



# Family and Student Handbook

## 2017-2018

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# Introduction

## Handbook Use and Purpose

This handbook is designed to help family members and students get acquainted with RVC. It explains some of our philosophies, beliefs, structures, procedures and policies. This handbook serves as an important reference to you while you are a part of the RVC community. We are starting out with an intentionally small handbook because we want the community, as it develops, to be responsible for evolving its own norms of behavior just as each of our multiage classrooms does at the beginning of the school year. We are committed to building a school culture based on relationships and real human needs. We realize that we need norms of expected behavior so this handbook is a beginning.

The governance of our school is based on a Leadership Council elected by stakeholders and a Governing Board with a significant number of members elected by stakeholders. As the need for more explicit norms and rules becomes apparent, we expect those issues to be brought up and addressed at the Leadership Council and recommendations be forwarded to the Governing Board which is ultimately responsible for policy and other important governance decisions.

## Our Mission

Ross Valley Charter provides a public school option that leverages a progressive education model emphasizing deep inquiry and exploration, hands-on, immersion-based experiences, and active learning-by-doing approaches to prepare students to collaborate effectively in teams, think critically, seek information to solve problems, and to be lifelong learners and culturally competent members of our diverse global community.

## Core Beliefs

- Students learn best when constructing their own knowledge in a social context that offers rich and challenging content, collaboration with fellow students and parents, and teachers as facilitators of this process.
- Student voice, choice, and engagement are critical to supporting student agency and knowledge construction.
- A thriving and joyful learning community has inclusive decision-making structures that foster teacher and parent engagement, collaboration, and shared ownership of the committed work of graduating students who are critical thinkers and creative problem solvers prepared for the 21<sup>st</sup> Century.

## Key Program Features

- Thematic units that integrate academic subjects within live-your-learning experiences.
- Mixed-age classrooms embracing a wide range of learning styles and developmental rates, enabling students to alternate being the younger and older student in the classroom, as well as allowing for a two-year relationship between the student and teacher.
- A community in which teachers, administrators and parents are partners and co-creators of the school as it evolves.
- Visual and performing arts integrated into the classroom.
- A whole-child approach to social and emotional development.

## Graduate Profile

We strive for RVC graduates to be:

- **Lifelong Learners**—RVC are intrinsically motivated to learn and grow.
- **Independent and Confident**—RVC students approach situations with confidence and drive. They are self-motivated and take initiative for their own learning. They are comfortable taking risks. They understand themselves as learners.
- **Collaborative problem solvers**—RVC students possess interpersonal skills enabling them to work productively with a partner or group. They are perceptive listeners and consider others' ideas. They can integrate multiple perspectives.
- **Effective communicators**—RVC students read, write, speak, and listen with confidence and compassion. They have strong skills to express themselves accurately and clearly. They know that different situations call for different behaviors and modes of communication.
- **Creative and adaptive thinkers**—RVC students know that there are many ways of approaching a situation. They explore multiple possibilities and go beyond seeking a single right answer. They apply what they've learned, look for patterns, exercise their imaginations, and develop innovative solutions. They have confidence to try something, have it fail, learn from it, then try something different. They stay curious.
- **People who persevere**—RVC students embrace challenges. They are willing to work through difficult situations and problems. They recognize the benefits that come from persisting and experience satisfaction from working hard and achieving their goals. They understand that learning is a lifelong pursuit.
- **Caring community members**—RVC students take responsibility for their own behavior. They are kind and compassionate to others in the concentric circles of their world: themselves, their families, their friends, their classmates, their school, their community, and the world beyond them. They have a sense of belonging and recognize our interconnectedness.
- **Solid in foundational academic skills**—RVC students are strong readers and enjoy reading for pleasure and to seek information. They are able to write well for purposes of conveying information, giving their opinion, and telling a story. They have excellent math and science skills and will be able to apply them appropriately in novel problem situations.

## Parent School Partnership

The key to Ross Valley Charter is a strong partnership with our parent community. Parents are welcome partners in the classroom and each teacher will provide guidance on how to volunteer in his/her classroom if you are interested. Please help us to keep our school strong by communicating with us when you have concerns, contributing when you are able, and by promoting our school in the community.

There are many opportunities for parents to participate in an authentic way in governance and decision-making at RVC. Please look for an opportunity to engage with us in a way that meets your needs. While we do not require parents to volunteer, you are welcomed with gratitude. You make a big difference in what we are able to offer to our students.

Parents who are District residents will also be asked to complete an Intent to Re-Enroll form in October to be used for Prop. 39 purposes to request classroom space for the following year.

## Founding Teachers and Families

RVC is grateful to our founding teachers and families who devoted countless hours of time developing the school charter petition, and ushering us through to approval at the state level. Their perseverance and dedication ensures this free multi-age, progressive educational choice is available to the families in Ross Valley.

## Governance and Administration

### Ross Valley Charter Board of Directors

Email [board@rossvalleycharter.org](mailto:board@rossvalleycharter.org)

Ross Valley Charter is an independent charter public school organized as a 501(c)(3) created by Ross Valley Charter School parents and educators. The School is governed by its Board of Directors pursuant to its bylaws.

The duties and responsibilities of the Board of Directors include holding regular and special meeting. Meetings are held at the school, and each meeting agenda includes an opportunity for public input.

#### Board of Directors and Terms Expiration

Kristi Kimball, M.P.A (Parent)	June 30, 2018	<b>(<a href="mailto:board@rossvalleycharter.org">board@rossvalleycharter.org</a>)</b> <a href="mailto:kristi.kimball@rossvalleycharter.org">kristi.kimball@rossvalleycharter.org</a>
John Kirk, CPA/MA	June 30, 2018	<a href="mailto:john.kirk@rossvalleycharter.org">john.kirk@rossvalleycharter.org</a>
Chris Lyons (Teacher)	June 30, 2019	<a href="mailto:chris.lyons@rossvalleycharter.org">chris.lyons@rossvalleycharter.org</a>
Sharon Sagar (Chair)	June 30, 2019	<a href="mailto:sharon.sagar@rossvalleycharter.org">sharon.sagar@rossvalleycharter.org</a>
Sonya Stanley, MBA (Community)	June 30, 2018	<a href="mailto:sonya.stanley@rossvalleycharter.org">sonya.stanley@rossvalleycharter.org</a>

#### Other Officers:

Luke Duchene, Director (President)	<a href="mailto:luke.duchene@rossvalleycharter.org">luke.duchene@rossvalleycharter.org</a>
Conn Hickey, MA (Treasurer and CFO)	<a href="mailto:conn.hickey@rossvalleycharter.org">conn.hickey@rossvalleycharter.org</a>
Elizabeth Ellis (Secretary)	<a href="mailto:elizabeth.ellis@rossvalleycharter.org">elizabeth.ellis@rossvalleycharter.org</a>

### The RVC Leadership Council

The day-to-day guidance of RVC is jointly overseen by the School Director and the Leadership Council (“Council”). The Council is an essential organizational structure operating in furtherance of the Mission and Beliefs of RVC, founded on principles of collaboration between the stakeholders – parents, teachers, and administrators – in the education of the students.

The Council is composed of eight (8) voting members and as many non-voting members as the Council shall, from time to time, deem appropriate. The School Director shall be a voting member. All RVC teachers are members of the Council, and the teachers shall have a total of three votes for Council purposes. The four voting parent members on the Council are elected

annually by the parents of RVC, with each parent of a RVC student(s) having one vote with a maximum of two per family in the elections. All parent positions in the Council serve for one-year terms, but are not subject to a limit on the number of terms they may serve.

The Council meets at least monthly, and all meetings and agendas are posted on the RVC Website.

## Ross Valley Charter Faculty and Administration

<b>Administration</b>		
Director	Luke Duchene	luke.duchene@rossvalleycharter.org
Office Manager	Elizabeth Ellis	elizabeth.ellis@rossvalleycharter.org
Receptionist/Lunch Monitor	Jennifer Wolf	jen.wolf@rossvalleycharter.org
Family Outreach Coordinator/Before-Care Supervisor	Marilyn Alfaro	marilyn.alfaro@rossvalleycharter.org

<b>Teachers</b>		
TK/K/1	Tim Heth	Tim.Heth@rossvalleycharter.org
TK/K/1	Elizabeth Ellis	Rebecca.Wicker@rossvalleycharter.org
2/3	Emily Belo	Emily.Belo@rossvalleycharter.org
2/3	Erika Smith	Erika.Smith@rossvalleycharter.org
4/5	Chris Lyons	Chris.Lyons@rossvalleycharter.org
4/5	Nina Watson	Nina.Watson@rossvalleycharter.org
Special Education	Sarah Foley	Sarah.Foley@rossvalleycharter.org
Spanish	Veronica Besfamille	Veronica.Besfamille@rossvalleycharter.org
Art	Karen Wilcox	Karen.Wilcox@rossvalleycharter.org
Music	Amanda Hahn	Amanda.Hahn@rossvalleycharter.org

Violin	Matej Seda	Matej.Seda@rossvalleycharter.org
Physical Education	Sam Lueck	Sam.Lueck@rossvalleycharter.org

## Schedule and Calendar

A School calendar is attached at the end of this handbook as Appendix A. There are several important dates to note below.

### Important Dates

Holidays, Vacation Days, and Professional Development Days (school closures).

Aug. 13-22	Open Our School Days (Classroom Set-up)
Aug. 23	First Day of School
Sept. 4	Labor Day – no school
Oct. 9	Indigenous Peoples’ Day – no school
Nov. 10	Veteran’s Day – no school
Nov. 20-24	Thanksgiving Recess – no school
Dec. 22 - Jan 5	Winter Break – no school
Jan. 15	Martin Luther King, Jr. Day – no school
Feb. 19-23	Mid-Winter Break – no school
Mar. 12	Professional Development Day – no school
Apr. 9-13	Spring Recess – no school
May 28	Memorial Day
Jun. 14	Last Day of School

Please read the regular weekly newsletters for information about school events.

### Daily Schedules

Our daily schedule has been built to accommodate the two schools housed on the White Hill campus. The students from the two schools arrive and depart at different times so as to give each school ample opportunities to support their students. In addition, recess, PE and lunch times are planned so as to give our students their own separate elementary school experience. We are working with the White Hill staff to create mutually beneficial opportunities for our students.

Students benefit from flexible use of time during the school day and across the school year. We want our students to have long learning blocks to facilitate in-depth thinking, conversations, collaboration, and creative projects. The RVC daily schedule includes instructional learning blocks of 1-2 hours, while maintaining more instructional minutes than are required by law. Students have early release days on Wednesdays so teachers can work together regarding

student learning.

During conference weeks, students will be released early on Mondays, Tuesdays, Thursdays, and Fridays.

The schedule and the instruction provides time for regular physical education as well as movement activities integrated throughout the school day. Classroom meetings are a regular part of our schedule, and allow our students and teachers to communicate and problem-solve.

## Attendance

Ross Valley Charter teachers, administration and staff view each school day as essential to your student's educational experience. We expect regular attendance of our students, each and every school day, except for when your student is sick or has a communicable illness. The office should be notified immediately if your student has a communicable disease so that we can notify other parents, if necessary. We monitor attendance closely as it affects student learning as well as providing our primary funding source. When your student will be absent, please contact the office by no later than 8:30 the morning of the absence. This notification can be by telephone, email, fax, or in person.

As a public school, RVC receives state funding based on ADA (Average Daily Attendance.) For this reason and in accordance with state law, the school must maintain detailed records of student attendance. When your student is absent we do not receive funding for that student. Most important is that your student will miss critical instruction and interaction, which is difficult to recapture.

## Early Dismissal

If your student must leave school early due to a health appointment, please let your student's teacher and the office know in advance. Be sure to sign your student out at the office. We prefer that appointments be scheduled during non-school hours whenever possible. Minimum Wednesdays are an ideal time for appointments such as these. Please do not schedule morning appointments, if they can be avoided.

## On-Time Arrival

It is critical to have your student arrive at school on time. Attendance and class meetings are important activities that take place first thing in the morning. It also disrupts the whole classroom when students arrive late. All students who arrive after the morning bell will be asked to check in at the office before proceeding to class. Set up a good routine and plan to arrive at school a little early each day rather than rushing in the morning.

## Excused Absences

Excused absences are instances where a student is too ill to attend school, bereavement of an immediate family member, or student health care appointment. All absences require appropriate documentation, i.e. a phone call or note from parent/guardian. If a child exceeds ten excused absences, the school may require a conference with the parents, student and School Director to devise an action plan to ensure the student does not fall behind in school. After ten excused absences for illness, the school requires that further absences for illness be verified by a physician.

## Unexcused Absences

Unexcused absences are absences that have not been appropriately documented. If a student has three (3) unexcused absences, a meeting will be held with the School Director and the family.

## Independent Study Plans (ISP)

Independent Study provides a means for students in certain circumstances to pursue curriculum objectives outside the regular classroom. The length of an independent study program will be a minimum of 3 day and not more than 45 school days. A request for independent study must be received at least three (3) school days before the commencement of the absence, except as otherwise approved by the School Director. Independent study is conducted solely for the educational benefit for the students attending RVC as a means to encourage daily engagement in school work even during times of extended absence.

Please talk with our office or see the [Independent Study Board Policy](#) for more details.

## Arrival and Dismissal Procedures

RVC highly encourages carpooling, walking and biking to school, bus riding or other methods to reduce traffic during peak school commute hours. Please register with [SchoolPoolMarin.org](#) or at [rossvalleycharter.org](#) to help partner with other RVC families in this coordinated effort.

## Drop Off Procedures

If you wish to walk your student in, you must park on the street, not in the parking lot. Note that there are some areas that are reserved for residents of Glen Drive (these spots are clearly signed).

Car drop-off is in the turnabout only. Please arrive between 8:15-8:25 in the morning in order to avoid the middle school peak traffic periods. Supervision on a designated outside play area is provided starting at 8:15.

1. Continuously drive forward until you are at the furthest forward space before allowing your student(s) to exit on the passenger side only. The driver must remain in the vehicle at all times at curbside drop off.
2. Please be sure to have your child ready to exit the vehicle quickly and safely. This means that your student should be prepared with jacket, backpack, lunch etc. ready to go.
3. As soon as your child has exited the vehicle, and the door has been closed, please move forward out of the drop-off area.

## Pick Up Procedures

Please arrive between 3:25-3:30 (1:35-1:45 Weds.) in the afternoon in order to avoid the middle school peak traffic periods. TK/K students are released at 1:45 every day. During Conference weeks all students are released at 1:45pm.

Do not drive into the school parking lot, unless utilizing the designated handicap spaces. When school buses are in the lot, no cars may enter or leave the lot.

K-3 students are released directly from their classrooms to parents/guardians, or other

designated adults. Students in grades 4/5 will be released from their classrooms. Please notify teachers if you plan on meeting your child off campus, or if they will go home on their own by other means.

If students are in after-care/after-school enrichment, please sign them out directly with the after-care/after-school enrichment staff.

## Walking and Riding to School

We highly encourage students who are able to walk or ride to school to join one of our walking/biking trains or arrange to walk or bike with friends or neighbors. We are working with parent volunteers and Safe Routes to School ([http:// www.saferoutesinfo.org/](http://www.saferoutesinfo.org/)) to help lead these coordinated efforts.

Bicycles must be stored in the designated area.

Students and families should never ride bicycles on the sidewalks on campus. Please see <https://rossvalleycharter.org/biking-to-ross-valley-charter-school/> for information on the bike route.

## Buses to School

Bus service is provided as a convenience, and is offered through the Marin Transit Authority on Michael's Transportation Buses. A dedicated morning bus runs from select locations from San Anselmo to the White Hill Campus. Students must comply with school rules and all applicable laws when waiting for, riding on, or exiting the bus. Students should be instructed to remain on the bus until arriving at school, and that they should remain seated at all times when the bus is moving.

For more information on purchasing bus passes, contact the school office or see the website: <https://rossvalleycharter.org/the-rvc-community/ross-valley-charter-bus-program/>

## Pick-up by Non-Custodial Parents/Guardians

Parents and Guardians are designated at the time of registration. If a student's parent or guardian is not allowed to pick-up their child, please provide a court order stating this prohibition. Otherwise, students may be picked up by the parents/guardians designated in their registration or birth certificate. It is important to update the school office if anything changes during the school year.

## Communication

Clear and mutually respectful communication is the key to all good relationships. It is our intent to keep families well informed of all important information so that your student and all of our families feel supported. We know that in this world of constant communication, it can sometimes be difficult to weed through for the important key items. We hope to provide a regular routine weekly email for the key school messages. These communications are also be posted on our ParentSquare platform so that you can find them quickly. Spanish speaking families may contact our bilingual Family Outreach and Support Coordinator with any questions about the school.

We want to be clear that we value and encourage open communications between our staff and families too. We hope that you will always feel comfortable to go to your student's teacher if

there are any concerns or problems. These initial communications are always best either in person, or by phone. We encourage emails only to set up a time to meet or connect in person or by phone, rather than to make an email your first communication about an issue.

If you have an issue or concern you need addressed, we hope that you will always come directly to us first to see if it can be resolved. Social media is never the best place to resolve an issue. We know that we can work together to find solutions.

If you are not able to resolve an issue directly with the teacher or other staff member or don't feel comfortable raising your concern there, we ask that you set a meeting with the School Director as the next level of discussion. Finally, if you are not able to reach a solution at either of these two levels we hope that you will reach out to the board. Our policy also allows direct communications to the School Director or Board members at any time. We hope that you will begin at the classroom level and hope that the culture we are trying to form will allow you to feel comfortable beginning there.

## Contact and Emergency Information

Each family is asked to submit their emergency contact information at registration. If your contact information changes, or you need to add additional authorized persons for student pick-up, we ask that you add these names to our on-line system or contact the school office with these changes in writing.

If there are any changes to the school schedule due to weather-related or other issues, we will contact you via the preferred method set at registration (either email and/or text message.) Please keep us updated of any changes to this information.

## Curriculum and Progress

Teachers review the yearly curriculum at Back to School Night. RVC's curriculum is delivered in individual units, as well as long-term units of study which integrate many curricular areas, going in depth and examining a topic from many angles, increasing students' engagement and interest.

We deliver the Common Core Standards in a two-year cycle, in which a student in the multiage classroom setting may see (non-math) grade-level standards taught during either of the two years they are with a teacher. Math is taught by grade in a non-multiage classroom starting in second grade.

We provide our students with a learning environment in which they can learn the Common Core 21st Century Skills of owning their own learning and working together to apply that learning to solve unfamiliar problems.

## Student Records

Student records include a permanent file that includes information about his/her academic and behavioral records, achievements and awards. Other records may include immunizations, and other data. These records are available only to school staff, and the parent/guardian. All records shall be governed by strict safeguards for confidentiality. If your child is moving to another school, the new school may request your student's records. Please inform us if this is the case. If you wish to view your student's file, please make arrangements through the School Director.

## Student Success Team

Student progress is monitored on an ongoing basis through a combination of teacher observation, Intervention Teacher observation and assessment, and classroom assessments. If intervention supports do not lead to sufficient progress, a Student Success Team (“SST”) will be convened to consider alternative intervention strategies. This team will be made up of at least the classroom teacher, Intervention Teacher, parents, and the School Director. The team will discuss observed strengths and areas of concern and will brainstorm interventions. The team will designate a period for monitoring the student’s progress after which it will reconvene to evaluate the effectiveness of the interventions. Should the SST process fail to yield adequate progress, additional steps, such as a referral for special education evaluation and/or 504 services will be taken. If you have any concerns regarding your student’s progress, please discuss this with your student’s teacher.

## Standardized Testing

RVC participates in all required state testing programs. Teachers do not spend a lot of time specifically preparing students to take these tests, as we feel that we are preparing our students throughout the year to be critical thinkers, problem-solvers, and confident decision-makers. We feel that our students do well on these tests without added emphasis, and treat them as one of many assessments.

## Homework

Research has shown that homework in the elementary grades has minimal positive impact on student learning. We have a developmentally appropriate approach to homework. We consider family time to be highly valuable and believe that our class schedule provides ample time to build and practice skills while at school. We keep homework to a minimum, and increase it appropriately as students get older.

Our kindergarten and first grade students do not have regular homework, other than encouragement to read with their parents. Once or twice a year, students may do something simple such as bring home a class stuffed animal to accompany them for a few days, which they then write and draw about. They may practice their lines for a play using a script at home. Also, students prepare for Open House by learning about a particular topic, preparing a costume, and practicing their role.

In second and third grade, students begin having one evening of math homework each week. They continue to read at home regularly, and do one or two projects that will require research and writing, and creating a costume or some other activity.

In fourth and fifth grade, students begin having a small amount of nightly homework, typically math, but also sometimes writing or continuing work on an in-class project. Two or three times each year, students have a long-term project that requires working at home, involving reading, research, writing, and/or producing a finished product or preparing a lesson to teach others. While we keep the homework load minimal, teachers do expect students to develop good habits by remembering to complete and return homework on time.

## Pupil Progress

The RVC teachers cherish time spent meeting together and collaborating. They know that they become stronger teachers when they share ideas, help each other to problem-solve situations in their classrooms, discuss student needs and progress, and push each other to live up to the high standards they have set for themselves. As a small staff, they take the approach of “it takes

a village to raise a child” and they consider their students to be everyone’s responsibility. Teachers keep an eye on children throughout the years, they share information about them and their families that may be helpful, and they celebrate students’ achievements and progress together.

RVC constantly monitors student progress. If you have any concerns regarding your student’s progress, please contact your student’s teacher. Your teacher will also contact you if he/she has any concerns between regularly scheduled conferences or meetings.

The school prepares trimester school-wide progress reports and present them to the Leadership Council and the Governing Board for the purpose of continually improving student learning.

Students generally move to another classroom after two years with a teacher, unless they begin RVC in the middle of a two-year cycle, or as a TK student. If you have any questions regarding class placement, please contact your teacher. We will ask families to file an Intent to Return form in January of each year for planning purposes.

## **Progress Reports and Portfolios**

RVC does not use letter grades for our students, however we do have a robust plan for evaluating student progress. Ross Valley Charter School’s assessment plan includes multiple measures designed to monitor student progress over time.

RVC uses progress reports to summarize student achievement. Progress reports are given to parents at the end of each trimester. Our progress reports demonstrate student development in the following areas: reading, writing, language skills, listening and speaking, mathematics, social studies, science. Our progress reports include a section in which teachers indicate the progress students are making toward these 21<sup>st</sup> Century Skills that RVC emphasizes:

- works independently with confidence
- is self-motivated and takes initiative
- works collaboratively with others
- demonstrates creative thinking
- perseveres
- uses a variety of strategies to solve problems
- seeks out and uses resources
- shows adaptability

Portfolios are used as a record of learning throughout students’ years at RVC. They include samples of work and students’ reflections on their work. Portfolios display the individual nature of child’s learning over time, provide evidence of academic achievement, and assist teachers with targeted instructional planning. Portfolios will be reviewed by students, parents/guardians, and teachers at the end of each school year.

## **Recess**

Recess is an opportunity for children to relax and guide their activity in different ways. With longer recess times, children have time to get involved with a playground game, read a book, do a project, or engage in fantasy play. We acknowledge and respect the importance of play in optimal brain development. Recesses and lunch periods are scheduled to co-ordinate with the middle school to ensure RVC students have an appropriate elementary school experience.

## **Field Trips**

We take our students on regular field trips so they can make connections with their classroom

learning. Students must have a permission slip signed by a parent or guardian to attend a field trip. Parent drivers are a key component to our ability to take students on learning trips, and for community celebrations. Please ensure that your Field Trip Driver Form and insurance information is kept up-to-date if you are able to be a driver.

RVC's Field Trip policy is posted here: <https://rossvalleycharter.org/ross-valley-charter-about-rvc/board/rvc-policies/>

## Health and Safety

The physical and emotional safety of our students and staff is extremely important to us. We have an extensive Safety Protocol Handbook and staff training to ensure that our students and adults have a safe and healthy campus.

We conduct drills throughout the year to prepare for an emergency. We will let you know when we are planning a major drill, so that you will be aware. Occasionally we may want to have parent volunteers to help with our drills.

Please see the ***Emergency Management and Safety Plan***, located on our website under:

<https://rossvalleycharter.org/ross-valley-charter-about-rvc/board/rvc-policies/>

## Illness

Please help us to keep our school healthy by keeping your child home when he/she is ill. If your child contracts a contagious disease, or even has something as basic as head lice, we appreciate knowing so that we can take appropriate action in notifying other families so they can watch for symptoms.

If you have any specific health or safety concerns regarding your child, please bring it to the attention of our school office or your classroom teacher.

## Weapons

Weapons, dangerous objects, or look-alike weapons are not allowed on campus or on the bus. If your student has a costume or other school project that might require a look-alike weapon, please consult with your teacher in advance of bringing the object to school.

## Drugs, Chemicals and Tobacco

Our students deserve to learn in an atmosphere free from tobacco, controlled substances and chemicals. Prohibited items include tobacco or products containing tobacco or nicotine products. The possession or use of illegal drugs, the sale or soliciting the sale of a controlled substance, while at school, on school premises, or at a school function are also prohibited. This prohibition applies to all employees, visitors, and other persons at any school or school-sponsored activity or event. It also includes field trips, or school overnight trips.

This section does not prohibit the use of his or her own prescription products by a pupil, or staff member. If your student needs to bring a prescription product to school, please be sure that the school office is notified. If chemicals are applied to the campus by the Ross Valley School District, we will let families know as soon as practically possible. We will ask to be notified if this takes place.

## General Policies

### Instructional Materials

Students are responsible for any school materials they take home. We model care for instructional materials at school.

Our classroom libraries are used throughout the day, and for reading materials for our students to take home overnight. Students should return these books in similar condition to when they were borrowed. We welcome donations to our libraries.

### Lost & Found

Lost and Found items are stored in our Lost and Found cart in the main hallway. Please mark your student's clothing (especially jackets and outer layers) so that we can assist in returning the item to them. Periodically, we will send an all-school reminder to look through the Lost and Found items before donating them to a local thrift store or organization.

### Lunch Program

RVC offers a daily prepaid lunch program. This meal program will also be offered to Free and Reduced Lunch eligible students for free or a reduced cost. Parents/Guardians are responsible for signing up their students for the lunch program in a timely manner, or for providing a meal for their children. We have very limited resources at school to provide for forgotten lunches. If your student forgets his/her lunch and is given a paid-for lunch, you will be asked to retroactively pay for the lunch.

We provide adequate time for students to eat at recess and at lunchtime. If your student is not eating his/her lunch regularly, please let us know.

### Sales and Solicitation

Sales or Solicitation are prohibited on campus unless approved in advance by the school. Occasionally, we may hold a school fundraiser. These activities are always optional.

### Visitors

All visitors should check-in and check-out at the school office. We have procedures to identify all on-campus visitors, including visitor badges. We love to have parents and other family members volunteer, we just want to know that you are here!

### Pictures

We value the opportunity to celebrate our students by photographing them and their work, videotaping performances and celebrations, compiling photos into a yearbook, and displaying their cheerful faces throughout our campus. We ask that you do not photograph or videotape on campus without first securing permissions through the school office, the teacher, or the School Director so as to protect the rights of our students.

We have asked for permissions as a part of the registration process. If you wish at any time to make a change to the permissions you have granted going forward, please contact the office. If you are restricting permissions for any of the above items, please explain why to your student

so that he/she will understand.

## Behavioral Expectations

RVC students help to develop agreements for behavior in their classrooms at the beginning of each year. Teachers encourage students to be kind, respectful, safe and responsible, and to think about how to treat each other at school.

Students are also expected to respect the adults at school, who help to guide them to make good decisions.

Lunch - Students sit for at least 15 minutes while eating their lunch. TK through 1<sup>st</sup>-graders eat lunch and then play, while 2<sup>nd</sup> through 5<sup>th</sup> graders play first and then eat lunch. Students must eat in the lunch area only and clean up their eating area before they leave for the play area.

Playground - Students are encouraged to include others in their games.

All students who come to Ross Valley Charter School have the right to be safe and happy. Therefore, no one may knowingly hurt another's feelings or use physical force to solve conflicts or as an expression of anger over any activity not going in their favor.

## Suspension and Expulsion

RVC has very detailed policies on suspension and expulsion that can be found in **Appendix C** of this document.

## Internet and Electronics Usage Policy

The computers and technology at our school are used as tools for learning and research. Teachers review rules with our students prior to using the equipment. We review inappropriate behaviors and violations.

We know that some students come to school with cell phones. We ask students to avoid bringing these items, as we are not responsible for them if they are lost or damaged. If students do bring a telephone they will be asked to turn it off and store it safely until the end of the day. You may call the school office during the day if you need to communicate something to your student. Please encourage your student to come to the school office if they need to contact you for any reason. We cannot be responsible for cell phones brought to school.

Please see our **Internet Use Policy and Agreement** at: <https://rossvalleycharter.org/wp-content/uploads/2017/09/Ross-Valley-Charter-Internet-Use-Policy-and-Agreement-Approved-8-15-17.pdf>

## Toys and Electronics Procedures

We discourage bringing toys or personal electronic items to school. We have plenty of toys for our students to play with here at school. Students may arrange with teachers to bring an item for a special project.

## Complaint Procedures and Positive Interaction

RVC hopes that you will feel comfortable bringing any concerns to us before they become a complaint. Should you wish to file a formal complaint, please contact the School Director or Board Chair for more information. It is our goal to model positive interactions throughout our school community. We are all partners in creating a supportive, positive community for our students, families and staff. Each of us can learn from a misstep, and we will grow individually and as an organization. Together we can work together to make our school a strong educational alternative for our community families and children.

RVC has adopted a formal complaint procedure. To see the details of the approved Complaint Procedures, please see the **Uniform Complaint Policy and Procedures** and the **General Complaint Policy** on our website: <https://rossvalleycharter.org/ross-valley-charter-about-rvc/board/rvc-policies/>.

## Sexual Harassment Policy

California Law and Board Policy prohibit sexual harassment. Sexual harassment negatively impacts a student's academic performance and/or creates an intimidating, hostile or offensive environment.

Students or adults who feel aggrieved because of such conduct should feel encouraged to inform the person engaging in said conduct to stop and that it is offensive. Any student or adult who feel that they have been subjected to sexual harassment should preferably speak in person to their teacher, counselor, the school nurse, the School Director or to the Board Chair. Written complaints can also be submitted to the School Director or Board Chair. Complainants shall not be retaliated against per board policy.

## Non-Discrimination Policy

Ross Valley Charter School does not discriminate on the basis of race, color, national origin, sex, disability, 504 plan, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. If you have any concerns regarding discrimination, please contact the School Director.

### Title IX Harassment, Intimidation, Discrimination, and Bullying Policy

Ross Valley Charter has adopted a Title IX Harassment, Intimidation, Discrimination, and Bullying Policy, which can be found on our website or at our school office.

<https://rossvalleycharter.org/ross-valley-charter-about-rvc/board/rvc-policies/>

# Appendix A: Calendar

## Ross Valley Charter - School Calendar 2017 – 2018

Month

		Break
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## Appendix B: General Complaint Policy

Ross Valley Charter (“RVC”) has adopted this General Complaint Policy to address concerns about RVC generally or regarding specific employees. For complaints regarding harassment or perceived violations of state or federal laws, please refer to the RVC Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy and/or the RVC Uniform Complaint Procedures. For all other complaints, the General Complaint form and accompanying procedures will be appropriate.

### POLICY FOR COMPLAINTS GENERALLY (General Complaints and Complaints by Third Parties against Employees)

If complaints cannot be resolved informally, complainants may file a written complaint with the office of the School Director or Board Chair (only if the complaint concerns the School Director) 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.

In processing the complaint, the School Director (or designee) shall abide by the following process:

1. The School Director or designee shall use his or her best efforts to ascertain the facts relating to the complaint. Where applicable, the School Director 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.
2. In the event that the School Director (or designee) finds that a complaint is valid, the School Director (or designee) may take appropriate action to resolve the problem. Where the complaint is against an employee of RVC, the School Director may take disciplinary action against the employee. As appropriate, the School Director (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
3. The School Director’s (or designee’s) decision relating to the complaint shall be final unless it is appealed to the RVC Board. The decision of the Board shall be final.

### GENERAL REQUIREMENTS

1. 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.
2. 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.
3. Resolution: The Board (if a complaint is about the School Director) or the School Director 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.

### ROSS VALLEY CHARTER COMPLAINT FORM





## Appendix C: Student Discipline Policy

### ELEMENT 10 – SUSPENSION AND EXPULSION PROCEDURE

Governing Law: The procedures by which pupils can be suspended or expelled. Education Code Section 47605(b)(5)(J).

### Suspension and Expulsion Policy and Procedure

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at the Charter School. In creating this Policy, the Charter School has reviewed Education Code Section 48900 et seq. which describes the noncharter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 et seq. The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

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

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

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

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

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

### 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; d) during, going to, or coming from a school-sponsored activity.

#### Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:
  - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
  - b) Willfully used force or violence upon the person of another, except self-defense.
  - c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
  - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
  - e) Committed or attempted to commit robbery or extortion.
  - f) Caused or attempted to cause damage to school property or private property.
  - g) Stole or attempted to steal school property or private property.
  - h) Possessed, or used, tobacco or products containing tobacco or nicotine products, including but not limited to: cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
  - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
  - j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
  - k) Knowingly received stolen school property or private property.
  - 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) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
  - n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
  - o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
  - p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
  - q) Made terroristic threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the

statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.

- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
    - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
    - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
    - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
    - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
  - 2) "Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to a telephone, wireless telephone, or other wireless communication device, or pager, of a communication, including, but not limited to, any of the following:
    - i. A message, text, sound, video, or image.

- ii. A post on a social network Internet Web site including, but not limited to:
    - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
    - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
    - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
  - iii. An act of cyber sexual bullying.
    - (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
    - (b) For purposes of this clause, “cybersexual 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.
  - v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
  - w) Possessed, sold, or otherwise furnished any knife 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 School Director or designee’s concurrence.
2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:
- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other

dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the School Director or designee's concurrence.

3. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:
  - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
  - b) Willfully used force or violence upon the person of another, except self-defense.
  - c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
  - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
  - e) Committed or attempted to commit robbery or extortion.
  - f) Caused, or attempted to cause, damage to school property or private property.
  - g) Stole, or attempted to steal, school property or private property.
  - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
  - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
  - j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
  - k) Knowingly received stolen school property or private property.
  - 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) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
  - n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
  - o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
  - p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
  - q) Made terroristic threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying

it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.

- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
    - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
    - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
    - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
    - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
  - 2) "Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
    - i. A message, text, sound, video, or image.
    - ii. A post on a social network Internet Web site including, but not

limited to:

- (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
  - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
  - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- iii. An act of cyber sexual bullying.
- (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
  - (b) For purposes of this clause, “cybersexual 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.
- v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).
  - w) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the School Director or designee’s concurrence.
4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:
- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other

dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the School Director or designee's concurrence.

If it is determined by the Administrative Panel and/or Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. The student will be provided due process rights of notice and hearing if the Board expels a student based upon a determination that he or she has brought a firearm or destructive device to RVC.

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

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

## **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 School Director or the School Director's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the School Director or designee. The conference may be omitted if the School Director or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or Charter School personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. At the conference, the pupil shall be informed of the reason for the disciplinary action, and the evidence against him or her, and shall be given the opportunity to present his or her version and evidence in his or her defense. This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when

the student may return to school. If Charter School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for 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 School Director or School Director's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

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

## **Authority to Expel**

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

## **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 School Director or designee determines that the pupil has committed an expellable offense.

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

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

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
4. A copy of the Charter School's disciplinary rules which relate to the alleged violation;
5. 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;
6. 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;
7. The right to inspect and obtain copies of all documents to be used at the hearing;
8. The opportunity to confront and question all witnesses who testify at the hearing;

9. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days' notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to, and during, breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous

examination in another place communicated to the hearing room by means of closed-circuit television.

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

## **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.

## **Presentation of Evidence**

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

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

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation (within 3 days of the hearing) to the Board who will make a final determination regarding the expulsion. The final decision by the Board shall be made within ten (10) school days following the conclusion of the hearing. The decision of the Board is final.

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

## **Written Notice to Expel**

The School Director or designee, following a decision of the Board to expel, shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: (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 School Director or designee shall send a copy of the written notice of the decision to expel to the authorizer. This notice shall include the following: (a) The student's name; and (b) The specific expellable offense committed by the student.

## **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 authorizer upon request. No Right to Appeal The pupil shall have no right of appeal from expulsion from the Charter School as the Charter School Board's decision to expel shall be final.

## **Expelled Pupils/Alternative Education**

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

## **Rehabilitation Plans**

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

## **Readmission**

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

## **Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities**

### **1. Notification of SELPA**

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

### **2. Services During Suspension**

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

recur. These services may be provided in an interim alternative educational setting.

### 3. Procedural Safeguards/Manifestation Determination

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

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

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

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

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

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

### 4. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures. When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 USC Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent and the Charter School agree otherwise.

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

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

6. Interim Alternative Educational Setting

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

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

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

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

- a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b. The parent 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 has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

