



ROSS VALLEY  
CHARTER  
A TK-5 PUBLIC SCHOOL  
Be Curious

# Family and Student Handbook 2021-22

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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 will serve as an important reference to you while you are a part of the RVC community. 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 helps to begin this relationship.

The governance of our school is based on a Community 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 Community 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 students 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.
- **Respectful, Responsible and Resilient** —We align all of our student expectations to these core values. With these values at the foundation, we believe our students can achieve all elements of our graduate profile.

## 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 encouraged to, and welcomed with gratitude. You make a big difference in what we are able to offer to our students.

## 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, Inquiry-based educational choice is available to the families in Ross Valley.

We appreciate all who continue to help us provide this choice for our students.

## Governance and Administration

### Ross Valley Charter Board of Directors

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 meetings. Meetings are held at the school, and each meeting agenda includes opportunity for public input. Meeting Dates are posted on our website.

#### Board of Directors and Terms Expiration

Ada De Leon (Parent)	June 30, 2023	<a href="mailto:ada.deleon@rossvalleycharter.org">ada.deleon@rossvalleycharter.org</a>
David De Andrade (Community Member)	June 30, 2023	<a href="mailto:david.deandrade@rossvalleycharter.org">david.deandrade@rossvalleycharter.org</a>
Charis Denison (Teacher Representative)	June 30, 2023	<a href="mailto:charis.denison@rossvalleycharter.org">charis.denison@rossvalleycharter.org</a>
Cheryl Flick (Parent)(Treasurer)	June 30, 2023	<a href="mailto:cheryl.flick@rossvalleycharter.org">cheryl.flick@rossvalleycharter.org</a>

Deepti Manepalli (Parent) June 30, 2023 [deepti.manepalli@rossvalleycharter.org](mailto:deepti.manepalli@rossvalleycharter.org)

Sharon Sagar (Chair/Community) June 30, 2023 [sharon.sagar@rossvalleycharter.org](mailto:sharon.sagar@rossvalleycharter.org)  
Email all at [board@rossvalleycharter.org](mailto:board@rossvalleycharter.org)

Other Officers:

Page Hersey, Director (President) [Page.Hersey@rossvalleycharter.org](mailto:Page.Hersey@rossvalleycharter.org)

Elizabeth Ellis (Secretary) [elizabeth.ellis@rossvalleycharter.org](mailto:elizabeth.ellis@rossvalleycharter.org)

Chris Lyons (Teacher Liaison) [chris.lyons@rossvalleycharter.org](mailto:chris.lyons@rossvalleycharter.org)

## The RVC Community Council

The day-to-day guidance of RVC is jointly overseen by the School Director and the Community 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 will be considered 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 will be 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	Page Hersey	<a href="mailto:page.hersey@rossvalleycharter.org">page.hersey@rossvalleycharter.org</a>
Office Manager	Elizabeth Ellis	<a href="mailto:elizabeth.ellis@rossvalleycharter.org">elizabeth.ellis@rossvalleycharter.org</a>
Office Assistant	Merrell Maschino	<a href="mailto:merrell.maschino@rossvalleycharter.org">merrell.maschino@rossvalleycharter.org</a>

Lunch Program	Jennifer Wolf	jen.wolf@rossvalleycharter.org
Family Outreach Coordinator/Before -Care Supervisor	Marilyn Alfaro	marilyn.alfaro@rossvalleycharter.org

Teachers		
TK/K/1	Amy McConnell	Amy.McConnell@rossvalleycharter.org
TK/K/1	Natalie Swenty	Natalie.Swenty@rossvalleycharter.org
TK/K/1	Tatiana Bliss	Tatiana.Bliss@rossvalleycharter.org
2/3	Emma Burt	Emma.Burt@rossvalleycharter.org
2/3	Emily Belo	Emily.Belo@rossvalleycharter.org
2/3	Jill Conroy	Jill.Conroy@rossvalleycharter.org
4/5	Chris Lyons	Chris.Lyons@rossvalleycharter.org
4/5	Nina Watson	Nina.Watson@rossvalleycharter.org
4/5	Katie Brillault	Katie.Brillault@rossvalleycharter.org
Special Education	Joanne Hoffard	Joanne.Hoffard@rossvalleycharter.org
Intervention/EL	Torri Chappell	Torri.Chappell@rossvalleycharter.org
Art	Bryan Hewitt	Bryan.Hewitt@rossvalleycharter.org
K-3 Music and 4/5 Music Ensemble	Josh McIntosh	Josh.McIntosh@rossvalleycharter.org
Physical Education	Mike Claggett	Mike.Claggett@rossvalleycharter.org

# Schedule and Calendar

The School calendar can be found on our website at <https://rossvalleycharter.org/the-rvc-community/ross-valley-school-year-calendar-copy/> . There are several important dates to note below.

## Important Dates

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

Aug. 18	First Day of School
Sept. 6	Labor Day – no school
Oct. 11	Indigenous Peoples’ Day/Professional Development Day – no school
Nov. 11	Veteran’s Day – no school
Nov. 22-26	Thanksgiving Recess – no school
Dec. 20 - Jan 3	Winter Break – no school
Jan. 17	Martin Luther King, Jr. Day – no school
Feb. 21-25	Mid-Winter Break – no school
Mar. 7	Professional Development Day – no school
Apr. 4-8	Spring Recess – no school
May 30	Memorial Day
Jun. 8	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 our ideal learning schedule, as well as to make it possible for families with students in other schools to coordinate for drop-off and pick-up.

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 will include 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 spend a full afternoon each week working together to enhance student learning.

During conference weeks, students will be released early on Mondays, Tuesdays, Thursdays, and Fridays so teachers, parents, and sometimes students, can meet to discuss student progress.

In addition to enrichment classes (Art, Music), students have twice-weekly physical education classes 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, work on social-emotional skills, 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, 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 day. Most important is that your student will miss critical instruction and interaction, which is difficult to recapture. Please see the complete RVC Attendance Policy for more details.

## 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. Early release 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 so your child starts the day off right.

## 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 may be held with the School Director and the family.

## Independent Study Plans (ISP)

Independent Study is an option for any student who will be absent for a period of three to ten consecutive school days. Independent study requires advanced approval in writing from the classroom teacher and School Director. A student may participate in a maximum of two long-term (3 or more days) Independent Study programs per academic year. In an extenuating circumstance, the School Director may approve additional Independent Study days following a conference with the parents and teacher.

Independent Study is conducted solely for the educational benefit of the student attending RVC as a means to encourage daily engagement in schoolwork during time of extended absence. Parents must give at least 5 days notice to the school and classroom teacher in order to allow adequate planning time. In an extenuating circumstance or in the case of illness/quarantine, the School Director and teacher will work with the parent to implement an ISP in an expedited manner. For more information, see our Independent Study Policy.

## Arrival and Dismissal Procedures

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

## Drop Off Procedures

Car drop-off is in the indicated section of the parking lot along the hedge. Please arrive between 8:15-8:25 in the morning for an 8:30am start. 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.
4. Park only in designated spaces in the parking lot. Do not park in the loading/unloading zone.

## Pick Up Procedures

Please arrive between 3:05-3:15 (1:35-1:45 Weds.) in the afternoon. TK/K students are released at 1:45 every day.

1. Continuously drive forward until you are at the furthest forward space. Do not exit the vehicle.
2. Parent volunteers or school staff will assist your student to the car.
3. Have your child quickly and safely enter the vehicle, and fasten his/her seat belt. Someone will be there to assist.
4. Move forward to exit.

## Walking and Riding to School

We highly encourage students who are able to walk or ride to walk or bike with friends or neighbors. Bicycles must be stored in the designated bike racks.

Students and families should never ride bicycles on the campus.

## Buses to School

Bus service is offered through the Ross Valley Yellow Bus Transportation Services Joint Exercise of Powers Agreement (JEPA). A dedicated morning bus runs from select locations from the San Anselmo hub on Sir Francis Drake Boulevard. 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 they

should remain seated at all times when the bus is moving. Students may ride a bus that is shared with middle school students.

For more information on purchasing bus passes, contact the school office or see the website: <https://rossvalleyschoolbus.com/>

## 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. 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 provide a regular routine weekly email, translated in Spanish, for the key school messages through our communication platform, Parent Square. Spanish speaking families may contact our bilingual Family Outreach and Support Coordinator with any questions about the school. The Student Handbook will be available in Spanish before school starts.

We want to be clear that we CARE about 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.

## Student Learning, Curriculum and Progress

Teachers will 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 will be 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. Inquiry Based Learning is a key component of our curriculum, encouraging our students to become more immersed and curious about their learning.

## Student Records

Student records include a permanent file that includes information about student academic and behavioral records, 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. Our Maintenance and Retention of Student Records Policy can be found at <https://rossvalleycharter.org/ross-valley-charter-about-rvc/rvc-policies/>

## Student Success Team

Student progress will be monitored on an ongoing basis through a combination of classroom 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, in addition to regular monitoring throughout the school year. 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.

## 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 Expositions 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 to experience the responsibility of bringing it home, completing it, and returning it to school. They continue to read at home regularly, and may 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. One or two times each year, students may 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 will prepare trimester school-wide progress reports and present them to the Community 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.

## Progress Reports and Portfolios

Ross Valley Charter School’s assessment plan includes multiple measures designed to monitor student progress over time.

RVC uses progress reports at the end of each trimester to summarize student achievement. RVC does not use letter grades for our students, but instead shows growth toward standards in the following areas: reading, writing, language skills, listening and speaking, mathematics, social studies, science. Our progress reports also 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. Portfolios 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 will 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 will be separate from 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 intend to be a driver.

RVC's Field Trips and Excursion 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 but are not limited to tobacco, products containing tobacco, and 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 is also prohibited. This prohibition applies to all students, employees, visitors, parents, and other persons at any school or school-sponsored activity or event. It also includes field trips and school overnight trips.

This section does not prohibit the use of prescription products by a student, parent, or staff member. If your student needs to bring a prescription product to school, please be sure that the school office is notified.

## 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 classroom libraries.

## Lost & Found

Lost and Found items will be stored on a rack near the school office. Please mark your student's clothing (especially jackets and outer layers) so that we can assist in returning lost items to them. Periodically we will send an all-school reminder to look through the Lost and Found items before RVC donates them to a local thrift store or organization.

## Lunch Program

RVC offers a daily free lunch program. 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 will 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 at RVC, we just want to know that you are here! Please read our Registration of Visitors/Guests Policy at <https://rossvalleycharter.org/ross-valley-charter-about-rvc/rvc-policies/>

## 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 your student will understand.

## Behavioral Expectations

RVC students will help to develop agreements for behavior in their classrooms at the beginning of each year. Teachers will 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 will help to guide them to make good decisions.

Lunch--Students will sit for at least 15 minutes while eating their lunch, and then they may get up to play. 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 and follow playground behavior rules.

All students who come to Ross Valley Charter School have the right to be safe and happy. Therefore, no one may knowingly hurt others' feelings or use physical force to solve conflicts or as an expression of anger over any activity not going in their favor. Adults on campus help students to resolve conflicts and express feelings appropriately. The School Director handles situations in which students are unsafe or show repeated inappropriate behavior.

## Suspension and Expulsion

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

## Internet and Electronics Usage Policy

The computers and technology at our school are used as tools for learning, writing, and research. Teachers review rules with our students prior to using the equipment and students must sign an agreement to use computers appropriately. Inappropriate use of computers or internet may result in students not being allowed to use them. 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 cell phone, 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. Please see our ***Internet Use Policy and Agreement*** at: <https://rossvalleycharter.org/ross-valley-charter-about-rvc/rvc-policies/>

## 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 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 from the process. Together we can work together to make our school a strong educational alternative for our community families and children.

RVC has adopted formal complaint procedures. 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/>

# Appendix A: Student Discipline Policy

## Suspension and Expulsion Policy and Procedure

This Pupil Suspension and Expulsion procedure has been established in order to promote learning and protect the safety and well-being of all students at Ross Valley Charter. In creating this policy, the Charter School has reviewed Education Code Section 48900 et seq. which describes the 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. RVC 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.

If a Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as RVC'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 will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. It will be reviewed and updated by the Board of Directors when they review and update other Board policies and procedures, or more frequently as needed. 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.

RVC administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline and involuntary removal policies and procedures. The notice shall state that 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 IDEA or who is qualified for services under Section 504 is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students, except when federal and state law mandates additional or different procedures. RVC 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.

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

## Procedures

### 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.

In accordance with Education Code Section 48901.1, and as indicated by its absence from the list of enumerated discretionary offenses for suspension, the Charter School shall not suspend a student enrolled in kindergarten through grade 5, and shall not recommend the expulsion of a student enrolled in kindergarten through grade twelve, for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties; additionally, from July 1, 2020 until July 1, 2025, the Charter School shall not suspend a student enrolled in grades six through eight, inclusive (grade levels the Charter School does not serve), for these acts.

#### Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:
  - a. Caused, attempted to cause, or threatened to cause physical injury to another person.

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

that student from being a witness and/or retaliating against that student for being a witness.

- n. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o. Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- p. Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- q. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- r. Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- s. Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - i. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
    1. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
    2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
    3. Causing a reasonable student to experience substantial interference with his or her academic performance.
    4. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
  - ii. "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:

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
3. 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.
4. 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.
5. 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.
6. An act of cyber sexual bullying.
  - a. For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
  - b. For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

- iii. Notwithstanding subparagraphs (1) (a) and (b) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
  - u. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
  - v. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the 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.
  - b. Brandished a knife at another person.
  - c. Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, *et seq.*
  - d. Committed or attempted to commit a sexual assault or committed a sexual battery as defined in Education Code Section 48900(n).
3. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:
- a. Caused, attempted to cause, or threatened to cause physical injury to another person.
  - b. Willfully used force or violence upon the person of another, except self-defense.
  - c. Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
  - d. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or

intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.

- e. Committed or attempted to commit robbery or extortion.
- f. Caused, or attempted to cause, damage to school property or private property, which includes but is not limited to, electronic files and databases.
- g. Stole, or attempted to steal, school property or private property, which includes but is not limited to, electronic files and databases.
- h. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k. Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- l. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- n. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o. Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.

- p. Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and database, or the personal property of the person threatened or his or her immediate family.
- q. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- r. Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- s. Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - i. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
    1. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises

average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.

2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
  3. Causing a reasonable student to experience substantial interference with his or her academic performance.
  4. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- ii. "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:
1. A message, text, sound, video, or image.
  2. A post on a social network Internet Web site including, but not limited to:
    - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
    - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
    - c. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
  3. An act of cyber sexual bullying.

- a. For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
  - b. For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 4. Notwithstanding subparagraphs (3) (a) and (b) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
  - u. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
  - v. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the 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.
  - b. Brandished a knife at another person.

- c. Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, et seq.
- d. Committed or attempted to commit a sexual assault or committed a sexual battery as defined in Education Code Section 48900(n).

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. In such instances, the student shall be provided due process rights of notice and a hearing as required in this policy 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, in accordance with Education Code Section 47605(c)(5)(J)(i). This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

## **2. Notice to Parents/Guardians**

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

## **3. Suspension Time Limits/Recommendation for 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 parent/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.

## **4. Homework Assignment During Suspension**

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

In accordance with Education Code Section 47606.2(b), if a homework assignment that is requested pursuant to Section 47606.2(a) and turned into the teacher by the pupil either upon the pupil's

return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the pupil's overall grade in the class.

## Authority to Expel

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

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

## 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;
3. A copy of the Charter School's disciplinary rules which relate to the alleged violation;

4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student and/or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

### **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 person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in 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 entity 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 a 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.

### **Notice to Teachers**

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

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

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

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

### **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 or until the expiration of the time period provided in 20 U.S.C. Section 1415(k)(1)(C), whichever occurs first, unless the parent and the Charter School agree otherwise.

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

In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in

placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

## **5. Special Circumstances**

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

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

## **6. Interim Alternative Educational Setting**

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

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

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

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

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

- b. The parent has requested an evaluation of the child.
- c. The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

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

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

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

# **APPENDIX B: TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION, AND BULLYING POLICY**

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

As used in this Policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of mental or physical disability, sex (including pregnancy and related conditions, and parental status), sexual orientation, gender, gender identity, gender expression, immigration status, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twist), religion (including agnosticism and atheism), religious affiliation, medical condition, genetic information, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or based on any other characteristic protected under applicable state or federal law or local ordinance. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."

To the extent possible, RVC will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated, and/or bullied, and will take action to investigate, respond, address and report on such behaviors in a timely manner. RVC school staff who witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so.

Moreover, RVC will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with whom RVC does business, or any other individual, student, or volunteer. This policy applies to all employees, students, or volunteer actions and relationships, regardless of position or gender. RVC will promptly and thoroughly investigate and respond to any complaint of misconduct prohibited by this Policy in a manner that is not deliberately indifferent and will take appropriate corrective action, if warranted. RVC complies with all applicable state and

federal laws and regulations and local ordinances in its investigation of and response to reports of misconduct prohibited by this Policy.

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

#### **Coordinator (“Coordinator”):**

Page Hersey, School Director

Mailing/Office Address:

102 Marinda Drive

Fairfax, CA 94930

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Email: [page.hersey@rossvalleycharter.org](mailto:page.hersey@rossvalleycharter.org)

### **Definitions**

#### **Prohibited Unlawful Harassment**

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

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

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

RVC is committed to providing a work and educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action. Inquiries about the application of Title IX and 34 C.F.R. Part 106 may be referred to the Coordinator, the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

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

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

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
  - Rape, sexual battery, molestation or attempts to commit these assaults
  - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body
  
- Unwanted sexual advances, propositions or other sexual comments, such as:
  - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience
  - Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct
  - Subjecting or threats of subjecting a student or employee to unwelcome sexual attention or conduct or intentionally making the student's or employee's performance more difficult because of the student's or the employee's sex
  
- Sexual or discriminatory displays or publications anywhere in the work or educational environment, such as:
  - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are

sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view the work or the educational environment

- Reading publicly or otherwise publicizing in the work or educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic
- Displaying signs or other materials purporting to segregate an individual by sex in an area of the work or educational environment (other than restrooms or similar rooms)

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

### **Prohibited Bullying**

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

1. Placing a reasonable student<sup>1</sup> or students in fear of harm to that student's or those students' person or property.
2. Causing a reasonable student to experience a substantially detrimental effect on the student's physical or mental health.
3. Causing a reasonable student to experience a substantial interference with the student's academic performance.
4. Causing a reasonable student to experience a substantial interference with the student's ability to participate in or benefit from the services, activities, or privileges provided by RVC.

**Cyberbullying** is an electronic act that includes the transmission of harassing communication, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

**Electronic act** means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless

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<sup>1</sup> "Reasonable pupil" is defined as a pupil, including, but not limited to, an exceptional needs pupil, 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 his or her exceptional needs.

telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

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

**Formal Complaint of Sexual Harassment** means a written document filed and signed by a complainant who is participating in or attempting to participate in RVC’s education program or activity or signed by the Coordinator alleging sexual harassment against a respondent and requesting that RVC investigate the allegation of sexual harassment.

**Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

## **Bullying and Cyberbullying Prevention Procedures**

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

### **1. Cyberbullying Prevention Procedures**

RVC advises students:

- a. To never share passwords, personal data, or private photos online.
- b. To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
- c. That personal information revealed on social media can be shared with anyone including parents, teachers, administrators, and potential employers. Students should never reveal information that would make them uncomfortable if the world had access to it.
- d. To consider how it would feel receiving such comments before making comments about others online.

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

### **2. Education**

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

Charter School educates students to accept all student peers regardless of protected characteristics (including but not limited to actual or perceived sexual orientation, gender identification, physical or cognitive disabilities, race, ethnicity, religion, and immigration status) and about the negative impact of bullying other students based on protected characteristics.

RVC's bullying prevention education also discusses the differences between appropriate and inappropriate behaviors and includes sample situations to help students learn and practice appropriate behavior and to develop techniques and strategies to respond in a non-aggressive way to bullying-type behaviors. Students

will also develop confidence and learn how to advocate for themselves and others, and when to go to an adult for help.

RVC informs RVC employees, students, and parents/guardians of this Policy and encourages parents/guardians to discuss this Policy with their children to ensure their children understand and comply with this Policy.

### **3. Professional Development**

RVC annually makes available the online training module developed by the California Department of Education pursuant Education Code section 32283.5(a) to its certificated employees and all other RVC employees who have regular interaction with students.

RVC informs certificated employees about the common signs that a student is a target of bullying including:

- Physical cuts or injuries
- Lost or broken personal items
- Fear of going to school/practice/games
- Loss of interest in school, activities, or friends
- Trouble sleeping or eating
- Anxious/sick/nervous behavior or distracted appearance
- Self-destructiveness or displays of odd behavior
- Decreased self-esteem

Charter School also informs certificated employees about the groups of students determined by RVC, and available research, to be at elevated risk for bullying. These groups include but are not limited to:

- Students who are lesbian, gay, bisexual, transgender, or questioning youth (“LGBTQ”) and those youth perceived as LGBTQ; and
- Students with physical or learning disabilities.

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

## **Grievance Procedures**

### **1. Scope of Grievance Procedures**

RVC will comply with its Uniform Complaint Procedures (“UCP”) policy when investigating and responding to complaints alleging unlawful harassment, discrimination, intimidation or bullying against a protected group or on the basis of a person’s association with a person or group with one or more of the protected characteristics set forth in the UCP that:

- a. Are written and signed;
- b. Filed by an individual who alleges that the individual has personally suffered unlawful discrimination, harassment, intimidation or bullying, or by one who believes any specific class of individuals has been subjected to discrimination, harassment, intimidation or bullying prohibited by this part, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying; and
- c. Submitted to the RVC UCP Compliance Officer not later than six (6) months from the date the alleged unlawful discrimination, harassment, intimidation, or bullying occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

The following grievance procedures shall be utilized for reports of misconduct prohibited by this Policy that do not comply with the writing, timeline, or other formal filing requirements of a uniform complaint. For formal complaints of sexual harassment, RVC will utilize the following grievance procedures in addition to its UCP when applicable.

## **2. Reporting**

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

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

Page Hersey, School Director

Mailing/Office Address:

102 Marinda Drive

Fairfax, CA 94930

Telephone: (415) 534-6970

Email: [page.hersey@rossvalleycharter.org](mailto:page.hersey@rossvalleycharter.org)

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

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

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

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

RVC prohibits any form of retaliation against any individual who files a report or complaint, testifies, assists, participates, or refuses to participate in any investigation or proceeding related to misconduct prohibited by this Policy. Such participation or lack of participation shall not in any way affect the status, grades, or work assignments of the individual. Individuals alleging retaliation in violation of this Policy may file a grievance using the procedures set forth in this Policy. Knowingly making false statements or knowingly submitting false information during the grievance process is prohibited and may result in disciplinary action.

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

### **3. Supportive Measures**

Upon the receipt of an informal or formal complaint of sexual harassment, the Coordinator will promptly contact the complainant to discuss the availability of supportive measures. The Coordinator will consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint of sexual harassment, and explain the process for filing a formal complaint of sexual harassment.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint of sexual harassment or where no formal complaint of sexual harassment has been filed. Such measures are designed to restore or preserve equal access to RVC's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or RVC's educational environment, or deter sexual harassment. Supportive measures available to complainants and respondents may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. RVC will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of RVC to provide the supportive measures.

#### **4. Investigation and Response**

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of RVC, the Coordinator or administrative designee will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the Coordinator, or administrative designee determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the Coordinator or administrative designee will inform the complainant of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.

At the conclusion of the investigation, the Coordinator or administrative designee will meet with the complainant and, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation, including any actions necessary to resolve the incident/situation. However, the Coordinator (or administrative designee) will not reveal confidential information related to other students or employees.

For investigations of and responses to formal complaints of sexual harassment, the following grievance procedures will apply:

- Notice of the Allegations

- Upon receipt of a formal complaint of sexual harassment, the Coordinator will give all known parties written notice of its grievance process, including any voluntary informal resolution process. The notice will include:
  - A description of the allegations of sexual harassment at issue and to the extent known, the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident;
  - A statement that the respondent is presumed not responsible for the alleged conduct until a final decision is reached;
  - A statement that the parties may have an advisor of their choice, who may be an attorney, and may inspect and review evidence; and
  - A statement that RVC prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process.
- Emergency Removal
  - RVC may place a non-student employee respondent on administrative leave during the pendency of a formal complaint of sexual harassment grievance process in accordance with RVC's policies.
  - RVC may remove a respondent from RVC's education program or activity on an emergency basis, in accordance with RVC's policies, provided that RVC undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.
  - This provision may not be construed to modify any rights under the IDEA, Section 504, or the ADA.
- Informal Resolution
  - If a formal complaint of sexual harassment is filed, RVC may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If RVC offers such a process, it will do the following:
    - Provide the parties with advance written notice of:
      - The allegations;
      - The requirements of the voluntary informal resolution process including the circumstances under which the parties are precluded from resuming a formal complaint of sexual harassment arising from the same allegations;
      - The parties' right to withdraw from the voluntary informal resolution process and resume the grievance process at any time prior to agreeing to a resolution; and

- Any consequences resulting from participating in the voluntary informal resolution process, including the records that will be maintained or could be shared; and
      - Obtain the parties' advance voluntary, written consent to the informal resolution process.
    - RVC will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.
  - Investigation Process
    - The decision-maker will not be the same person(s) as the Coordinator or the investigator. RVC shall ensure that all decision-makers and investigators do not have a conflict of interest or bias for or against complainants or respondents.
    - In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the investigator determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the investigator will inform the complainant and any respondents in writing of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.
    - The parties will be provided with an equal opportunity to present witnesses, to inspect and review any evidence obtained that is directly related to the allegations raised, and to have an advisor present during any investigative meeting or interview.
    - The parties will not be prohibited from discussing the allegations under investigation or to gather and present relevant evidence.
    - A party whose participation is invited or expected at an investigative meeting or interview will receive written notice of the date, time, location, participants, and purpose of the meeting or interview with sufficient time for the party to prepare to participate.
    - Prior to completion of the investigative report, RVC will send to each party and the party's advisor, if any, a copy of the evidence subject to inspection and review, and the parties will have at least ten (10) days to submit a written response for the investigator's consideration prior to the completion of the investigation report.
    - The investigator will complete an investigation report that fairly summarizes all relevant evidence and send a copy of the report to each party and the party's advisor, if any, at least ten (10) days prior to the determination of responsibility.
  - Dismissal of a Formal Complaint of Sexual Harassment
    - If the investigation reveals that the alleged harassment did not occur in RVC's educational program in the United States or would not constitute sexual harassment even if proved, the formal complaint with regard to that conduct

must be dismissed. However, such a dismissal does not preclude action under another applicable RVC policy.

- RVC may dismiss a formal complaint of sexual harassment if:
  - The complainant provides a written withdrawal of the complaint to the Coordinator;
  - The respondent is no longer employed or enrolled at RVC; or
  - The specific circumstances prevent RVC from gathering evidence sufficient to reach a decision on the formal complaint or the allegations therein.
- If a formal complaint of sexual harassment or any of the claims therein are dismissed, RVC will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties.
- Determination of Responsibility
  - The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
  - Determinations will be based on an objective evaluation of all relevant evidence and credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
  - RVC will send a written decision on the formal complaint to the complainant and respondent simultaneously that describes:
    - The allegations in the formal complaint of sexual harassment;
    - All procedural steps taken including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
    - The findings of facts supporting the determination;
    - The conclusions about the application of RVC's code of conduct to the facts;
    - The decision and rationale for each allegation;
    - Any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
    - The procedures and permissible bases for appeals.

## **5. Consequences**

Students or employees who engage in misconduct prohibited by this Policy, knowingly make false statements or knowingly submit false information during the grievance process may be subject to disciplinary action up to and including expulsion from RVC or termination of employment. The Coordinator is responsible for effective implementation of any remedies ordered by RVC in response to a formal complaint of sexual harassment.

## **6. Right of Appeal**

Should the reporting individual find the RVC's resolution unsatisfactory, the reporting individual may, within five (5) business days of notice of RVC's decision or resolution,

submit a written appeal to the Chair of the RVC Board, who will review the investigation and render a final decision.

The following appeal rights and procedures will also apply to formal complaints of sexual harassment:

- The complainant and the respondent shall have the same appeal rights and RVC will implement appeal procedures equally for both parties.
- RVC will notify the other party in writing when an appeal is filed.
- The decision-maker for the appeal will give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome; issue a written decision describing the result of the appeal and the rationale for the result; and provide the written decision simultaneously to both parties.

## **7. Recordkeeping**

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

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

- Records of each sexual harassment investigation, including any determination of responsibility; any audio or audiovisual recording or transcript; any disciplinary sanctions imposed on the respondent; and any remedies provided to the complainant.
- Records of any appeal of a formal sexual harassment complaint and the results of that appeal.
- Records of any informal resolution of a sexual harassment complaint and the results of that informal resolution.
- All materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
- Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

**ROSS VALLEY CHARTER**

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

Your Name: \_\_\_\_\_ Date: \_\_\_\_\_

Date of Alleged Incident(s): \_\_\_\_\_

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

List any witnesses that were present: \_\_\_\_\_

Where did the incident(s) occur? \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Signature of Complainant

Date:

\_\_\_\_\_

Print Name

**To be completed by Ross Valley Charter**

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

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

Follow up Meeting with Complainant held on: \_\_\_\_\_