

CORNERSTONE ACADEMY PREPARATORY SCHOOL



STUDENT AND FAMILY HANDBOOK 20143-20154

“COLLEGE PREPARATION BEGINS IN KINDERGARTEN”

**1598 LUCRETIA AVENUE
SAN JOSE, CA 95122
(408) 361-3876**

WWW.CORNERSTONEACADEMYSJ.ORG

***SPANISH/VIETNAMESE TRANSLATION AVAILABLE**

TABLE OF CONTENTS

MISSION.....	3
CORE VALUES.....	3
SCHOOL SCHEDULE.....	3
ATTENDANCE.....	3
ARRIVAL & DISMISSAL POLICY.....	5
LATE PICK-UP POLICY.....	6
HOMEWORK.....	6
INDEPENDENT READING.....	7
STUDENT DISCIPLINE, SUSPENSION AND EXPULSION.....	7
SCHOOL UNIFORMS.....	26
FAMILY INVOLVEMENT POLICY.....	27
PROMOTION TO THE NEXT GRADE.....	29
SCHOOL LUNCH PROGRAM.....	30
STUDENT RECORDS.....	30
PUPIL RECORD CHALLENGES POLICY.....	31
GRADING POLICY.....	32
OTHER INFORMATION AND POLICIES.....	33
Student Belongings.....	33
Lost & Found.....	34
School Supplies.....	34
Classroom Parties.....	34
DIRECTORY INFORMATION.....	34
USE OF ELECTRONIC MAIL ADDRESSES.....	35
HEALTH AND SAFETY POLICIES.....	36
Fingerprinting and Background Checks.....	36
Immunizations/Physical Exams.....	36
Communicable, Contagious, or Infectious Disease Prevention Policy.....	37
Administration of Medications.....	38
First Aid, CPR, and Health Screening.....	39
Exposure Control Plan for Blood Borne Pathogens.....	40
Classroom and School Visitation, Volunteer, and Removal Policy.....	41
INDEPENDENT STUDY POLICY.....	43
HARASSMENT, INTIMIDATION, DISCRIMINATION AND BULLYING POLICY.....	45
COMPLAINT POLICY.....	48
Internal Complaint Policy.....	48
Uniform Complaint Policy.....	50
Complaint Form.....	58
Universal Complaint Procedure Form.....	59
Harassment, Intimidation, Discrimination, and Bullying Complaint Form.....	61

MISSION STATEMENT

Cornerstone Academy Preparatory School (“The School”) prepares scholars in kindergarten through grade six to excel in college preparatory secondary schools and beyond. Cornerstone Academy provides a structured, rigorous education emphasizing literacy and mathematics that lays the foundation for academic success.

CORE VALUES

Academic excellence and a strong character go hand in hand. All students will learn, demonstrate, and embody our five core values: the **PRIDE** values.

- ❖ Personal responsibility
- ❖ Respect
- ❖ Integrity
- ❖ Determination
- ❖ Excellence

The PRIDE values will be integrated into the classroom and school environment, and will help guide our students as they grow into young adults.

SCHOOL SCHEDULE

The School operates from 7:~~00~~¹⁵ a.m. until 4:00 p.m., Monday through Friday. Students are required to arrive at school on time (by 7:45 a.m. at the latest) and to remain in school until dismissal at 4:00 p.m. School is extremely important and good attendance habits that are instilled in our students at an early age can lead to a lifetime of educational and professional success.

ATTENDANCE – GENERAL

Attendance is the first step in ensuring academic achievement. Our curriculum is an ambitious one; every day is essential for students to keep pace. **Regular attendance is required.** Parents and guardians are required to ensure that their children are in school and face strict penalties if they fail to meet these obligations.

EC SECTION 48260 (A): ANY PUPIL SUBJECT TO COMPULSORY FULL-TIME EDUCATION OR COMPULSORY CONTINUATION EDUCATION WHO IS ABSENT FROM SCHOOL WITHOUT A VALID EXCUSE THREE FULL DAYS OR TARDY OR ABSENT MORE THAN ANY 30-MINUTE PERIOD DURING THE SCHOOL DAY WITHOUT A VALID EXCUSE ON THREE OCCASIONS IN ONE SCHOOL YEAR, OR ANY COMBINATION THEREOF, IS A TRUANT AND SHALL BE REPORTED TO THE ATTENDANCE SUPERVISOR OR THE SUPERINTENDENT OF THE SCHOOL DISTRICT.

The School loses approximately \$40 in state funding each day that a student is absent from school! Losing this funding means fewer resources for your child!

Excused Absences: A scholar may be excused legally from school when the absence is due to:

- Personal illness or injury
- Quarantine under the direction of a county or city health officer
- Medical, dental, optometric, or chiropractic services rendered
- Attendance at funeral services for a member of the immediate family (1 day in state, 3 days out of state)
- Exclusion for failure to present evidence of immunization (Ed. Code 48216)
- Exclusion from school because student is either the carrier of a contagious disease or not immunized for a contagious disease (Ed. Code 48213)
- Upon written request of the parent or guardian and approval of the Executive Director or his/her designee and pursuant to board policy, a scholar's personal justifiable absence may be excused. Reasons include, but are not limited to:
 - Appearance in court
 - Observation of a holiday or ceremony of his/her religion
 - Attendance at religious retreats not to exceed four (4) hours per semester
 - Attendance at funeral services (for other than the immediate family)

Unexcused Absences: Unexcused absences are recorded for those absences not meeting the criteria for an "excused" absence as listed above including, but not limited to, personal family vacations, an unjustifiable and/or unverified student absence, or any other absence deemed "unexcused" by the School's administrative team or Executive Director. **Note that excessive unexcused absences (more than 10% of school days) will place your scholar at risk for not being promoted to the next grade.**

Verifying Absences: The School will keep records of all student absences. **Parents are required to contact the school to verify their scholar's absence.** A phone call, voice mail, or email verification is acceptable. Please call (408) 361-3876 or email the office staff at lnghuyen@cornerstoneacademysj.org.

If the School does not receive notification from the parent, the School's staff will make reasonable efforts to contact the scholar's parent(s) or guardian(s) by telephone, writing, or in person. Other methods to verify absences include:

- Notes received from parent, guardian, or their representative
- Absence verification forms from a licensed medical professional
- Visit to the scholar's home by the verifying school employee or authorized representative
- Any other reasonable method that establishes the fact of the scholar's absence. This may include information gained from others judged to be reliable.

Appointments: Medical appointments should be made after school hours. The best times are after 4:00PM on weekdays and after 1:00PM on minimum Wednesdays. If a scholar does have a medical appointment during the school day, they should not miss the entire day.

Early Dismissal: Scholars are expected to stay in school until the very end of the day. Early pickups are disruptive to the learning environment and problematic for our teachers. **No early pick-ups will be permitted 30 minutes prior to dismissal without prior approval from the School staff. Scholars who are frequently picked up early are subject to being considered truant.**

Excessive Absences: In a given school year, if a scholar has 3 unexcused absences or is tardy or absent for more than any 30 minute period during the school day without a valid excuse, they are considered truant. The School will work with families to find solutions to excessive absenteeism and tardiness. However, if there is no change in behavior, the School will file the appropriate reports with the Santa Clara County District Attorney's Office.

Excessive Late Arrivals: In a given school year, if a scholar has excessive late arrivals (10% of total number of school days), he or she will be subject to consequences, including losing field trip privileges, exclusion from special events that occur during the regular school day, and other activities or events that occur during the regular school day, as deemed appropriate by administration.

ARRIVAL & DISMISSAL POLICY

Arrival

- ❖ The School officially opens to students at 7:~~1500~~ a.m. each day.
- ❖ Unless students and families have made an appointment with individual teachers or other staff before hand, students and families must remain outside the building.
- ❖ Students having breakfast on campus are required to report at 7:~~1500~~ a.m. so that they may be escorted to the cafeteria. Students not having breakfast at the school ~~must~~should arrive at 7:35 a.m. and report to their classroom.
- ❖ Students are expected to respect all school property and all surrounding property while waiting for admittance into the school.

Dismissal

- ❖ The school day officially ends at 4:00 p.m. Supervision will not be available past 4:20 p.m. Grades 3-5 and siblings are dismissed from the back gate. Grades K-2 (without siblings) are dismissed from the front gates.

- ❖ Families are responsible for picking up students at the front entrance to the School on time.
- ❖ No student will be allowed to leave the School without an adult escort [or parent/guardian permission](#).
- ❖ No student will be allowed to leave the School with an adult who is not his legal guardian unless the guardian has specified the adult as an authorized individual on the authorization form. This form must be submitted to the [Operations Managerfront office](#).
- ❖ Families MUST submit a release form (provided in August) listing the names and information for any individuals, besides parent(s) / guardian(s), who regularly are authorized to pick up their children.

LATE PICK-UP POLICY

The School is open to students at 7:~~1500~~ a.m. and closes promptly when students are released at 4:00 p.m. All students must be picked up no later than 4:~~1500~~ p.m.

Please pick-up your child on time or to arrange for an alternate person to pick them up in case of weather, traffic, personal or work-related event, or other emergency. Late pick-ups will not be tolerated for any reason. **The School does not run an after school/day care program, and does not have staff available after 4:~~1500~~ p.m. to care for your child.** Staff time is valuable, and you may be subject to consequences for failing to timely pick up your child.

A late pick-up is defined as any time you arrive at the school after 4:~~1520~~ p.m. The following consequences will apply:

- ❖ After the first late pick-up, you will receive a verbal and written warning.
- ❖ Each subsequent late pick-up will result in a written warning.
- ❖ Any time there is a late pick-up, the School may consider your child abandoned and call the local police department and/or the Department of Social Services/Child Protective Services to arrange pick-up for your child.
- ❖ **After four (4) late pick-ups have occurred, the School may contact the local police department and/or the Department of Social Services/Child Protective Services to report child neglect. [Written warnings will be submitted to authorities as evidence of child neglect.](#)**

HOMework

Homework is an essential part of the School's educational program: it is designed to reinforce skills taught in the classroom, to help students develop a deeper understanding of concepts, and to promote good study habits. Homework will be assigned EVERY night except during the state testing window. This means that families must help students with their homework in ways that include reading instructions out loud to younger students, creating routines at home for students to follow each day, and providing a quiet, organized place to work.

Homework includes **20-30 minutes of required reading every night (including weekends and holidays), for which a parent's / guardian's signature is required on the reading log.** Homework must be completed in full and in accordance with the School's high standards.

~~All students are provided with Homework Folders that include a nightly Reading Log. Homework Folders are designed to teach students essential organizational skills.~~ **The Reading Logs must be filled out properly with a parent's / guardian's signature, and all assigned homework must be completed and in the folder.** All homework must be neat, clean, and thorough. Homework ~~folders~~ binders are turned in to teachers each morning as soon as students arrive at school.

If the homework is late, missing, incomplete, or of poor quality, or if the Reading Log is not signed or completed properly, then the student may face in-school consequences such as loss of recess, loss of privileges (field trips, special events etc.). Parent(s) / guardian(s) will receive a phone call if their child has missed several assignments. We expect and need family support to make sure all the homework gets done according to top quality standards.

INDEPENDENT READING

Supporting your child's independent reading at home is the #1 way to help him or her improve the speed, accuracy, vocabulary, and comprehension of his or her reading. Although students have reading time during school, they must read at home every night and weekend and during any vacations from school. Parent(s) / guardian(s) should make sure to supervise their child in reading for 20-30 minutes every night and every day on the weekends. Please do not sign your child's independent reading log if you have not actually seen him or her read.

STUDENT DISCIPLINE, SUSPENSION & EXPULSION

Our teachers and administrators will use a large array of strategies to promote positive behavior and to correct problem behaviors. The staff uses positive reinforcement whenever possible, doing their best to "catch students doing the RIGHT thing." We recognize and celebrate student successes at every opportunity. We also use consequences and a problem-solving approach to help students fix behavior problems. Students may lose privileges (choice time, trips, etc.) when they violate the rules.

Our administrative team will work closely with teachers, families, and students to help them learn and grow and has the authority to decide on the appropriate consequences for student behavior. The administrative team may solicit parent / guardian input in certain situations, but they retain all decision-making authority.

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at the School. In creating this policy, the School has reviewed Education Code Section 48900 *et seq.* which describes the noncharter 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 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 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. School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of 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 School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedures are available on request at the Executive Director's office.

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

A student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The School will follow all applicable 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 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 at the School or at any other school or a School sponsored event at anytime including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

B. Progressive Discipline

The School believes in progressive discipline as a means to ensuring due process, intervention, and fairness to the disciplinary process. However, the School is committed first and foremost to the health and safety of our students and staff; and second to creating the strongest possible learning and teaching environment free from the distractions of poor student behavior. Accordingly, the following progressive discipline steps **SHALL NOT** preclude the immediate suspension and/or recommendation for expulsion of any student for any of the enumerated offenses listed below in Section C in accordance with the procedures outlined below. In addition, the following progressive discipline steps shall not preclude the initiation of alternative discipline/warning activities with a student and his/her parent(s) or guardian(s) upon the discretion of the Executive Director or designee.

1. Each teacher shall implement a school-wide classroom behavior strategy that is developed by the teachers, and explained to students and parents verbally and in writing and implemented consistently amongst all students unless otherwise dictated by Section 504 Accommodation Plan or Individualized Education Plan. Teachers shall facilitate the translation of the behavior strategy into a pupil or parent's primary language if in the teacher's professional judgment the translation is necessary for a parent or student's full understanding and support of the behavior strategy.
2. Each classroom behavior strategy shall specifically allow for the referral of a student to the ~~Executive Director~~Dean of School Culture (DOSC) for any of the enumerated offenses listed below in Section C.
3. Upon the 1st referral in one school year of a student to the ~~Executive Director~~DOSC:
 - a. A referral form shall be completed by the teacher with a copy for the student's file and a copy to be sent home to the parent/ guardian. This notice shall be followed by telephonic notice by the ~~Executive Director~~DOSC to the parent or guardian. If the parent is unreachable after one attempt at the number given by the parent/guardian on registration forms, the ~~Executive Director~~DOSC shall make a reasonable effort to leave a telephone message notifying the parent/guardian of the offense(s) committed by the student which resulted in the referral.

- b. A student may be sent home for the day depending on the severity of the offense. The suspension shall be in accordance with the procedures described in Section D1 below.
4. Upon the 2nd referral in one school year of a student to the ~~Executive Director~~DOSC:
- a. A referral form shall be completed by the teacher with a copy for the student's file and a copy to be sent home to the parent /guardian. This notice shall be followed by telephonic notice by the ~~Executive Director~~DOSC to the parent or guardian. If the parent is unreachable after one attempt at the number given by the parent/guardian on registration forms, the ~~Executive Director~~DOSC shall make a reasonable effort to leave a telephone message notifying the parent/guardian of the offense(s) committed by the student which resulted in the referral.
 - b. A conference will be held with the student, the parent / guardian, the classroom teachers, and the administrative team in order to implement a behavior plan. At this conference, a follow-up date will be set to assess the progress of the student's behavior plan.
 - c. A student may be sent home for the day depending on the severity of the offense. The suspension shall be in accordance with the procedures described in Section D1 below.
5. Upon the 3rd referral of a student in one school year to the ~~Executive Director~~DOSC:
- a. A referral form shall be completed by the teacher with a copy for the student's file and a copy to be sent home to the parent(s) or guardian(s). This notice shall be followed by telephonic notice by the ~~Executive Director~~DOSC to the parent or guardian. If the parent is unreachable after one attempt at the number given by the parent/guardian on registration forms, the ~~Executive Director~~DOSC shall make a reasonable effort to leave a telephone message notifying the parent/guardian of the offense(s) committed by the student which resulted in the referral.
 - b. The student may be suspended for 1-3 days with the amount determined by the discretion of the ~~Executive Director~~DOSC taking into consideration the severity of the offense and the student's behavior history. The suspension shall be in accordance with the procedures described in Section D1 below.
6. Upon the 4th referral of a student in one school year to the ~~Executive Director~~DOSC:

- a. A referral form shall be completed by the teacher with a copy for the student's file and a copy to be sent home to the parent(s) or guardian(s). This notice shall be followed by telephonic notice by the ~~Executive Director~~DOOSC to the parent or guardian. If the parent is unreachable after one attempt at the number given by the parent/guardian on registration forms, the ~~Executive Director~~DOOSC shall make a reasonable effort to leave a telephone message notifying the parent/guardian of the offense(s) committed by the student which resulted in the referral.
 - b. The student may be suspended for 3-5 days with the amount determined by the discretion of the ~~Executive Director~~DOOSC taking into consideration the severity of the offense and the student's behavior history. The suspension shall be in accordance with the procedures described in Section D1 below.
7. Upon the 5th referral of a student in one school year to the ~~Executive Director~~DOOSC:
- a. A referral form shall be completed by the teacher with a copy for the student's file and a copy to be sent home to the parent(s) or guardian(s). This notice shall be followed by telephonic notice by the ~~Executive Director~~DOOSC to the parent or guardian. If the parent is unreachable after one attempt at the number given by the parent/guardian on registration forms, the ~~Executive Director~~DOOSC shall make a reasonable effort to leave a telephone message notifying the parent/guardian of the offense(s) committed by the student which resulted in the referral.
 - b. The student may be suspended for up to 5 days. The suspension shall be in accordance with the procedures described in Section D1 below.
 - c. Automatic recommendation ~~to~~by the Executive Director of the student for expulsion in accordance with the authority granted and the process outlined in Sections E-O below. Upon such a recommendation 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. This determination will be made by the Executive Director 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. All results will be documented Infinite Campus.

C. 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 of violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 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.
 - g) Stole or attempted to steal school property or private property.
 - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
 - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
 - k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
 - l) Knowingly received stolen school property or private property.
 - m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) 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.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) 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.
- r) Made terrorist threats against school officials and/or school property. 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, or the personal property of the person threatened or his or her immediate family.
- s) 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.
- t) Caused, attempted to cause, threaten 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.

- u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) 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 transmission 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, 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. 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.
 - w. 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).
 - x. 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 Executive Director or designee's concurrence.
2. Non- Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:
- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
3. Discretionary Expellable Offenses: Students may be expelled 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 of violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, sold 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.
- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) 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.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) 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.

- r) Made terrorist threats against school officials and/or school property. 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, or the personal property of the person threatened or his or her immediate family.
- s) 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.
- t) Caused, attempted to cause, threaten 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.
- u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act
 - 3) “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:
 - v. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.

- vi. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - vii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - viii. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 4) “Electronic Act” means the transmission 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, 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. 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.
- w) 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).
- x) 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 Executive Director or designee’s concurrence.

4. Non-Discretionary Expellable Offenses: Students must be expelled 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 students had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

If it is determined by the Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994.

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.

D. 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 Executive Director or the Executive Director'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 Executive Director or designee.

The conference may be omitted if the Executive Director or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or 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. This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, 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 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 School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of Expulsion by the Executive Director or Executive Director's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Executive Director or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

E. Authority to Expel

A student may be expelled either by the School Board of Directors following a hearing before it or by the School Board of Directors upon the recommendation of an Administrative Panel to be assigned by the Board of Directors as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a Board member of the School's governing board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

F. Expulsion Procedures

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

In the event an administrative panel hears the case, it will make a recommendation to the Board of Directors 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 three (3) days prior to the hearing.

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

- 1) The date and place of the expulsion hearing;
- 2) A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
- 3) A copy of the 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 or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
- 6) The right to inspect and obtain copies of all documents to be used at the hearing;
- 7) The opportunity to confront and question all witnesses who testify at the hearing;
- 8) The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

The 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 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 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 person or panel conducting the 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 person 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 person 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 person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person 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 School must present evidence that the witness' presence is both desired by the witness and will be helpful to the School. The person 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 the 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.

H. 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.

I. 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 of Directors, Panel or designee 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 of fact 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 of Directors is final.

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

J. Written Notice to Expel

The Executive Director or designee following a decision of the Board of Directors to expel shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: Notice of the specific offense committed by the student; and 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 School.

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

K. Disciplinary Records

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

L. No Right to Appeal

The pupil shall have no right of appeal from expulsion from the School as the School Board of Director’s decision to expel shall be final.

M. Expelled Pupils/Alternative Education

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 School shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

N. Rehabilitation Plans

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

O. 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 Executive Director or designee and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Executive Director or designee shall make a recommendation to the Board of Directors following the meeting regarding his or her determination. The pupil’s readmission is also contingent upon the School’s capacity at the time the student seeks readmission.

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

(b) Notification of District

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

(c) Services During Suspension

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

education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment or functional analysis, 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.

(d) 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 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 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 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 or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that the 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 School agree to a change of placement as part of the modification of the behavioral intervention plan.

If the 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 result of the failure to implement the IEP/504 Plan, then the 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.

(e) Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the 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 School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and the School agree otherwise.

(f) Special Circumstances

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

The Executive Director or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) 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.

(g) Interim Alternative Educational Setting

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

(h) 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 School's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the School had knowledge that the student was disabled before the behavior occurred.

The 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 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 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 School supervisory personnel.

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

The School shall not be deemed to have knowledge of 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.

SCHOOL UNIFORMS

All students must wear the School's uniform every day. If a student arrives out of uniform, a parent / guardian will be called and asked to bring in a uniform before the student is sent to class. Students may not change out of their uniform at any point during the school day. Students must wear uniforms on all school field trips. **There are no free dress days.**

Cornerstone Academy Uniform

- ❖ **Shirt:** Burgundy polo shirt with school logo, [long sleeve shirt with school logo, or special event t-shirts provided by the school](#)
- ❖ **Pants/Bottoms:** Tan khaki [pants, shorts, jumpers, or skirts no shorter than 3 inches above the knees](#) (no jeans, no extra zippers, no embellishments, and no overalls).
- ❖ **Belt:** Solid brown or black belt if needed.
- ❖ **Footwear:** Comfortable sneakers (no wheels, heels, or open-toed shoes)

- ❖ **Optional:** Burgundy Cornerstone ~~s~~Sweatshirt [or sweater](#)

Additional Information

- ❖ During colder months, scholars may wear white, black, [burgundy](#), or grey undershirts and/or tights.
- ❖ Only the top button may be undone on shirts and blouses. All shirts must be tucked in at all times.
- ❖ Clothing must fit appropriately. Excessively baggy pants, shirts, etc. are not allowed.
- ❖ We would prefer it if **students did not wear jewelry**. Large earrings, multiple chains or rings, and lots of bracelets distract from the uniform and the educational environment. In addition, such items can get lost or stolen. Students may wear only one chain or necklace, and it must be tucked neatly under their uniform shirt. If a student wears jewelry that becomes a distraction to ~~one's~~[his or herself](#) or to others, then the student will be asked to remove it.
- ❖ Students must remove all hats, head-wraps, bandanas, kerchiefs, and other head-coverings upon entering the building unless it is worn in accordance with a religious observation. Small clips or bands for hair are permitted.
- ❖ Students may not wear jackets inside the school building. If you are worried about your student being cold inside the building, he or she should wear a uniform sweatshirt [or an approved undershirt](#).
- ~~❖—Students must maintain a neat [and clean](#) appearance at all times. [The school is required to report any instances of possible child neglect to Child Protective Services. Shoelaces must be tied at all times.](#)~~
- ❖ Make-up is a distraction to the educational environment and is strictly not allowed (lipstick, etc.).

Whenever any element of physical appearance or grooming—even if it is allowable under the school’s current rules—becomes a distraction to one’s self or to others, it is no longer acceptable and steps will be taken to remove the distraction.

FAMILY INVOLVEMENT POLICY

The School requires families to be partners in the education of their children. The important task of educating a child calls for the School, the student, and the family to all work together to ensure

success. We encourage families to participate actively in their children's education. We strive to cultivate positive and productive relationships with all of our families.

The School recommends and encourages 15 volunteer hours from each family. Families that meet or exceed this goal will receive first priority on chaperoning school field trips and other privileges as determined by the school. Families may earn hours by:

- ❖ Attending Parents' Association meetings
- ❖ Attending parent trainings given by the school
- ❖ Attending parent/teacher conferences
- ❖ Participating in school event set-up, execution, and clean-up (Jog-a-thon, Family Literacy Night, Movie Night, Campus Cleanup, End of Year BBQ, Field Day)
- ❖ Assisting with morning/afternoon traffic duty
- ❖ Assisting teachers with classroom setup/cleanup or project preparation
- ❖ Assisting teachers with classroom presentations
- ❖ Serving as the Homeroom Parent
- ❖ Assisting office staff with paperwork
- ❖ Ensuring scholars have perfect attendance in a given trimester
- ❖ Ensuring scholars have perfect Homework/Reading Log completion in a given trimester
- ❖ Donating school supplies or snacks to the classroom
- ❖ Volunteering in the school library
- ❖ Volunteering in the classroom (background check required)
- ❖ Assisting school staff with recess duty (background check required)

Cornerstone Academy's families are asked to:

- ❖ ~~Reinforce the School's academic and behavioral standards at home~~
- ❖ ~~Establish a daily routine for students~~
- ❖ ~~Provide a quiet space for students to study~~
- ❖ ~~Provide positive reinforcement of student progress and success~~
- ❖ ~~Discuss academics and student work among family members~~
- ❖ ~~Help students with homework~~
- ❖ ~~Ensure that students complete all of their homework every night~~
- ❖ ~~Assist with student recruitment~~
- ❖ ~~Support other Cornerstone Academy families~~

Family Involvement Opportunities

- ❖ ~~Conferences with students, families, and teachers~~
- ❖ ~~Parents' Association meetings and events~~
- ❖ ~~Community wide events, celebrations, and performances~~
- ❖ ~~Daily Behavior Logs~~
- ❖ ~~Classroom volunteering (provided background check clears)~~
- ❖ ~~Office volunteering~~

Parents' Association

- ❖ ~~Provides families with concrete actions which will help them help students achieve~~
- ❖ ~~Allows families to connect with and support each other~~
- ❖ ~~Supports the school in reaching its goals~~
- ❖ ~~Connects families to volunteer opportunities at the school~~
- ❖ ~~Develops and implements special programs for families~~
- ❖ ~~Sponsors events for the entire school community~~
- ❖ ~~Helps raise money for the school~~
- ❖ ~~Works with the School's teachers and administrators to examine students' academic and social progress and discuss initiatives to improve student outcomes~~

Communication:

Our partnership with parents is dependent on frequent, detailed communication about student achievement and behavior. We will communicate with parents in the following ways:

- ❖ **Daily Behavior Reports:** ~~Every day, your~~ **Your** child will regularly bring home a ~~daily~~ behavior report from the school communicating details about their behavior ~~for the day~~. A parent / guardian must sign their child's behavior report to let us know that you have received this important information.
- ❖ **Teacher/Family Communication:** Teachers are expected to communicate with all parents / guardians regularly, either through personal written communication, e-mail, phone calls, or scheduled meetings. Parents should expect a response time of 24-48 hours during the school week.

- ❖ **Visits** – Parents are welcome to schedule a classroom visit with the approval of the Executive Director or Academic Director. To arrange a visit to the school, please see the section on *School Visitor Policy*.

We encourage parents to communicate their needs and concerns with the school. If families have a concern about a school policy, an academic grade, a discipline decision, or anything else, we ask that they take some time to reflect on it and then contact the school. We welcome the conversation. We understand that families have very strong feelings about issues concerning their children. We ask only that any issues with the school be dealt with patiently and respectfully. We promise to treat all family concerns with respect.

PROMOTION TO THE NEXT GRADE

Students must earn promotion by demonstrating mastery of the essential knowledge and skills. Students may not be promoted if they are performing significantly below grade-level standards. Promotion decisions will be based on a student's grades, standardized test scores, attendance, homework completion record, and other measures with input from the classroom teachers, parents, and administration. Final promotion decisions are made by the school.

SCHOOL LUNCH PROGRAM

Both breakfast and lunch will be available at the School. All families who feel they may qualify will need to complete a form that enables the school to participate in the free or reduced-price meal program. [For families that do not qualify for free or reduced price lunch, Cornerstone Academy will charge the same price for meals as the Franklin McKinley School District.](#)

~~Families who do not qualify for free or reduced price meals pay \$2.00 for breakfast and \$3.00 for lunch. Families qualifying for reduced price meals pay \$.30 for breakfast and \$.40 for lunch.~~ Please see the Operations Manager to set up a lunch account for your child.

Families may send lunch to school; however, students will not have access to a refrigerator or microwave. If you are sending lunch to school with your child, we ask that you send in nutritious foods. **Please do not let your child bring unhealthy drinks (e.g., sodas or juices heavy in sugar) or unhealthy snacks to school. Candy, gum, and soda are not allowed to be eaten at school. If you choose to send lunch, the entire lunch must be in one bag or container that has the student's name on it.**

If the student forgets lunch at home or it must be dropped off, please leave the lunch at the main office before 11:00 a.m. We will ensure that the lunch is taken to the cafeteria.

STUDENT RECORDS

The School's administrative team is in charge of student records. If parents / guardians would like to examine a child's record, the parents / guardians should submit a request in writing to the Executive Director. The School will make the records available within five business days of receipt of a written request.

Confidential Student Information: The School must have a signed and dated written permission from the parent or before releasing any information from a student's education record except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. In addition, 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.

Directory Information: The Family Educational Rights and Privacy Act ("FERPA"), a Federal law, requires that the School, with certain exceptions, obtain a parent/guardian written consent prior to the disclosure of personally identifiable information from your child's education records. However, the School may disclose appropriately designated "directory information" without written consent, unless a parent/guardian has advised the School to the contrary in accordance with this policy.

"Directory information" is information that is generally not considered harmful or an invasion of privacy if released. Directory information can be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. The School has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Dates of attendance

- Grade level

If you do not want the School to disclose directory information from your child's education records without your prior written consent, you must notify the School in writing at the time of enrollment or re-enrollment. Please notify the Executive Director at:

CORNERSTONE ACADEMY PREPARATORY SCHOOL
1598 LUCRETIA AVENUE
SAN JOSE, CA 95122
(408) 361-3876

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.

PUPIL RECORD CHALLENGES POLICY

The parent of a pupil or former pupil may challenge the content of their child's pupil record to correct or remove any information recorded in the written records concerning his or her child which the parent alleges to be any of the following:

- 1) Inaccurate
- 2) An unsubstantiated personal conclusion or inference
- 3) A conclusion or inference outside of the observer's area of competence
- 4) Not based on the personal observation of a named person with the time and place of the observation noted
- 5) Misleading
- 6) In violation of the privacy or other rights of the pupil

A parent may use a pupil record challenge to appeal a suspension of a pupil which has already been served.

To challenge a pupil record, a parent must file a written request with the Executive Director to correct or remove any information recorded in the written records concerning his or her child.

Within 30 days of receipt of a written request from a parent, the Executive Director or the Executive Director's designee must meet with the parent or eligible student and the certificated employee who recorded the information in question, if any. The Executive Director must then sustain or deny the parent or eligible student's request and provide a written statement of the decision to the parent or eligible student.

If the Executive Director sustains any or all of the allegations, he or she must order the correction or the removal and destruction of the information. The Executive Director or Executive Director's designee must then inform the parent or eligible student of the amendment in writing. However, the Executive Director shall not order a pupil's grade to be changed, unless the teacher who determined the grade is, to the extent practicable, given an opportunity to state orally, in

writing, or both, the reasons for which the grade was given and is, to the extent practicable, included in all discussions relating to the changing of the grade.

If the Executive Director denies any or all of the allegations and refuses to order the correction or the removal of the information, the Executive Director must inform the parent or eligible student of their right to a hearing under FERPA.

The parent or eligible student may, within 30 days of the refusal, appeal the decision in writing to the Board of Directors. Within 30 days of receipt of a written appeal from a parent, the Board of Directors will hold a formal hearing, in closed session, with the parent, eligible student and the certificated employee who recorded the information in question, if any, and determine whether or not to sustain or deny the allegations. The Board of Directors will give the parent or eligible student notice of the date, time, and place, reasonably in advance of the hearing. The Board of Directors will give the parent or eligible student a full and fair opportunity to present evidence relevant to the requested amendment of pupil records. The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of their choice, including an attorney.

The Board of Directors will inform the parent or eligible student of its decision in writing within a reasonable period of time. The Board of Directors' decision will be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision. If the Board of Directors sustains any or all of the allegations, it must order the correction or the removal and destruction of the information. However, the Board of Directors shall not order a pupil's grade to be changed unless the teacher who determined the grade is, to the extent practicable, given an opportunity to state orally, in writing or both the reasons for which the grade was given and is, to the extent practicable included in all discussions relating to the changing of the grade.

The decision of the Board of Directors shall be final.

The Executive Director or the Board Chairman may convene a hearing panel to assist in making determinations regarding pupil record challenges provided that the parent has given written consent to release information from the pupil's records to the members of the panel convened. The hearing panel shall consist of the following persons:

- 1) The Executive Director of a public school other than the public school at which the record is on file
- 2) A certificated employee
- 3) A parent appointed by the Executive Director or by the Board of Directors, depending upon who convenes the panel.

If the final decision of the Board of Directors is unfavorable to the parent, or if the parent accepts an unfavorable decision by the Executive Director, the parent or eligible student shall be informed of their right to submit a written statement of objections to the pupil record information. This statement shall become a part of the pupil's school record and shall be maintained for as long as the record is maintained.

Grading Policy

Formal grades will be issued at the end of each academic trimester. Conferences to discuss student progress will be held with every family upon request. Interim progress reports will be issued regularly to keep parents informed and involved in their children's academic progress.

Academic grades will be based on mastery of the ~~California content~~ [Common Core Standards](#). Grading policies will be consistent across all classes within each grade level (i.e. all fifth grade classes will share a common grading policy that may differ from the grading policy for fourth grade). Grading policies must be approved by the Academic Director. Grading policies will be shared with students and their families at the beginning of each academic year.

In kindergarten and first grade, mastery of ~~California Content~~ [Common Core Standards](#) will be measured using spiraling, cumulative assessments. The results of each assessment will supersede the results of the results of prior assessments. Therefore, in these grades, grade reports will be a "snapshot" of the students' understanding and ability at the time of the most recent assessment.

In second grade through sixth grade, grades will be determined by averaging student performance on class work, homework, assessments, and any other student measures determined by teachers and approved by the Academic Director. In these grades, grade reports will be a summary of the students' performance over the course of the reporting period.

Exceptions to this grade promotion policy may be made for students who have a formal IEP. To the extent an exception exists, it will be written into the IEP during an IEP team meeting.

The purpose of the School's grading policy is to effectively track student progress and to communicate it to parents. In the event that we discover a more efficient and effective grading system, we may adjust our grading policy. Any changes in the grading policy will be communicated to the parents and guardians.

OTHER INFORMATION AND POLICIES

Student Belongings

Students may not bring any items to school that may potentially disrupt the learning environment. Items including, but not limited to, game cards (Yugio Cards, Pokemon Cards, etc.), trading cards (baseball cards, football cards, etc.), portable electronic games, toys, portable electronic devices, silly bands, and cell phones are not allowed in school. Students who violate this rule will have their item(s) confiscated until the item(s) is picked up by a parent / guardian, and may be subject to additional consequences. Repeated violations of this policy may result in indefinite confiscation

irrespective of any costs or fees students and/or their families may incur as a result. The School will not be liable for any damage to such items.

Lost and Found

The School will keep a small Lost and Found box near the main office. Parents / guardians may come in any day between 7:15 A.M. and 4:00 P.M. to search the Lost and Found. At the end of every trimester, items left in the box may be donated to a local charity.

Classroom Parties, Birthdays, and Other Events

Parents are permitted to bring in a class snack for their child's birthday with the consent of the classroom teacher. Please discuss your plans with your child's teacher **at least 72 hours** prior. Celebrations should occur in the last hour of school, and are ~~highly discouraged~~ not permitted on Fridays as we hold Town Hall Meetings each Friday afternoon.

USE OF ELECTRONIC MAIL ADDRESSES

The School may gather electronic mail ("email") addresses from parents/guardians for use by the School and the School's Parents' Association for purposes of notifying parents/guardians of pertinent School information. The provision of an email address by a parent/guardian to the School is optional.

The School and the Board Chairman will have access to email addresses gathered from parents/guardians for purposes of communicating official School business only. School-wide email communication will be executed in a manner which prevents recipients from viewing the email addresses of other parent/guardian recipients.

The School will provide email addresses to the President of the Parents' Association for use by the Parents' Association. The Parents' Association may only use email addresses gathered from parents/guardians for official Parents' Association business and in accordance with Parent Associations' policies and procedures and in a manner which prevents recipients from viewing the email addresses of other parent/guardian recipients.

A parent/guardian who does not wish to have their email address shared with the School and/or the Parents' Association can either a) choose not to provide an email address to the School (at risk of not receiving School-wide communication via email); or b) notify the School in writing of the parent /guardian's objection at any time during a school year.

If a parent/guardian receives a communication that they believe is contrary to this policy, the parent/guardian may report the email to the Executive Director for investigation and resolution. The Executive Director shall report the results of any such investigation to the Board of

Directors who may reopen the investigation if the Board does not believe the matter was appropriately resolved.

This policy is not intended to and should not prevent free communication amongst parents/guardians or School employees who have willingly provided one another with email addresses. The School encourages parent/guardians who have received email communication with which they feel uncomfortable or which they find objectionable to communicate directly to the sender for resolution.

This policy shall not impact parent rights as provided under the policy regarding Directory Information.

HEALTH AND SAFETY

Fingerprinting and Background Checks

Fingerprinting

The School shall fingerprint and background check school volunteers who volunteer with students outside of the direct supervision of a School employee, prior to volunteering at the School. For these volunteers, fingerprinting and Criminal Records Summaries will be required annually, at the beginning of each school year.

Procedures for Background Checks

The Executive Director or designee shall review Department of Justice reports on prospective employees, contractors, and volunteers to determine whether an employee may be employed in accordance with Education Code Section 44237, 44830.1 or 45125.1, except with respect to her or himself, in which case the Chairman of the Board of Directors will review. The Executive Director or designee shall monitor compliance with this policy and report to the School's Board of Directors on a quarterly basis.

Immunizations

Applicability

This policy applies to all applicants to the School and School administrators in charge of admissions.

Immunizations

The School will adhere to all law related to legally required immunizations for entering students pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075.

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

- a) Diphtheria.
- b) Measles.
- c) Mumps, except for children who have reached the age of seven years.
- d) Pertussis (whooping cough), except for children who have reached the age of seven years. Beginning July 1, 2011, all rising and enrolled students in grades 7-12 must be immunized with a pertussis vaccine booster called Tetanus Toxoid, Reduced Diphtheria Toxoid and Acellular Pertussis (Tdap). Beginning July 1, 2012, this requirement will only apply to rising 7th graders.
- e) Poliomyelitis.
- f) Rubella.
- g) Tetanus.
- h) Hepatitis B.
- i) Varicella (chickenpox), (persons already admitted into California public or private schools at the Kindergarten level or above before July 1, 2001, shall be exempt from the Varicella immunization requirement for school entry).

The School's verification of immunizations will be completed with written medical records from the child's doctor or immunization clinic.

Exceptions are allowed under the following conditions:

- a) The parent provides a signed doctor's statement verifying that the child is to be exempted from immunizations for medical reasons. This statement must contain a statement identifying the specific nature and probable duration of the medical condition.
- b) A parent may request exemption of their child from immunization for personal beliefs.
- c) Pupils who fail to complete the series of required immunizations within the specified time allowed under the law will be denied enrollment until the series has been completed.

Any child leaving the United States for a short vacation to or long stay in any country considered by the Center of Disease Control and Prevention (“CDC”) to have increased risk of TB exposure (such as Mexico, the Philippines, India or Southeast Asia) MUST contact the County Tuberculosis Clinic for a TB Screening upon return.

Communicable, Contagious, or Infectious Disease Prevention Policy

The School recognizes its shared responsibility with the home and the community to promote appropriate disease prevention procedures in the handling and the cleaning up of blood and body fluids.

The School’s Board of Directors desires to protect the entire school community without segregation, discrimination or stigma. Accordingly, infectious disease prevention shall be taught regardless of whether a student or adult is known to have an identified infectious disease.

All students and employees shall be provided appropriate periodic instruction in basic procedures recommended by the State Department of Education and other public health agencies and associations.

Incidence and transmission of communicable diseases will be further limited through a rigorous program of immunization and health screening required of all students, faculty, and staff. (See Immunizations Policy.) Students found to have communicable diseases will be included in all activities deemed by a physician to present no hazard of infection to other students.

Injuries and Accidents

Whenever exposed to blood or other body fluids through injury or accident, students and staff should follow the latest medical protocol for disinfecting procedures. (See “Exposure Control Plan for Blood Borne Pathogens” Policy.)

Administration of Medications

The School staff is responsible for overseeing the administration of medication to students attending the School during regular school hours. It is imperative that practices followed in the administration of medication be carefully delineated to ensure the safety of our students and the legal protection of our employees. Any pupil who is required to take, during the regular schoolday, medication prescribed for him or her by a physician or surgeon may be assisted by designated school personnel or may carry and self-administer prescription auto-injectable epinephrine if the School receives the appropriate written statements.

In order for a pupil to carry and self-administer prescription auto-injectable epinephrine, the School shall obtain both a written statement from the physician or surgeon detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the pupil is able to self-administer auto-injectable epinephrine, and a written

statement from the parent, foster parent, or guardian of the pupil consenting to the self-administration, providing a release for the designated school personnel to consult with the health care provider of the pupil regarding any questions that may arise with regard to the medication, and releasing the School and school personnel from civil liability if the self-administering pupil suffers an adverse reaction as a result of self-administering medication.

In order for a pupil to be assisted by designated school personnel, the School shall obtain both a written statement from the physician detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken and a written statement from the parent, foster parent, or guardian of the pupil indicating the desire that the School assist the pupil in the matters set forth in the statement of the physician.

Guidelines:

- The primary responsibility for the administration of medication rests with the parent/guardian, student and medical professional.
- Medication shall be administered only during school hours if determined by a physician to be necessary.
- Designated staff shall keep records of medication administered at the School.
- All medication will be kept in a secure and appropriate storage location and administered per physician's instructions by appropriately designated staff.
- Designated staff shall return all surplus medication to the parent/guardian upon completion of the regimen or prior to extended holidays.
- Designated staff shall establish emergency procedures for specific medical conditions that require an immediate response (i.e. allergies, asthma, diabetes).
- The written statements specified in this policy shall be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes.
- A pupil may be subject to disciplinary action if that pupil uses auto-injectable epinephrine in a manner other than as prescribed.

First Aid, CPR, and Health Screening

The School recognizes the importance of taking appropriate preventive or remedial measures to minimize accidents or illness at the School or during school-sponsored activities. To this end, the School expects parents/guardians to provide emergency information and to keep such information current in order to facilitate immediate contact with parents/guardians if an accident or illness occurs.

Within the School's facilities, a First Aid Kit containing appropriate supplies will be present. First aid will be administered whenever necessary by trained staff members. When necessary, the appropriate emergency personnel will be called to assist.

All teachers are to be certified in adult and pediatric CPR and First Aid and are to be recertified prior to expiration of certificates. Opportunities for adult and pediatric CPR and First Aid training will be offered to all support staff and volunteers.

The School and its officers and employees shall not be held liable for the reasonable treatment of a child without the consent of a parent or guardian when the child is ill or injured during regular school hours or at a school-related activity, requires reasonable medical treatment, and the parent or guardian cannot be reached, unless the parent or guardian has previously filed with the School a written objection to any medical treatment other than first aid.

Vision, Hearing and Scoliosis Screening

The School shall screen for vision, hearing and scoliosis as required by Education Code Section 49450, *et seq.*, per appropriate grade levels.

Head Lice

To prevent the spread of head lice infestations, School employees shall report all suspected cases of head lice to the administrative team as soon as possible. If nits or lice are found, the student shall be excluded from attendance and parents/guardians informed about recommended treatment procedures and sources of further information.

The Executive Director, or designee, shall send home the notification required by law for excluded students. If there are two or more students affected in any learning center, an exposure notice with information about head lice shall be sent home to all parents/guardians of those students.

Staff shall maintain the privacy of students identified as having head lice and excluded from attendance.

Excluded students may return to school when reexamination by the nurse, or designee, shows that all nits and lice have been removed.

Exposure Control Plan For Blood Borne Pathogens

The Executive Director, or designee, shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. The Executive Director, or designee, shall establish a written “Exposure Control Plan” designed to protect employees from possible infection due to contact with blood borne viruses, including human immunodeficiency virus (“HIV”) and hepatitis B virus (“HBV”).

The Board of Directors shall determine which employees have occupational exposure to blood borne pathogens and other potentially infectious materials. In accordance with the School’s “Exposure Control Plan,” employees having occupational exposure shall be trained in accordance with applicable state regulations and offered the hepatitis B vaccination.

The Executive Director, or designee, may exempt designated first-aid providers from pre-exposure hepatitis B vaccination under the conditions specified by state regulations.

Any employee not identified as having occupational exposure in the School's exposure determination may petition to be included in the School's employee in-service training and hepatitis B vaccination program. Any such petition should be submitted to the Executive Director, or designee, who shall evaluate the request and notify the petitioners of his/her decision. The Executive Director, or designee, may deny a request when there is no reasonable anticipation of contact with infectious material.

Classroom and School Visitation, Volunteer, and Removal Policy

To ensure the safety of students and staff as well as to minimize interruption of the instructional program, the School has established the following procedures, pursuant to California Penal Code Sections 627, *et. seq.*, to facilitate visits during regular school days:

1. Visits during school hours should first be arranged with the teacher and Academic Director, Executive Director or designee, at least 24 hours in advance. If a conference is desired, an appointment should be set with the teacher during non-instructional time, at least three days in advance. Parents seeking to visit a classroom during school hours must first obtain the written approval of the classroom teacher and the Academic Director, Executive Director or designee. Except for unusual circumstances, approved by the Executive Director, classroom visits should not exceed approximately 45 minutes in length and may not occur more than once per week.
2. When there are a large number of requests, the School shall schedule a minimum of two (2) observation days per school year for parents who are considering application for enrollment. Interested parent observers shall be asked to conduct their observations on one of the scheduled days.
3. All visitors, including parents or guardians of currently enrolled students, shall register with the front office immediately upon entering any school building or grounds when during regular school hours. When registering, the visitor may be required to provide his/her name, address, occupation, age (if under 21), his/her purpose for entering school grounds, and proof of identity. For purposes of school safety and security, the Executive Director or designee may design a visible means of identification for visitors while on school premises.
4. The Executive Director, or designee, may refuse to register an outsider if he or she has a reasonable basis for concluding that the visitor's presence or acts would disrupt the school, its students, its teachers, or its other employees; would result in damage to property; or would result in the distribution or use of unlawful or controlled substances.
5. The Executive Director or designee may withdraw consent to be on campus even if the visitor has a right to be on campus whenever there is reasonable basis for concluding

that the visitor presence on school grounds would interfere or is interfering with the peaceful conduct of the activities of the school, or would disrupt or is disrupting the school, its students, its teachers, or its other employees.

7. The Executive Director or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When a visitor is directed to leave, the Executive Director or designee shall inform the visitor that if he/she reenters the school without following the posted requirements he/she will be guilty of a misdemeanor.
8. The classroom teacher has full discretion as to their use of volunteers and the time and duration of in-class volunteer participation.
9. Visitors volunteering in classrooms shall follow all other guidelines indicated elsewhere in this policy. Classroom volunteers are there to benefit the entire class and are not in class solely for the benefit of their own child. Classroom volunteers must follow the instructions provided by the classroom teacher or aide. Classroom rules also apply to parent volunteers to ensure minimal distraction to the teacher. If a volunteer is uncomfortable following the direction of the teacher or aid the volunteer may leave their volunteer position for that day.
10. Information gained by volunteers regarding individual students (e.g. academic performance or behavior) is to be maintained in strict confidentiality. Questions or comments concerning a child's academic performance or behavior must be done in a separate meeting between parent and teacher, as arranged with the teacher. Student discipline is to be left to the teacher, even for a parent volunteers own child, with the exception of light reminders to students to stay on task.
11. Any visitor that is denied registration or has his/her registration revoked may request a hearing before the Executive Director. The request shall be in writing, shall state why the denial or revocation was improper, shall give the address to which notice of hearing is to be sent, and shall be delivered to the Executive Director. The Executive Director shall promptly mail a written notice of the date, time, and place of the hearing to the person who requested the hearing. A hearing before the Executive Director shall be held within seven days after the Executive Director receives the request. The Executive Director shall respond within seven work days. If no resolution can be agreed upon, the Executive Director shall forward notice of the complaint to the Board of Directors, and submitted to the Dispute Resolution Committee, a committee appointed by the Board of Directors. This committee will be advisory only and will bring a suggested resolution to the Board of Directors for final action. The Board of Directors shall address the recommendations of the Dispute Resolution Committee upon the next Regular Board meeting following the availability of those recommendations.
12. The Executive Director or designee may seek the assistance of the police in dealing with or reporting any visitor in violation of this policy.

13. At each entrance to the School grounds, signs shall be posted specifying the hours during which registration is required, stating where the office of the Executive Director or designee is located and what route to take to that office, and setting forth the penalties for violation of this policy.
14. No electronic listening or recording device may be used by students or visitors in a classroom without the teacher's and Executive Director's written permission.

Penalties

1. Pursuant to the California Penal Code, if a visitor does not leave after being asked or if the visitor returns without following the posted requirements after being directed to leave, he/she will be guilty of a crime as specified which is punishable by a fine of up to \$500.00 or imprisonment in the County jail for a period of up to six (6) months or both.
2. Further conduct of this nature by the visitor may lead to the School's pursuit of a restraining order against such visitor which would prohibit him/her from coming onto school grounds or attending School activities for any purpose for a period of three (3) years.

INDEPENDENT STUDY POLICY

The purpose of this policy is to govern the use of Independent Study for students who may be absent for an extended period of time.

Independent Study requires approval from the Executive Director and Academic Director in writing. In an extenuating circumstance (i.e. serious illness or injury) the Academic Director may approve additional IS days following conference with the parents and teacher.

Independent Study is conducted solely for the educational benefit of the students attending the School as a means to encourage daily engagement in school work even during times of extended absence. No student is required to request or participate in an independent study program during an extended absence. Parents are to give advance notice when possible of a request for independent study. In an extenuating circumstance (i.e. a serious illness, injury or family emergency), with Executive Director approval, a certificated staff member/teacher will work with the parent to implement an independent study program in an expedited manner with less than one (1) school day notice.

The Board of Directors has adopted the following statements in accordance with Education Code Section 51747:

- (a) The assignment must be completed and returned to the teacher through a face to face meeting, facsimile, mail, or other credible method of meeting and reviewed upon completion of the Independent Study Program for all grades, unless extended by the Executive Director in consultation with the teacher.

(b) An evaluation will be made by a committee made up of the student's teacher and the Academic Director as to whether it is in the student's best interest to participate in the independent study program during an absence upon the student missing 3 assignments. A written record of the findings of this evaluation shall be placed in the student's permanent record and shall be maintained for a period of three years from the date of the evaluation. If the student transfers to another California public school, the record shall be forwarded to that school.

(c) A written independent study master agreement for each student shall be maintained on file. Each agreement shall be signed and dated and in effect prior to the start of reporting attendance (ADA) pursuant to that agreement. The agreement shall contain all the items listed below:

Commented [JJ1]: Make sure you have a master agreement that conforms

- The manner, time, frequency and place for submitting a student's assignments and for reporting his or her progress.
- The objectives and methods of study for the student's work, and the methods utilized to evaluate that work.
- The specific resources, including materials that will be made available to the student.
- A statement of the policies adopted herein regarding the maximum length of time allotted between the assignment and the completion of a student's assigned work, and the number of missed assignments prior to an evaluation of whether or not the student should be allowed to continue in independent study.
- The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement.
- The inclusion of a statement that independent study is an optional educational alternative in which no student may be required to participate.
- Each written agreement shall be signed, prior to the commencement of independent study, by the student, the student's parent, legal guardian, or caregiver, if the student is less than 18 years of age, the certificated teacher/staff member who has been designated as having responsibility for the general supervision of independent study, and all other persons who have direct responsibility for providing instructional assistance to the student.

(d) Attendance Accounting:

The School recognizes that families may not evenly distribute student's work assignments over weekdays. However, due to strict State law requirements for charter

school attendance, the School expects each student to be engaged in an educational activity required of them in the assignment on each weekday that the School is in session, and asks that this “daily engagement” be documented on a daily basis in the student log by the parent/guardian. This should not be read to prohibit schoolwork on weekends and should not be read to dictate the manner in which a family distributes the assignments over the independent study period.

The School asks that a parent/guardian refrain from documenting any “daily engagement” on a day where a student did not engage in any educational activity required of them by the assignment. Work done on weekends or other days when school is not in session cannot be used to “make-up” weekdays where no “daily engagement” occurred.

HARASSMENT, INTIMIDATION, DISCRIMINATION & BULLYING POLICY

Cornerstone Academy Preparatory School (“Charter School”) believes all students have the right to a safe and civil learning environment. Discrimination, harassment, intimidation, and bullying are all disruptive behaviors which interfere with students’ ability to learn, negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, the Charter School prohibits any acts of discrimination, harassment, intimidation, and bullying related to school activity or school attendance. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means, consistent with this policy.

As used in this policy, “discrimination, harassment, intimidation, and bullying” describe the intentional conduct, including verbal, physical, written communication, or cyberbullying, that is based on the actual or perceived characteristics of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. In addition, bullying encompasses any conduct described in the definitions set forth in this policy.

To the extent possible, the Charter School will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated and/or bullied, and will take action to investigate, respond, and address any reports of such behaviors in a timely manner. Charter School staff who witness acts of discrimination, harassment, intimidation, and bullying will take immediate steps to intervene, so long as it is safe to do so.

Definitions

“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:

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

“Electronic Act” means the transmission by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

1. A message, text, sound, or image.
2. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in 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.
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.

Reporting

All staff [members](#) are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of discrimination, intimidation, harassment, or bullying, to intervene as soon as it is safe to do so, call for assistance, and report such incidents. The Board requires staff to follow the procedures in this policy for reporting alleged acts of bullying.

All other members of the school community, including students, parents/guardians, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy to the Executive Director or designee. While submission of a written report is not required, the reporting party is encouraged to use the report form available in the Main Office. However, oral

reports shall also be considered. Reports may be made anonymously, but formal disciplinary action cannot be based solely on anonymous information.

Students are expected to report all incidents of discrimination, intimidation, harassment, bullying, teasing, or other verbal or physical abuse. Any student who feels she/he is a target of such behavior should immediately contact a teacher, counselor, principal, or staff person so that she/he can get assistance in resolving the issue consistent with this policy.

The Charter School acknowledges and respects every individual's rights to privacy. To that end, consistent with legal requirements, all reports shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process to the greatest extent possible.

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

Investigation

Upon receipt of a report of harassment, intimidation, or bullying from a student, staff member, parent, volunteer, visitor or affiliate of the Charter School, the Executive Director or designee will promptly initiate an investigation. At the conclusion of the investigation, the Executive Director or designee will notify the complainant of the outcome of the investigation. However, in no case may the Executive Director or designee reveal confidential student information related to other students, including the type and extent of discipline issued against such students.

Complaints shall be investigated and resolved within thirty (30) school days, unless circumstances reasonably require additional time.

All records related to any investigation of discrimination, harassment, intimidation or bullying will remain in a secure location in the Main Office of the Charter School.

In those instances when the complaint filed under this policy also requires investigation under the Uniform Complaint Procedures, such investigation will be undertaken concurrently.

Appeal

Should the Complainant find the Executive Director or designee resolution unsatisfactory, he/she may within five (5) school days of the date of resolution, file an appeal with the Designated Appeals Committee. In such cases, at least three (3) certificated School employees who are unfamiliar with the case and who have been previously designated and trained for this purpose shall be assembled to conduct a confidential review of the Complainant's appeal and render a final disposition.

Consequences

Students who engage in discrimination, harassment, intimidation or bullying may be subject to disciplinary action, up to and including suspension and/or expulsion, as outlined in the Student Discipline Policy of the Charter School.

COMPLAINT POLICY

INTERNAL COMPLAINT POLICY

Suggestions for improving the School are always welcome. Your good-faith complaints, questions, and suggestions also are of concern to the School. We ask you to first discuss your concerns with your child's teacher, and follow these steps:

- A. Any complaint shall be put in writing using the "Complaint Form" and addressed to the Executive Director. A written complaint shall include:
 1. The full name of each person involved
 2. A brief but specific summary of the complaint and the facts surrounding it
 3. A specific description of any prior attempt to discuss the complaint with the person and the failure to resolve the matter
- B. The Executive Director shall investigate the complaint as necessary and shall promptly mail a written notice to the Complainant of the date, time, and place of a meeting between the Complainant and the Executive Director, which shall occur no later than ten (10) school days following the receipt of complaint.
- C. If no resolution can be agreed upon between the Executive Director and the Complainant, the Executive Director shall submit the complaint to the Board of Directors, which shall submit it to the Dispute Resolution Committee, a sub-set of the Board of less than a quorum (at least 3) of existing members appointed by the Board of Directors as needed.
- D. The Dispute Resolution Committee may seek additional investigation by the Executive Director as it deems necessary. This committee will be advisory only and will bring a recommendation to the full Board of Directors for consideration.
- E. The Board of Directors shall address the recommendations of the Dispute Resolution Committee at the next Regular Board meeting following the availability of those recommendations from the Committee.
- F. The Board of Directors will make the final determination regarding the dispute and shall notify the Complainant of the Board's determination within ten school days of the determination.

This procedure, which we believe is important for both you and the School, cannot guarantee that every problem will be resolved to your satisfaction. However, the School values your observations and you should feel free to raise issues of concern, in good faith, without the fear of retaliation.

Policy for Complaints Against Employees

The School requires all employees to observe the highest standard of business and personal ethics in the conduct of their duties and responsibilities. As representatives of the School, employees must practice honesty and integrity in fulfilling responsibilities and comply with all applicable laws and regulations.

It is the responsibility of all employees to comply with school policies noted in the Employment Guidelines and to report violations or suspected violations in accordance with this Whistleblower Policy.

Depending on the nature of the complaint, the complainant will be provided information concerning the applicable policy and procedures to be followed. If there is no applicable policy or procedures, the Executive Director (or designee) shall encourage the parties involved to seek an informal resolution of the issues. If this is not possible due to the nature of the complaint or if informal resolution has been unsuccessfully attempted, the Executive Director (or designee) shall undertake a responsible inquiry into the complaint to ensure it is reasonably and swiftly addressed. When appropriate, a written statement of the complaint will be obtained from the complainant.

If the complainant files a written complaint and no other school policy or procedure is applicable, the Executive Director (or designee) shall abide by the following process:

1. Within 10 working days of the receipt of the complaint, the Executive Director or designee shall use his or her best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.
2. In the event that the Executive Director (or designee) finds that a complaint against an employee is valid, the Executive Director (or designee) may take appropriate disciplinary action against the employee. As appropriate, the Executive Director (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
3. The Executive Director's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors of the School. The decision of the Board of Directors shall be final.

Confidentiality

Complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.

Non-Retaliation

Complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.

Resolution

The administration will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

UNIFORM COMPLAINT POLICY

Scope

The School's policy is to comply with applicable federal and state laws and regulations. The 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 age, ancestry, color, disability, ethnic group identification, gender expression, gender identity, gender, 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, Consolidated Categorical Aid Programs, Migrant Education, Career Technical and Technical Education and Career Technical and Technical Training Programs, Child Care and Development Programs, Child Nutrition Programs, and Special Education Programs.
- (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 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 School finds merit in a pupil fees complaint the School shall provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts by the 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.

The 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 School cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, the School will attempt to do so as appropriate. The 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 Executive Director or designee on a case-by-case basis.

The 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.

- ~~— Complaints of discrimination against any protected group including actual or perceived, including discrimination on the basis of age, sex, sexual orientation, gender, gender expression, gender identity, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any School program or activity; and~~
- ~~(1) Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: special education, Title II, Section 504 of the Rehabilitation Act, consolidated categorical aid, No Child Left Behind, migrant education, career technical and technical education training programs, child care and development programs, child nutrition program.~~
- ~~(1) 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.~~
 - ~~— "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.~~
 - ~~— "Pupil fee" means a fee, deposit or other charge imposed on pupils, or a pupil's parents or guardians, in violation of Section 49011 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 *Hertzell v. Connell* (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:
 - ~~— A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.~~
 - ~~— A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.~~
 - ~~— A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.~~~~
 - ~~— 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.~~

- ~~(1) 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.~~

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

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

Compliance Officers

The School's Board of Directors designates the following Compliance Officer to receive and investigate complaints and to ensure the School's compliance with law:

EXECUTIVE DIRECTOR
CORNERSTONE ACADEMY PREPARATORY SCHOOL
1598 LUCRETIA AVENUE
SAN JOSE, CA 95122

The Executive Director 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 Executive Director or designee.

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

Notifications

The Executive Director or designee shall annually provide written notification of the 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 School speak a single primary language other than English.

The Executive Director 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.

~~The Executive Director or designee shall annually provide written notification of the School's Uniform Complaint Procedures to students, employees, parents/guardians, the Board of Directors, appropriate private officials or representatives, and other interested parties.~~

~~The Executive Director or designee shall make available copies of the School's Uniform Complaint Procedures free of charge.~~

~~The notice shall:~~

- ~~1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints.~~
- ~~1. Advise the Complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable.~~
- ~~1. Advise the Complainant of the appeal process pursuant to Education Code Section 262.3, including the Complainant's right to take the complaint directly to the California Department of Education ("CDE") or to pursue remedies before civil courts or other public agencies.~~
- ~~1. Include statements that:~~

- ~~a. The School is primarily responsible for compliance with state and federal laws and regulations;~~
- ~~a. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the Complainant agrees in writing to an extension of the timeline;~~
- ~~a. An unlawful discrimination complaint must be filed not later than six months from the date the alleged discrimination occurs, or six months from the date the Complainant first obtains knowledge of the facts of the alleged discrimination;~~
- ~~a. The Complainant has a right to appeal the School's decision to the CDE by filing a written appeal within 15 days of receiving the School's decision; and~~
- ~~a. The appeal to the CDE must include a copy of the complaint filed with the School and a copy of the School's decision.~~

Uniform Complaint Procedures

The following procedures shall be used to address all complaints which allege that the 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 School.

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

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

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

Step 2: Mediation

Within three days of receiving the complaint, the Compliance Officer may informally discuss with the Complainant the possibility of using mediation. If the Complainant agrees to mediation, the Compliance Officer shall make arrangements for this process.

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

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

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

Step 3: Investigation of Complaint

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

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

A Complainant's refusal to provide the 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 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.

OPTION 1:

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

~~OPTION 2:~~

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

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

~~If the Board of Directors hears the complaint, the Compliance Officer shall send the Board of Director's decision to the Complainant within 60 days of the School's initial receipt of the complaint or within the time period that has been specified in a written agreement with the Complainant.~~

Step 5: Final Written Decision

The School's decision shall be in writing and sent to the Complainant. The 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 School's decision within fifteen (15) days to the CDE and procedures to be followed for initiating such an appeal.
7. For discrimination complaints arising under state law, notice that the Complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.
8. For discrimination complaints arising under federal law such complaint may be made at any time to the U.S. Department of Education, Office for Civil Rights.

If an employee is disciplined as a result of the complaint, the decision shall simply state that effective action was taken and that the employee was informed of the 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 School's decision, the Complainant may appeal in writing to the CDE within fifteen (15) days of receiving the 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 School's decision.

Upon notification by the CDE that the Complainant has appealed the School's decision, the Executive Director 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 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 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 School when one of the conditions listed in Title 5, California Code of Regulations, Section 4650 exists, including cases in which the School has not taken action within 60 days of the date the complaint was filed with the School.

Civil Law Remedies

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

GENERAL COMPLAINT FORM

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

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

List any witnesses that were present: _____

Where did the incident(s) occur?

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

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

Signature of Complainant

Date: _____

Print Name

To be completed by School:

Received by: _____ Date: _____

UNIFORM COMPLAINT PROCEDURE FORM

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

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

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

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

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

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:

EXECUTIVE DIRECTOR
CORNERSTONE ACADEMY PREPARATORY SCHOOL
1598 LUCRETIA AVENUE
SAN JOSE, CA 95122

CORNERSTONE ACADEMY PREPARATORY SCHOOL

**HARASSMENT, INTIMIDATION, DISCRIMINATION & BULLYING COMPLAINT
FORM**

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

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

List any witnesses that were present: _____

Where did the incident(s) occur? _____

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

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

Signature of Complainant Date: _____

Print Name

To be completed by the Charter School:

Received by: _____ Date: _____

Follow up Meeting with Complainant held on: _____