the Superintendent, Casey Taylor, (530)872-4100 or ctaylor@achievecharter.org.

CURRICULUM

Wit & Wisdom Literacy Curriculum (Grades 3-8)

Wit & Wisdom is a knowledge-rich, content-focused literacy curriculum that brings the joy of reading to life for students in grades 3-8. By exploring authentic texts and rich, thought-provoking themes, Wit & Wisdom builds students' knowledge across a wide range of topics, enhancing their comprehension, critical thinking, and writing skills. Through in-depth study, students develop a stronger understanding of literature, history, and the world around them, which empowers them to become more thoughtful, informed communicators. Highlights of Wit & Wisdom include:

- **Authentic Texts:** Students read a variety of high-quality books, articles, and multimedia resources that encourage engagement with complex ideas and vocabulary.
- **Integrated Reading and Writing:** The curriculum connects reading, writing, speaking, and listening tasks, providing a cohesive approach to literacy development.
- **Content Knowledge:** Each module focuses on thematic topics, ranging from history and art to science and culture, helping students make meaningful connections.
- **Analytical Skills:** Students practice interpreting evidence, making inferences, and articulating ideas clearly, preparing them for advanced academic and real-world challenges.

Wit & Wisdom is designed to inspire curiosity and deepen students' understanding, laying a strong foundation for academic success and a lifelong love of learning.

Gradient Learning

Our school's curriculum is supported by Gradient Learning, a comprehensive, whole-student system that is designed to meet the unique needs of each student. This approach combines high-quality academic resources, data, mentoring tools, and support services tailored to foster student growth. With a strong emphasis on individualized learning, our curriculum provides a rich, engaging experience that builds both academic and life skills to enhance personal development, lifelong learning, and positive life outcomes. Our whole-student approach integrates academics with essential life skills to foster a stronger sense of self, empower learning capabilities, and equip students with the tools for successful futures.

Our curricula is as follows:

- **Mathematics (Grades 4-8):** We use Illustrative Mathematics (IM) to encourage conceptual understanding and problem-solving skills through a research-based curriculum.
- **Science (Grades 6-8):** Our OpenSciEd curriculum engages students in scientific inquiry and real-world application, promoting scientific thinking and literacy.

- History (Grades 6-8): Middle school students explore history through Investigating History (Grades 6-7) and the Summit Base Curriculum (Grade 8), which provide diverse perspectives and critical thinking about past and current events.

Foundations of Early Literacy

Our Foundations of Early Literacy program provides young learners in grades K-2 with the essential building blocks needed for strong reading, writing, and language skills. Early literacy is crucial to academic success, as it equips students with the fundamental skills that empower them to access and engage with all areas of learning. Each campus offers a specialized program tailored to meet the unique needs of our students and foster a deep love of reading and comprehension.

Achieve Chico Campus – University of Florida Literacy Institute (UFLI). UFLI is a research-driven literacy intervention program that focuses on phonemic awareness, systematic phonics, and fluency. Students gain foundational skills through structured practice and engaging literacy activities.

Concepts covered in UFLI:

- Phonemic awareness
- Systematic phonics instruction
- High-frequency word recognition
- Decoding and encoding words
- Oral reading fluency

Achieve Paradise Campus – ISME (Innovative Solutions in Multi-Sensory Education) ISME uses a multi-sensory approach to teach reading by engaging visual, auditory, and kinesthetic-tactile pathways to enhance learning and retention.

Concepts covered in ISME:

- Multi-sensory phonics
- Letter-sound correspondence
- Vocabulary building
- Comprehension strategies
- Fluency and expression

Our Foundations of Literacy programs provide students with a well-rounded, research-based foundation in reading, giving them the confidence and skills needed for future learning.

PERSONALIZED LEARNING PLANS (PLPs)

In order to ensure that every student is benefiting from the pedagogical practices and social-emotional supports at Achieve, Achieve will create a Personalized Learning Plan for each

student. The PLP process serves as a type of “student study team” for each student, tracking student strengths and areas for growth, supports or additional challenges needed, academic and wellness data, and trimester goals and objectives. PLPs are developed with parents/guardians, students, and teachers before the school year begins and then are reviewed and revised after each trimester. Every student has a personal trimester goal based on academic and wellness assessment data.

Personalized supports and interventions are documented and tracked in the PLP. Likewise, Additional opportunities for advancement or challenges are also tracked. The PLP is revised as necessary to meet the student’s needs and current levels of performance. Teachers, parents/guardians, and students will meet on a more frequent basis if needed. Students’ PLPs follow them through the grade levels, building on goals and successes and tracking data and progress through the years.

By working closely with each student and family to develop an appropriate PLP, Achieve will respond to the needs of every individual student, including those who are achieving above or below expected levels.

Achieve Charter School Staff views parents/guardians as the primary educators and asks for your assistance and input in your child’s PLP. Parents/guardians are encouraged to take the initiative to keep themselves informed of their children’s progress and work in partnership with their children’s teacher(s) at all times during the school year. If an issue or concern arises mid-trimester or semester, parents/guardians should request extra parent/teacher conferences to adjust their child’s PLP. Please see the Middle School Handbook for Middle School PLP details.

CHARACTER EDUCATION

Achieve Charter School participates in the Virtues Project Program. Each week, the student body will focus on a different virtue. The weekly virtue will be discussed daily at morning assembly and practiced in classrooms and on the playground. Every Friday, one student from each class will be recognized for displaying the weekly virtue at school.

MORNING ASSEMBLY

Each morning when school begins, the students and staff meet as a school community with the Principal for morning assembly. This daily event is extremely important to establishing a positive culture at Achieve Charter School. The Principal welcomes the school community, students salute the flag, the virtue of the week is discussed, and announcements about school events are given. Students are reminded about expectations and recognized for accomplishments. Please make sure your child is on time to participate in this significant daily school event, as it sets the tone for a successful academic and social experience for your child. Students will be marked tardy if not present at the start of the assembly.

LIBRARY PROGRAM

Students are permitted to borrow books from the library once a week for a two (2) week period. Writing in library books is not permitted. Lost, damaged, or overdue books are the responsibility

of the borrower, and a fine will be charged for lost or damaged books. Reference materials are for the use of the students while they are in the library and may not be checked out.

TESTING

Every year, California students take several statewide tests. When combined with other measures such as grades, class work, and teacher observations, these tests give families and teachers a more complete picture of their child's learning. You can use the results to identify where your child is doing well and where they might need more support.

Your child may be taking one or more of the following California Assessment of Student Performance and Progress (CAASPP), English Language Proficiency Assessments for California (ELPAC), and Physical Fitness Test assessments. Pursuant to California *Education Code* Section 60615, parents and guardians may annually submit to the school a written request to excuse their child from any or all of the CAASPP assessments. This exemption does not exist for the ELPAC or Physical Fitness Test.

CAASPP

Smarter Balanced Assessments for English Language Arts/Literacy (ELA) and Math

Who takes these tests? Students in grades 3–8 and grade 11 take these tests.

What is the test format? The Smarter Balanced assessments are computer-based.

Which standards are tested? The California Common Core State Standards.

California Alternate Assessments (CAAs) for ELA and Math

Who takes these tests? Students whose individualized education program (IEP) identifies the use of alternate assessments take the CAAs for ELA and Math in grades 3–8 and grade 11.

What is the test format? The CAAs for ELA and Math are computer-based tests that are administered one-on-one by a test examiner who is familiar with the student.

Which standards are tested? Alternate achievement standards called the Core Content Connectors derived from the California Common Core State Standards.

California Science Test (CAST)

Who takes the test? Students take the CAST in grades 5 and 8 and once in high school, either in grade 10, 11, or 12.

What is the test format? The CAST is computer-based.

Which standards are tested? The California Next Generation Science Standards (CA NGSS).

California Alternate Assessment (CAA) for Science

Who takes the test? Students whose IEP identifies the use of an alternate assessment take the CAA for Science in grades 5 and 8 and once in high school, either in grade 10, 11, or 12.

What is the test format? The CAA for Science is a computer-based series of four embedded performance tasks. The test is administered one-on-one by a test examiner who is familiar with the student shortly after the science content is taught.

Which standards are tested? Alternate achievement standards called the Core Content Connectors derived from the California Next Generation Science Standards (CA NGSS)

ELPAC

Initial ELPAC

Who takes the test? Students who have a home language survey that lists a language other than English will take the Initial test, which identifies students as an English learner student or as initially fluent in English.

What is the test format? The Initial ELPAC is computer-based.

Which standards are tested? The 2012 California English Language Development Standards.

Summative ELPAC

Who takes the test? Students who are classified as English learner students will take the Summative ELPAC every year until they are reclassified as proficient in English.

What is the test format? The Summative ELPAC is computer-based.

Which standards are tested? The 2012 California English Language Development Standards.

Initial Alternate ELPAC

Who takes the test? Students whose IEP identifies the use of an alternate assessment and who have a home language survey that lists a language other than English will take the Alternate Initial ELPAC, which identifies students as an English learner student or as initially fluent in English.

What is the test format? The Initial Alternate ELPAC is computer-based.

Which standards are tested? Alternate English Language Development (ELD) Connectors derived from the 2012 California English Language Development Standards.

Summative Alternate ELPAC

Who takes the test? Students whose IEP identifies the use of an alternate assessment and who are classified as English learner students will take the Alternate Summative ELPAC every year until they are reclassified as proficient in English.

What is the test format? The Summative Alternate ELPAC is computer-based.

Which standards are tested? Alternate ELD Connectors derived from the 2012 California English Language Development Standards.

Physical Fitness Test

Who takes the test? Students in grades 5, 7, and 9 will take the FITNESSGRAM®, which is the test used in California.

What is the test format? The test consists of five performance components: aerobic capacity, abdominal strength, trunk strength, upper body strength, and flexibility.

What is Reported? Student participation (by component, by grade level) shall be reported in the local educational agency's Student Accountability Report Card.

These assessment results will be shared with parents/guardians during Personalized Learning Plan Conferences.

REPORT CARDS AND PROGRESS REPORTS

Report cards and progress reports shall provide parents/guardians with tangible evidence of students' growth and development. Achieve Charter School uses California State Standards-based report cards. Numbers representing proficiency levels will be given for each subject area and individual standards for math and language arts in grades Kindergarten - 3rd grade each trimester. Proficiency levels for Kindergarten- 3rd grade are as follows:

- 5 - Advanced (mastering above grade-level material)
- 4 - Proficient (subject mastery)
- 3 - Basic (developing proficiency)
- 2 - Below grade level
- 1 - Far below grade level

Proficiency levels for 4th-8th grade are as follows:

- A- 90-100%
- B- 80-89%
- C- 70-79%
- D- 60-69%
- F- 0-59%

Each student in grades TK-3 will receive three report cards, and students in grades 4th - 8th will receive two progress reports and one report card. These will be given out two weeks after the trimester or semester ends at your child's PLP conference. Your child's report card may be held in the office if your child has overdue library books or outstanding account balances.

SCHOOL DISCIPLINE

POSITIVE REINFORCEMENT/ DISCIPLINE POLICY

Achieve Charter Schools' Positive Reinforcement/ Discipline policy is based on behavioral science and principles of PBIS (Positive Behavioral Interventions and Supports).

Rules of Behavior

1. Be safe
2. Be Respectful
3. Be Responsible

POSITIVE REWARDS FOR EXPECTED BEHAVIOR

Achieve Charter School Staff emphasizes and rewards expected choices. During the school year there are awards and rewards for students displaying expected behavior. Students can earn an “Achieve It,” ACMS bucks, and other positive rewards for exhibiting virtuous behavior and following the school rules. “Students of the Week” will be recognized each Friday at the morning assembly for displaying the virtue of the week. Students will also be recognized through encouragement, verbal acknowledgment, incentives, or special privileges.

SHOULD A CHILD CHOOSE TO BREAK A RULE

Consequence Level will be determined by the severity of the action.

Level 1: Verbal Warning

Level 2: Removal from the situation for an age-appropriate time.

Level 3: Students and/or staff will message home to inform of the situation or incident.

Consequences will be decided on an individual basis by the adult in charge.

Level 4: As a result of severe disruption, students will be sent to the Principal, and the parent/guardian will be notified. Consequences will be decided on an individual basis by the Principal. Severe disruptions include but are not limited to fighting, crude or offensive language, leaving school grounds without permission, vandalizing property, sexual harassment, and possession of drugs, alcohol, tobacco, knives, and firearms. Such consequences include but are not limited to Parent conferences, school service, in-school suspension, at-home suspension, loss of special privileges, filing of police report if warranted, and/or possible expulsion.

UNIFORM AND DRESS CODE

UNIFORM POLICY

Achieve Charter School policy requires all students to wear uniforms. Achieve Charter School is committed to creating a culture of academic rigor. A uniform dress code encourages this atmosphere. Implementing this policy will reduce distractions and disruptions caused by clothing, make economic disparities between students less obvious, minimize the use of clothing to signal gang affiliation and other risks to student safety, promote student achievement, and create an orderly learning environment.

Because Achieve Charter School is a school of choice, there will be no exemptions for students. Achieve Charter School offers uniform scholarships and has a uniform closet to support families who may need assistance in meeting uniform requirements. Students who do not dress in appropriate uniform attire will be sent to the office to call home. Parents will need to bring the appropriate uniform before the student is allowed to return to class. If the student does not have the appropriate uniform, one will be furnished from the uniform closet.

SCHOOL UNIFORM

SCHOOL UNIFORM - CHICO

Achieve's uniform is a logoed T-shirt available for purchase online: diamondsandsilk.net. TK-5 T-shirts are navy blue, and middle school T-shirts are gray. School sweatshirts are also available for purchase online.

Students may wear any bottom pieces that follow the general school dress code.

SCHOOL UNIFORM - PARADISE

Achieve's uniform is a logoed T-shirt available for purchase online: www.thistleandstitch.com/collections/achieve-charter-school. TK-5 T-shirts are white, navy blue, and light blue, and middle school T-shirts are gray, black, and burgundy. School sweatshirts are also available for purchase online.

Students may wear any bottom pieces that are denim, navy blue, or khaki.

No pajamas shall be worn as bottoms. Sweatshirts, sweaters, socks, tights, and shoes do not have to be uniform color.

During PE, students may wear (1) an Achieve shirt and (2) bottoms and shoes that do not restrict their ability to participate in physical activities. Shoes must have closed toes and fit securely for safety during PE. Optional ACMS PE shirts are available to order online: <https://diamondsandsilk.net>.

WILDCAT WEDNESDAYS

Each Wednesday, students may wear an Achieve spirit shirt. Wildcat Wednesday shirts are available to order online: <https://diamondsandsilk.net>. Students may also wear other special Achieve event T-shirts on Wednesdays (sports jerseys, musical or play T-shirts, etc.).

FREE DRESS DAYS

Every Friday, the students will be allowed to wear free dress. The dress code applies to free dress as well as uniform days. Students may also earn special free dress passes throughout the school year.

STUDENT DRESS CODE FOR UNIFORMS AND FREE DRESS DAYS

- Students TK-5 must wear closed-toe and closed-heel shoes.
- Students TK-5 are not to bring or wear make-up.
- Make-up worn by 6-8th graders should not be distracting.
- Clothing may not be obscene, vulgar, or likely to have a disruptive effect on the educational process.
- Gang-related clothing is considered to be hazardous to the health and safety of the school environment and shall be prohibited at all times.
- Attire that condones, advertises, or encourages gang activity, violence, or the use of drugs, tobacco, or alcohol is not allowed.

- Tube tops and midriff-baring tops are not allowed.
- All clothing must cover all parts of the student's buttocks, genitals, and nipples.
- All undergarments must be completely covered.

LOST AND FOUND

Parents can help us return missing items by:

1. Marking articles of clothing clearly with the child's name and grade.
2. Labeling names and grades on lunch boxes.
3. Writing names and grades daily on lunch bags.

The school is not responsible for lost items, nor can it be held responsible for personal belongings. Items that are not labeled will be stored for a period of time and then donated to the uniform closet or to a thrift store.

ELECTRONIC DEVICES AND INTERNET USE

REGULATIONS FOR CELL PHONES ON SCHOOL CAMPUS

If cell phones are brought to school, they are to remain in the student's backpack until the end of the school day.

Students shall not be prohibited from using or possessing a cell phone on campus while attending school-sponsored activities or under the supervision or control of school employees under any of the following circumstances:

- In the case of an emergency or in response to a perceived threat of danger.
- When a teacher or administrator of the Charter School grants permission to the student to possess or use the cell phone, subject to any reasonable limitation they may impose.
- When a licensed physician and surgeon determines that the possession or use of a cell phone is necessary for the health or well-being of the student.
- When the possession or use of a cell phone is required in a student's individualized education program.

If a student has a phone out during the school day, the teacher will ask the student to place their phone in a basket, and it will be returned at the end of the school day. If the student refuses, the Principal will be notified, the phone will be taken to the office. The student's guardian must pick the phone up from the office.

RULES FOR STUDENT INTERNET USE

- Students are responsible for good behavior on school computer networks just as they are in the classroom and on the school grounds.
- The network is provided to conduct research and access academic resources such as curriculum sites. All internet use will be under the direction of the teacher. Access is

restricted to teacher directed assignments. NO STUDENT MAY USE THE INTERNET in any other capacity.

- Parent permission is required.
- Achieve uses GoGuardian to filter inappropriate web content and also track inappropriate student internet use.
- Network administrators retain the right to review files and communications to maintain system integrity and ensure that users are using the system responsibly.
- Users should not expect that files stored on the school server will remain private.
- Outside school use of the Internet is a family responsibility.
- NO disks and/or CDs of any kind may be brought to school and installed on the school's controlled network. Our goal is to maintain a sterile environment.
- The following are NOT permitted: (This list shall not be considered exhaustive)
 - Violating copyright laws.
 - Using another person's password.
 - Trespassing in another person's folder, work, or files.
 - Damaging computers, computer systems, or the school network. (Parents will be charged for repairs).
 - Wasting time or limited resources.
 - Sending or displaying offensive messages, pictures, or obscene language.
 - Using the network for any non-academic or personal purposes. Violations will result in loss of access or any other disciplinary or legal action as needed.

GOOGLE APPLICATIONS FOR EDUCATION

Achieve Charter School utilizes Google Apps for Education for students in TK through 8th grades. Google offers a free (and ad-free) set of customizable tools that enable teachers and students to work together and learn more effectively. The account established at Achieve Charter School is a service provided by Google that allows users to communicate and collaborate effectively in a digital educational environment. Students use Google Apps for educational purposes only. The Google Apps account assigned to your child will be created and administered by Achieve Charter School personnel. No student personal information will be collected by Google or the School in creating these accounts. As per Achieve Charter School Student Internet Use Policy (included in student registration packets/Aeries Parent Data Confirmation Changing), all activities requiring Internet access will be supervised by the teacher. According to the Internet Use Policy, teacher supervision, school filters, and spot checking student accounts will be used to ensure students' use of digital tools adhere to school policy.

Achieve Charter School will provide students a Google Apps for Education account with a username and password. This account will be available to students at school and at home and is compatible with Macintosh and Windows based computers. The purpose of using Google Application for Education tools is to help students keep organized, prevent lost homework, and allow students to work individually or collaboratively on school assignments. When using Google Apps for Education, students work in a safe environment, as others outside the school account cannot participate in the assignment.

Achieve Charter School has a registered Google Apps domain. Students will be assigned a school email username and password. In 4th -8th grade, this will serve as both the student's Google Apps for Education account username and password and the student's school-based email account. E-mail capabilities will only be turned on for 4th -8th graders. These students will be able to email and receive emails from other users within the school domain only. Students can collaborate on assignments and projects using Google Apps by adding others within the school user domain as a "shared collaborator." Students cannot collaborate with or communicate with users outside the school domain.

4th -8th grade students' emails will be monitored when using Google Apps at school. Achieve Charter School will keep all usernames and passwords secure. Parents/guardians may request their students' password. The administrator of the domain can turn off a student's services based on the items stated in this Acceptable Use Policy and the Achieve Charter School Student Internet Use Policy. This Acceptable Use Policy extends to all students for the duration of their enrollment at Achieve Charter School. This policy must be read and signed before students will be given a school hosted Google Apps account.

GOOGLE APPS ACCEPTABLE USE POLICY

- Achieve Charter School utilizes Google Apps for Education for students in K through 8th grades. Google offers a free (and ad-free) set of customizable tools that enable teachers and students to work together and learn more effectively. The account established at Achieve Charter School is a service provided by Google that allows users to communicate and collaborate effectively in a digital educational environment. Students use Google Apps for educational purposes only. The Google Apps account assigned to your child will be created and administered by Achieve.
- Charter School personnel. No student personal information will be collected by Google or the School in creating these accounts. As per Achieve Charter School Student Internet Use Policy (included in student registration packets/Aeries Parent Data Confirmation Changing), all activities requiring Internet access will be supervised by the teacher. According to the Internet Use Policy, teacher supervision, school filters, and spot checking student accounts will be used to ensure students' use of digital tools adhere to school policy.
- Achieve Charter School will provide students a Google Apps for Education account with a username and password. This account will be available to students at school and at home and is compatible with Macintosh and Windows based computers. The purpose of using Google Application for Education tools is to help students keep organized, prevent lost homework, and allow students to work individually or collaboratively on school assignments. When using Google Apps for Education, students work in a safe environment, as others outside the school account cannot participate in the assignment.
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school-based email account. E-mail capabilities will only be turned on for 4th -8th graders. These students will be able to email and receive emails from other users within the school domain only. Students can collaborate on assignments and projects using Google Apps by adding others within the school user domain as a “shared collaborator.” Students cannot collaborate with or communicate with users outside the school domain.

- 4th -8th grade students’ emails will be monitored when using Google Apps at school. Achieve Charter School will keep all usernames and passwords secure. Parents/guardians may request their students’ password. The administrator of the domain can turn off a student’s services based on the items stated in this Acceptable Use Policy and the Achieve Charter School Student Internet Use Policy. This Acceptable Use Policy extends to all students for the duration of their enrollment at Achieve Charter School. This policy must be read and signed before students will be given a school hosted Google Apps account.

APPENDIX

NON-DISCRIMINATION STATEMENT

Achieve Charter School does not discriminate on the basis of race, color, national origin, sex, disability, age, or any other legally protected category in its programs and activities and provides equal access to all designated youth groups.

For further information on notice of non-discrimination, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area, or call 1-800-421-3481.

Achieve Charter School maintains a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at Achieve Charter School (including employee-to-employee, employee-to-student, and student-to-employee misconduct). Misconduct of this nature is very serious and shall be addressed in accordance with Achieve Charter School’s anti-discrimination and harassment policies. If you believe you, or your student, have been subjected to discrimination, harassment, intimidation, and/or bullying, you should contact the Title IX Coordinator:

Korin Baber, CBO
1494 East Ave
Chico, CA 95926
(530) 872-4100
kbaber@achievecharter.org

PROFESSIONAL BOUNDARIES: STAFF/STUDENT INTERACTION POLICY

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

This policy is intended to guide all faculty and staff in conducting themselves in a way that reflects the high standards of behavior and professionalism required of school employees and to specify the boundaries between students and staff. Trespassing the boundaries of a student/ACS employee relationship is deemed an abuse of power and a betrayal of public trust. All staff must carefully review this policy along with each of the examples given in the policy related to acceptable and unacceptable employee behavior. (See Examples section below.)

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

For the purposes of this policy, the term "boundaries" is defined as acceptable professional behavior by staff members while interacting with a student. Trespassing the boundaries of a student/teacher relationship is deemed an abuse of power and a betrayal of public trust. Some activities may seem innocent from a staff member's perspective, but can be perceived as flirtation or sexual insinuation from a student or parent point of view. The objective of providing the examples of acceptable and unacceptable behaviors listed below is not to restrain innocent, positive relationships between staff and students, but to prevent relationships that could lead to, or may be perceived as, sexual misconduct.

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

Corporal Punishment

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

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

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

A. Examples of PERMITTED actions (NOT corporal punishment)

1. Stopping a student from fighting with another student;
2. Preventing a pupil from committing an act of vandalism;
3. Defending yourself from physical injury or assault by a student;
4. Forcing a pupil to give up a weapon or dangerous object;

5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.

B. Examples of PROHIBITED actions (corporal punishment)

1. Hitting, shoving, pushing, or physically restraining a student as a means of control;
2. Making unruly students do push-ups, run laps, or perform other physical acts that cause pain or discomfort as a form of punishment;
3. Paddling, swatting, slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

Duty to Report Suspected Misconduct

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

Staff Use of Electronic Media to Communicate with Students

Any participation by any ACS employee with students, including through the use of electronic media or technology, should always be limited to school business. Participation by ACS employees with students in social media such as Facebook, Instagram, Twitter, etc., or other similar means, is highly discouraged, and can lead to violations of this policy. Specifically, ACS employees are highly discouraged from inviting students to join social networks and insofar as such behavior occurs, employees will be responsible for any exposure/access by students to inappropriate or unprofessional content, including words or pictures.

Examples of Unacceptable Behaviors (Violations of this Policy)

- (a) Giving gifts to an individual student that are of a personal and intimate nature.
- (b) Kissing of any kind.
- (c) Any type of unnecessary physical contact with a student in a private situation.
- (d) Intentionally being alone with a student away from the school.
- (e) Making or participating in sexually inappropriate comments.
- (f) Sexual jokes.
- (g) Seeking emotional involvement with a student for your benefit.
- (h) Listening to or telling stories that are sexually oriented.
- (i) Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding.
- (j) Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.
- (k) Being alone in a room with a student at school with the door closed.
- (l) Allowing students in your home for school related activities without administrative approval.
- (m) Giving students a ride to/from school or school activities without parent permission.

Examples of Cautionary Behaviors

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

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

Examples of Acceptable and Recommended Behaviors

- (a) Getting school and parental written consent for any after-school activity.
- (b) Obtaining formal approval to take students off school property for activities such as field trips or competitions.
- (c) E-mails, text, phone and instant messages to students must be very professional and pertaining to school activities or classes (communication should be limited to school technology).
- (d) Keeping the door open when alone with a student.
- (e) Keeping reasonable space between you and your students.
- (f) Stopping and correcting students if they cross your own personal boundaries.
- (g) Keeping parents informed when a significant issue develops about a student.
- (h) Keeping after-class discussions with a student professional and brief.
- (i) Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries.
- (j) Involving your supervisor if conflict arises with the student.
- (k) Informing your Superintendent about situations that have the potential to become more severe.
- (l) Making detailed notes about an incident that could evolve into a more serious situation later.
- (m) Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- (n) Asking another staff member to be present if you will be alone with any type of special needs student.
- (o) Asking another staff member to be present when you must be alone with a student after regular school hours.
- (p) Giving students praise and recognition without touching them.
- (q) Pats on the back, high fives and handshakes are acceptable.
- (r) Keeping your professional conduct a high priority.
- (s) Asking yourself if your actions are worth your job and career.

HOMELESS EDUCATION POLICY

The Governing Board of **Achieve Charter School** (the “Charter School”) desires to ensure that homeless students are provided equal access to the same free, appropriate public education provided to other children and youth. Homeless students will be given access to the education and other services that such students need to ensure that they have an opportunity to meet the same challenging State student academic achievement standards to which all students are held. Homeless students will not be stigmatized or segregated in a separate school or program based on the student’s status as homeless.

I. Definitions

- ***Homeless children and youths*** means individuals who lack a fixed, regular, and adequate nighttime residence and includes children and youths:
 - Who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks (not including mobile home parks), or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
 - Who have a primary nighttime residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings;
 - Who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
 - Who are migratory children who qualify as homeless for purposes of this part because the children are living in circumstances described above.
- ***Unaccompanied youth*** includes a youth not in the physical custody of a parent or guardian.
- ***The Charter School is the school of origin*** when the student attended the Charter School when permanently housed or was last admitted when the student became homeless. The Charter School will not be considered the school of origin when it is contrary to the wishes of a student’s parent(s) or guardian(s), or is not in the best interest of the student.
- In determining the best interest of the child or youth, the School shall:
 - Presume that keeping the child or youth in the school of origin is in the best interest of the child or youth, unless it is contrary to the request of the child’s or youth’s parent or guardian, or unaccompanied youth;

- Consider student-centered factors related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child's or youth's parent or guardian or unaccompanied youth;
- If, after conducting the best interest determination based on consideration of the presumption identified above and the student-centered factors identified above, the School determines that it is not in the child's or youth's best interest to attend the School, the School shall provide the child's or youth's parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in a manner and form understandable to such parent, guardian, or unaccompanied youth, including information regarding the right to appeal; and
- In the case of an unaccompanied youth, ensure that the School liaison assists in placement or admission decisions, gives priority to the views of such unaccompanied youth and provides notice to such youth of the right to appeal.

A child or youth or unaccompanied youth shall be considered homeless for as long as he/she is in a living situation described above.

II. Homeless Liaison

The School's homeless liaison is:

Casey Taylor, Superintendent
 1494 East Ave, Chico, CA 95926
 (530) 872-4100
ctaylor@achievethecharter.org

The School's homeless liaison is required to do all of the following:

- ☐ Ensure that homeless children and youths are identified by school personnel through outreach and coordination activities with other entities and agencies;
- ☐ Ensure that homeless children and youth are admitted to and have a full and equal opportunity to succeed in the School;
- ☐ Ensure that homeless children and youths have access to and receive educational services for which such families, children, and youth are eligible, and provide referrals to health care services, dental services, mental health and substance abuse services, housing services and other appropriate services through the Butte County School Ties Program.
- ☐ Ensure that the parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;

- Ensure that admission disputes are mediated in accordance with the dispute resolution process outlined below;
- Ensure that public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents or guardians, including schools, shelters, public libraries and soup kitchens, in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youths;
- Ensure that the parent or guardian of a homeless student, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin and is assisted in accessing transportation to the school;
- Ensure that school personnel providing services participate in professional development and other technical support as determined appropriate by the State Coordinator;
- Ensure that unaccompanied youths 1) are admitted to school; 2) have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth, including implementation of procedures to identify and remove barriers that prevent youths from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school; and 3) are informed of their status as independent students and that the youths may obtain assistance from the liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid.
- Ensure that homeless children and youths are identified by school personnel through outreach and coordination activities with other entities and agencies and that they receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services.
- Shall administer a housing questionnaire for purposes of identifying homeless children and youths and unaccompanied youths. The questionnaire shall comply with legal requirements. The questionnaire shall be administered annually and report to the California Department of Education the number of homeless children and youths and unaccompanied youths enrolled.
- Offer training to the Charter School's certificated and classified employees providing services to pupils experiencing homelessness, including, but not limited to, teachers, support staff, and other Charter School staff who work with students, at least annually relating to the following: 1) the homeless education program policies established by law; 2) recognition of the signs that students are experiencing, or are at risk of experiencing homelessness. The liaison is encouraged to offer this training to all school certificated

and classified staff, including, but not limited to, teachers, support staff, and other school staff who work with students.

- Inform employees of the availability of training and the services the liaison provides to aid in the identification and provision of services to students who are experiencing or are at risk of experiencing homelessness.

III. Admission

All homeless students are required to follow the school's process for admitting students, including filling out and submitting the school's admission packet on time. As with all students, admission depends upon availability. In the event of an oversubscription in a grade, homeless students will participate in the lottery as with any other student. As used in this policy, admission means attending classes and participating fully in school activities.

If the homeless student seeking admission is unable to produce records normally required for admission, such as previous academic records, medical records, proof of residency, or other documentation, this will not serve as a basis for non-admission. Provided that the admission process has been followed in all other respects, a homeless student will be admitted in the School despite the missing paperwork. Additionally, the homeless student shall not be denied admission even if the student has outstanding fees, fines, textbooks, or other items or money due to the school last attended. Upon admission, the School will contact the school last attended by the students to obtain relevant academic and other records.

If the student needs to obtain immunizations or immunization or medical records, the School will immediately refer the parent or guardian of the student, or the unaccompanied youth, to the Homeless Liaison, who shall assist in obtaining necessary immunizations or immunization or medical records.

A homeless student shall be allowed to continue his or her education in the school of origin through the duration of homelessness. If the homeless student's status changes before the end of the academic year so that the student is no longer homeless, either of the following apply: 1) If the homeless student is in high school, the School (if it is the school of origin) shall allow the formerly homeless student to continue that student's education in the School through graduation; 2) If the homeless student is in kindergarten or any of grades 1 to 8, inclusive the School (if it is the school of origin) shall allow the formerly homeless student to continue that student's education in the School through the duration of the academic school year.

Admission Disputes and the Dispute Resolution Process

If a dispute arises over admission in the Charter School of a homeless student, the student will be immediately admitted to the Charter School in which admission is sought, pending resolution of the dispute. "Admission" means attending classes and participating fully in school activities.

The Charter School will refer the student and/or his/her parents or guardians to the Homeless Liaison, who will carry out the dispute resolution in accordance with the process set forth below, as expeditiously as possible, after receiving notice of the dispute. In the case of an

unaccompanied youth, the Homeless Liaison will ensure that the youth is immediately admitted in school pending resolution of the dispute.

Parents, guardians, and unaccompanied youth may provide written or oral documentation to support their positions about admission and may seek the assistance of social services, advocates, and/or service providers in the dispute process.

The Charter School will provide the parent or guardian of the student with a written explanation of the Charter School's decision regarding admission, including the rights of the parent, guardian or unaccompanied youth's appeal the decision. The written explanation will be complete, as brief as possible, simply stated, and provided in a language that the parent, guardian, or unaccompanied youth can understand.

If the dispute remains unresolved at the Charter School level or is appealed, then the Charter School Homeless Liaison will forward all written documentation and related paperwork to the homeless liaison at the County Office of Education (COE). The COE's homeless liaison will review these materials and determine the school selection or admission decision within five (5) working days of receipt of the materials. The COE homeless liaison will notify the Charter School and parent/guardian/unaccompanied youth of the decision.

If the dispute remains unresolved at the COE level or is appealed to the State, then the COE homeless liaison will forward all written documentation and related paperwork to the State Homeless Coordinator. Upon review, the CDE will notify the parent/guardian/unaccompanied youth of the decision relating admission in the Charter School within ten working days of receipt of the materials.

IV. Transportation

The Charter School will provide or arrange for transportation of a homeless student, at the request of the parent, guardian, or Homeless Liaison, to the Charter School when the Charter School is the school of origin. If the student begins living in an area served by another local educational agency while continuing his/her education at the Charter School, the Charter School will contact that local educational agency to agree upon a method to apportion the responsibility and costs for providing the student with transportation to and from the Charter School.

V. Comparable Education Services

Each homeless student will be provided access to services comparable to services offered to other students in the Charter School, including but not limited to the following:

- ☐ **[If applicable]** Transportation
- ☐ Educational services for which the homeless student meets federal, state and local program eligibility criteria
- ☐ **[If applicable]** Programs in career and technical education

☐ Programs for gifted and talented students

☐ School nutrition programs

VI. Coursework and Graduation Requirements

The School shall accept coursework satisfactorily completed by a homeless student while attending another public school, a juvenile courts school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school even if the pupil did not complete the entire course and shall issue that homeless student full or partial credit for the coursework completed.

If the School is the transferring school, it shall issue the full and partial credits on an official transcript for the student and shall ensure the transcript includes all of the following: 1) All full and partial credits and grades earned based on any measure of full or partial coursework being satisfactorily completed, including a determination of the days of enrollment or seat time, or both, if applicable, at the School or any other local educational agency, other public school, juvenile court school, charter school, school in a country other than the United States, or nonpublic, nonsectarian school; 2) The credits and grades for each school and local educational agency listed separately so it is clear where they were earned; 3) A complete record of the student's seat time, including both period attendance and days of enrollment.

If a homeless student enrolls in the School, and the School has knowledge that the transcript from the transferring local educational agency may not include certain credits or grades for the student, the School shall contact the prior local educational agency within two business days to request that the prior local educational agency issue full or partial credits. The prior local educational agency shall issue appropriate credits and provide all academic and other records to the School within two business days of the request.

The credits accepted shall be applied to the same or equivalent course, if applicable, as the coursework completed in the prior school.

The School shall not require a homeless student to retake a course if the student has satisfactorily completed the entire course in a prior school. If the student did not complete the entire course, the School shall not require the pupil to retake the portion of the course the student completed unless the School, in consultation with the holder of educational rights for the student, finds that the student is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the homeless student shall be admitted in the same or equivalent course, if applicable, so the student may continue and complete the entire course.

A complaint for noncompliance with this section may be filed with the School under the School's Uniform Complaint Procedures.

Notice

The School shall list the homeless liaison(s) and contact information for those liaison(s) on its website. The contact information for any employees or persons under contract whose duties include assisting the liaison in completing the liaison's duties shall also be listed.

EDUCATIONAL RECORDS AND STUDENT INFORMATION

I. Definitions

A. Education Record

An education record is any written or computerized document, file, entry, or record containing information directly relating to a student that is compiled and maintained by the School. Such information includes but is not limited to:

1. Date and place of birth; parent and/or guardian's address, and where the parties may be contacted for emergency purposes.
2. Grades, test scores, courses taken, academic specializations and school activities;
3. Special education records;
4. Disciplinary records;
5. Medical and health records;
6. Attendance records and records of past schools attended;
7. Personal information such as, but not limited to, student identification numbers, social security numbers, photographs, or any other type of information that aids in identification of a student. Please note that, as of January 1, 2017, the School shall not collect or solicit social security numbers or the last four digits of social security numbers from students or their parents/guardians, unless otherwise required to do so by state or federal law.

The School shall not use any school resources or data to be used to create a registry based on race, gender, sexual orientation, religion, ethnicity or national origin.

An education record does not include any of the following:

1. Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;

2. Records maintained by a law enforcement unit of the School that were created by that law enforcement unit for the purpose of law enforcement;
3. Records relating to a School employee that are made and maintained in the normal course of business, relate exclusively to the individual in that individual's capacity as an employee; and are not available for use for any other purpose;
4. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:
a) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity; b) made, maintained, or used only in connection with treatment of the student; and c) disclosed only to individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the School;
5. Records that only contain information about an individual after he or she is no longer a student at the School.
6. Grades on peer-graded papers before they are collected and recorded by a teacher.

B. Directory Information

Part of the education record, known as directory information, includes personal information about a student that the School may make public. Directory information includes a student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, grade level, enrollment status, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received and the most recent previous educational agency or institution attended by the student.

C. Parent

Parent means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.

D. Eligible Student

Eligible student means a student who has reached 18 years of age or is attending an institution of postsecondary education.

II. Disclosure of Directory Information

If the School plans to distribute a school directory, at the beginning of each year, the School shall provide parents and eligible students with a notice containing the following information: 1) The categories or type of personally identifiable information it designates as directory information (this should be limited to the information specifically identified in Education Code section 49061(c)); 2) A statement that directory information does not include citizenship status, immigration status, place of birth or any other information indicating national origin (except where the School receives consent as required under state law); 3) The recipients of the directory information; 4) The parent's or eligible student's right to refuse to let the School designate any or all of those types of information about the student as directory information; and 4) The period of time within which a parent or student has to notify the School in writing that he/she does not want any or all of those types of information about the student designated as directory information. The notice shall be in the form of a notice letter, email, and in the newsletter. Within 14 days of sending notice, any parent(s) who does not want his/her child's directory information made public without prior written consent must inform the School in writing. This parental notice must identify what student directory information (any or all) is subject to the prior written consent requirement.

The rights to require prior written consent does not apply to disclosure or requiring a student to disclose his/her name, identifier or institutional email address in a class in which the student is enrolled or to require the student to wear, display publicly or disclose a student ID card or badge that exhibits directory information.

III. Annual Notification to Parents and Eligible Students

At the beginning of each school year, in addition to the notice required for directory information, the School shall provide parents and eligible students with a notice of their rights under FERPA. The notice shall inform the parents and eligible students that they have the right to:

- Inspect and review the student's education records;
- Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading or otherwise in violation of the student's privacy rights;
- Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA and the Code of Federal Regulations authorize disclosure without consent; and
- File with the Department of Education a complaint concerning alleged failures by the School to comply with the requirements of FERPA and its promulgated regulations.

- Request that the School not release student names, addresses and telephone listings to military recruiters or institutions of higher education without prior written parental consent.

The notice must also include the following:

- The procedure for exercising the right to inspect and review educational records;
- The procedure for requesting amendment of records;
- A statement that the School forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll.
- The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.
- Assurances that the School will not release information to third parties for immigration-enforcement purposes, except as required by law or court order;
- A description of the types of student records maintained by the School;
- A list of the circumstances or conditions under which the School might release student information to outside people or entities;
- A statement that, unless the School is providing information for a legitimate educational purpose under FERPA and the California Education Code or directory information, the School shall notify parents or guardians and eligible students – and receive their written consent – before it releases a student’s personally identifiable information.

IV. Parental and Eligible Student Rights Relating to Education Records

Parents and eligible students have the right to review the student’s education records. In order to do so, parents and eligible students shall submit a request to review education records in writing to the school principals. Within 45 days, the School shall comply with the request. If circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the education records, the School will provide the parent or eligible student with a copy of the requested records or make other arrangements for inspection and review of the requested records.

A. Copies of Education Records

The School will provide copies of requested documents within 45 days of a request for copies. The School will charge reasonable fees for copies it provides to parents or eligible students, unless it effectively prevents a parent or eligible student from exercising the right to inspect and review the education records. The charge will not include a fee to search for or to retrieve the education records.

B. Request for Amendment to Education Records

If upon review, a parent or eligible student discovers any information or notation that is factually inaccurate, misleading or in violation of the student's right of privacy, he or she may request, in writing, that the School amend the record. The request must be submitted within thirty (30) days of the discovery of the inaccurate or misleading information or a violation of the student's right of privacy. The School will respond within ten (10) days of the receipt of the request to amend. The School's response will be in writing and if the request for amendment is denied, the School will set forth the reason for the denial and inform the parent or eligible student of his or her right to a hearing challenging the content of the education record.

C. Hearing to Challenge Education Record

If the School denies a parent or eligible student's request to amend an education record, the parent or eligible student may request in writing that he/she be given the opportunity for a hearing to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading or in violation of the privacy rights of the student.

The hearing to challenge the education record shall be held within 30 days of the date of the request for a hearing, notice of the date, time and place of the hearing will be sent by the School to the parent or eligible student no later than 20 days before the hearing.

The hearing will be conducted by the Executive Director. The parent or eligible student will be given a full and fair opportunity to present evidence relevant to the issues relating to the challenge to the education record. The parent or eligible student may also, at his/her own expense, be assisted or represented by one or more individuals of his/her choice, including an attorney. The Executive Director's decision will be based solely on the evidence presented at the hearing. Within 30 days of the conclusion of the hearing, the School's decision regarding the challenge will be made in writing and will include a summary of the evidence and the reasons for the decision.

If, as a result of the hearing, the School decides that the information is inaccurate, misleading or otherwise in violation of the privacy rights of the student, it will amend the record accordingly and inform the parent or eligible student of the amendment in writing.

If, as a result of the hearing, the School decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he/she disagrees with the decision of

the School, or both. If the School places a statement by the parent or eligible student in the education records of a student, it will maintain the statement with the contested part of the record for as long as the record is maintained and disclose the statement whenever it discloses the portion of the record to which the statement relates.

V. Disclosure of Education Records and Directory Information

The School must have a signed and dated written permission from the parent or eligible student before releasing any information from a student's education record with the exceptions listed below and for directory information. With the exceptions listed below, the School will not release educational records to any person or entity outside the School without the written consent of a parent or eligible student. The written permission must specify the records that may be disclosed, the purpose of the disclosure and the party or class of parties to whom the disclosure may be made. When disclosure is made pursuant to written permission, the parent or eligible student may request a copy of the disclosed records. Signed and dated written consent may include a record and signature in electronic form if it identifies and authenticates a particular person as the source of the electronic consent and indicates such person's approval of the information contained in the electronic consent. The School shall permanently keep the consent notice with the record file. A parent, guardian or eligible student is not required to sign the consent form. If the parent, guardian or eligible student refuses to provide written consent for the release of student information that is not otherwise subject to release, the School shall not release the information.

The School shall avoid the disclosure of information that might indicate a student's or family's citizenship or immigration status if the disclosure is not authorized by FERPA. No student information shall be disclosed to immigration authorities for immigration-enforcement purposes without a court order or judicial subpoena. Immigration-enforcement agencies do not have a legitimate educational interest in a student's or family's citizenship or immigration status. A student's or family's citizenship or immigration status is not considered to be directory information.

Except for investigations of child abuse, child neglect, or child dependency, or when the subpoena served on the School prohibits disclosure, the School shall provide parental or guardian notification of any court orders, warrants, or subpoenas before responding to such requests.

The School will only disclose personally identifiable information on the condition that the receiving party not disclose the information to any party without the prior consent of the parent or eligible student and that the receiving party use it for the purposes for which the disclosure was made. This restriction does not apply to disclosures that fall within the disclosure exceptions listed below and the School maintains the appropriate records, as described below. Except for disclosures pursuant to a judicial order or lawfully issued subpoena, of directory information or to parents or eligible students, the School will inform a receiving party of the requirement that the party not disclose the information to any other party without the prior written consent of the parent or eligible student and that the receiving party use it for the purpose for which the disclosure was made.

If the School receives an information request related to a student's or family's immigration or

citizenship status, the School personnel shall take the following action steps:

- Notify the Executive Director about the information request;
- Provide students and families with appropriate notice and a description of the immigration officer's request;
- Document any verbal or written request for information by immigration authorities;
- Unless prohibited, provide students and parents/guardians with any documents issued by the immigration-enforcement officer.

The School will train its personnel regarding gathering and handling sensitive student information as identified in this policy.

The School will disclose education records, without consent, to the following parties:

- a. School employees who have a legitimate educational interest as defined by 34 C.F.R. Part 99;
- b. Contractors, consultants, volunteers or other parties to whom the school has outsourced institutional services or functions may be considered a school official provided that the outside party performs an institutional service or function for which the school would otherwise use employees, is under the direct control of the school with respect to the use and maintenance of records, and is subject to the requirements of 34 C.F.R. § 99.33(a) governing the use and redisclosure of personally identifiable information.
- c. Other schools to which a student seeks or intends to enroll;
- d. Certain government officials listed in 20 U.S.C. § 1232g(b)(1) in order to carry out lawful functions;
- e. Appropriate parties in connection a student's application for, or receipt of, financial aid to a student if it is necessary to determine eligibility, amount of aid, conditions for aid or enforcing the terms and conditions of the aid;
- f. Organizations conducting certain studies for the School in accordance with 20 U.S.C. § 1232g(b)(1)(F);
- g. Accrediting organizations in order to carry out their accrediting functions;
- h. Parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1986;
- i. Individuals who have obtained lawful court orders or subpoenas, with prior notice to parents or eligible students with some exceptions;

- j. Persons who need to know in cases of health and safety emergencies;
- k. State and local authorities, within a juvenile justice system, pursuant to specific State law.
- l. A victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include final results of the disciplinary proceedings conducted by the School with respect to that alleged crime or offense. The School may disclose the final results of the disciplinary proceeding, regardless of whether the School concluded a violation was committed.
- m. The Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purpose of conducting program monitoring, evaluations and performance measurements of the School, provided the data is reported in the appropriate form provided by law.
- n. An agency caseworker or other representative of a State or local child welfare agency or tribal organization who has the right to access a student's case plan, when such agency or organization is legally responsible, in accordance with State law, for the care and protection of the student, provided those records will not be disclosed by such agency or organization, except as required by law.
- o. Other disclosures as provided by applicable law.

VI. Requirements in Specific Disclosure Situations

If the School forwards education records pursuant to Section V.b. above without consent to officials of another school, school system or institution of postsecondary education where the student seeks or intends to enroll, the School will make a reasonable attempt to notify the parent or eligible student at his/her last known address, unless the disclosure is initiated by the parent or eligible student. Additionally, the School will give the parent or eligible student, upon request, a copy of the record that was disclosed and give the parent or eligible student, upon request, an opportunity for hearing pursuant to Section IV.C. above.

VII. Record Keeping Requirements

The School will maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student for as long as the records are maintained. For each request, the record must include the following information: the parties who have requested or received the information and the legitimate interests the parties had in requesting or obtaining the information.

For disclosures of personally identifiable information to institutions that make disclosures of the information on behalf of the School in accordance with 34 C.F.R. 99.33(b), the record must include the names of the additional parties to which the receiving party may disclose the information on behalf of the School and the legitimate interests that each of the additional parties has in requesting or obtaining the information.

These record keeping requirements do not apply to requests from or disclosure to parents and eligible students, School officials with a legitimate purpose of inspecting the records, a party with written consent from the parent or eligible student, a party seeking directory information, or a party seeking or receiving the records as directed by a court order or subpoena.

The records relating to disclosures of personally identifiable student information may be inspected by parents and eligible students, School officials (or their assistants) responsible for the custody of the records, and parties authorized by regulations for the purpose of auditing the recordkeeping procedures of the School.

VIII. Complaints

Parents and eligible students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

**Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202**

LOCAL SCHOOL WELLNESS POLICY

BOARD POLICY

- A. The Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for students. The Executive Director/designee shall coordinate and align school efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the Executive Director/designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

School Health Council/Committee

- B. The Executive Director/designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, school staff, and members of the public to participate in the development, implementation, periodic review and update of the school's Local School Wellness Policy (LSWP).
- C. The school's Parent Advisory Council (PAC) will be utilized to fulfill this requirement. The PAC shall conduct public hearings to solicit input from stakeholders and may also invite participation of other groups or individuals, such as health educators, curriculum directors, counselors, health practitioners, and/or others interested in school health issues.

Goals for Nutrition, Physical Activity, and Other Wellness Goals

- D. Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by school staff, teachers, parents, students, and the community.
- E. Achieve Charter School will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will occur through:
 - a. Implementing evidence-based healthy food promotion techniques through the school meal programs using marketing and merchandising techniques; and
 - b. Ensuring foods and beverages promoted to students during the school day meet the USDA Smart Snacks in School nutrition standards.
- F. Achieve Charter School will teach, model, encourage, and support healthy eating by all students. The school will provide nutrition education and engage in nutrition promotion that is designed to provide students with the knowledge and skills necessary to promote and protect their health.
- G. Achieve Charter School's nutrition education and physical education programs shall be based on research, consistent with the expectations established in the state's curriculum frameworks and content standards, and designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.
- H. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program.
- I. Professional development shall be regularly offered to health education and physical education teachers, coaches, activity supervisors, food services staff, and other staff as appropriate to enhance their health knowledge and skills.
- J. The Executive Director/designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.
- K. All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and may also be provided through school athletic programs, extra-curricular programs, programs encouraging students to walk or bicycle, daily physical activity breaks, and other structured and unstructured activities.
- L. In order to ensure that students have access to comprehensive health services, Achieve Charter School may provide access to health services at or near the school and/or may provide referrals to

community resources.

- M. The Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.

Nutritional Guidelines for Foods Available at School

- N. All foods served on each campus during the school day will meet nutritional guidelines and support the objectives of promoting student health and reducing childhood obesity.
- O. The Executive Director/designee may exercise discretion in allowing items offered but not sold to students on the school campus during the school day.
- P. Achieve Charter School believes that foods and beverages served to students should support the health curriculum and promote optimal health, taking into consideration the needs of students with special dietary needs. All foods and beverages served to students during the school day shall meet or exceed state and federal nutritional standards.
- Q. School marketing of food and beverage items must meet the federal competitive food and beverage standards called Smart Snacks in School (SSIS).
- R. The school shall provide access to free potable water during meal times in the food service area and shall encourage students' consumption of water by educating them about the health benefits of water and serving water in an appealing manner.
- S. School staff shall encourage parents/guardians or other volunteers to support the nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties.
- T. The Executive Director/designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes. He/she shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

Program Implementation and Evaluation

- U. The Executive Director/designee shall ensure that each school site complies with this policy.
- V. The Executive Director/designee shall inform and update the public, including parents/guardians, students, and others in the community, about the contents and implementation of this policy. He/she shall periodically measure and make available to the public an assessment of the extent to which Achieve Charter School is in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy.

Posting Requirements

W. Each school shall post the Local School Wellness Policy in public view within all food service and central eating areas. The school shall also post a summary of nutrition and physical activity laws and regulations prepared by the California Department of Education.

Family Educational Rights and Privacy Act

Please access this link:

[FERPA Information](https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=rn) (https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=rn)

The Family Educational Rights and Privacy Act (FERPA) is a federal privacy law that gives parents certain protections with regard to their children's education records such as report cards, transcripts, disciplinary records, contact and family information, and class schedules. As a parent, you have the right to review your child's education records and to request changes under limited circumstances. To protect your child's privacy, the law generally requires schools to ask for written consent before disclosing your child's personally identifiable information to individuals other than you.

47073-79078. Establishes the right of parents to have access to and privacy of information about their children--information which has been entrusted to school officials. The point made by the legislation is that school officials must keep pupil information for parents and not from them. It is important to protect the rights of the individual and to reemphasize the concept of free flow of information between parents, pupils, and school. Appropriate employees of Achieve Charter School are urged to proceed in a positive manner, to use good judgment and to follow the advice of legal counsel when in doubt.

1. School administrators should interpret "parents" to mean those who have custody of the pupil, guardians, or the pupils themselves if they are 18 years of age or older.
2. "Pupil information" should include all official written records which pertain to the pupil.
3. The Superintendent/ Principal is identified as the local school official responsible for all official written records of pupils at a school.
4. Only the designated school official shall make the records available upon the request of the persons who have the right to access. They shall do so within 45 days.
5. School officials shall assist those who have the right of access and who are requesting to review pupil records by interpreting pupil information contained in the official written record.
6. School administrators shall, at their discretion, provide copies for a nominal fee of the official written records to those who have the right of access. The nominal fee shall be \$0.10 per page (one side only).
7. Parents or guardians may include a written statement or response concerning disciplinary action to be placed in the pupil's written record.
8. Cumulative folders are released from the Achieve Charter School office to any school district, when parents' signed approval is received, but all other public agencies and/or private individuals must obtain approval through the Superintendent/Principal.

SUICIDE PREVENTION POLICY 20A

The Governing Board recognizes that suicide is a leading cause of death among youth and that school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. To attempt to reduce suicidal behavior and its impact on students and families, the Executive Director or designee shall develop measures and strategies for suicide prevention, intervention, and postvention, to be adopted by the Governing Board at a regularly scheduled board meeting.

The purpose of this policy is to protect the health and well-being of all district students by having procedures in place to prevent, assess the risk of, intervene in, and respond to suicide.

In developing policies for use by the School for grades 7 to 12, the Executive Director or designee shall consult with school and community stakeholders, school health professionals, and suicide prevention experts.

In developing policies for use by the school for kindergarten and grades 1 to 6, the School Principal or designee shall consult with school and community stakeholders, the county mental health plan, school mental health professionals and suicide prevention experts. This policy shall be age appropriate and delivered and discussed in a manner that is sensitive to the needs of young students. The policy shall also ensure proper coordination and consultation with the county mental health plan if a referral is made for mental health or related services on behalf of a student who is a Medi-Cal beneficiary.

The policy shall specifically address the needs of high-risk groups, including, but not limited to, all of the following: (A) Youth bereaved by suicide. (B) Youth with disabilities, mental illness, or substance use disorders. (C) Youth experiencing homelessness or in out-of-home settings, such as foster care. (D) Lesbian, gay, bisexual, transgender, or questioning youth.

The policy shall also address any training on suicide awareness and prevention to be provided to teachers of pupils in all of the grades served by the local educational agency. Materials approved by a local educational agency for training shall include how to identify appropriate mental health services, both at the schoolsite and within the larger community, and when and how to refer youth and their families to those services. Materials approved for training may also include programs that can be completed through self-review of suitable suicide prevention materials.

The policy shall be written to ensure that a school employee acts only within the authorization and scope of the employee's credential or license. Nothing in this section shall be construed as authorizing or encouraging a school employee to diagnose or treat mental illness unless the employee is specifically licensed and employed to do so.

The Achieve Charter School Board of Directors shall review its policy on pupil suicide prevention at a minimum of every fifth year and, if necessary, update its policy.

WEB SITES

K–12 Toolkit for Mental Health Promotion and Suicide Prevention <http://www.heardalliance.org/wp-content/uploads/HEARDToolkit2017.pdf>

Trevor Project: <https://www.thetrevorproject.org/wp-content/uploads/2017/09/District-Policy.pdf>

U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration: <http://www.samhsa.gov>

SUICIDE PREVENTION POLICY 20B

Protecting the health and well-being of all students is of utmost importance to Achieve Charter School. The school Board has adopted a suicide prevention policy which will help to protect all students through the following steps:

1. Students will learn about recognizing and responding to warning signs of suicide in friends, using coping skills, using support systems, and seeking help for themselves and friends. This will occur in all health classes for middle school students. Developmentally-appropriate education for Kindergarten - 5th grade students will be integrated throughout the curriculum, to include using coping skills, using support systems, and seeking help for themselves and friends.
2. The school will designate a suicide prevention coordinator to serve as a point of contact for students in crisis and to refer students to appropriate resources.
3. When a student is identified as being at risk, they will be assessed by a mental health professional who will work with the student and help connect them to appropriate local resources.
4. Students will have access to national resources which they can contact for additional support, such as:
 - 988 Suicide and Crisis Hotline
Call or text 988,
988lifeline.org
 - The Trevor Lifeline
1.866.488.7386
Text 'START' to 678-678
thetrevorproject.org
5. All students will be expected to help create a school culture of respect and support in which students feel comfortable seeking help for themselves or friends. Students are encouraged to tell any staff member if they, or a friend, are feeling suicidal or in need of help.

6. Students should also know that because of the life or death nature of these matters, confidentiality or privacy concerns are secondary to seeking help for students in crisis.

7. For a more detailed review of policy changes, please see the district's full suicide prevention policy.

HARASSMENT, DISCRIMINATION, INTIMIDATION, & BULLYING PREVENTION

It is the policy of Achieve Charter School to create and maintain a learning environment where students and employees are treated with dignity, decency and respect. It is also the policy of Achieve Charter School to maintain an environment that encourages and fosters appropriate conduct among all persons and respect for individual values. Accordingly, the School is committed to enforcing this Harassment, Discrimination, Intimidation and Bullying Prevention Policy at all levels in order to create an environment free from all forms of discrimination, harassment, intimidation and bullying. Discrimination, harassment, intimidation or bullying based on the following characteristics, whether actual or perceived: race, religious creed (including religious dress and grooming practices), color, national origin (including language use restrictions), immigration status, citizenship status, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy or childbirth), gender, gender identity, gender expression, age, sexual orientation, military and veteran status, or association with a person or group with one or more of the aforementioned characteristics or any other legally protected category is unlawful and undermines the character and purpose of the School. Such discrimination, harassment, intimidation or bullying violates School policy and will not be tolerated. This policy applies to anyone on campus at the School or those attending School sponsored activities.

Any form of retaliation against anyone who has complained or formally reported discrimination, harassment, intimidation or bullying or against anyone who has participated in an investigation of such a complaint, regardless of whether the complaint relates to the complaining person or someone else, will not be tolerated and violates this policy and the law.

If the School possesses information that could indicate immigration status, citizenship status or national origin information, the School shall not use the acquired information to discriminate against any students or families or bar children from enrolling in or attending school. If parents or guardians choose not to provide information that could indicate their or their children's immigration status, citizenship status or national origin information, the School shall not use such actions as a basis to discriminate against any students or families or bar children from enrolling or attending school.

Each year, the School shall educate students about the negative impact of bullying other students based on their actual or perceived immigration status or their religious beliefs or customs. The School shall also train teachers, staff and personnel to ensure that they are aware of their legal duty to take reasonable steps to eliminate a hostile environment and respond to any incidents of harassment based on the actual or perceived characteristics noted above. Such training shall provide School personnel with the skills to do the following:

- Discuss the varying immigration experiences among members of the student body and school community;
- Discuss bullying-prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims;
- Identify the signs of bullying or harassing behavior;
- Take immediate corrective action when bullying is observed; and
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior.

Definitions

Discrimination: Discrimination is adverse treatment of any person based on the protected class or category of persons to whom he/she belongs and such treatment limits students from participating or benefiting from school activities or services.

Harassment: Harassment is unwelcome verbal or physical conduct prohibited by law directed toward, or differential treatment of, a student because of his/her membership (or perceived membership) in any protected group or on any other prohibited basis. The harasser can be a student, a School official or employee, or someone who is not an employee of the School, such as a vendor or parent.

Examples of such conduct include, but are not limited to:

- Offensive or degrading remarks, verbal abuse, or other hostile behavior such as insulting, teasing, mocking, name calling, degrading or ridiculing another person or group
- Racial slurs, derogatory remarks about a person's accent, or display of racially offensive symbols
- Unwelcome or inappropriate physical contact, comments, questions, advances, jokes epithets or demands
- Physical assault or stalking
- Displays or electronic transmission of derogatory, demeaning or hostile materials
- Graphic and written statements, which may include use of cell phones or the Internet

Harassment does not have to include intent to harm, be directed at a specific target or involve repeated incidents. Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities or opportunities offered by the School.

Sexual Harassment: Sexual harassment is a form of harassment based on sex, including sexual harassment, gender harassment and harassment based on pregnancy, childbirth or related medical conditions. It generally involves unwanted sexual advances, or visual, verbal or physical

conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of violations:

- Unwanted sexual advances
- Offering educational benefits in exchange for sexual favors
- Making or threatening reprisals after a negative response to sexual advances
- Visual conduct: leering, making sexual gestures, displaying of suggestive objects or pictures, cartoons or posters
- Verbal conduct: making or using derogatory comments, epithets, slurs and jokes
- Verbal sexual advances or propositions
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations
- Physical conduct: touching, assault, impeding or blocking movements

Intimidation: Intimidation includes adverse actions intended to fill another with fear, to overawe or cow, as through force of personality or by superior display of wealth, talent, etc., or to force another into or deter from some action by inducing fear.

Bullying: Bullying may take place in a variety of hostile acts that are carried out repeatedly over time. The acts involve a real or perceived imbalance of power, with the more powerful child or group attacking those who are less powerful. It may be physical (hitting, kicking, spitting, pushing), verbal (taunting, malicious teasing, name calling, threatening), or psychological (spreading rumors, manipulating social relationships, or promoting social exclusion, extortion or intimidation). Bullying is any severe or pervasive action or conduct directed toward one or more students that have the effect of one or more of the following: 1) places a reasonable student in fear of harm to that student's person or property; 2) causes a reasonable student to experience a substantially detrimental effect on his or her physical or mental health; 3) causes a reasonable student to experience substantial interference with his or her academic performance; 4) causes a reasonable student to experience interference with his or her ability to participate in or benefit from the services, activities or privileges provided by the School.

Other types of bullying:

- Sexual bullying includes many of the actions typical of bullying behavior with the added actions of exhibitionism, voyeurism, sexual propositioning, sexual harassment and sexual abuse (touching, physical contact, sexual assault).
- Bias or hate-motivated bullying is a basic bias against or hate for a person or group. Examples include taunting one's race, religion, national origin, sexual orientation, or physical or mental disabilities. The bullying behavior may also be aggressive, antagonistic, and assaultive.
- Hazing is a form of aggressive behavior that usually involves intimidation and humiliation during an initiation for a student organization or body, club, group or sports team. It may involve conduct that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current or prospective pupil. Hazing does not include athletic events or school-sanctioned events.

- Cyberbullying involves bullying conduct that is created or transmitted by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager communicating any of the following: 1) a message, text, sound or image; 2) a post on a social network Internet Web site, including a “Burn Page,” an impersonation of another student, and a false profile.

Retaliation: Retaliation is any adverse action taken against a student because he or she filed a charge of harassment, discrimination, intimidation or bullying complaint to the School or another agency or participated in an investigation about the same (such as an internal investigation or lawsuit), including as a witness. Retaliation also includes adverse action taken against someone who is associated with the individual opposing the perceived harassment, discrimination, intimidation or bullying.

Reporting Discrimination, Harassment, Intimidation, Bullying or Retaliation

Any student who believes that he or she has been the victim of discrimination, harassment, intimidation, bullying or retaliation prohibited by this policy, or any student who has witnessed such discrimination, harassment, intimidation, bullying or retaliation, should immediately report the circumstances in accordance with the procedure set forth below. The School will investigate any conduct that violates this policy, even in the absence of a complaint, and take remedial action where appropriate.

A student may make a complaint, written or oral, to any of the individuals listed below:

- Their teacher, school counselor or other school personnel
- The principal of the School

Complaints may be submitted to the superintendent by phone, email, or mail.

Casey Taylor
1494 East Ave
Chico, CA 95926
(530) 872-4100
ctaylor@achievecharter.org

Any teacher, school counselor or other school employee that receives any complaints of misconduct, or personally observes, learns about from others, or reasonably suspects has occurred, shall report the same to the Principal, so that the School may attempt to resolve the claim internally. Any School personnel that witness an act of discrimination, harassment, intimidation, bullying or retaliation shall take immediate steps to intervene when it is safe to do so.

Investigation and Disposition of Complaints

The School will conduct a prompt, thorough and impartial investigation that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected.

The investigation, conducted by a qualified investigator(s) (who may be a School employee), will include an interview with the alleged student-victim and his/her parent(s)/guardian(s). It may also include interviews with the person who made the initial report, the complainant (if not the alleged victim), the alleged wrongdoer and/or any other person who may have information regarding the incident, each of whom are encouraged to cooperate with any investigation. The investigator may also review any relevant documents.

The School will endeavor to complete its investigation within thirty (30) days of a report of discrimination, harassment, intimidation, bullying or retaliation.

Confidentiality of the complaint and investigation will be kept by the School to the extent possible, but note that the investigation will not be completely confidential. The School shall ensure confidentiality with respect to a student's or family's immigration status.

The investigator (if a third party) will report his/her findings to the Principal and/or Board of Directors. Where the investigator concludes that a violation of this policy has occurred, the Principal and/or Board of Directors will take prompt and appropriate redial action, including disciplinary action. Depending upon the circumstances, disciplinary action may include, but is not limited to suspension and/or recommendation for expulsion. Discipline for a violation of this policy is not progressive, so a first violation of this policy may warrant suspension or a recommendation for expulsion.

Every complaint will trigger the creation of an investigatory file. The investigatory file will consist of the initial complaint, the final investigative report, including a record of the remedial action to be taken, if any, and all documents created, used or reviewed during the investigation.

At the conclusion of the investigation, the Principal shall notify the complainant of the manner in which it has resolved the matter. If, within 30 days after notification of resolution, the complainant does not agree with the resolution, the complainant may appeal the matter to the Board of Directors of the School by filing a notice of appeal stating the reasons for the appeal and specific disagreement with the School's resolution of the complaint. The Board of Directors will provide the student with a final decision of the School's resolution 5 days after the Board of Directors' next regularly scheduled board meeting. If the student does not agree with the final determination of the Board of Directors, the student may appeal to the California Department of Education using the appeal process adopted in the School's Uniform Complaint Procedures.

Parental Notification:

Each year, the School shall notify parents and guardians of their children's right to a free public education, regardless of immigration status or religious beliefs. This information shall include information related to the "Know Your Rights" immigration enforcement established by the California Attorney General. The School shall also inform students who are the victims of hate crimes of their right to report such crimes.

Title IX Sexual Harassment Policy and Grievance Procedures

It is the policy of Achieve Charter School (“Charter School”) to create and maintain an educational environment where employees and students are treated with dignity, decency, and respect. Title IX of the Education Amendment Act of 1972 (“Title IX”) prohibits discrimination on the basis of sex, including sex-based harassment, in the Charter School’s education programs and activities. The Charter School does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admission and employment.

Sex discrimination can be discrimination on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. Any such behavior is a violation of the Charter School’s policies, and state and federal law. Any employee or student found to have engaged in sex discrimination may be disciplined, including, but not limited to, suspension and expulsion for students and discipline up to termination for employees.

Definition of Sex-Based Harassment Under Title IX

Sex-based harassment is a form of sex-discrimination and means sexual harassment and other harassment on the basis of sex, including sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity that its either quid pro quo harassment or hostile environment harassment. Specific offenses of sex-based harassment include:

- Sexual assault
- Dating violence
- Domestic violence
- Stalking

Title IX Personnel/Parties

The Charter School’s Title IX Coordinator is the Chief Business Officer, kbaber@achievethecharter.org].

Investigator: The Title IX Coordinator may act as an investigator of complaints of sex discrimination under Title IX. Alternatively, at the Title IX Coordinator’s discretion, the Title IX Coordinator may designate that role to another individual. In any event, the investigator shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The role of the investigator is that of fact finder.

Decisionmaker: The Title IX Coordinator may also act as the decisionmaker of complaints of sex discrimination under Title IX. Alternatively, at the Title IX Coordinator’s discretion, the Title IX Coordinator may designate that role to another individual. In any event, the decisionmaker shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The role of the decisionmaker is to evaluate evidence and make a determination regarding the formal complaint, including submitting a written determination of findings.

Complainants: The following person(s) have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that the Charter School investigate and make a determination about alleged discrimination under Title IX: 1) A complainant; 2) A parent, guardian, or other authorized legal representative with the legal right to act on behalf of the complainant; and 3) The Title IX coordinator.

If the complaint involves sex discrimination other than sex based harassment, a complaint may be made by any student or employee or any person other than a student/employee who was participating or attempting to participate in the Charter School's education program or activity at the time of the alleged sex discrimination.

Sex Discrimination Under Title IX

Sex discrimination under Title IX means conduct on the basis of sex, including sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity that falls within one or more of the following categories:

- A Charter School employee, agent, or other person authorized by the Charter School to provide an aid, benefit, or service under the Charter School's education program or activity explicitly or impliedly conditioning the provision of a school aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
- Unwelcomed sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe, pervasive, and objectively offensive that it limits or denies a person's ability to participate in or benefit from the Charter School's education program or activity;
- Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of many factors identified in 34 C.F.R. § 106.2.

Reporting Allegations of Sex Discrimination

All employees are required to notify the Title IX Coordinator when the employee has information about conduct that may constitute sex discrimination under Title IX or its implementing regulations.

Employees, students, and/or their parent/guardian/caregiver, may report sex discrimination to the Charter School's Title IX Coordinator, or to any other Charter School employee, who shall inform the Title IX Coordinator of that complaint.

Complaints may be made in writing, orally, via email, telephone, or by any other means reasonably contemplated to result in the complaint reaching the Charter School's Title IX Coordinator.

Title IX Coordinator Responsibilities

The Title IX Coordinator will take the following actions when notified of conduct that reasonably may constitute sex discrimination under Title IX or its implementing regulations:

- Treat the complainant and respondent equitably;
- Offer and coordinate supportive measures, as appropriate, for the complainant. If the grievance procedures identified herein are initiated or if an informal resolution process

has been offered to the respondent, offer and coordinate supportive measures, as appropriate, for the respondent;

- Notify the complainant, or if the complainant is unknown, the individual who reported the conduct, of the grievance procedures and the informal resolution process, if available and appropriate;
- Monitor the School's education program or activity for barriers to reporting information about conduct that reasonably may constitute sex discrimination under Title IX or its implementing regulations, and take steps reasonably calculated to address such barriers
- If a complaint is made, notify the respondent of the grievance procedures and informal resolution process, if available and appropriate.

Procedures

The Charter School's Title IX grievance or complaint procedures apply only to conduct that falls within the definition of sex discrimination under Title IX. Other allegedly offensive conduct may not fall within this process but may be investigated and handled through other complaint procedures. In order to evaluate which complaint procedures apply, the Title IX Coordinator shall review the complaint to determine if the conduct falls within the definition of sex discrimination under Title IX and its implementing regulations. If a complaint falls within both the Title IX definition and within the definition of complaint subject to the Uniform Complaint Procedure, both processes may be followed. Please contact the Title IX Coordinator to understand all of the School's complaint process options.

Response to an Informal Complaint

Upon receipt of a report of sex discrimination without a formal written complaint, the Title IX Coordinator will offer and coordinate supportive measures for the complainant and explain to the complainant (or other person reporting the behavior) the right and process to file a formal complaint.

In the event there is no formal complaint, the Title IX Coordinator shall determine whether to initiate a complaint of sex discrimination that complies with the complaint procedures identified herein. This determination need not be made if the Title IX Coordinator reasonably determines that the conduct as alleged could not constitute sex discrimination under Title IX or its implementing regulations.

In making this determination, the Title IX Coordinator shall consider the following, within twenty-five (25) calendar days of receiving an informal complaint.

- 1) The complainant's request not to proceed with the initiation of a complaint;
- 2) The complainant's reasonable safety concerns regarding the initiation of a complaint;
- 3) The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
- 4) The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;

- 5) The age and relationship of the parties, including whether the respondent is an employee of the Charter School;
- 6) The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
- 7) The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and
- 8) Whether the Charter School could end the alleged sex discrimination and prevent its recurrence without initiating its complaint procedures.

After consideration, if the Title IX Coordinator determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other person, or that the conduct as alleged prevents the Charter School from ensuring equal access on the basis of sex in its education program or activity, the Title IX Coordinator may initiate a complaint.

Regardless of whether a complaint is initiated, the Charter School shall take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the Charter School's education program or activity.

A formal complaint means an oral or written request to the Charter School that objectively can be understood as a request for the Charter School to investigate and make a determination about alleged discrimination under Title IX or its implementing regulations. The Title IX Coordinator may request the complainant to fill out a formal complaint form in order to initiate a formal complaint, although that formality is not required.

Supportive Measures

Supportive measures are non-disciplinary and nonpunitive and shall be available at any time during a Title IX investigation. These 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, or extracurricular or any other activity regardless of whether there is or is not a comparable alternative, training, and education programs related to sex-based harassment.

The complainant or respondent shall have a timely opportunity to seek, from an appropriate and impartial employee, modification or reversal of the Charter School's decision to provide, deny, modify, or terminate supportive measures applicable to them. A party will also be provided the opportunity to seek additional modifications or termination of a supportive measure if circumstances change materially.

The Charter School will not disclose information about any supportive measures to persons other than the person to whom they apply, unless necessary to provide the supportive measure or restore or preserve a party's access to the education program or activity, or when a legal exception applies.

If a complainant or respondent is a student with a disability, the Title IX Coordinator will consult with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one or more members, as appropriate, of the group of persons responsible

for the student's placement decision to determine how to comply with the requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act, throughout the School's implementation of supportive measures.

Response to a Formal Complaint

In response to a formal complaint, the Title IX Coordinator confirms, in writing, as described below, the receipt of the complaint and will determine whether the allegations fall within the definition of sex discrimination under Title IX. If so, the Title IX Coordinator will follow this policy to resolve the complaint. If it does not, the Title IX Coordinator will either dismiss the complaint, or refer the complaint to a different division with the Charter School to handle the complaint, such as through the school's Uniform Complaint Procedures.

The Title IX Coordinator will initiate an investigation, by identifying an investigator and/or decisionmaker. A written decision shall be issued within sixty (60) calendar days of receipt of the formal complaint.

If a complainant or respondent is a student with a disability, the Title IX Coordinator will consult with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one or more members, as appropriate, of the group of persons responsible for the student's placement decision to determine how to comply with the requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act, throughout the School's implementation of grievance procedures.

Emergency Removal: The School may remove an accused from the School's education program or activity on an emergency basis, provided that the School first undertakes an individualized safety and risk analysis, determines that an imminent and serious threat to the health or safety of any student or other individual arising from the allegations of sex discrimination justifies removal, and provides the accused with notice and an opportunity to challenge the decision immediately following the removal.

If the respondent is an employee, the employee may be placed on administrative leave during the formal investigative process. If the respondent is a student, state and federal laws may impose additional procedural requirements for removal.

Written Notice of the Formal Complaint

Within ten (10) calendar days of the receipt of the formal complaint, the Title IX Coordinator shall provide the parties with a notice of the formal complaint. The notice shall include: (1) a copy of this Policy; (2) the identities of the parties involved in the incident; (3) the conduct alleged to constitute sex discrimination under Title IX and its implementing regulations; and (4) the date(s) and location(s) of the alleged incident(s), (5) 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 the 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; and (6) a statement that retaliation is prohibited.

During the Grievance Process:

Investigation

The investigator will review the complaint and other submitted evidence, gather additional evidence, and interview witnesses or parties. The investigator may also offer, modify, or terminate supportive measures.

The investigation shall be adequate, reliable, and impartial. To do so, the Charter School shall: 1) ensure that the burden is on the Charter School to conduct the investigation that gathers sufficient evidence to determine whether sex discrimination occurred; 2) provide an equal opportunity for the parties to present fact witnesses and other inculpatory or exculpatory evidence that is relevant or not otherwise impermissible, and 3) review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance, and consistency with implementing regulations.

The investigator shall provide the parties with the opportunity to review the relevant and not otherwise impermissible evidence (or an accurate description of the evidence) that is directly related to the allegations raised in the formal complaint. If provided with an accurate description of the evidence, the Charter School will further provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.

Thereafter, the parties will have a period of ten (10) calendar days to review the evidence (or description thereof), respond, ask the investigator additional questions, and provide or suggest additional evidence to be considered by the investigator. The Charter School will also take steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures

The investigator/decisionmaker will question the parties and witnesses initially and may reach out to the parties and witnesses again after its first initial round of questions. The investigator/decisionmaker may determine whether to question the parties and/or witnesses in person or remotely with the goal that the questioning must provide the opportunity to adequately assess a party's or witness's credibility to the extent that it is both in dispute and relevant to evaluating one or more allegations of sex discrimination.

If, in the course of the investigation, the Charter School decides to investigate additional allegations of sex discrimination by the accused toward the complainant that are not included in the initial notice identified above or that are included in a complaint, the Charter School will provide notice of the additional allegations to the parties whose identities are known.

Presumption: There is a presumption that the accused is not responsible for the alleged conduct until a determination is made at the conclusion of the grievance process.

Extension of Time Frames: While the Charter School endeavors to complete the grievance procedure within the timelines included in this policy, the Charter School may notify the parties of the need for a reasonable extension of time on a case-by-case basis for good cause during any of the major stages of the process, including during evaluation, investigation, determination, and appeal. Additionally, if one of the parties involved requests a reasonable extension of time for cause, the Charter School shall, on a case-by-case basis, reasonably consider such request.

Privacy: The Charter School shall take steps to protect the privacy of the parties and witnesses during the pendency of the grievance procedures, provided that the parties must be able to obtain

and present evidence, including speaking to witnesses, consulting with their family members, confidential resources or advisors, or otherwise preparing for and participating in the grievance procedures.

Evaluation: The Charter School's investigator or decisionmaker shall evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence, and provide that credibility determinations are not based on a person's status as a complainant, respondent, or witness. The following evidence, and questions seeking that evidence, are impermissible:

- Evidence protected under a privilege as recognized by Federal or State law or evidence provided to a confidential employee unless the privilege or confidentiality has been voluntarily waived;
- 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 the Charter School obtains that party's or witness's voluntary, written consent for use in the grievance procedures;
- 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.

Sex-Based Harassment Only: For complaints alleging sex-based Harassment only, the following supportive measures are available to complainants and respondents:

- Counseling services
- Mental health support
- Academic accommodations

In addition, the following reflect the range of possible disciplinary sanctions and remedies the School may implement if sex-based harassment has occurred:

For Students:

- Formal warning
- Required participation in educational or restorative justice programs
- Community service or mandatory training on harassment prevention
- Probationary status with behavioral requirements
- Restriction from school-sponsored activities, clubs, or leadership roles
- Suspension or expulsion

For Employees:

- Formal reprimand
- Mandatory training on harassment prevention

- Suspension with or without pay
- Reduction of job responsibilities
- Termination of employment

For False Accusations:

- Warning or reprimand
- Required participation in educational programs
- Disciplinary probation
- Suspension or expulsion for students
- Disciplinary action, including termination, for employees

Standard of Evidence: For all formal complaints of sex discrimination, the School shall use the preponderance of the evidence standard of proof. [Note: If the Charter School uses the clear and convincing evidence standard of proof in all other comparable proceedings, the School may elect to use that standard of proof.] The decisionmaker shall evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the standard of proof, the decisionmaker must not determine that sex discrimination occurred.

Dismissal of a Formal Complaint:

The Charter School shall investigate the allegations in a formal complaint and may dismiss a complaint of sex discrimination for any of the following reasons:

- The Charter School is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in the Charter School's education program or activity and is not employed by the Charter School;
- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the 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 or its regulations even if proven; or
- The Charter School determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX or its regulations.

Prior to dismissing the complaint, the Charter School must make reasonable efforts to clarify the allegations with the complainant. Upon dismissal, the Charter School will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the Charter School will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant or simultaneously if the notification is in writing.

Consolidation of Formal Complaints. The Charter School may consolidate formal complaints as to allegations 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. Where a grievance process involves more than one complainant or more than one accused, references in this policy to the singular "party," "complainant," or "respondent" include the plural, as applicable.

Determination Whether Sex Discrimination Occurred.

Following the investigation and evaluation of all relevant and not otherwise impermissible evidence, the Charter School will notify the parties in writing of the determination whether sex discrimination occurred under Title IX or its implementing regulations, including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal, if applicable.

The Charter School shall provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the Charter School provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

If there is a determination that sex discrimination occurred, the Title IX Coordinator is responsible for coordinating the provision and implementation of remedies to a complainant and other persons the Charter School identifies as having had equal access to the Charter School's education program or activity limited or denied by sex discrimination, coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions, and other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the Charter School's education program or activity.

The Charter School will not discipline a party, witness, or others participating in the Charter School's grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the School's determination of whether sex discrimination occurred.

If the Charter School dismisses the complaint, it will offer supportive measures to the complainant as appropriate and, if the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate.

Appeals

Upon dismissal of a complaint, the Charter School will notify the complainant that the dismissal may be appealed and provide the complainant with an opportunity to appeal the dismissal on the bases set out below. If the dismissal occurs after the respondent has been notified of the allegations, then the Charter School will notify the respondent that the dismissal may be appealed.

If the dismissal is appealed, the Charter School will:

- Notify the parties of any appeal, including notice of the allegations as required above if notice was not previously provided to the respondent
- Implement appeal procedures equally for the parties
- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint
- Ensure that the decisionmaker has been trained
- Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome

- Notify the parties of the result of the appeal and the rationale for the result

The Charter School shall offer both parties an appeal from a determination of whether sex discrimination occurred, and from the Charter School's dismissal of a formal complaint or any allegations therein, on the following bases:

- 1) Procedural irregularity that would change the outcome of the matter;
- 2) New evidence that would change the outcome and that was not reasonably available at the time when the determination of whether sex discrimination occurred or dismissal was made; and
- 3) The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against a complainant or an accused generally or the individual complainant or accused that would change the outcome of the matter.

The Charter School may offer an appeal equally to both parties on additional bases.

As to all appeals, the Charter School shall:

- 1) Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- 2) Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
- 3) Ensure that the decision-maker(s) for the appeal complies with the conflict of interest and bias standards set forth above;
- 4) Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- 5) Issue a written decision describing the result of the appeal and the rationale for the result; and
- 6) Provide the written decision simultaneously to both parties.

Informal Resolution

At any time prior to determining whether sex discrimination occurred, the Charter School may offer to a complainant and respondent a voluntary informal resolution process, unless the complaint includes allegations that an employee engaged in sex-based harassment of a student or if such process would conflict with Federal, State or local law. If the Charter School determines the alleged conduct would present a future risk of harm to others, it may decline to allow an informal resolution. If an information resolution is followed, the Title IX Coordinator must, to the extent necessary, take other appropriate prompt and effective steps to ensure that sex discrimination does not continue to recur within the Charter School's education program or activity. Such specific steps will be taken depending upon the facts of each case.

The Charter School has the discretion to determine whether it is appropriate to offer an informal resolution process when it receives information about conduct that reasonably may constitute sex discrimination under Title IX or its implementing regulations or when a complaint of sex discrimination is made and may decline to offer information resolution despite one or more of

the parties' witnesses. This decision may be made if the Charter School determines that the alleged conduct would present a future risk of harm to others.

The Charter School shall not require or pressure the parties to participate in an informal resolution process.

Before initiation of an informal resolution process, the Charter School shall provide notice to the parties that explains: 1) the allegations; 2) the requirements of the informal resolution process; 3) that, prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and to initiate or resume the complaint procedures; 4) that the parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the parties from initiating or resuming complaint procedures arising from the same allegations; 5) the potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and 6) what information the Charter School will maintain and whether and how the Charter School could disclose the information for use in a complaint procedure if complaint procedures are initiated or resumed.

The facilitator of the information resolution process will not be the same person as the investigator and/or decisionmaker for the Charter School's grievance process. The facilitator will not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Recordkeeping

1) A Charter School must maintain for a period of seven (7) years records pertaining to:

(A) For each sex discrimination complaint, records documenting the informal resolution process or the grievance procedures, and, if applicable, the resulting outcome.

(B) For each notification the Title IX Coordinator receives of information about conduct that reasonably may constitute sex discrimination under Title IX or its implementing regulations, including notifications, and records documenting the actions the Charter School took to meet its legal obligations.

(C) All materials used to provide required training. The Charter School must make these training materials available upon request for inspection by members of the public.

SUSPENSION AND EXPULSION PROCEDURES

***Governing Law:** The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:*

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five school days before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a homeless child or youth, or a foster child or youth, in the native language[1] of the homeless or foster child's educational rights holder. In the case of a foster child or youth, the written notice shall also be provided to the foster child's attorney and county social worker. If the pupil is a Indian child, as defined in Section 224.1 of the Welfare and Institutions Code, the written notice shall also be provided to the Indian child's tribal social worker and, if applicable, county social worker. The written notice shall inform the pupil, the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, or county social worker, or the Indian child's tribal social worker or, if applicable, county social worker initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).

(iv) A foster child's educational rights holder, attorney, and county social worker and an Indian child's tribal social worker and, if applicable, county social worker shall have the same rights a parent or guardian of a child has to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, and other documents and related information.

Education Code Section 47605(c)(5)(J)

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and wellbeing 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 non charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 et seq. The

Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures shall be printed and distributed as part of the Student Handbook and shall 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, use of alternative educational environments, suspension and expulsion.

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

The Charter School administration shall ensure that students and their parents/guardians^[1] are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that these Policy and Administrative Procedures are available on request at the Principal's office.

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

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

A. Grounds for Suspension and Expulsion of Students

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

B. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:

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

n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

o) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.

p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, 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 section shall apply to pupils 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 subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils 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 his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.

ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.

iii. Causing a reasonable student to experience substantial interference with his or her academic performance.

iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) “Electronic Act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

i. A message, text, sound, video, or image.

ii. A post on a social network Internet Web site including, but not

limited to:

(a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.

(b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. An act of cyber sexual bullying.

(a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

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

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

u) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).

v) Possessed, sold, or otherwise furnished any knife 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 for any of the following acts when it is determined the pupil:

a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object 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 Executive Director or designee’s concurrence.

- b) Brandished a knife at another person.
- c) Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, *et seq.*
- d) Committed or attempted to commit a sexual assault or committed a sexual battery as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 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 for any of the following acts when it is determined the pupil:

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

l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

m) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.

n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

o) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.

p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, 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 section shall apply to pupils 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 subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils 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 his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.

ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.

iii. Causing a reasonable student to experience substantial interference with his or her academic performance.

iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) “Electronic Act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

i. A message, text, sound, video, or image.

ii. A post on a social network Internet Web site including, but not limited to:

(a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.

(b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. An act of cyber sexual bullying.

(a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

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

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

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

v) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee’s concurrence.

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

a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the 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 or committed a sexual battery as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code or committed a sexual battery as defined in Penal Code Section 243.4.

If it is determined by the Administrative Panel and/or Board of Directors that a student has brought a firearm or destructive device, as defined in Section 921 of Title 18 of the United States Code, onto 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 pupil shall be provided due process rights of notice and a hearing as required in this policy.

The term "knife" means (A) any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing; (B) a weapon with a blade fitted primarily for stabbing; (C) a weapon with a blade longer than 3½ inches; (D) a folding knife with a blade that locks into place; or (E) a razor with an unguarded blade.

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

The term "destructive device" means (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 his or her parent and, whenever practical, the teacher, supervisor or 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 school for the purpose of a conference.

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

2. Notice to Parents/Guardians

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

3. Suspension Time Limits/Recommendation for Placement/Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Principal or Principal's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

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

4. Homework Assignments During Suspension

In accordance with Education Code Section 47606.2, 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 8, inclusive, who has been suspended from school for two (2) or more school days, the homework that the student would otherwise have been assigned.

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

D. Authority to Expel

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

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

E. Expulsion Procedures

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

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

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

1. The date and place of the expulsion hearing;

2. A statement of the specific facts, charges and offenses upon which the proposed 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 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 non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.

6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.

7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.

9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her 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 person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

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

H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious

affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board or Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

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

If the Administrative Panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

I. Written Notice to Expel

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

1. Notice of the specific offense 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.

The Principal or designee shall send a copy of the written notice of the decision to expel to the District. This notice shall include the following:

1. The student's name
2. The specific expellable offense committed by the student

J. 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.

K. No Right to Appeal

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

L. Expelled Pupils/Alternative Education

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

M. Rehabilitation Plans

Students who are expelled from the School shall be given a rehabilitation plan upon expulsion as developed by the 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 pupil may reapply to the Charter School for readmission.

N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board of Directors following a meeting with the Principal or designee and the pupil and parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Principal shall make a recommendation to the Board following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon the School's capacity at the time the student seeks readmission.

O. 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.

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

1. Notification of SELPA

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

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum,

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

3. Procedural Safeguards/Manifestation Determination

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

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

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

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

- a. Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed, unless the parent 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 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 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 USC Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent and the Charter School agree otherwise.

In accordance with 20 USC 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 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 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim Alternative Educational Setting

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

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

A student who has not been identified as an individual with disabilities pursuant to IDEIA and who has violated the 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 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 IDEIA-eligible children with disabilities, including the right to stay-put.

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

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

[1] 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.

INTERNAL COMPLAINT PROCEDURES RELATING TO SPECIAL EDUCATION

It is the policy of the **Achieve Charter School** (the “School”) to maintain a positive and productive educational environment. The School is primarily responsible to ensure that it is compliant with all applicable federal and state special education laws and regulations. There are some circumstances, however, when parents/guardians or students over the age of 18 believe that a violation of federal or state special education law is occurring in the following areas: 1) violations of Part B of the IDEA, and regulations implementing Part B; or 2) violations of Part 30 of the Education Code and the related regulations; or 3) complaints that an LEA or other public agency has violated the terms of a settlement agreement relating to the provision of a free, appropriate public education (an allegation relating to an attorney fees provision in a settlement agreement is expressly excluded); 2) complaints that the LEA or other public agency has failed or refused to implement a due process hearing order to which that LEA or other public agency is subject; 3) complaints that a public agency, other than an LEA, fails or refuses to comply with a law or regulation applicable to that public agency as it pertains or relates to the provision of a free appropriate public education to individuals with disabilities; or 4) complaints that allege facts that indicate that physical safety concerns interfere with the provision of a free appropriate public education.

Additionally, the School shall not directly or indirectly use or attempt to use the official authority or influence of the School employee for the purpose of intimidating, threatening, coercing, or attempting to intimidate, threaten, or coerce, any person, including, but not limited to, a teacher, a provider of designated instruction and services, a paraprofessional, an instructional aide, a behavioral aid, a health aid, other educators or staff of the School, a private individual or entity under contract with the School, or a subordinate of the employee, for the purpose of interfering with the action of that person at any time, to assist a parent or guardian of a pupil with exceptional needs to obtain services or accommodations for that pupil.

If the parent/guardian/student has a complaint relating to an evaluation or plan under section 504 of the Rehabilitation Act of 1973 (“section 504 plan”), the parent/guardian/student may complain to the School’s administration. If that does not resolve the issue, the parent/guardian/student may make a formal complaint to the School’s section 504 designee:

Casey Taylor, Executive Director
1494 East Ave
Chico, CA 95926
(530) 872-4100

Filing a Complaint:

If the parent/guardian/student/organization believes that a violation of state or federal special education laws or regulations is occurring, and the issue is not resolved informally, the parent/guardian/student/organization may file a signed written complaint with the California Department of Education (“CDE”). All parties involved in the allegations will be notified when a complaint is filed, when a complaint meeting or hearing is scheduled and when a decision is

made. If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or a disability, the school staff will assist the person with filing the complaint.

The complaint filed must include the following: 1) a statement that an Local Education Agency (“LEA”) or other public agency has violated or failed to comply with any provision set forth above; 2) the facts on which the statement is based; 3) the signature and contact information for the complainant; and 4) if alleging violations with respect to a specific child: A) the name and address of the residence of the child; B) the name of the school the child is attending; C) in the case of a homeless child or youth, available contact information for the child, and the name of the school the child is attending; D) a description of the nature of the problem of the child, including facts relating to the problem; and E) a proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed.

The complaint must allege a violation that occurred not more than one year prior to the date that the complaint is received in accordance with federal regulations. The party filing the complaint must forward a copy of the complaint to the LEA or public agency serving the child at the same time the party files the complaint with the CDE.

The state complaint procedures, investigations, and reports include those provisions set forth in 34 C.F.R. sections 300.151 through 300.153.

Refusal by the complainant to provide the investigator, at any level of the investigation, with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of lack of evidence to support the allegations.

Appeal of CDE’s Investigation Report

Within 30 days of the date of the CDE Investigation Report, either party may request reconsideration by the Superintendent of Public Instruction (“SPI”) or the SPI’s designee. The request for reconsideration shall specify and explain why: 1) relative to the allegation(s) of the complaint, the CDE Investigation Report lacks material findings of fact necessary to reach a conclusion of law; and/or 2) the material findings of fact in the CDE Investigation Report are not supported by substantial evidence; and/or 3) the legal conclusion in the CDE Investigation Report is inconsistent with the law; and/or 4) in a case in which the CDE found noncompliance, the required corrective actions fail to provide a proper remedy.

The CDE shall respond in writing to the request for consideration within 60 days of the receipt of the request.

Dissemination

The School will send to students, employees, parents or guardians of its students, school advisory committees, and other interested parties a notice of rights under this policy on an annual basis. Upon request, a copy of this policy will be made available free of charge and is also available on the School’s website.

UNIFORM COMPLAINT POLICY AND PROCEDURES

Scope

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

- (1) Complaints of unlawful discrimination, harassment, intimidation or bullying against any protected group, including actual or perceived discrimination, on the basis of the actual or perceived characteristics of age, ancestry, color, disability, ethnic group identification, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, sex, or sexual orientation, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity; and
- (2) Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: Adult Education Programs, After School Education and Safety Programs, Agricultural Vocational Education Programs, American Indian Education Centers and Early Child Education Program Assessments, Consolidated Categorical Aid Programs, Career Technical and Technical Education and Career Technical and Technical Training Programs, Child Care and Development Programs, Child Nutrition Programs, Foster and Homeless Youth Services, Migrant Education Programs, No Child Left Behind Act (2001) Programs (Titles I-VII), including improving academic achievement, compensatory education, limited English proficiency, and migrant education, Regional Occupational Centers and Programs, Special Education Programs, State Preschool, and Tobacco-Use Prevention Education.
- (3) A complaint may also be filed alleging that a pupil enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below.
 - a. “Educational activity” means an activity offered by a school, school district, charter school or county office of education that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.
 - b. “Pupil fee” means a fee, deposit or other charge imposed on pupils, or a pupil’s parents or guardians, in violation of Section 49011 of the Education Code and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all pupils without regard to their families’ ability or willingness to pay fees or request special waivers, as provided for in *Hartzell v. Connell* (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:
 - i. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.

- ii. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.
- iii. A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.
- c. A pupil fees complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees.
- d. If the Charter School finds merit in a pupil fees complaint the Charter School shall provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts by the Charter School to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.
- e. Nothing in this section shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or school districts, school, and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.

(4) Complaints of noncompliance with the requirements governing the Local Control Funding Formula or Sections 47606.5 and 47607.3 of the Education Code, as applicable.

(5) Complaints of noncompliance with the requirements of Education Code Section 222 regarding the rights of lactating pupils on a school campus. If the Charter School finds merit in a complaint, or if the Superintendent finds merit in an appeal, the Charter School shall provide a remedy to the affected pupil.

The Charter School acknowledges and respects every individual's rights to privacy. Unlawful discrimination, harassment, intimidation or bullying complaints shall be investigated in a manner that protects [to the greatest extent reasonably possible] the confidentiality of the parties and the integrity of the process. The Charter School cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, the Charter School will attempt to do so as appropriate. The Charter School may find it necessary to disclose information regarding the complaint/complainant to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee on a case-by-case basis.

The Charter School prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's filing of a complaint or the reporting of instances of

unlawful discrimination, harassment, intimidation or bullying. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

Compliance Officers

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

Casey Taylor
Executive Director
1494 East Ave.
Chico, CA 95926
530-872-4100

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

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

Notifications

The Superintendent or designee shall annually provide written notification of the Charter School's uniform complaint procedures to employees, students, parents and/or guardians, advisory committees, private school officials and other interested parties (e.g., Adult Education).

The annual notice shall be in English, and when necessary, in the primary language, pursuant to section 48985 of the Education Code if fifteen (15) percent or more of the pupils enrolled in the Charter School speak a single primary language other than English.

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

The annual notice shall include the following:

- (a) A statement that the Charter School is primarily responsible for compliance with federal and state laws and regulations.
- (b) A statement that a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.
- (c) A statement identifying the responsible staff member, position, or unit designated to receive complaints.
- (d) A statement that the complainant has a right to appeal the Charter School's decision to the CDE by filing a written appeal within 15 days of receiving the Charter School's decision.
- (e) A statement advising the complainant of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal pursuant to Education Code § 262.3.
- (f) A statement that copies of the local educational agency complaint procedures shall be available free of charge.

Procedures

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

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

- Step 1: Filing of Complaint

Any individual, public agency, or organization may file a written complaint of alleged noncompliance by the Charter School.

A complaint alleging unlawful discrimination, harassment, intimidation or bullying shall be initiated no later than six (6) months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or six (6) months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination, harassment, intimidation or bullying. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination, harassment, intimidation or bullying.

Pupil fee complaints shall be filed not later than one (1) year from the date the alleged violation occurred.

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

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

- Step 2: Mediation

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

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

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

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

- Step 3: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within five (5) days of

receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

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

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

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

- Step 4: Response

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

- Step 5: Final Written Decision

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

The decision shall include:

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

8. For unlawful discrimination, harassment, intimidation or bullying complaints arising under federal law such complaint may be made at any time to the U.S. Department of Education, Office for Civil Rights.

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

Appeals to the California Department of Education

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

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

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

The CDE may directly intervene in the complaint without waiting for action by the Charter School when one of the conditions listed in Title 5, California Code of Regulations, Section 4650 exists, including cases in which the Charter School has not taken action within sixty (60) days of the date the complaint was filed with the Charter School.

Civil Law Remedies

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

relief and is applicable only if the Charter School has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

UNIFORM COMPLAINT PROCEDURE FORM

Last Name: _____ First Name/MI: _____
Student Name (if applicable): _____ Grade: _____ Date of Birth: _____
Street Address/Apt. #: _____
City: _____ State: _____ Zip Code: _____
Home Phone: _____ Cell Phone: _____ Work Phone: _____
School/Office of Alleged Violation: _____

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

- | | | |
|---|--|--|
| ☐ Adult Education | ☐ After School Education and Safety | ☐ Agricultural Vocational Education |
| ☐ American Indian Education | ☐ Consolidated Categorical Aid | ☐ Career/Technical Education |
| ☐ Child Development Programs | ☐ Child Nutrition | ☐ Foster/Homeless Youth |
| ☐ Migrant Education | ☐ No Child Left Behind Programs | ☐ Regional Occupational Programs |
| ☐ Special Education | ☐ State Preschool | ☐ Tobacco-Use Prevention Education |
| ☐ Pupil Fees | ☐ Local Control Funding Formula | ☐ Lactating Pupils |

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

- | | | |
|--|---|---|
| ☐ Age | Ethnicity | ☐ Sex (Actual or Perceived) |
| ☐ Ancestry | ☐ Gender/Gender Expression / Gender Identity | ☐ Sexual Orientation (Actual or Perceived) |
| ☐ Color | ☐ Genetic Information | Based on association with a person or group with one or more of these actual or perceived characteristics |
| ☐ Disability (Mental or physical) | ☐ National Origin | |
| ☐ Ethnic Group Identification | ☐ Religion | |
| ☐ Race or | | |

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

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

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

I have attached supporting documents. ☐ Yes ☐ No

Signature: _____ Date: _____

Mail complaint and any relevant documents to:

Casey Taylor
Executive Director
1494 East Ave.
Chico, CA 95926
530-872-4100

The 2025-2026 Parent/Guardian and Student Handbook with Appendix was approved by the Achieve Board of Directors on August 27, 2025.

Thank you for reviewing the 2025-2026 Parent/Guardian and Student Handbook. If you have questions or would like to view full policies and/or procedures, please contact the school office or school site principal or visit achievecharter.org.

Achieve Charter School
PARENT/GUARDIAN & STUDENT HANDBOOK ACKNOWLEDGMENT

The _____ Family has read and understood the 2025-2026 Achieve Charter School Parent/Guardian & Student Handbook. We will strive to follow all policies and procedures as described therein.

Parent/Guardian Signature

Date