

# Shanél Valley Academy Parent/Student Handbook



**2023-2024**  
**SCHOOL YEAR**

Visit our website [www.shanelvalleyacademy.com](http://www.shanelvalleyacademy.com) for more information.

# SVA School Calendar 2023-2024

July 2023						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August 2023						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September 2023						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October 2023						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November 2023						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December 2023						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

January 2024						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February 2024						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

March 2024						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April 2024						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May 2024						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June 2024						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

School Holidays/Events 2023/24				
Jul 3/4, 2023 – Independence Day	Sept 22, 2023 – California Indian Days	Nov 23/24, 2023 – Thanksgiving Day (Obs.)	Feb 19, 2024 – Presidents' Day	May 30, 2023 – PBL Night
Jul 5 - Aug 4, 2023 – Summer Program	Oct 9, 2023 – Indigenous Peoples' Day	Dec 21, 2023 – Winter Sing	Mar 7, 2024 – PBL Night	June 5, 2023 – Field Day
Aug 14-22, 2023 – Teacher Work Day	Oct 31, 2023 – Fall School Parade	Dec 22, 2023 – Jan 5, 2024 – Winter Br.	Mar 25-29, 2024 – Spring Break	June 6, 2023 – Last Day of School
Aug 23, 2023 – First Day of School	Nov 1, 2023 – Teacher Work Day	Dec 25, 2023 – Christmas Day (Obs.)	Mar 29, 2024 – Good Friday (obs.)	June 7, 2023 – Teacher Work Day
Sep 4, 2023 – Labor Day	Nov 10, 2023 – Veterans Day	Jan 1, 2024 – New Year's Day (Obs.)	April 15, 2024 – Teacher Work Day	Jun 10-21, 2023 – Summer Break
Sep 15, 2023 – HBPI Tribal Day Celebration	Nov 16, 2023 – PBL Night	Jan 15, 2024 – Martin Luther King Day	May 6-10, 2024 – Parent Conferences	Jun 19, 2024 – Juneteenth (obs.)
Sep 18-21, 2023 – Parent Conferences	Nov 20-24, 2023 – Fall Break	Feb 16, 2024 – Teacher Work Day	May 24/27, 2024 – Memorial Day	Jun 24, 2024 – Summer Program Starts

■ School-Wide Holiday/Break  
 ■ Teacher Work Day - No School For Students  
 ■ Event at SVA  
 ■ Minimum Day / School out at 1:10pm  
 ■ Summer Session

## **INTRODUCTION**

### **Mission**

Restoring education to the Hopland community is essential to a thriving future for Hopland students, families, and our greater community. Shanél Valley Academy (SVA) is a culturally responsive, community school where all students are valued and supported. SVA students will be prepared to lead and successfully participate in our rapidly changing multicultural society, they will contribute to the community with creative solutions and a resilient, culturally competent and collaborative mindset.

### **Vision**

SVA envisions a future in which all children are honored with equitable access to high quality education that results in success in community and career. At SVA, youth voices contribute in valued and meaningful ways to the realization of a thriving and resilient community. SVA will empower all students to become critical thinkers, innovative problem solvers, and effective leaders through a dynamic and collaborative curriculum. SVA partners with families and the community to provide a program that reflects student needs and celebrates diversity. Innovative learning opportunities for students at SVA will include access to outdoor education, blended-learning, native and community school gardens, science, agriculture, technology, engineering, art and math integration, with strong support for multilingual students. Curriculum and instructional practices will reflect the needs of the diverse student population of Hopland, promote equity and prepare culturally competent, well-rounded, lifelong learners. At SVA we develop our STRENGTHS, design a common VISION, and together we ACHIEVE.

### **What is a charter school?**

Charter schools are independent public schools which have some operational flexibility in exchange for more accountability. The "charter" is the five-year contract that establishes the school under the oversight of a district, county, or the state. The school is established as an independent organization from the charter authorizer, with governance established by its Articles of Incorporation and by-laws. All charter schools are tuition-free, open to all students, and non-sectarian. Like all public schools, charters receive state funding for each child enrolled in the school. Many also seek grants and donations to augment their programs.

## GOVERNANCE

Shanél Valley Academy is a non-profit 501(c)3 organization incorporated in the State of California and recognized by the Internal Revenue Service. It is governed by a volunteer Board of Directors as established by the bylaws. The bylaws are guided and defined based on our charter.

The Board of Directors provides overall governance, including setting significant policies for the overall direction and goals of the School. Day-to-day management towards achieving the goals set by the board is the responsibility of the Principal. Where possible the Board focuses on establishing what ultimate outcomes will be achieved by the School, while the Principal, staff and/or committees focus on how to achieve those outcomes.

The Board's primary responsibilities include, but are not limited to:

- Define or refine, consistent with the School's charter, the School's mission, values and vision.
- Set strategic direction and goals.
- Select and support the charter school Principal, and review his/her performance.
- Adopt policies to ensure that the School is run effectively, legally, and ethically.
- Approve and monitor the operational budget and finances for long-term viability.
- See that adequate funds are secured for the operating and capital needs of the school.
- Monitor academic achievement.

Regular Board meetings occur monthly during the school year to discuss policy and other matters relevant to the School. These meetings are open to the public and held in accordance with the Brown Act open meeting regulations. The agenda is developed by the Board President in concert with the Principal and Board Secretary and is posted on the Shanél Valley Academy website and outside of school in advance of each meeting. Parents may submit agenda items for discussion by notifying the Principal at least one week before the meeting.

## COMMUNICATION GUIDELINES

We value our partnership with each of our families and encourage clear, kind, and direct communication in order to sustain the partnership so that we can provide the very best academic program and support for your child. If you have a general inquiry, please email [info@shanelvalleyacademy.com](mailto:info@shanelvalleyacademy.com) or call the main office.

### **Communication with Families about Student Academic Progress:**

To facilitate communication between families and teachers about students' behavioral and academic growth and support, the School provides the following opportunities for reporting and discussion:

- Report Cards and Progress Reports: Standards-based report cards and progress reports will be sent home at the end of each trimester.
- Parent/Family Conferences: Twice each year the school will hold conferences for families to discuss student progress and plan ways to best support the student. Conference attendance is required.
- School Electronic Newsletter: The school will send a weekly newsletter to parents/guardians via ParentSquare to provide information about significant school developments, upcoming events and activities. Printed copies are also posted each week and available in the main office.
- Teacher's Monthly Email: Teachers will distribute a monthly email to families via ParentSquare to update them on key learnings from the week and any announcements.

- ParentSquare: All staff members have ParentSquare accounts and will make their best effort to respond to parent inquiries within 48 hours. Because we spend most of the school day with students, this is the best method of contact.
- Phone: Families can expect to receive periodic voicemail from the school.
- Text messages: Families can expect to receive periodic text messages from the school.
- Meetings by appointment: Every staff member is available to meet with families; parents/guardians can make appointments by sending an email or calling the school. Short drop-in conversations before and after school may be also possible, however appointments are strongly recommended.
- Mandated communications: Parents of English Learners will also receive mandated communications on reclassification per Title III through annual English Language Proficiency Assessments for California (ELPAC) testing results. Parents of students with Individualized Education Plans (“IEP”) will receive reports according to the plan specified in each IEP.

**Email Correspondence:** The purpose of email correspondence between parents and our school is to provide direct and efficient communication for the sharing of information. If you would like to discuss something in greater depth, please make an appointment for an in-person meeting.

**Procedures to Address Student Concerns:** If you have a specific concern or question about your child, please contact your child’s Teacher first because they interact with your child on a daily basis and know them best. If you have any questions or concerns about behavior or school culture please contact our Principal.

**Emergencies:**

Our priority during an emergency is to keep our campus safe. Here is what will happen in the event of an emergency:

- We will share information with families via phone call or text blast via ParentSquare. Please make sure your updated contact information is in our system. If there is an incident on or near our campus, please stay at home and wait for instructions from our Principal or designee. We need the public to stay away while we secure our campus and account for all students. When it is safe to come to the school, you will be contacted.
- After an emergency incident, we may need to change the way we dismiss students. You may be asked to present a photo ID. Please wait for instructions from School Leaders before coming to campus.

## **PARTNERSHIP BETWEEN FAMILIES AND SHANÉL VALLEY ACADEMY**

Having a strong and engaged volunteer parent community is vital to Shanél Valley Academy’s success and to the success of each SVA student. We hope to build supportive and effective relationships in the service of our children’s academic, social, and emotional development.

**Homework:**

SVA believes it is important for the family to support and encourage the learning process, but that the learning process should primarily occur in the classroom. As reading is the only aspect of “homework”

that has proven to increase academic skills, SVA focuses on asking parents to have structured reading time at home in the evening.

Nightly Reading Expectations:

- Transitional Kindergarten & First Grade: 10-15 minutes
- Second Grade: 15-20 minutes
- Third – Sixth Grade: 20-30 minutes

If teachers feel supplemental work at home can assist any particular student they will work one-on-one with that child's family to provide differentiated material.

Students will only come home with traditional homework if they are unable to complete work provided during class time or missed work for various reasons.

### **SVA Parent Advisory Committee ("PAC"):**

The Parent Advisory Council is the parent organization for SVA and supports the school to achieve its mission and vision and to build a stronger community. The PAC supports the school in engaging families in ways that build community, leverages the skills of our talented parents, and better meets the needs of our diverse community.

The PAC is made up of committees that offer parents a broad set of opportunities to support our school. Each month, the PAC President and Principal hold a PAC meeting. The goal of the PAC meeting is to keep a collective pulse on parent activities, and to collaborate on decisions that affect the whole community. These meetings are open to all in the SVA community. We welcome all parents to get involved in these committees. If you are interested in joining a committee, please email [pac@shanelvalleyacademy.com](mailto:pac@shanelvalleyacademy.com).

*Note: While the PAC has been established to encourage parent involvement in the School, it does not replace opportunities for parents to discuss concerns or interests directly with the teachers, Principal, or the Board of Directors. Further, no parent or guardian is required to participate in PAC and participation will not impact a student's enrollment or admission status.*

## **STUDENT HEALTH & WELL-BEING**

### **Breakfast, Lunches and Snacks:**

The school provides breakfast and lunch to all students for free each school day. Breakfast and lunch provided will be nut-free. School meals are an essential part of our school program and our focus on a strong school community. It is a time when students sit with their classmates and practice engaging in conversation while enjoying a meal. We are pleased to be able to offer free, nutritionally-adequate, meals to all SVA students, through our onsite meal service program. This includes breakfast, lunch, and after school snack (if staying past 3:30 pm in the afterschool program). Each month we will post a calendar in ParentSquare or cafeteria that shows what will be served.

- School Breakfast Program: Recognizing that a healthy breakfast is essential to getting our student's learning experience off to a great start every day, we strive to provide every student with a breakfast they will enjoy. Breakfast menus include a variety of items such as cereal, pancakes, waffles and breakfast sandwiches, as well as fresh fruit and fruit juice and skim or low-fat milk. TK – 6th grade students are served Breakfast in the Classroom (BIC).
- National School Lunch Program (NSLP): Lunch is not only an opportunity to recharge energy levels, but also to allow students time to relax and enjoy social time with their peers. Lunch meals include a variety of sandwiches, salads, home-style items like pastas, baked chicken, and healthy pizza made with whole grain crust and reduced fat cheese. Those entrees are supplemented with fresh and cooked vegetables, fresh fruits and fruit juice and skim or low-fat milk.

**Food Allergies:**

If your child has a known food allergy or dietary restriction, please let our office staff know immediately. If your child needs access to an Epi-Pen or other allergy medication in case of a reaction, you will need to submit a medication authorization form to the office. Please contact the front office for more information.

**Student Medication:**

Whenever possible, students should receive medication during non-school hours. If necessary, medication given at school will be dispensed by the Office & Attendance Secretary / Health Tech. Please see additional information regarding administration of medication during the regular school day outlined in Student Policy #8 available in the office and the SVA website.

**Technology:**

All students will be provided with a Chromebook for use in the classroom and during any independent study learning days. Please see additional information regarding student use of technology and internet outlined in Student Policy #5 available in the office and the SVA website.

**Vaccinations:**

State law requires that all children entering or continuing attendance at elementary school be immunized against certain diseases. Parents/guardians must submit proof of these immunizations to the School. These requirements can be waived only if a properly signed health exemption is filed. According to Senate Bill 277, as of January 1, 2016 parents may no longer obtain a personal belief exemption. The School will provide families with the most up-to-date information on immunization requirements and how to document that these requirements have been met or waived.

Under Senate Bills (SB) 276 and SB 714 (Pan, 2019), all new medical exemptions for school and child care entry must be issued through CAIR-ME(California Immunization Registry – Medical Exemption website) beginning January 1, 2021. Medical exemptions can only be issued by MDs or DOs licensed in California and must meet applicable Centers for Disease Control and Prevention (CDC), Advisory Committee on Immunization Practices (ACIP), and American Academy of Pediatrics (AAP) criteria.

**Illness or Injury During the School Day:**

If a child becomes ill or injured during the school day and is not well enough to stay in class, the child's parent/guardian will be called to pick the child up. Please make sure that we have updated phone numbers on your child's Emergency Contact Form on file in the office. If your child has an emergency, we

must be able to reach you – if you move or change your phone number(s), please let us know immediately.

**Student Support Services:**

Special Education: We are dedicated to the belief that all students can learn and must be guaranteed equal opportunity to become contributing members of the academic environment. If you have any questions about special education services or eligibility, please contact the SVA Principal.

S.S.T.: The Student Study Team (SST) brings together the human and programmatic resources to support students having difficulties in school by seeking positive solutions for maximizing student potential. This is a concentrated solution-seeking meeting where all the needed persons, including the parent/guardian and at times the student, are present at the same time to explore strategies to develop an intervention plan involving home, school, and community.

If you have any questions, please reach out to the SVA Principal at [kmac@shanelvalleyacademy.com](mailto:kmac@shanelvalleyacademy.com).

**ATTENDANCE POLICIES**

California law requires that all children between the ages of 6 and 18 attend school every day. It is the parent or guardian’s responsibility to ensure that a child gets to school every day. Regular absences can be detrimental to a child’s academic progress. For each day a child does not attend school, SVA loses vital state funds that help to run the educational program at school. If a child is sick and cannot participate at school or has a communicable illness, it may be best for the child to stay at home to rest and recover. Students are required to make up any and all work missed during their absence.

Please see the complete SVA Attendance Policy for further details about excused/unexcused absences, the truancy process, and Independent Study Policy.

**Drop-Off and Pick up Procedures:**

Families have two options

1. Park and walk: Park in the staff parking lot or east dirt parking area, and drop-off or pick-up students by walking them safely across the loop driveway. When parking, please be mindful to avoid blocking the driveways of any neighbors. Please do not park in front of the school, this is a fire lane.
2. Curbside Drop-off/Pick-up: Parents can line up their vehicles by turning into the looped driveway. Wait until other cars clear out. Do not leave your car parked in the fire lane.

**Early Pick-up:**

In order to pick up a child prior to the normal dismissal time, the parent/guardian must check-in at the school office to sign out the student.

**Permission to Walk Home:**

Parents and/or guardians can complete a form that allows their child to walk home at the end of the school day without the parent/guardian being present. Students are never allowed to leave school before the end of the school day without being signed out and picked up by a parent and/or guardian.



### **Authorization to Pick-Up and Emergency Contact Information Form:**

Every student must have a complete and up-to-date Pick-Up and Emergency Contact Information on file in the school Office. Students may only leave campus with adults listed on the authorized pick-up and emergency contact form. To permit a parent or caretaker not on your child's authorized list to pick him/her up, the office must receive a signed written note or email granting permission. The person picking up your child will be required to show a photo I.D. and provide their contact information before leaving the school with your child. Send emails to [office@shanelvalleyacademy.com](mailto:office@shanelvalleyacademy.com)

## **CLIMATE FOR LEARNING & GROWTH**

At SVA we strive to create a culture of community built on caring and nurturing relationships so that students and all members of the community feel a sense of belonging and responsibility. We strive to create an environment that is engaging, warm, and conducive to learning. SVA fosters a commonality of purpose and a sense of cohesiveness among parents, school staff, and the community-at-large.

### **Social Emotional Learning Programs:**

Our school values are B.E.A.R:

1. B – Be Aware
2. E – Effort
3. A – Accountable
4. R – Respectful

SVA will offer a robust set of social emotional programming including Restorative Justice Practices, Mindfulness, Social Emotional Learning Curricula, and Positive Behavior Intervention Systems. SVA will also focus on cultivating rich student relationships.

### **Goals & Outcomes:**

- To promote equality through a code of conduct that is understood by all students and applied fairly
- To ensure a safe learning environment for our students
- For students to understand the consequences of their actions and to take responsibility for them
- To maximize instructional minutes thereby giving our students access to a quality education
- To teach the school's core values and to determine what it means to be a responsible citizen
- To provide the skills necessary for students to self-regulate and choose appropriate behavior

Our small school setting focuses on positive school culture and inclusion, and a commitment to a system of continuous improvement is foundational to our school culture. At SVA we develop our STRENGTHS, design a common VISION, and together we ACHIEVE. This motto applies to our school culture, climate and discipline practices as well.

### **Report Cards – Personalized Learning Portfolios:**

SVA uses Personalized Learning Plans (PLPs) instead of report cards to provide parents with a periodic assessment of how students are doing in school. All SVA students are assessed early in the year to establish baseline levels. Teachers make every effort to schedule a parent conference and meet with each parent/guardian at the beginning of the school year. Parents/Guardians are encouraged to talk to their child's teacher about any questions or concerns they may have about their child. Parents/Guardians can also request a parent/teacher conference at other times during the year. If a student is identified as

not meeting adequate grade level content standards, a parent/teacher conference is called to develop an educational plan that would be closely monitored by the parent and teacher during the school year.

**Expanded Learning Program:**

The SVA Expanded Learning Program is available to all families at SVA until 5:30 pm daily. The program is free for all families. During this time, students will be able to engage in a range of activities. SVA operates a 21st Century/ASES program, please refer to the Expanded Learning Program Handbook.

Hours of operation are from:

TK – 3<sup>rd</sup> Grade: M,Tu,Th,F / 2:10pm – 5:30pm and Wed 1:10pm – 5:30pm

4 – 6<sup>th</sup> Grade: M,Tu,Th,F / 2:55pm – 5:30pm and Wed 1:10pm – 5:30pm

*\*The Expanded Learning Program also runs from 1:15pm – 5:30pm on any scheduled school minimum day. Our Expanded Learning Program will begin on the first day of school for all registered families, and will run on all applicable school days.*

**Establishing a Positive School Environment:**

SVA recognizes that students do not learn in isolation, but rather through interaction with teachers, peers and their school environment. It is part of SVA's mission to provide and foster positive interactions and relationships between students and their fellow students, educators and the community in general. In order to achieve this goal, SVA has implemented a data-driven approach to school discipline through restorative practices (“RP”) and avoids traditional zero-tolerance discipline procedures.

SVA also aligns school-climate goals with the Positive Behavior Interventions and Support (PBIS) framework and a commitment to restorative practices in its discipline policies. Each classroom, teaching team collaboratively establishes norms for behavior and conditions supportive to learning. These B.E.A.R. expectations are stated in the positive behavior support policies and classroom norms, and they are generated through in-class discussion at the beginning of each year. These are reviewed and revised as needed.

Practices at SVA include, but are not limited to:

1. Incident Reporting
  - a. We track students’ behavior patterns through an online data system so we can have a deeper understanding of the details about each incident, where the incident takes place, and what time the incident takes place. This allows our student support team to plot data to better understand behavioral patterns, allowing for specific intervention to be implemented.
  
2. Restorative Meetings
  - a. When a student has done harm to another or did not follow the B.E.A.R expectations, they are have a chance to repair harm and restore their relationships. This process usually involves the Principal, Teacher, Counselor and/or other support staff that is needed, and students may need time to reflect and so they are given a think sheet that uses restorative questions to promote behavioral self-awareness. Once they are ready, we set meetings, have students work together to create agreements going forward, and always include families in this process as needed. Think sheets may be sent home so the parent and student can work on the behaviors together depending on the incident.

### 3. Disciplinary Meetings

- a. When a student has a major behavioral concern that cannot be addressed with other restorative interventions, or if they are having continual behavior issues, a disciplinary meeting is usually set. Families are included, as well as teachers, the counselor, and other critical adults, so that as a team we can look at what the need is below the surface of the negative behaviors. We follow a process with families and check back on progress as the students move forward.

#### **Bullying:**

Shanél Valley Academy does not tolerate bullying or intimidation of any kind and will respond to such instances in accordance with its disciplinary procedures. Students and families are asked to submit any complaints of discrimination, hazing, harassment, bullying or retaliation to the Principal. See copies of Suspension and Expulsion Policy, Uniform Complaint Procedures, and Title IX, Harassment, Intimidation, Discrimination and Bullying Policy available in the office and the SVA website.

#### **Code of Conduct:**

The purpose of SVA Code of Conduct is to create an environment in which all students can reach their full potential. To do this, staff, students and parents must work together to create a respectful and safe learning environment. Through our code of conduct we will maximize instructional time for students to reach their academic potential and continually engage students in dialogue concerning what it means to be an exemplary SVA citizen.

## **VOLUNTEERS & VISITORS**

Parent and volunteer involvement can make the difference between a good school and a great school. At SVA, there are many ways that family and community members can participate and contribute, based on each volunteer's availability, skills or interests. Please note, visitors will be limited to those deemed essential by the school and must meet the requirements established in the volunteer policies.

#### **Volunteer Responsibilities:**

SVA encourages each family to volunteer in any way possible each year. We hope that all our families will be able to bring their talents and enthusiasm to the school. Parental involvement is not a requirement of enrollment or acceptance.

We ask all parents/guardians to complete a volunteer form upon enrollment or at the first yearly PAC meeting to identify your interests and availability and match them with opportunities to make volunteering at SVA a fun and rewarding experience. Volunteers opportunities will be communicated via ParentSquare throughout the year.

Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall receive a background check and clearance prior to volunteering. Volunteers shall also have on file with SVA a certificate showing that the person submitted to a tuberculosis risk assessment.

Information gained by volunteers regarding students (e.g. academic performance or behavior) is to be maintained in strict confidentiality. Volunteers must sign an agreement that they have read and

understand and agree to follow the Family Educational Rights and Privacy Act (“FERPA”) Policy.

Volunteers shall follow and be governed by all other guidelines indicated elsewhere in the Volunteer and Visitation Policy. This includes, but is not limited to, the process of registering and signing out of the campus at the main office as indicated below.

**Visitation:**

Parents seeking to visit a classroom during school hours must first obtain the approval of the classroom teacher and the Principal or designee.

All visitors shall register in the Visitors Log Book and complete a Visitor’s Permit in the main office immediately upon entering any school building or grounds during regular school hours. When registering, the visitor is required to provide his/her name, address, age (if under 21), his/her purpose for entering school grounds, and proof of identity.

SVA reserves the right to implement additional measures for the protection of its school community, such as requiring forehead temperature checks before entry to the same extent being utilized for students and employees.

Before leaving campus, the visitor shall return the Visitor’s Permit and sign out of the Visitors Log Book in the main office. The Principal, or designee, may refuse to register a visitor or volunteer if it is believed that the presence of the visitor or volunteer would cause a threat of disruption or physical injury to teachers, other employees, or students.

Visitors shall follow and be governed by all other guidelines indicated elsewhere in the Volunteer and Visitation Policy.

**Volunteer Opportunities:**

During the year, parents can learn about specific volunteer opportunities via the weekly newsletter, through PAC meetings and committees, via room parent newsletters and emails from the volunteer coordinator. Questions about volunteering should be directed to the Principal.

**Parent Fundraising at SVA:**

Parent fundraising is essential to SVA success. SVA annual calendar of fundraising events and activities provide a range of opportunities and ways for families to participate, such as securing or bidding on auction items at the Annual Cinco De Mayo Festival, getting your child to participate in the Read-a-thon and other events throughout the year.

The PAC works closely with the Principal and the Board President to raise funds towards SVA’s overall annual goal and fundraising priorities. The annual fundraising target for SVA is established by the Board of Directors with input from the Principal during the budget development process. The PAC is responsible for SVA’s school fundraising events throughout the year.

**Volunteer Driver Requirement:**

Any parent or adult driver that is a volunteer driver for the school must have a current “Volunteer Driver Requirements and Agreement” form on file which includes the necessary documentation and meets all of the volunteer requirements listed above.

## **GENERAL POLICIES**

### **Birthdays:**

If a student wishes to celebrate a birthday with his/her classmates please notify the class teacher so that she can designate a specific day and time. The student may bring a small, non-food gift (such as stickers, pencils, or erasers) for each child in his/her class. If a student wishes to bring a healthy birthday snack, notify the classroom teacher at least 3 days in advance, bring enough for each child in the class, and provide items that are ready to serve and do not require extensive clean-up. See suggestions in the SVA Health and Wellness Policy.

### **Photographs and Videos of Students**

SVA staff, volunteers, or media outlets may take photos, audio recording or videos for professional learning purposes, school publications, displays, the website, news stories, or other such purposes. Students may appear in photographs, audio recording or video recording that may appear in print, online, radio or television. Students may also record video using tools to be shared internally with their classmates. If you object to having your student being recorded or photographed, please provide a letter notifying the school of your request via mail or email to [kmac@shanelvalleyacademy.com](mailto:kmac@shanelvalleyacademy.com).

### **Online Learning Etiquette: Help Us Preserve Privacy**

In order to preserve student and staff privacy, please share these protocols with your students:

- Please do not take any photos or screenshots or record any online classes or activities involving other students. Student and staff privacy is protected under the Education Code.
- Never post pictures or videos of students who are not your own, on social media, even if it is to provide a compliment.

### **Electronic Devices:**

Student use of cell phones, apple watches, music players, hand-held electronic games, tablet computers, and other electronic devices are prohibited during the school day unless they are distributed by the teacher as part of a planned lesson. If a student must bring any of these items for use during after-school hours, the item must be kept in the student's backpack and turned completely off during the school day. Any electronic device in use during school hours will be confiscated and returned only to a parent/guardian at the end of the school day.

### **Smartphone devices may be used:**

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

**Toys at School:**

Except for pre-approved items brought for a school lesson, toys (such as dolls, stuffed animals, vehicles, playing cards, action figures, etc.) are not allowed to be brought to school for use during the school day. Students should not bring any items from home to share with other students.

**Alcohol and Illegal Drugs:**

At no time may students, staff, parents or visitors possess or use alcohol or illegal drugs while on the SVA campus during hours when children are present.

## **Commitment to Shanél Valley Academy**

We commit to a partnership between teachers, families, and students to provide the best possible education for our students. In order to achieve our very ambitious goals, we must work together.

### ***Shanél Valley Academy's Commitment***

1. Personalized Learning Portfolios – SVA will work with each student and family to create a personalized learning plan based on our definition of the content and skills that are necessary “to be an educated person in the 21st century”.
2. Curriculum – SVA will offer a Transitional Kindergarten thru Sixth Grade curriculum in accordance with the approved Charter. SVA will carefully prepare all curricular materials for each subject and grade level to determine what will be appropriately rigorous, engaging, and personalized for the student population. SVA curriculum will be aligned with the Common Core Standards and California standards. Curricular materials will provide a grade-level and age-appropriate curriculum that provides the information to prepare all students to succeed in the 21<sup>st</sup> century.
3. Instruction – SVA will provide more than the minimum number of instructional minutes of classroom instruction required under state law. SVA teachers will use a combination of personalized, blended learning, and project-based learning. SVA teachers will rely on evidence to continually improve their teaching methods. SVA will provide appropriate support and multiple opportunities for professional development each year.
4. Homework - SVA is committed to only providing at-home learning activities that are relevant and developmentally appropriate in an effort to allow SVA students and families to maximize their time together.
5. Communication – The Principal, Teachers, and Office Staff at SVA will provide consistent means of communication through email, online systems and annual parent-teacher conferences. SVA teachers will provide regular reports on student progress and SVA teachers and staff will be available to respond to parents’ inquiries and concerns. They will respond to any such parent inquiries or concerns in a timely manner, typically within 3 school days.
6. Visitation – SVA encourages parents to volunteer at school functions and participate in their child’s class. To volunteer with SVA, parents must provide a valid photograph identification, a negative TB test (within the last 3 years) and pass a criminal background check (fingerprinting).

### ***The Family's Commitment***

1. Timeliness/Attendance – I understand that every school day is important and that it is my responsibility to get my child to school every day on time. If my child needs to miss school, I will contact the school. I will also try not to schedule appointments during school hours and I will not schedule family vacations during school time.
2. Support & Homework – I will always help my child in the best way I know how, and I will do whatever it takes for my child to learn. I will insist that my child reads or is read to every night and I will encourage my child to fill out the reading log weekly.
3. Communication – I will make myself available to my child and his/her teachers. I will return phone calls from school staff in a timely fashion. I understand that if my child is struggling academically or behaviorally, I may receive frequent phone calls from the school so that these

behaviors can be addressed as soon as possible. If I am asked to attend a meeting regarding my child's education or behavior, I will make every effort to be there.

4. Special Learning Needs – If my child has an Individual Education Plan (“IEP”), I understand that it is required that I meet with the program specialist in the first 30 days of enrolling for the first time so that my child can begin his/her school year with all the needed services recommended on the IEP. I understand that a failure to provide new or updated information to SVA could result in a delay in my child receiving his or her services and may impact my child's progress in school.
5. Instructional & Social Emotional Learning Program – I will do my best to support the educational and Social Emotional Learning Program of the school and the policies spelled out in the Family Handbook. I understand that my child will receive small group, whole group, and supplemental instruction and, at times, have projects or presentations that he or she may need to complete at home.

### ***The Student's Commitment***

1. My Best Effort – I understand that my education is important, and I will always work, think, and behave in the best way I know how and do whatever it takes for my fellow students and me to learn. I will be brave and take on challenges as they come. I will set goals for myself and strive to reach these goals.
2. Attendance and Timeliness – I will come to school every day on time.
3. Homework – I will complete my reading every night.
4. Communication – I will raise my hand to ask for help if I do not understand something. I will make myself available to my teachers and parents about any concerns they might have.
5. SVA Values – Each day, I will live the SVA B.E.A.R Values: Be Aware, Effort, Accountable, Respectful. I will follow all expectations so that our school is safe and to make sure that everyone has a chance to learn.



We acknowledge by our signature below, that we have read, discussed, understand and agree to abide by the expectations outlined in the “2023-2024 Shanél Valley Academy Student-Family Handbook” including the “Appendix A: Annual Notifications”, and “Appendix B: Complete and Full Board Policy Annual Notifications”.

Student Name (please print): \_\_\_\_\_ Grade: \_\_\_\_\_

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

## **Appendix A: Annual Notifications**

Public schools, including charter schools, are required to provide annual notification to inform parents of certain school policies and laws. Shanél Valley Academy (referred to as “School”, “SVA”, or “Charter School”) complies with this requirement by providing families with an annual notification in the Family Handbook each school year as an appendix.

### **AVAILABILITY OF PROSPECTUS**

Upon request, SVA will make available to any parent or legal guardian a school prospectus, which shall include the curriculum, including titles, descriptions, and instructional aims of every course offered. Please note that, pursuant to law, SVA may charge for the prospectus in an amount not to exceed the cost of duplication.

### **CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS (“CAASPP”)**

SVA annually administers required state testing to the applicable grades. (e.g., the California Assessment of Student Performance and Progress) Notwithstanding any other provision of law, a parent’s or guardian’s written request to the School Leader to excuse his or her child from any or all parts of the state assessments will be granted. Please submit requests to the office (may take up to 3-5 business days).

### **TEACHER QUALIFICATION INFORMATION**

Any parent may request information regarding the professional qualifications of classroom teachers and/or paraprofessionals. Requests must be submitted to the Principal in writing. Requests can take up to 5 business days.

### **CHILD FIND**

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

Pursuant to the IDEA and relevant state law, the Charter School is responsible for identifying, locating, and evaluating children enrolled at the Charter School with known or suspected disabilities to determine whether a need for special education and related services exists. This includes children with disabilities who are homeless or foster youth. The Charter School shall not deny nor discourage any student from enrollment solely due to a disability. If you believe your child may be eligible for special education services, please contact the School Leader.

### **ORAL HEALTH ASSESSMENT**

Students enrolled in kindergarten in a public school or while enrolled in first grade if the pupil was not previously enrolled in kindergarten in a public school are required to have an oral health assessment completed by a dental professional. Please contact the office if you have questions about this requirement.

### **FREE AND REDUCED PRICE MEALS**

SVA participates in the National School Lunch Program, School Breakfast Program, and the Afterschool Snack Program. SVA will provide nutritionally adequate meals each school day for students. The Charter School also maintains a School Wellness Policy pursuant to state and federal requirements. A copy of the complete Wellness Policy is available at the School office and online.

### **NONDISCRIMINATION STATEMENT**

SVA brings together a diverse group of individuals. It is guided by the principle that respect and consideration for all individuals is foremost in all school activities. SVA is not only obligated to uphold the law concerning equal opportunity but regards the spirit of these laws to be the very core of its values. SVA wishes to stress that it is the responsibility of every member of the SVA community to observe and uphold the principles of equal opportunity as they affect staff, faculty and students in all aspects of school life. It is the responsibility of every member of the SVA community to actively promote appropriate school and workplace behavior. Any form of coercion or harassment that insults the dignity of others or impedes their freedom to work and learn will not be tolerated.

SVA does not discriminate against any student or employee on the basis of actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, immigration status, religion, religious affiliation, sexual orientation, pregnancy status or any other characteristic that is contained in the definition of hate crimes in the California Penal Code. SVA adheres to all provisions of federal law related to students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 ("ADA"), and the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA").

SVA is committed to providing a work and educational atmosphere that is free of unlawful harassment under Title IX (sex), Title IV, VI, and VII (race, color, or national origin), The Age Discrimination in Employment Act of 1967; The Age Discrimination Act of 1975; the IDEA; and Section 504 and Title II of the ADA (mental or physical disability). The School prohibits sexual harassment, including cyber sexual bullying, and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, religious affiliation, creed, color, immigration status, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. Charter School does not condone or tolerate harassment of any type, including discrimination, intimidation, or bullying, including cyber sexual bullying, by any employee, independent contractor or other person with which Charter School does business, or any other individual, student, or volunteer. This applies to all employees, students, or volunteers and relationships, regardless of position or gender. Charter School will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted. Inquiries, complaints, or grievances regarding harassment as described in this section, above, should be directed to the Charter School Uniform Complaint Procedures ("UCP") Compliance Officer:

Principal Kristi McCullough  
1 Ralph Bettcher Drive  
Hopland, CA 95449  
(707) 744 – 1485 ext. 102  
[principal@shanelvalleyacademy.com](mailto:principal@shanelvalleyacademy.com)

## **PUPIL RECORDS, INCLUDING CHALLENGES AND DIRECTORY INFORMATION**

The Family Educational Rights and Privacy Act (“FERPA”) affords parents and students who are 18 years of age or older (“eligible students”) certain rights with respect to the student’s education records. These rights are:

1. The right to inspect and review the student's education records within 5 business days after the day the School receives a request for access. Parents or eligible students should submit to the School Leader or designee a written request that identifies the records they wish to inspect. The Charter School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA. Parents or eligible students who wish to ask the Charter School to amend a record should write the Charter School Leader or designee, clearly identify the part of the record they want changed, and specify why it should be changed. If the Charter School decides not to amend the record as requested by the parent or eligible student, the Charter School will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing. If the Charter School decides to amend the record as requested by the parent or eligible student, the School Leader must order the correction or the removal and destruction of the information and inform the parent or eligible student of the amendment in writing.
3. The right to provide written consent before the Charter School discloses personally identifiable information (“PII”) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to Charter School officials with legitimate educational interests. A Charter School official is a person employed by the Charter School as an principal , supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the Charter School board. A Charter School official also may include a volunteer or contractor outside of the Charter School who performs an institutional service of function for which the Charter 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 Charter School official in performing his or her tasks. A Charter 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. Upon request, the Charter School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll or is already enrolled if the disclosure is for purposes of the student’s enrollment or transfer. Note that Charter School will not release information to third parties for immigration-enforcement purposes, except as required by law or court order.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Charter School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:
  - a. Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW Washington, DC 20202

5. The right to request that the Charter School not release student names, addresses and telephone listings to military recruiters or institutions of higher education without prior written parental consent.

FERPA permits the disclosure of PII from a student's education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to Charter School officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the Charter School to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A Charter School may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student —

1. Charter School officials who have a legitimate educational interest as defined by 34 C.F.R. Part 99;
2. Other schools to which a student seeks or intends to enroll so long as the disclosure is for purposes related to the student's enrollment or transfer. When a student transfers schools, the Charter School will mail the original or a copy of a student's cumulative file to the receiving district or private school within ten (10) school days following the date the request is received from the public school or private school where the pupil intends to enroll. Charter School will make a reasonable attempt to notify the parent or eligible student of the request for records at his/her last known address, unless the disclosure is initiated by the parent or eligible student. Additionally, Charter School will give the parent or eligible student, upon request, a copy of the record that was disclosed and give the parent or eligible student, upon request, an opportunity for hearing pursuant to Section (IV)(3) above;
3. Certain government officials listed in 20 U.S.C. § 1232g(b)(1) in order to carry out lawful functions;
4. Appropriate parties in connection with a student's application for, or receipt of, financial aid if it is necessary to determine eligibility, amount of aid, conditions for aid or enforcing the terms and conditions of the aid;
5. Organizations conducting certain studies for the Charter School in accordance with 20 U.S.C. § 1232g(b)(1)(F);
6. Accrediting organizations in order to carry out their accrediting functions;
7. Parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1986;
8. Individuals or entities, in compliance with a judicial order or lawfully issued subpoena. Subject to the exceptions found in 34 C.F.R. § 99.31(a)(9)(i), reasonable effort must be made to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or eligible student may seek a protective order;
9. Persons who need to know in cases of health and safety emergencies;
10. State and local authorities, within a juvenile justice system, pursuant to specific State law;
11. A foster family agency with jurisdiction over a currently enrolled or former student, a short-term residential treatment program staff responsible for the education or case management of a student, and a caregiver (regardless of whether the caregiver has been appointed as the pupil's educational rights holder) who has direct responsibility for the care of the student, including a certified or licensed foster parent, an approved relative or non related extended family member, or a resource family, may access the current or most recent records of grades, transcripts, attendance, discipline, and online communication on platforms established by Charter School for

student and parents, and any individualized education program (“IEP”) or Section 504 plan that may have been developed or maintained by Charter School; and/or

12. A victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include final results of the disciplinary proceedings conducted by Charter School with respect to that alleged crime or offense. Charter School will disclose the final results of the disciplinary proceeding, regardless of whether Charter School concluded a violation was committed.

“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 year books. The Charter School has designated the following information as directory information:

1. Student’s name
2. Student’s address
3. Parent’s/guardian’s address
4. Telephone listing
5. Student’s electronic mail address
6. Parent’s/guardian’s electronic mail address
7. Photograph
8. Date and place of birth
9. Dates of attendance
10. Grade level
11. Degrees, honors, and awards received
12. The most recent educational agency or institution attended
13. Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student’s social security number, in whole or in part, cannot be used for this purpose.)

If you do not want the Charter School to disclose directory information from your child’s education records without your prior written consent, you must notify the Charter School in writing at the time of enrollment or re-enrollment. Please notify the Front Office at: [office@shanelvalleyacademy.com](mailto:office@shanelvalleyacademy.com). A copy of the complete Educational Records and Student Information Policy is available at the School office and online.

#### **SECTION 504**

SVA recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise subjected to discrimination under any program of the Charter School. Any student who has an objectively identified disability that substantially limits a major life activity, including, but not limited to learning, is eligible for accommodations by the Charter School. The parent of any student suspected of needing or qualifying for accommodations under Section 504 may make a referral for an evaluation to the Principal. A copy of the School’s Policy, Procedures, and Parent Rights Regarding Identification, Evaluation and Education Under Section 504 is available at the School office and online.

## **SURVEYS ABOUT PERSONAL BELIEFS**

Unless you give written permission, your child will not be given any test, questionnaire, survey, or examination containing any questions about your child's, or his/her parents' or guardians' personal beliefs or practices in sex, family life, morality, or religion.

## **EDUCATION OF FOSTER CHILDREN AND YOUTH**

The Charter School has adopted a policy governing the education of foster youth, consistent with state and federal law. A copy of the complete Education of Foster Youth Policy is available at the School office and online.

## **HOMELESS STUDENTS**

The term "homeless children and youth" means individuals who lack a fixed, regular and adequate nighttime residence due to economic hardship. It includes children and youths who:

- Are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals;
- Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings;
- Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- Migratory children and unaccompanied youth (youth not in the physical custody of a parent or guardian) may be considered homeless if they meet the above definition of "homeless." Homeless status is determined in cooperation with the parent or guardian. In the case of unaccompanied youth, status is determined by the School Liaison. School Liaison: The Founding Leader or designee designates the following staff person as the School Liaison for homeless students ((42 USC 11432(g)(1)(J) & (e)(3)(C).):

Julie Alvarez  
1 Ralph Bettcher, Hopland CA 95449  
707-744-1485  
julie@shanelvalleyacademy.com

The School Liaison shall ensure that (42 U.S.C. 11432(g)):

- Homeless students are identified by school personnel and through coordination activities with other entities and agencies.
- Homeless students enroll in, and have a full and equal opportunity to succeed at Shanél Valley Academy.
- Homeless students and families receive educational services for which they are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act, early intervention services under part C of the Individuals with Disabilities Education Act, any other preschool programs administered by the Charter School, if any, and referrals to health care services, dental services, mental health services and substance abuse services, housing services, and other appropriate services.
- Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.

- Public notice of the educational rights of homeless children is disseminated at places frequented by parents or guardians of such youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, and in a manner and form understandable to the parents and guardians of homeless youth and unaccompanied youth.
- Enrollment/admissions disputes are mediated in accordance with law, the Charter School charter, and Board policy;
- Parents/guardians and any unaccompanied are fully informed of all transportation services, as applicable.
- Charter School personnel providing services receive professional development and other support;
- The School Liaison collaborates with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.
- Unaccompanied youth are enrolled in school; have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth; and are informed of their status as independent students under section 480 of the Higher Education Act of 1965 and that the youths may obtain assistance from the School Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Act.

For any homeless student who enrolls at the Charter School, a copy of the Charter School's complete policy shall be provided at the time of enrollment and at least twice annually. This complete Policy is also available at the School office and online.

### **ENGLISH LEARNERS**

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

### **MENTAL HEALTH SERVICES**

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

Available on Campus:

- School-Based Counseling Services – your child is encouraged to directly contact a Charter School counselor by coming into the counseling office during school hours and making an appointment to speak with our counselor. Our counselor supports students by providing individual sessions, group or parent consultations whenever a student is having a difficult time due to academic stress, transition to changes in their environment, or social concerns, including isolation.



Counseling services, whether provided by our Charter School or by an outside provider listed in this letter, are voluntary.

- Special Education Services – if you believe your child may have a disability, you are encouraged to directly contact the Principal to request an evaluation.

Available in the Community and Nationally:

- National Suicide Prevention Hotline - This organization provides confidential support for adults and youth in distress, including prevention and crisis resources.
  - Available 24 hours at 1-800-273-8255.

#### **PARENT AND FAMILY INVOLVEMENT POLICY**

The Charter School aims to provide all students in our school significant opportunities to receive a fair, equitable, and high quality education, and to close educational achievement gaps while abiding by guidelines within the Elementary and Secondary Education Act (“ESEA”). The Charter School staff recognizes a partnership with families is essential to meet this goal. Our Parent and Family Engagement Policy leverages and promotes active involvement of all families as partners with schools to ensure student success. A copy of the Charter School’s complete Policy is available in the School Office and online.

#### **CALIFORNIA HEALTHY KIDS SURVEY**

The Charter School will administer the California Healthy Kids Survey (“CHKS”) to students at grades five whose parents or guardians provide written permission. The CHKS is an anonymous, confidential survey of school climate and safety, student wellness, and youth resiliency that enables the Charter School to collect and analyze data regarding local youth health risks and behaviors, school connectedness, school climate, protective factors, and school violence.

#### **AVAILABILITY OF HEALTH INSURANCE**

Children—regardless of immigration status (foster youth, pregnant women, and legally present individuals, including those with deferred action for childhood arrivals [“DACA”] status) may be eligible for no- or low-cost Medi-Cal insurance. Medi Cal covers immunizations, checkups, specialists, vision and dental services, and more for children and youth at no- or low cost. Medi-Cal enrollment is available year-round. Covered California is where legal residents of California can compare quality health plans and choose the one that works best for them. Based on income and family size, many Californians may qualify for financial assistance. Enroll during Open Enrollment or any time you experience a life-changing event, like losing your job or having a baby. You have sixty (60) days from the event to complete enrollment. Information regarding the availability of insurance is provided with enrollment forms and available at: <https://www.coveredca.com/>

## **Appendix B: Complete and Full Board Policy Annual Notifications**

**Board Policy #2 - Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy**  
**Board Policy #2 - Title IX Complaint Form**

**Board Policy #4 - Uniform Complaint Policy & Procedures**  
**Board Policy #4 - Uniform Complaint Form**

**Board Policy #8 - General Complaint Policy**  
**Board Policy #8 - General Complaint Form**

**Board Policy #9 - Staff and Student Interaction Policy**

**Student Policy #2 - Suicide Prevention Policy**

**Student Policy #5 - Internet Use and Technology Policy**

**Student Policy #9 - Suspension and Expulsion Policy and Procedures**

**Student Policy #10 - Admission/Enrollment Policy and Procedures**  
**Student Policy #10 - Admission/Enrollment Complaint Form**

**TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION AND BULLYING POLICY**

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

As used in this policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of disability, pregnancy, gender, gender identity, gender expression, nationality, ancestry, race or ethnicity, immigration and citizenship status, religion, religious affiliation, sexual orientation, childbirth or related medical conditions, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or any other basis protected by federal, state, local law, ordinance or regulation. In addition, bullying encompasses any conduct described in the definitions set forth in this Policy. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."

To the extent possible, SVA will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated, and/or bullied, and will take action to investigate, respond, address and report on such behaviors in a timely manner. SVA school staff that witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so. Moreover, SVA will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with which SVA does business, or any other individual, student, or volunteer. This Policy applies to all employees, students, or volunteer actions and relationships, regardless of position or gender. SVA will promptly and thoroughly investigate any complaint of such misconduct prohibited by this Policy and take appropriate corrective action, if warranted.

***Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator  
("Coordinator"):***

Kristi McCullough, Principal  
1 Ralph Bettcher Drive  
Hopland CA 95449  
(707)744-1489 ext. 102  
[principal@shanelvalleyacademy.com](mailto:principal@shanelvalleyacademy.com)

## **Definitions**

### **Prohibited Unlawful Harassment**

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

### **Prohibited Unlawful Harassment under Title IX**

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

SVA is committed to providing an educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action.

Sexual harassment consists of sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, education, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of employment, educational or academic decisions affecting the individual; (c) the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

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

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
  - Rape, sexual battery, molestation or attempts to commit these assaults.
  - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body.
- Unwanted sexual advances, propositions or other sexual comments, such as:
  - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience.
  - Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any

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

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

### **Prohibited Bullying**

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

1. Placing a reasonable pupil\* or pupils in fear of harm to that pupil's or those pupils' person or property.
2. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
3. Causing a reasonable pupil to experience a substantial interference with his or her academic performance.
4. Causing a reasonable pupil to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by SVA.

*\* "Reasonable pupil" is defined as a pupil, including, but not limited to, an exceptional needs pupil, who exercises care, skill and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.*

**Cyberbullying** is an electronic act that includes the transmission of harassing communication, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying

also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

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

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

## **Grievance Procedures**

### **1. Reporting**

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

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

Kristi McCullough, Principal  
1 Ralph Bettcher Drive  
Hopland CA 95449  
(707)744-1489 ext. 102  
kristi@shanelvalleyacademy.com

Complaints regarding such misconduct may also be made to the U.S. Department of Education, Office for Civil Rights.

While submission of a written report is not required, the reporting party is encouraged to submit a written report to the Coordinator. Oral reports shall also be considered official reports. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

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

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

SVA 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 instances of misconduct prohibited by this Policy. Such participation shall not in any way affect the status, grades, or work assignments of the reporter.

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

## **2. Investigation**

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of SVA, the Coordinator or administrative designee will promptly initiate an investigation. In most cases, a thorough investigation will take no more than

seven (7) school days. If the Coordinator, or administrative designee determines that an investigation will take longer than seven (7) school days, he or she will inform the complainant and any other relevant parties and provide an approximate date when the investigation will be complete.

At the conclusion of the investigation, the Coordinator or administrative designee will meet with the complainant and, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation, including any actions necessary to resolve the incident/situation. However, in no case may the Coordinator or administrative designee reveal confidential information related to other students or employees, including the type and extent of discipline issued against such students or employees.

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

### **3. Consequences**

Students or employees who engage in misconduct prohibited by this Policy will be subject to disciplinary action.

### **4. Uniform Complaint Procedures**

When harassment or bullying is based upon one of the protected characteristics set forth in this Policy, a complainant may also fill out a Uniform Complaint Procedures complaint form at any time during the process.

### **5. Right of Appeal**

Should the reporting individual find the Coordinator's resolution unsatisfactory, he/she may follow the Dispute Resolution Process found in UCP.

Adopted: 9/6/21

Amended: 7/21/22



# Shanél Valley Academy

1 Ralph Bettcher Drive  
Hopland, CA 95449  
(707) 744-1485

## Title IX, 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 circumstances, 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 SVA 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 SVA:

Received by: \_\_\_\_\_

Date: \_\_\_\_\_

**UNIFORM COMPLAINT POLICY & PROCEDURES****Scope**

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

(1) Complaints of unlawful discrimination, harassment, intimidation or bullying against any protected group, including actual or perceived discrimination, on the basis of the actual or perceived characteristics of age, ancestry, color, mental disability, physical disability, ethnic group identification, gender expression, gender identity, gender, genetic information, immigration status/citizenship, marital status, medical condition, 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 SVA program or activity.

(2) Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils, and Pupils from Military Families, Local Control and Accountability Plans (LCAP), Migrant Education Programs, Every Student Succeeds Act / No Child Left Behind Act (2001), Programs (Titles I-VII), including improving academic achievement, compensatory education, limited English proficiency, and migrant education, Special Education Programs, State Preschool, Bilingual Education Comprehensive School Safety Plans,

(3) A complaint may also be filed alleging that a pupil enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below.

a. “Educational activity” means an activity offered by a school, school district, charter school or county office of education that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.

b. “Pupil fee” means a fee, deposit or other charge imposed on pupils, or a pupil’s parents or guardians, in violation of Section 49011 of the Education Code and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all pupils without regard to their families’ ability or willingness to pay fees or request special waivers, as provided for in *Hartzell v. Connell* (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:

i. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.

ii. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.

iii. A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.

c. A pupil fees complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees.

d. If SVA finds merit in a pupil fees complaint the Charter School shall provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts by the Charter School to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.

e. Nothing in this section shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or school districts, school, and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.

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

(5) Complaints of noncompliance with the requirements of Education Code Section 222 regarding the rights of lactating pupils on a school campus.

(6) Complaints of noncompliance with the requirements of Education Code Section 48645.7 regarding the rights of juvenile court school pupils when they become entitled to a diploma.

(7) Complaints of noncompliance with the Charter School's Safety Plan

The Charter School acknowledges and respects every individual's rights to privacy. Unlawful discrimination, harassment, intimidation or bullying complaints shall be investigated in a manner that protects (to the greatest extent reasonably possible) the confidentiality of the parties and the integrity of the process. The Charter School cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, the Charter School will attempt to do so as appropriate. The Charter School may find it necessary to disclose information regarding the

complaint/complainant to the extent necessary to carry out the investigation or proceedings, as determined by the Principal or designee on a case-by-case basis.

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

### **Compliance Officer**

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

Kristi McCullough, Principal  
1 Ralph Bettcher Drive  
Hopland CA 95449  
(707)744-1489 ext. 102  
[principal@shanelvalleyacademy.com](mailto:principal@shanelvalleyacademy.com)

The Principal 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 Principal or designee.

Should a complaint be filed against the Principal, the compliance officer for that case shall be the Chair of the SVA Board of Directors.

### **Notifications**

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

The annual notice shall be in English. Pursuant to Education Code Section 48985, if fifteen (15) percent or more of the pupils enrolled in the Charter School speak a single primary language other than English, this annual notice will also be provided to the parent or guardian of any such pupils in their primary language.

The Principal 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 California Department of Education ("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 Section 262.3.

(f) A statement that copies of the local educational agency complaint procedures shall be available free of charge.

## **Procedures**

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

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

### **STEP 1: FILING OF COMPLAINT**

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

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

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

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

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

## STEP 2: MEDIATION

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

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

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

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

## STEP 3: INVESTIGATION OF COMPLAINT

The Compliance Officer is encouraged to hold an investigative meeting within five (5) days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

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

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

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

## STEP 4: RESPONSE

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

## STEP 5: FINAL WRITTEN DECISION

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

The decision shall include:

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

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

### **Appeals to the California Department of Education**

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

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

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

6. A copy of the Charter School's complaint procedures.
7. Other relevant information requested by the CDE.

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

### **Civil Law Remedies**

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

Adopted: 9/6/21

Amended: 7/21/22



# Shanél Valley Academy

1 Ralph Bettcher Drive  
Hopland, CA 95449  
(707) 744-1485

## UNIFORM COMPLAINT PROCEDURE FORM

Last Name: \_\_\_\_\_ First Name/MI: \_\_\_\_\_

Scholar 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"/> Academic Achievement                                       | <input type="checkbox"/> Foster/Homeless Youth Education                                             | <input type="checkbox"/> Migratory Pupils              |
| <input type="checkbox"/> Bilingual Education                                        | <input type="checkbox"/> Juvenile Court School Pupils                                                | <input type="checkbox"/> School Safety Plan            |
| <input type="checkbox"/> Compensatory Education                                     | <input type="checkbox"/> Local Control Funding Formula/ Local Control and Accountability Plan (LCAP) | <input type="checkbox"/> Special Education             |
| <input type="checkbox"/> English Proficiency                                        | <input type="checkbox"/> Migrant Education                                                           | <input type="checkbox"/> State Preschool Health/Safety |
| <input type="checkbox"/> Every Student Succeeds Act / No Child Left Behind Programs |                                                                                                      | <input type="checkbox"/> Pupils from Military Families |

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

- |                                                                       |                                                         |                                                                                                                                    |
|-----------------------------------------------------------------------|---------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Age                                          | <input type="checkbox"/> Genetic Information            | <input type="checkbox"/> Sex                                                                                                       |
| <input type="checkbox"/> Ancestry                                     | <input type="checkbox"/> Immigration Status/Citizenship | <input type="checkbox"/> Sexual Orientation                                                                                        |
| <input type="checkbox"/> Color                                        | <input type="checkbox"/> Marital Status                 | <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"/> Medical Condition              |                                                                                                                                    |
| <input type="checkbox"/> Ethnic Group Identification                  | <input type="checkbox"/> Nationality / National Origin  |                                                                                                                                    |
| <input type="checkbox"/> Gender / Gender Expression / Gender Identity | <input type="checkbox"/> Race or Ethnicity              |                                                                                                                                    |
|                                                                       | <input type="checkbox"/> Religion                       |                                                                                                                                    |

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 the Compliance Officer:

Kristi McCullough, Principal  
1 Ralph Bettcher Drive  
Hopland, CA 95449  
(707)744-1489  
principal@shanelvalleyacademy.com

**GENERAL COMPLAINT**

Shanél Valley Academy (“SVA” or the “Charter School”) has adopted this General Complaint Policy to address concerns about SVA generally and/or regarding specific SVA employees. For complaints regarding harassment, discrimination, unlawful tuition, or other specific perceived violations of state or federal laws, please refer to the Charter School’s Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy Anti-Discrimination and/or the Charter School’s Uniform Complaint Procedures. For all other complaints, this Policy, the General Complaint Form, and accompanying procedures will be appropriate. For any questions regarding the application of this Policy or SVA’s other policies, please contact the Principal, Kristi McCullough, at 707-744-1489 ext. 102 or [principal@shanelvalleyacademy.com](mailto:principal@shanelvalleyacademy.com)

**INTERNAL COMPLAINTS (Complaints by Employees against Employees)**

This section of the Policy is for use when a SVA employee raises a complaint or concern about a co-worker. If reasonably possible, internal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the immediate supervisor. However, in the event an informal resolution may not be achieved or is not appropriate, the following steps will be followed:

1. The complainant will bring the matter to the attention of the Principal as soon as possible after attempts to resolve the complaint with the immediate supervisor have failed or if not appropriate. The complainant will reduce his or her complaint to writing by completing the General Complaint Form, below, indicating all known and relevant facts. The Principal (or designee) will then investigate the facts and provide a solution or explanation; or
2. If the complaint is about the Principal, the complainant may file his or her complaint using the General Complaint Form, below, to the Chair of the Board of Directors (“Board”), who will then confer with the Board and may conduct a fact-finding or authorize a third-party investigator on behalf of the Board. The Chair or investigator will report his or her findings to the Board for review and action, if necessary.

This Policy cannot guarantee that every problem will be resolved to the employee’s satisfaction. However, SVA values each employee’s ability to express concerns and the need for resolution without fear of adverse consequence to employment.

**POLICY FOR COMPLAINTS GENERALLY (General Complaints by Third Parties against SVA or SVA Employees)**

This section of the Policy is for use when either a complaint does not fall under other complaint procedures or a third party (non-employee) raises a complaint or concern about SVA generally or a SVA employee.

If reasonably possible, internal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the SVA employee directly. However, in the event an informal resolution may not be achieved or is not appropriate, the following steps will be followed:

1. Complainants may file a written complaint using the General Complaint Form, below, with the office of the Principal as soon as possible after the events that give rise to the complainant's concerns. The written complaint should set forth in detail the factual basis for the complaint;
2. The Principal (or designee) shall use his or her best efforts to ascertain the facts relating to the complaint. Where applicable, the Principal (or designee) shall talk with the parties identified in the complaint or persons with knowledge of the particulars of the complaint to ascertain said facts; and
3. In the event that the Principal (or designee) finds that a complaint is valid, the Principal (or designee) may take appropriate action to resolve the problem. Where the complaint is against an employee of SVA, the Principal (or designee) may take disciplinary action against the employee. As appropriate, the Principal (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures. The Principal's (or designee's) decision relating to the complaint shall be final.
4. If the complaint is about the Principal, the complainant may file his or her complaint in using the General Complaint Form, below, to the Chair of the Board, who will then confer with the Board and may conduct a fact-finding or authorize a third-party investigator on behalf of the Board. The Chair or investigator will report his or her findings to the Board for review and further action, if deemed necessary by the Board.

## **GENERAL REQUIREMENTS**

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

Non-Retaliation: All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.

Resolution: The Board, Principal, or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

Adopted: 9/6/21

Amended: 7/21/22

# Shanél Valley Academy

1 Ralph Bettcher Drive  
Hopland, CA 95449  
(707) 744-1485

## 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 circumstances, 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 SVA 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 SVA:

Received by: \_\_\_\_\_

Date: \_\_\_\_\_

PROFESSIONAL BOUNDARIES: STAFF/STUDENT INTERACTION POLICY  
*As written in Employee Handbook*

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

Corporal Punishment

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

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

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

A. Examples of PERMITTED actions (NOT corporal punishment)

1. Stopping a student from fighting with another student;
2. Preventing a pupil from committing an act of vandalism;
3. Defending yourself from physical injury or assault by a student;
4. Forcing a pupil to give up a weapon or dangerous object;
5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.

B. Examples of PROHIBITED actions (corporal punishment)

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

## Acceptable and Unacceptable Staff/Student Behavior

This policy is intended to guide all School faculty and staff in conducting themselves in a way that reflects the high standards of behavior and professionalism required of school employees and to specify the boundaries between students and staff.

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

For the purposes of this policy, the term "boundaries" is defined as acceptable professional behavior by staff members while interacting with a student. Trespassing the boundaries of a student/teacher relationship is deemed an abuse of power and a betrayal of public trust.

Some activities may seem innocent from a staff member's perspective, but can be perceived as flirtation or sexual insinuation from a student or parent point of view. The objective of the following lists of acceptable and unacceptable behaviors is not to restrain innocent, positive relationships between staff and students, but to prevent relationships that could lead to, or may be perceived as, sexual misconduct.

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

## Duty to Report Suspected Misconduct

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

### Examples of Specific Behaviors

The following examples are not an exhaustive list:

#### Unacceptable Staff/Student Behaviors (Violations of this Policy)

- (a) Giving gifts to an individual student that are of a personal and intimate nature.
- (b) Kissing of any kind.
- (c) Any type of unnecessary physical contact with a student in a private situation.
- (d) Intentionally being alone with a student away from the school.
- (e) Making or participating in sexually inappropriate comments.
- (f) Sexual jokes.
- (g) Seeking emotional involvement with a student for your benefit.
- (h) Listening to or telling stories that are sexually oriented.
- (i) Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding.
- (j) Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.

#### Unacceptable Staff/Student Behaviors without Parent and Supervisor Permission

**(These behaviors should only be exercised when a staff member has parent and supervisor permission.)**

- (a) Giving students a ride to/from school or school activities.
- (b) Being alone in a room with a student at school with the door closed.
- (c) Allowing students in your home.

#### Cautionary Staff/Student Behaviors

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

- (a) Remarks about the physical attributes or development of anyone.
- (b) Excessive attention toward a particular student.
- (c) Sending emails, text messages, social media messages, or letters to students if the content is not about school activities.
- (d) Taking photos or recordings of students for personal use.

#### Acceptable and Recommended Staff/Student Behaviors

- (a) Getting parents' written consent for any after-school activity.
- (b) Obtaining formal approval to take students off school property for activities such as field trips or competitions.



- (c) Emails, text, phone and instant messages to students must be very professional and pertaining to school activities or classes (Communication should be limited to school technology, and not social media sites such as Instagram, SnapChat, Twitter, etc.).
- (d) Keeping the door open when alone with a student.
- (e) Keeping reasonable space between you and your students.
- (f) Stopping and correcting students if they cross your own personal boundaries.
- (g) Keeping parents informed when a significant issue develops about a student.
- (h) Keeping after-class discussions with a student professional and brief.
- (i) Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries.
- (j) Involving your supervisor if conflict arises with the student.
- (k) Informing the Principal about situations that have the potential to become more severe.
- (l) Making detailed notes about an incident that could evolve into a more serious situation later.
- (m) Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- (n) Asking another staff member to be present if you will be alone with any type of special needs student.
- (o) Asking another staff member to be present when you must be alone with a student after regular school hours.
- (p) Giving students praise and recognition without touching them.
- (q) Pats on the back, high fives and handshakes are acceptable.
- (r) Keeping your professional conduct a high priority.
- (s) Asking yourself if your actions are worth your job and career.

Adopted: 9/6/21

Amended: 6/30/22

### SUICIDE PREVENTION POLICY

The Shanél Valley Academy (SVA) Board of Directors recognizes that suicide is a leading cause of death among youth and that school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. To attempt to reduce suicidal behavior and its impact on students and families, the Board of Directors has developed prevention strategies and intervention procedures.

In compliance with Education Code section 215, this policy has been developed in consultation with SVA and community partners, SVA school-employed mental health professionals, administrators, other school staff members, parents/guardians/caregivers, students, local health agencies and professionals, the county mental health plan, law enforcement, and community organizations in planning, implementing, and evaluating SVA's strategies for suicide prevention and intervention. SVA must work in conjunction with local government agencies, community-based organizations, and other community supports to identify additional resources.

To ensure the policies regarding suicide prevention are properly adopted, implemented, and updated, SVA shall appoint an individual (or team) to serve as the suicide prevention point of contact for SVA. The suicide prevention point of contact for SVA shall ensure proper coordination and consultation with the county mental health plan if a referral is made for mental health or related services on behalf of a student who is a Medi-Cal beneficiary. This policy shall be reviewed and revised as indicated, at least every 5 years in conjunction with the previously mentioned community stakeholders.

#### **Staff Development**

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

Training shall be provided for all school staff members at the beginning of the school year. Training shall include the following:

1. All suicide prevention trainings shall be offered under the direction of mental health professionals (e.g., school counselor, or other public entity professionals, such as psychologists or social workers) who have received advanced training specific to suicide. Staff training may be adjusted year-to-year based on previous professional development activities and emerging best practices.
2. At least annually, all staff shall receive training on the risk factors and warning signs of suicide, suicide prevention, intervention, referral, and postvention through Vector Solutions, our online portal in partnership with our insurance company CharterSAFE.
3. At a minimum, all staff shall participate in training on the core components of suicide prevention (identification of suicide risk factors and warning signs, prevention, intervention, referral, and postvention) at the beginning of their employment or annually,

through Vector Solutions (see above). Core components of the general suicide prevention training shall include:

- a. Suicide risk factors, warning signs, and protective factors.
  - b. How to talk with a student about thoughts of suicide.
  - c. How to respond appropriately to the youth who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and an immediate referral for a suicide risk assessment.
  - d. Emphasis on immediately referring (same day) any student who is identified to be at risk of suicide for assessment while staying under constant monitoring by staff member.
  - e. Emphasis on reducing stigma associated with mental illness and that early prevention and intervention can drastically reduce the risk of suicide.
  - f. Reviewing the data annually to look for any patterns or trends of the prevalence or occurrence of suicide ideation, attempts, or death. Data from the California School Climate, Health, and Learning Survey (Cal-SCHLS) should also be analyzed to identify school climate deficits and drive program development. See the Cal-SCHLS Web site at <http://cal-schls.wested.org/>.
  - g. Information regarding groups of students judged by the school, and available research, to be at elevated risk for suicide. These groups include, but are not limited to, the following:
    - i. Youth affected by suicide.
    - ii. Youth with a history of suicide ideation or attempts.
    - iii. Youth with disabilities, mental illness, or substance abuse disorders.
    - iv. Lesbian, gay, bisexual, transgender, or questioning youth.
    - v. Youth experiencing homelessness or in out-of-home settings, such as foster care.
    - vi. Youth who have suffered traumatic experiences.
4. In addition to initial orientations to the core components of suicide prevention, ongoing annual staff professional development for all staff may include the following components:
- a. The impact of traumatic stress on emotional and mental health.
  - b. Common misconceptions about suicide.
  - c. Charter School and community suicide prevention resources.
  - d. Appropriate messaging about suicide (correct terminology, safe messaging guidelines).
  - e. The factors associated with suicide (risk factors, warning signs, protective factors).
  - f. How to identify youth who may be at risk of suicide.
  - g. Appropriate ways to interact with a youth who is demonstrating emotional distress or is suicidal. Specifically, how to talk with a student about their thoughts of suicide and (based on SVA guidelines) how to respond to such thinking; how to talk with a student about thoughts of suicide and appropriately respond and provide support based on SVA guidelines.

- h. Charter School-approved procedures for responding to suicide risk (including multi-tiered systems of support and referrals). Such procedures should emphasize that the suicidal student should be constantly supervised until a suicide risk assessment is completed.
- i. Charter School-approved procedures for responding to the aftermath of suicidal behavior (suicidal behavior postvention).
- j. Responding after a suicide occurs (suicide postvention).
- k. Resources regarding youth suicide prevention.
- l. Emphasis on stigma reduction and the fact that early prevention and intervention can drastically reduce the risk of suicide.
- m. Emphasis that any student who is identified to be at risk of suicide is to be immediately referred (same day) for assessment while being constantly monitored by a staff member.

### **Employee Qualifications and Scope of Services**

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

### **Parents, Guardians, and Caregivers Participation and Education**

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

### **Student Participation and Education**

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

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

SVA's instructional curriculum may include information about suicide prevention, as appropriate or needed. If suicide prevention is included in the Charter School's instructional curriculum, it shall consider the grade level and age of the students and be delivered and discussed in a manner that is sensitive to the needs of young students. Under the supervision of an appropriately trained individual acting within the scope of her/his credential or license, students shall:

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

SVA will support the creation and implementation of programs and/or activities on campus that raise awareness about mental wellness and suicide prevention.

### **Intervention and Emergency Procedures**

SVA designates the following staff to act as the primary and secondary suicide prevention liaisons:

1. Keenan Tyner, School Counselor, LCSW, PPSC
2. Kristi McCullough, Principal

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

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

The suicide prevention liaison shall also refer the student to mental health resources available to them in the community.

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

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

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

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

1. Contact the parent/guardian and offer support to the family.

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

### **Supporting Students during or after a Mental Health Crisis**

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

### **Responding After a Suicide Death (Postvention)**

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

The suicide prevention liaison shall:

1. Coordinate with the Principal to:
  - a. Confirm death and cause.
  - b. Identify a staff member to contact deceased's family (within 24 hours).
  - c. Enact the Suicide Postvention Response.
  - d. Notify all staff members (ideally in-person or via phone, not via e-mail or mass notification).
2. Coordinate an all-staff meeting, to include:
  - a. Notification (if not already conducted) to staff about suicide death.
  - b. Emotional support and resources available to staff.
  - c. Notification to students about suicide death and the availability of support services (if this is the protocol that is decided by administration).
  - d. Share information that is relevant and that which you have permission to disclose.
3. Prepare staff to respond to needs of students regarding the following:
  - a. Review of protocols for referring students for support/assessment.

- b. Talking points for staff to notify students.
  - c. Resources available to students (on and off campus).
4. Identify students significantly affected by suicide death and other students at risk of imitative behavior.
5. Identify students affected by suicide death but not at risk of imitative behavior.
6. Communicate with the larger school community about the suicide death.
7. Consider funeral arrangements for family and school community.
8. Respond to memorial requests in respectful and non-harmful manner; responses should be handled in a thoughtful way and their impact on other students should be considered.
9. Include long-term suicide postvention responses:
  - a. Consider important dates (i.e., anniversary of death, deceased birthday, graduation, or other significant event) and how these will be addressed.
  - b. Support siblings, close friends, teachers, and/or students of deceased.
  - c. Consider long-term memorials and how they may impact students who are emotionally vulnerable and at risk of suicide.

## WEB SITES

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

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

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

Adopted: 9/6/21

Amended: 7/21/22



STUDENT USE OF TECHNOLOGY AND INTERNET POLICYI. INTRODUCTION

The Internet is a place for the exchange of ideas and information. Accordingly, the Internet is an excellent educational tool that allows students to access a wide variety of information to supplement academic study and research. The Shanél Valley Academy (“Charter School”) provides students with Internet access, email accounts, and computers to further their education and research. However, the access the Internet provides to computers and people across the world also provides access to materials that do not have educational value in a school setting. As such, students may encounter information and ideas they may consider obscene, controversial, abusive, or otherwise offensive. Despite these risks, the Charter School believes that the value of the educational information available on the Internet far outweighs the risk that students may access information that is not consistent with educational goals and purposes.

II. NOTICE AND ACCEPTABLE USE AGREEMENT

The Charter School has created this policy to ensure that student access to and use of computers and the Internet and is consistent with the educational goals and purposes of the Charter School. This Policy sets forth student responsibilities and duties when accessing and using the Internet through Charter School computers and when using email accounts maintained by the Charter School.

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

III. SAFETY

The Charter School will use technology protection measures that protect against Internet access (by both minors and adults) to visual depictions that are obscene, child pornography, or with respect to use by minors, harmful to minors. These measures may include, but are not limited to, installing a blocking system to block specific internet sites, setting Internet browsers to block access to adult sites, using a filtering system that will filter all Internet traffic and report potential instances of misuse and using a spam filter.

While the Charter School is able exercise reasonable control over content created and purchased by the Charter School, it has limited control over content accessed via the internet and no filtering system is 100% effective. Neither the Charter School nor its staff shall be responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes, misuse or negligence.

To reinforce these measures, the Principal or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities. Staff shall

monitor students while they are using Charter School computers, laptops, or tablets to access the internet or online services on a Charter School resource center and may have teacher, certificated teacher resource, student aides, and volunteers assist in this monitoring.

Parents/guardians are required to supervise and monitor their child's use of Charter School equipment including but not limited to their child's access to the internet and any online services through such equipment any and all times during which any Charter School equipment is being used by their child outside school facilities or school hours to ensure compliance with this policy.

The Principal or designee shall provide age-appropriate instruction regarding safe and appropriate behavior. Such instruction shall include, but not be limited to, keeping their personal information private, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

Students shall not use the Internet to perform any illegal act or to help others perform illegal acts. Illegal acts include, but are not limited to, any activities in violation of local, state, and federal law and/or accessing information designed to further criminal or dangerous activities. Such information includes, but is not limited to, information that if acted upon could cause damage, present a danger, or cause disruption to the Charter School, other students, or the community.

Damaging, debilitating or disabling computers, computer networks or systems through the intentional or overuse of electronic distribution or the spreading of computer viruses or other harmful programs shall be prohibited. Any unauthorized online access to other computers by means of hacking into other computers, downloading hacker tools such as port scanners and password crackers designed to evade restrictions shall also be strictly prohibited.

To the extent possible, the Principal or designee shall block access to inappropriate sites on Charter School computers with Internet access. The Principal or designee shall oversee the maintenance of the Charter School's technological resources and may establish guidelines and limits on their use. All employees shall receive a copy of this policy and the accompanying Acceptable Use Agreement describing expectations for appropriate use of the system and shall also be provided with information about the role of staff in supervising student use of technological resources. All employees shall comply with this policy and the Acceptable Use Agreement, in addition to any separate policies governing employee use of technology.

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

## ACCEPTABLE USE AGREEMENT

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

### STUDENT RESPONSIBILITIES

#### 1. Security

The Student acknowledges that access to the Internet via Charter School equipment and resource networks is intended to serve and pursue educational goals and purposes. Student use of the Internet is therefore limited to only those activities that further or enhance the delivery of education. The Student recognizes that he or she has a duty to use Charter School equipment and resource networks only in a manner specified in the Policy.

- a. Safeguard all personal passwords. Students should not share passwords with others. Students are expected to notify a teacher or staff member immediately if they believe their student account has been compromised.
- b. Access technology only with their account or with a shared account as directed by their teacher and not to allow others to use their account or to use the accounts of others, with or without the account owner's authorization.

#### 2. Authorized Use

Students may use Charter School technology when directed by a teacher, when technology has been designated for open student use (e.g., computers in the library), and for other educational purposes.

#### 3. Protection Measures

While the Charter School is able exercise reasonable control over content created and purchased by the Charter School, it has limited control over content accessed via the internet and no filtering system is 100% effective. Neither the Charter School nor its staff, employees, officers, directors or volunteers shall be responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes, misuse or negligence. The student and parent/guardian agree not to hold the Charter School or any Charter School staff, employees, officers, directors or volunteers responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes, misuse or negligence. They also agree to indemnify and hold harmless the Charter School, Charter School staff, employees, officers, directors and volunteers for any damages or costs incurred. Parents/guardians are required to supervise and monitor their child's use of Charter School equipment including but not limited to their child's access to the internet and any online services through such equipment

any and all times during which any Charter School equipment is being used by their child outside school facilities or school hours to ensure compliance with this policy.

#### 4. Inappropriate Use

Charter School technology, hardware, software and bandwidth are shared and limited resources and all users have an obligation to use those resources responsibly. Students are provided access to the Charter School technology primarily for educational purposes. Students shall not use Charter School technology or equipment for personal activities or for activities that violate Charter School policy or local law. These include but are not limited to:

- a. Student games or online gaming.
- b. Downloading software, music, movies or other content in violation of licensing requirements, copyright or other intellectual property rights.
- c. Installing software on Charter School equipment without the permission of a teacher or other authorized Charter School staff person.
- d. Downloading, viewing or sharing inappropriate content, including pornographic, defamatory or otherwise offensive material.
- e. Conducting any activity that is in violation of Charter School policy, the student code of conduct or local, state or federal law.
- f. Engaging in any activity that is harmful to other student(s), including the use of technology to harass, intimidate, bully or otherwise disrupt the educational process.
- g. Conducting for-profit business.
- h. Using hacking tools on the network or intentionally introducing malicious code or viruses into the Charter School's network.
- i. Using any software or proxy service to obscure either the student's IP address or the sites that the student visits.
- j. Disabling, bypassing, or attempting to disable or bypass any system monitoring, filtering or other security measures.
- k. Accessing or attempting to access material or systems on the network that the student is not authorized to access.

In instances of misuse or suspected misuse, in addition to any disciplinary actions appropriate, the Student's parent or guardian may be granted access to the Student's email files.

5. No Expectation of Privacy

Student acknowledges that computer equipment, Internet access networks, email accounts, and any other technology resources are owned by Charter School and provided to students for educational purposes. The Charter School may require staff to monitor and supervise all access to computer equipment, Internet access networks, and email accounts. To facilitate monitoring of activities, computer screens may be positioned so that they are visible to the staff member supervising the students. The Charter School reserves the right to access stored computer records and communications, files, and other data stored on Charter School equipment or sent over Charter School networks. Such communications, files, and data are not private and may be accessed during routine system maintenance; during inspection of Charter School equipment at the end of the school year/term or agree to use period; and review of individual files or monitoring of individual activity when there is a reasonable suspicion that the student is engaging in an inappropriate use.

6. Disruptive Activity

Students should not intentionally interfere with the performance of the Charter School's network or intentionally damage any Charter School technology resources.

7. Unauthorized Networks

Students may not create unauthorized wireless networks to access the Charter School's network. This includes establishing wireless access points, wireless routers and open networks on personal devices.

8. Consequences of Inappropriate Use

Students who violate this Agreement will be subject to discipline, which may include loss of access to Charter School technology resources and/or other appropriate disciplinary or legal action in accordance with the Student Code of Conduct and applicable laws.

9. Technology Systems/Equipment Care

Students are not permitted to have food or drink near computers/other technology and must keep equipment and assigned areas free of vandalism.

- No food or drink should be placed next to Chromebooks. The devices are sensitive to liquids and must not be used at or near a pool, bathtub, etc.
- Cords and cables must be inserted carefully into Chromebooks.
- No objects should ever be placed on top of the Chromebooks.
- Never lift Chromebooks by the screen.
  
- The Chromebook screen can be damaged if subjected to excessive pressure, heavy objects, rough treatment, some cleaning solvents and other liquids.
- Do not store a Chromebook with the screen open.
- Only clean the screen with a soft, dry microfiber cloth or antistatic cloth.

In the event a computer is damaged, lost or stolen while in the student's possession, the parent assumes all liability for the repair or replacement of the Chromebook.

Estimated Costs:

- Complete replacement of the device \$300
- Screen \$100
- Keyboard \$45
- Hinge \$6
- Power Cord \$18
- Headphones \$15
- Mouse \$6

Adopted: 9/6/21

Amended: 7/21/22

ACKNOWLEDGEMENT OF THE TERMS OF THE CHARTER SCHOOL'S INTERNET USE POLICY

After reading the Student Use of Technology Policy and the Acceptable Use Agreement, please complete this form to indicate that you agree with the terms and conditions provided. The signature of both the student and parent/guardian are mandatory before access may be granted to the technologies available. This document, which incorporates the Use Procedure, reflects the entire agreement and understanding of all parties. Charter School encourages parents/guardians to discuss this Policy with their children to ensure their children understand and comply with this Policy.

I, the undersigned, do hereby certify that I have read and understand the Student Use of Technology Policy and the Acceptable Use Agreement and agree to the terms and conditions that are set out in the Policy.

\_\_\_\_\_  Mouse       Headphones

Chromebook Serial Code

\_\_\_\_\_  
Student Name (Print)                                          Student Signature                                          Date

\_\_\_\_\_  
Parent/Guardian Name (Print)                                          Parent/Guardian Signature                                          Date

**SUSPENSION AND EXPULSION POLICY AND PROCEDURES**

Shanèl Valley Academy (“Charter School”) recognizes that in extreme cases, suspension or expulsion may be required, but every attempt to avoid this outcome will be exhausted before taking this step.

**Policy**

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

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

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

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline and involuntary removal policies and procedures. The notice shall state that this Policy and its Procedures are available upon request at the Superintendent’s office.

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

A student identified as an individual with disabilities or for whom the Charter School has a basis



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

No student shall be involuntarily removed by the Charter School for any reason unless the parent/guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action. The written notice shall be in the native language of the student or the student's parent/guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform the student, the student's parent/guardian, or educational rights holder of the basis for which the student is being involuntarily removed and the student's parent/guardian, or educational rights holder's right to request a hearing to challenge the involuntary removal. If a student's parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

## **Procedures**

### **A. Grounds for Suspension and Expulsion of Students**

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

### **B. Enumerated Offenses**

1. Discretionary Suspension Offenses. Students may be suspended when it is determined the student:
  - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
  - b) Willfully used force or violence upon the person of another, except self-defense.

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

- o) Engaged in, or attempted to engage in hazing. For the purposes of this policy, “hazing” means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this policy, “hazing” does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this policy, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for their own safety or for their immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This provision shall apply to students in any of grades 4 to 8, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in Education Code Section 233(e). This provision shall apply to students in any of grades 4 to 8, inclusive.
- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This provision shall apply to students in any of grades 4 to 8, inclusive.
- t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

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

- (a) For purposes of this policy, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
  - (b) For purposes of this policy, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- u) A student 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 student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
- v) Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Superintendent or designee’s concurrence.

2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion when it is determined the student:

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

3. Discretionary Expellable Offenses: Students may be recommended for expulsion when it is determined the student:

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

- m) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o) Engaged in, or attempted to engage in hazing. For the purposes of this policy, “hazing” means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this policy, “hazing” does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this policy, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for their own safety or for their immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This provision shall apply to students in any of grades 4 to 8, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This provision shall apply to students in any of grades 4 to 8, inclusive.
- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and

reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This provision shall apply to students in any of grades 4 to 8, inclusive.

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



or has reasonably believed, that the student was or is the student who was impersonated.

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

iii. An act of cyber sexual bullying.

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

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

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

u) A student 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 student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).

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

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

a) Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any device of this type, the

student had obtained written permission to possess the item from a certificated school employee, with the Superintendent or designee's concurrence.

- b) Brandished a knife at another person.
- c) Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, et seq.
- d) Committed or attempted to commit a sexual assault or committed a sexual battery as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code or committed a sexual battery as defined in Penal Code Section 243.4.

If it is determined by the Administrative Panel and/or Board of Directors that a student has brought a firearm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or destructive device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the student shall be provided due process rights of notice and a hearing as required in this policy.

The Charter School will use the following definitions:

- The term “knife” means (A) any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing; (B) a weapon with a blade fitted primarily for stabbing; (C) a weapon with a blade longer than 3½ inches; (D) a folding knife with a blade that locks into place; or (E) a razor with an unguarded blade.
- The term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.
- The term “destructive device” means any explosive, incendiary, or poison gas, including but not limited to: (A) bomb; (B) grenade; (C) rocket having a propellant charge of more than four ounces; (D) missile having an explosive or incendiary charge of more than one-quarter ounce; (E) mine; or (F) device similar to any of the devices described in the preceding clauses.

### **C. Suspension Procedure**

Suspensions shall be initiated according to the following procedures:

#### **1. Conference**

Suspension shall be preceded, if possible, by a conference conducted by the Superintendent or designee with the student and the student's parent/guardian and, whenever practical, the teacher,

supervisor or Charter School employee who referred the student to the Superintendent or designee.

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

At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against the student and shall be given the opportunity to present their version and evidence in their defense, in accordance with Education Code Section 47605(c)(5)(J)(i). This conference shall be held within two (2) school days, unless the student 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 student for failure of the student’s parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended student shall not be contingent upon attendance by the student’s parent/guardian at the conference.

## 2. Notice to Parents/Guardians

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

## 3. Suspension Time Limits/Recommendation for Expulsion

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

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

#### 4. Homework Assignments During Suspension

In accordance with Education Code Section 47606.2(a), upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the student, or the affected student, a teacher shall provide to a student in any of grades 1 to 12, inclusive, who has been suspended from school for two (2) or more school days, the homework that the student would otherwise have been assigned.

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

#### **D. Authority to Expel**

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

A student may be expelled either by the neutral and impartial Charter School Board of Directors following a hearing before it or by the Charter School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board of Directors as needed. The Administrative Panel shall consist of at least three (3) members who are certificated and neither a teacher of the student nor a member of the Charter School Board of Directors. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

#### **E. Expulsion Procedures**

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

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

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

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

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of their right to (a) receive five (5) days notice of their scheduled testimony; (b) have up to two (2) adult support persons of their choosing present in the hearing at the time the complaining witness testifies, which may include a parent/guardian, or legal counsel; and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.

5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours the complaining witness is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany the complaining witness to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising their discretion to remove a person from the hearing whom they believe is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the student being expelled, the complaining witness shall have the right to have their testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

## **G. Record of Hearing**

A record of the hearing shall be made and may be maintained by any means, including electronic

recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.

## **H. Presentation of Evidence**

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

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

## **I. Expulsion Decision**

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

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

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

## **J. Written Notice to Expel**

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

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

## **K. Disciplinary Records**

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

## **L. No Right to Appeal**

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

## **M. Expelled Students/Alternative Education**

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

## **N. Rehabilitation Plans**

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Board of Directors at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the student may reapply to the Charter School for readmission.

## **O. Readmission or Admission of Previously Expelled Student**

The decision to readmit a student after the end of the student's expulsion term or to admit a previously expelled student from another school district or charter school who has not been readmitted/admitted to another school or school district after the end of the student's expulsion



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

#### **P. Notice to Teachers**

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

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

##### 1. Notification of SELPA

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

##### 2. Services During Suspension

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

##### 3. Procedural Safeguards/Manifestation Determination

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

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

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

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

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

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

#### 4. Due Process Appeals

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

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

of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent/guardian and the Charter School agree otherwise.

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

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

## 5. Special Circumstances

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

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

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

## 6. Interim Alternative Educational Setting

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

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

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

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

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

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

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

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

Adopted: 9/6/21

Amended:

STUDENT ADMISSION POLICY AND PROCEDURES

All students attending Shanél Valley Academy (“Charter School”) (“SVA”) must follow the application, admission, and enrollment policies and procedures of the Charter School. SVA will maintain complete and accurate records of its annual admissions and enrollment processes.

**Non-Discriminatory Admission Procedures**

SVA is a free public school open to all California residents without regard to prior academic achievement or the residence of the pupil or the pupil’s parent/guardian in the State of California except as is required by Education Code Section 47605(e)(2)(B). SVA will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition or discriminate against any student based upon any of the characteristics listed in Education Code Section 220. SVA shall admit all pupils who wish to attend the Charter School. There will be no test, assessment, or interview as a condition for enrollment in the Charter School. The Charter School will adhere to all state and federal laws regarding the minimum and maximum age for public school attendance in charter schools. Admission, except in the case of a public random drawing, shall not be determined by the place of residence of the pupil or the pupil’s parent or legal guardian within the state.

In accordance with Education Code Sections 49011 and 47605(e)(2)(B)(iv), admission preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

In accordance with Education Code Section 47605(e)(4)(A), SVA shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(e)(2)(B)(iii), including pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation. Similarly, in accordance with Section 47605(e)(4)(C), the Charter School shall not encourage a pupil currently attending the Charter School to disenroll from the Charter School or transfer to another school for any reason, including, but not limited to the academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(e)(2)(B)(iii), as listed above.

Pursuant to Education Code Section 47605(e)(4)(D), the Charter School shall post a notice developed by the CDE on the Charter School website, outlining the requirements of Section 47605(e)(4), and make this notice available to parents.

## **Application and Enrollment Process**

SVA shall require students who wish to attend the Charter School to complete an application form by the announced deadlines. SVA will not require any monetary or other contribution as a condition for application, admission, enrollment, or participation in any of the Charter School's required educational activities.

SVA has a projected timeline below for application, public random drawing, and admissions. If necessary and appropriate, this timeline may be amended without any need to formally materially revise the charter petition as long as changes are communicated to the District and are posted on the Charter School's website.

As indicated, lottery rules, deadlines, dates and times will be communicated in the application form and on the Charter School's website and posted again after the application deadline has passed.

**December-February:** Information sessions are held in large and small group settings with community stakeholders and partners present.

**January-March:** During this time, application materials are sent to students and families in their preferred language. Existing students (starting in Year 2) are given re-enrollment forms. The application deadline occurs, and the public random drawing is held, if necessary.

**March-May:** All acceptance letters, enrollment materials, and orientation/onboarding information is given and distributed to families of students who are accepted in the public random drawing. Waitlist letters are distributed to families of students not granted admission through the public random drawing.

Students who are offered enrollment during the public random drawing are required to provide registration information to SVA, including any student academic history, a release of records, student health, and emergency information to ensure that SVA is prepared to serve the student.

## **Admission Procedures**

Upon admission, students will be required to submit an enrollment packet which shall include the following:

1. Completion of Student enrollment form
2. Proof of Immunization
3. Home Language Survey
4. Completion of Emergency Medical Information Form
5. Proof of minimum age requirements
6. Release of records, including authorization for the Charter School to request and receive documents from the schools the student has attended or currently attends.<sup>1</sup>

Admission tests will not be required; however, assessments may be administered following enrollment to determine individual instructional programs. These tests will serve as diagnostics of students' reading, writing, and math skills.

### **Founders Designation**

Shanél Valley Academy recognizes the close partnership that is needed with parents and families in order to support our Charter School's mission. During our founding stages, we have cultivated these partnerships with some residents and parents who have led and contributed to our community outreach efforts. The Founding Families will be finalized upon approval of the charter. The Founding Families admission preference is applicable to children of SVA's Founders even if the children do not begin attending the Charter School until after the first year of the Charter School's operation.

### **Public Random Drawing and Waitlist Procedures**

If the number of students who wish to attend SVA exceeds the Charter School's capacity, admission to SVA, except for existing students, are guaranteed admission in the following school year, shall be determined by public random drawing in accordance with the admission preferences specified below.

Applications will be accepted during a publicly advertised open application period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. If the number of applications exceeds the Charter School's capacity, a public random drawing for each grade level will be conducted. SVA shall offer admission preferences to the following students in the following order:

1. Children of current SVA teachers and staff and Founding Families
2. Siblings of students admitted to or attending SVA or graduates of SVA residing within the boundaries of the District.
3. Siblings of students admitted to or attending SVA or graduates of SVA residing outside the boundaries of the District.
4. Students who reside in the attendance boundaries of SVA
5. Students residing within the boundaries of the District
6. All other students who wish to attend the Charter School

SVA and the District agree to adhere to the requirements related to admission preferences as set forth in Education Code Section 47605(e)(2)(B)(i)-(iv). At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a waitlist according to their draw in the public random drawing. This wait list will allow students the option of enrollment in the case of an opening during the currency school year. In no circumstance will a waitlist carry over to the following school year.

<sup>1</sup> The Charter School shall not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the Charter School before enrollment.

Families who submitted completed application forms prior to the deadline will be notified in writing regarding the date, time, and location of the public lottery, and rules for the lottery process, at least two weeks prior to the public random drawing date. Families do not have to be present to participate in the lottery. The lottery drawing will be held on school grounds or in a public space large enough to accommodate all who are interested. SVA will ensure that the lottery space is large enough to accommodate all who are interested. SVA will take all necessary efforts to ensure that the lottery process will be:

1. Public, transparent, and fair in its execution
2. Held in a public space large enough to accommodate all interested
3. Facilitated by an uninterested party charged with conducting the process

Lottery spaces are pulled in order of grade level by the designated lottery official (appointed by the Principal). Separate lotteries shall be conducted for each grade in which there are fewer vacancies than pupils interested in attending. All lotteries shall take place on the same day in a single location. Lotteries will be conducted in ascending order beginning with the lowest applicable grade level. There is no weighted priority assigned to the preference categories; rather, within each grade level, students will be drawn from pools beginning with all applicants who qualify for the first preference category, and shall continue with that preference category until all vacancies within that grade level have been filled. If there are more students in a preference category than there are spaces available, a random drawing will be held from within that preference category until all available spaces are filled. If all students from the preference category have been selected and there are remaining spaces available in that grade level, students from the second preference category will be drawn in the lottery, and the drawing shall continue until all spaces are filled and preference categories are exhausted in the order provided above.

Our extensive outreach and recruiting efforts will ensure that the applicants and those in the lottery will reflect the demographics of the District.

Adopted: 9/6/21

Amended:



# Shanél Valley Academy

1 Ralph Bettcher Drive, Hopland, CA 95449 | 707-744-1485 | info@shanelvalleyacademy.com

## **California Charter School Enrollment Notice**

This notice is being provided to families interested in enrollment with Shanél Valley Academy. This notice can also be viewed at any time on the Shanél Valley Academy website. California Education Code (EC) [Section 47605\(d\)\(4\)](#) states the following:

- A charter school shall not discourage a pupil from enrolling or seeking to enroll in a charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of a list of characteristics:
  - Academically low-achieving
  - Economically disadvantaged (determined by income eligibility for any free or reduced-price meal program)
  - English learner
  - Ethnicity
  - Foster youth
  - Homeless
  - Nationality
  - Neglected or delinquent
  - Race
  - Sexual orientation
  - Pupils with disabilities
- A charter school shall not request a pupil's records or require the parent, guardian, or pupil to submit the pupil's records to the charter school before enrollment.
- A charter school shall not encourage a pupil currently attending the charter school to disenroll from the charter school or transfer to another school for any reason (except for suspension, non-compliance with independent study rules, or expulsion).
- A notice shall be posted on a charter school's Internet website and a charter school will provide copies of this notice (1) when a parent, guardian, or pupil inquires about enrollment; (2) before conducting an enrollment lottery, and (3) before disenrollment of a pupil.

The complete notice and a complaint form are posted on the Shanél Valley Academy website. If you believe our school has violated these rules, please contact the school directly. You also have the right to submit a complaint. In order to submit a complaint, please locate the Charter School Complaint Form posted on the website of Shanél Valley Academy, then complete and submit the form according to the instructions provided.

### **Complaint Procedures**

In order to submit a complaint, complete the Charter School Complaint Form and submit the form to the charter school authorizer, electronically or in hard copy, to the following location:

Ukiah Unified School District  
511 South Orchard Ave.  
Ukiah CA, 95482  
(707) 472-5000

# Shanél Valley Academy

1 Ralph Bettcher Drive, Hopland, CA 95449 | 707-744-1485 | info@shanelvalleyacademy.com

## Charter School Complaint Form

Name:

Email Address:

Mailing Address:

Date of Problem:

Phone Number:

Charter School Address:

California Education Code (EC) Section 47605(d)(4) allows a parent or guardian to submit a complaint to the charter school authorizer when a charter school discourages a pupil's enrollment, requires records before enrollment, or encourages a pupil to disenroll. Please identify the basis for this complaint below, with specific facts, which support your complaint.

Basis of Complaint (check all that apply):

Pupil was discouraged from enrolling or seeking to enroll in the charter school.

Records were requested to be submitted to the charter school before enrollment.

Pupil was encouraged to disenroll from the charter school or transfer to another school.

Please provide further details:

Please file this complaint with the authorizer of the charter school listed on the preceding page electronically or in hard copy.