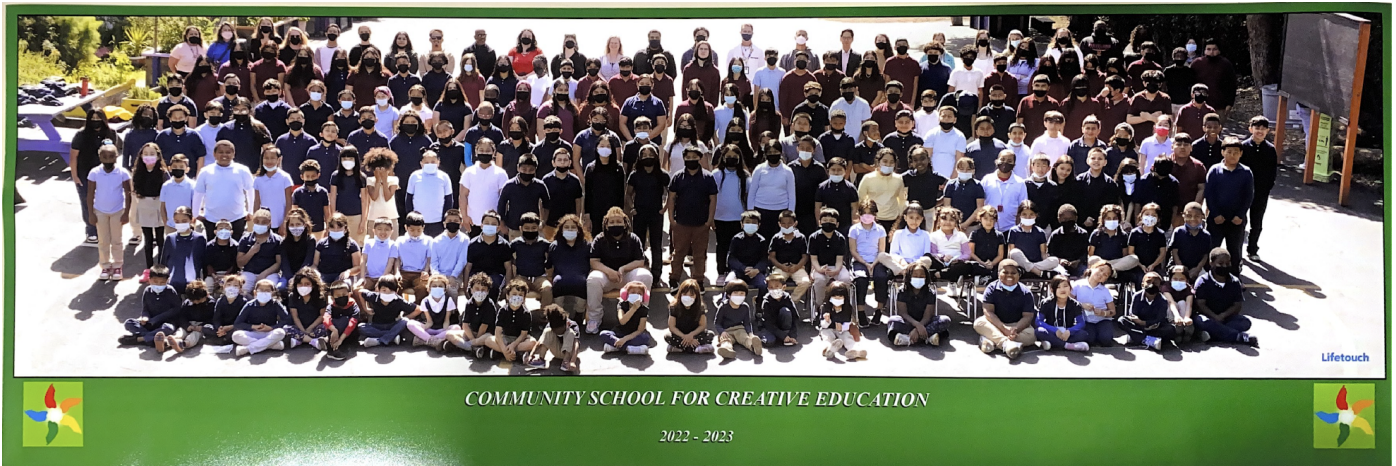


Student & Family Handbook 2023-2024



Phillip Gedeon, *Head of School*
Anaxy Barraza, *Assistant of Head of School*
Malcolm Defils, *Dean of Student Culture*

Table of Contents

| | |
|---|-----------|
| GENERAL INFORMATION | 5 |
| Mission | 5 |
| Vision: | 5 |
| School Motto: | 5 |
| Drop-off & Pick-up Procedures | 9 |
| <i>RAINY DAY</i> Drop-off & Pick-up Procedures | 10 |
| Availability of CSCE Charter 2021-2027 | 11 |
| Tuition Free Policy | 11 |
| INSTRUCTIONAL PROGRAM | 12 |
| State Testing | 12 |
| Surveys on Personal Beliefs | 12 |
| Sexual Health Education | 12 |
| Teacher Qualification Information | 13 |
| SCHOOL POLICIES, PROCEDURES, & EXPECTATIONS | 14 |
| Special Education/Students with Disabilities | 14 |
| Education of Homeless Children and Youth | 14 |
| Education of Foster and Mobile Youth | 16 |
| Involuntary Removal Process | 19 |
| Lost or Damaged School Property | 20 |
| Nondiscrimination Statement | 20 |
| Student Records, including Records Challenges and Directory Information | 21 |
| Uniform Complaint Procedure (“UCP”) | 24 |
| Use of Student Information Learned from Social Media | 27 |
| Student Internet and Technology Use Policy and Agreement | 27 |
| Cell Phone and Electronic Equipment Policy | 28 |
| POSITIVE STUDENT CULTURE | 29 |
| School-wide Behavior Policy | 29 |
| Code of Behavior | 30 |
| The CSCE Creed | 30 |
| Response to Student Choices | 35 |
| Prohibited Items | 36 |

| | |
|---|-----------|
| Universal Referral Form and Family Communication | 36 |
| Family/Parent/Guardian-Teacher Conference | 37 |
| Expectations of Class Teachers: | 37 |
| CSCE Student Success Team (SST) | 37 |
| Clearing Referrals | 38 |
| HEALTH & SAFETY | 39 |
| Meal Program | 39 |
| Nut Free School | 39 |
| Health, Safety & Emergency | 39 |
| Lice | 39 |
| Oral Health Assessment | 40 |
| Immunizations | 40 |
| Physical Examinations and Right to Refuse | 41 |
| Diabetes | 42 |
| Concussion/Head Injuries | 42 |
| Sudden Cardiac Arrest | 43 |
| Opioid Information Sheet | 43 |
| Human Trafficking Prevention | 43 |
| Mental Health Services | 43 |
| Pregnant and Parenting Students | 44 |
| Dangers of Synthetic Drugs | 45 |
| Safe Storage of Firearms | 45 |
| HOME-SCHOOL COMMUNICATION | 46 |
| The Weekly Folder | 46 |
| Monthly Newsletter | 46 |
| Robo Call | 46 |
| Conferences | 47 |
| Publications and Websites | 47 |
| Family/Parent/Guardian-as-Partner Policy | 47 |
| Parent/Guardian and Family Engagement | 48 |
| ORGANIZATIONAL STRUCTURES & GOVERNANCE | 51 |
| In-school Structures | 51 |

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

| | |
|---|-----------|
| CSCE Partners | 52 |
| CSCE Corporate Structure and Board | 52 |
| Corporate Status: | 52 |
| Board of Directors: | 52 |
| Fundraising Programs and Ways to Donate | 54 |
| APPENDIX: COMPLETE POLICIES | 56 |
| Suspension and Expulsion Policy and Procedures | 71 |
| Suicide Prevention Policy | 91 |
| Professional Boundaries: Staff/Student Interaction Policy | 101 |
| Uniform Complaint Policy and Procedures | 105 |
| Dress Code Policy | 115 |
| Attendance Policy | 118 |
| Acknowledgements and Signatures | 127 |

General Information

Mission

The CSCE partners with families and communities to provide a rigorous college-preparatory program integrated into a culturally rich, arts-infused, highly personalized curriculum inspired by Waldorf education for the diverse students of Oakland to promote equity and prepare culturally competent, well-rounded, lifelong learners to lead, contribute to, and successfully participate in our rapidly changing multicultural society.

La Escuela Comunitaria para la Educación Creativa socios con las familias y las comunidades para proporcionar un riguroso programa de preparación universitaria integrada en una gran riqueza cultural, infundido con las artes, plan de estudios altamente personalizado inspirado en la educación Waldorf para los diversos estudiantes de Oakland para promover equidad y prepararlos para que sean culturalmente competentes, equilibrados, aprendices de por vida para dirigir, contribuir y participar con éxito en nuestra sociedad multicultural que cambia rápidamente.

社羣創新學校與家庭及社區合作以提供嚴格的大學預科課程。以華道夫的教學方法，融入豐富的文化，藝術及個別設計的課程，以造福屋崙不同文化的學生。提倡平等博愛，尊重文化，平均發展及永不止息的學習精神。使學生能在變化多端的多元文化社會中，投身參與，建樹良多。

Vision:

The CSCE envisions a future in which all children have access to quality education; all children experience success in community and career; and youth voices contribute in valued and meaningful ways to the success of a thriving, equitable, and multicultural society.

La Escuela Comunitaria para la Educación Creativa tiene la visión a futuro donde los niños tienen acceso a una educación de calidad, todos los niños experimentan el éxito en la comunidad y en su carrera, y las voces de los jóvenes contribuyen con valores y formas significativas para el éxito de una sociedad próspera, equitativa y multicultural.

社羣創新學校祈望將來所有的學童都能接受優良的教育，在社區及職業上建立成功的碩果。青年的呼聲能被重視，在這活力充沛的，人人平等的多元化社會中，作出有意義的貢獻

School Motto:

Receive the Child in Reverence, Educate the Child in Love Let the Child Go Forth in Freedom

El Niño Ha De Ser Recibido Con Respeto, Educado Con Amor Puesto En La Vida Finalmente En Libertad

Đón Nhận Đứa Trẻ Với Sự Trân Quý Giáo Dục Đứa Trẻ Trong Tình Yêu Thương Để Đứa Trẻ Bước Đi Trong Tự Do

以崇敬迎接 用愛引領 在自由的心态中让他离去。

In Ehrfurcht empfangen; in Liebe erziehen; zur Freiheit entlassen.

School Verse

(Anonymous)

Cited by Cecil Hardwood, Co-Founder of the first Waldorf schools in an English-speaking country (1898-1975)

**This is our school
Let peace dwell here.
Let the room be filled with contentment.
Let Love abide here:
Love of one another
Love of humankind
Love of the earth
And love of life itself.
Let us remember:
As many hands build a house,
So, many hearts make a school.**

**Esta es nuestra escuela
Que la paz habite aquí.
Que el salón de clase se llene de satisfacción.
Dejemos que el amor permanezca aquí:
Amor de unos a otros
El amor a la humanidad
Amor a la tierra.
Amor a la vida.
Recordemos:
Como tantas manos construyen una casa
Así mismo, muchos corazones hacen una escuela.**

**這是我們的學校
讓平安與我們同在
讓滿足感覺暢流每個角落
讓愛心充滿校園
彼此互愛，博愛社羣
環保大地，熱愛人生。
讓我們緊記：
建屋要合力，
建校要同心！**

**Đây là trường học của chúng ta
Hãy sống hòa bình ở đây.
Hãy để căn phòng tràn đầy mãn nguyện.
Hãy để tình yêu tồn tại ở đây:
Tình yêu của nhau
Tình yêu của nhân loại
Tình yêu của trái đất
Và tình yêu của đời mình.
Chúng ta hãy nhớ:
Như nhiều bàn tay xây dựng một ngôi nhà,**

Vi vậy, nhiều trái tim tạo thành một trường học.

هذه مدرستنا

دع السلام يسكن هنا

دع الغرفة مليئة بالرضا

دع الحب يلتزم هنا:

حب بعضهم البعض

حب البشرية

حب الأرض

وحب الحياة نفسها.

دعونا نتذكر:

كما العديد من الأيدي بناء منزل،

لذا، قلوب كثيرة تجعل المدرسة

Drop-off & Pick-up Procedures

Solano Way (Alley)

**** Following these procedures will ensure the safety of all our students and families!
Thank you for your help! ****

Drop-off Procedure – Car Riders

- Morning drop-off gate will be open, with a staff member present from 8:00 – 8:30 AM
- All cars should enter Solano Way (alley behind school) from 22nd Ave.
- Students will be greeted by a staff member at the end of Solano Way, near the corner of 21st Ave.
- Staff will ensure students enter the gate to the school yard safely
- **Please refrain from entering Solano Way from 21st Ave., doing U-turns on 21st Ave., double parking, or dropping students off from the other side of 21st Ave.**

Drop-off Procedure – Walkers/Bus Riders

- Morning drop-off gate will be open, with a staff member present from 8:00 – 8:30 AM
- All students walking should use the sidewalk to enter the gate near the corner of 21st Ave. and Solano Way
- Students will be greeted by a staff member at the gate near the corner of 21st Ave. and Solano Way
- Staff will ensure students enter the gate to the school yard safely
- **Please refrain from using at the Main Entrance of the building for Morning Drop-off**

Pick-up Procedure – Car Riders

- Afternoon gate will be open, with staff members present:
 - Transitional Kinder/Kinder: Monday, Tuesday, Thursday, Friday from 2:30 – 2:45 PM
 - All cars should enter Solano Way (alley behind school) from 22nd Ave.
 - Family members will be greeted by a staff at the gate in Solano Way (between 22nd & 21st Aves.)
 - Staff will ensure students walk safely from the gate to the family vehicle
 - Please remain in vehicle during pick-up
 - Please refrain from entering Solano Way from 21st Ave.
 - Please do not park and walk through the alley to the gate
- Afternoon gate to the blacktop will be open, with staff members present:
 - 1st – 8th Grades: Monday, Tuesday, Thursday, Friday from 3:30 – 3:45 PM
 - All Students: Wednesday from 12:45 – 1:00 PM
 - Family members will be greeted by a staff on the blacktop
 - Staff will ensure students walk safely to the family vehicle
 - Please remain in vehicle during pick-up
 - Please refrain from entering the blacktop on Solano Way from 21st Ave.
 - Please do not park and walk through the alley to the gate

Pick-up Procedure – Walkers/Bus Riders

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

- Parents/Guardians/Families who walk or ride public transportation may enter through the Main Entrance of the building
- **For your safety, please do not walk to the gate on Solano Way for Afternoon Pick-up**
- Students permitted to walk or ride public transportation independently must check out at the front office before leaving the building
- The office must have written permission from Parent/Guardian/family member or guardian on file to allow students walking or riding public transportation without an adult

Extended Day

- Students who are not picked up by 2:45 PM (TK/K), 3:45 PM (1st-8th) on M,T,Th,F and 1:00 PM on Weds, will be checked into Extended Day
- Please see Office for registration forms and Extended Day options
- Students should be picked up from Extended Day using the Main Entrance of the building

RAINY DAY Drop-off & Pick-up Procedures

Rainy Day Drop-off Procedure – Walkers/Bus Riders Car Riders

- On rainy days the garage or front door will be opened at 8:00 AM
- Cars may enter the gate from 22nd Avenue and *pull all the way forward*
- A staff member will be in the blacktop at the doorway to the building to greet your child
- **Please pull all the way forward and make sure your child waits to exit the vehicle until the staff member is there to greet you**
- A staff member will ensure your student(s) enter the building safely
- **The garage floor can get slick when wet. Remind your child to walk carefully.**
- Cars can exit through the second garage door onto the playground and through the gate onto Solano Way

Rainy Day Pick-up Procedure –Walkers/Bus Riders Car Riders

- On rainy days the garage will be opened at 2:25 PM (TK/K), 3:25 PM (1st-8th) on M,T,Th,F and 12:40 PM on Weds
- Cars may enter the garage from 22nd Avenue and pull forward (**Please do not park in garage**)
- A staff member will be in the garage at the doorway to the building to greet vehicles
- Staff will ensure students walk safely from building to vehicle in garage
- Cars can exit through the second garage door onto the playground and through the gate onto Solano Way

Extended Day Program

- Students participating in our **Extended Day Program** must be **registered**. Please see the **School Office** for registration forms.
- **Extended Day begins at 2:45 pm** for Transitional Kindergarten and Kindergarten students on Monday, Tuesday, Thursday and Friday.
- **Extended Day begins at 3:45 pm** for students in 1st through 8th grades on Monday, Tuesday, Thursday, and Friday.
- **Extended Day begins at 1:00 pm** for all students (TK-8th grades) on Wednesdays or other early dismissal days.
- Students must be **signed out** at the **School Office when picked up** from the Extended Day Program.

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

- **Extended Day ends at 6:00 pm.** If students are not picked up by 6:00 pm there may be a **late pick-up fee.** Details included in registration forms located in the School Office.

Availability of CSCE Charter 2021-2027

A copy is available on our website and a hard copy is available at the Front Office. Upon request, CSCE for Creative Education (CSCE) will make available to any Parent/Guardian or legal guardian, a hard copy of the CSCE Charter 2021-2027.

Tuition Free Policy

CSCE does not charge tuition. It is a free, public charter school. CSCE does welcome monetary and service donations.

Instructional Program

California Assessment of Student Performance and Progress (“CAASPP”)

CSCE shall annually administer required state testing to the applicable grades (e.g., the California Assessment of Student Performance and Progress.) Notwithstanding any other provision of law, a Parent/Guardian’s or guardian’s written request to School officials to excuse his or her child from any or all parts of the CAASPP shall be granted.

Tests on Personal Beliefs

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

English Learners

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

Sexual Health Education

The Charter School offers comprehensive sexual health education to its students in grades 7-8. A parent or guardian of a student has the right to excuse their child from all or part of comprehensive sexual health education, HIV prevention education, and assessments related to that education through a passive consent (“opt-out”) process. CSCE does not require active parental consent (“opt-in”) for comprehensive sexual health education and HIV prevention education. Parents and guardians may:

- Inspect written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education.
- Excuse their child from participation in comprehensive sexual health education and HIV prevention education in writing to the school.
- Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by CSCE personnel or outside consultants. When the school chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, be informed of:
 - The date of the instruction
 - The name of the organization or affiliation of each guest speaker
- Request a copy of Education Code sections 51930 through 51939.

Anonymous, voluntary, and confidential research and evaluation tools to measure student’s health behaviors and risks (including tests, questionnaires, and surveys containing age-appropriate questions about the student’s attitudes concerning or practices relating to sex) may be administered to students in grades 7-8. A parent or guardian has the right to excuse their child from the test, questionnaire, or survey through a passive consent (“opt-out”) process. Parents or guardians shall be notified in writing that this test, questionnaire, or survey is to be administered, given the opportunity to review the test, questionnaire, or survey if they wish, notified of their right to excuse their child from the test, questionnaire, or survey, and informed that in order to excuse their child they must state their request in writing to the Charter School.

A student may not attend any class in comprehensive sexual health education or HIV prevention education, or participate in any anonymous, voluntary, and confidential test, questionnaire, or survey on student health behaviors and risks, if the Charter School has received a written request from the student’s parent or guardian excusing the student from participation. An alternative educational activity shall be made available to students whose parents or guardians have requested that they not receive the instruction or participate in the test, questionnaire, or survey.

Teacher Qualification Information

As the Charter School receives Title I federal funds through the Elementary and Secondary Education Act (“ESEA”), as reauthorized and amended by the Every Student Succeeds Act (“ESSA”), all parents/guardians of students attending the Charter School may request information regarding the professional qualifications of classroom teachers and/or paraprofessionals, including at a minimum:

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

Upon request, the Charter School will provide the information to the parents/guardians in a timely manner. Parents/guardians may contact the Head of School at 510-686-4131 to obtain this information.

School Policies, Procedures, & Expectations

Special Education/Students with Disabilities

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

Pursuant to the Individuals with Disabilities Education Improvement Act (20 U.S.C. §§ 1400 et. seq) and relevant state law, CSCE is responsible for identifying, locating, and evaluating children enrolled at CSCE with known or suspected disabilities to determine whether a need for special education and related services exists. This includes children with disabilities who are homeless or are wards of the State. To ensure that eligible students are receiving the services to which they are entitled, we would like to request your assistance.

If you know of a child who has a disability or that you suspect may have a disability, you may refer that child’s Parent/Guardian or guardian to CSCE by contacting Ms. Alina Kagan at alinak@communityschoolforcreativeeducation.org or calling 510-686-4131 and asking for the Director of Special Education Services. Please note: All referrals are considered confidential. The Parent/Guardian, legal guardian, or surrogate Parent/Guardian retains the right to refuse services and other procedural safeguards under federal and state law.

Education of Homeless Children and Youth

The term “homeless children and youth” means individuals who lack a fixed, regular and adequate nighttime residence. It includes children and youths who (42 USC 11434(a)):

1. Are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
2. Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings;
3. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and/or
4. Migratory children and unaccompanied youth (youth not in the physical custody of a Parent/Guardian or guardian) may be considered homeless if they meet the above definition of “homeless.”

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

Homeless status is determined in cooperation with the Parent/Guardian or guardian. In the case of unaccompanied youth, status is determined by the School Liaison.

School Liaison: The Head of School or designee designates the following staff person as the School Liaison for homeless students ((42 USC 11432(g)(1)(J) & (e)(3)(C).):

Mr. Malcolm Defils, Dean of Student Culture

EM: Malcolmd@communityschoolforcreativeeducation.org Tel: 510-916-8894

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

1. Homeless students are identified by school personnel and through outreach and coordination activities with other entities and agencies.
2. Homeless students enroll in, and have a full and equal opportunity to succeed at CSCE.
3. Homeless students and families receive educational services for which they are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act, early intervention services under part C of the Individuals with Disabilities Education Act, any other preschool programs administered by CSCE, if any, and referrals to health care services, dental services, mental health services and substance abuse services, housing services, and other appropriate services.
4. Parents/Guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
5. Public notice of the educational rights of homeless children is disseminated at places frequented by Parents/Guardians or guardians of such youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, and in a manner and form understandable to the Parents/Guardians and guardians of homeless youth and unaccompanied youth.
6. Enrollment/admissions disputes are mediated in accordance with law, the School's charter, and Board policy.
7. Parents/Guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.
8. CSCE personnel providing services receive professional development and other support.
9. The School Liaison collaborates with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.
10. Unaccompanied youth are enrolled in school; have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth; and are informed of their status as independent students under section 480 of the Higher Education Act of 1965 and that the youths may obtain assistance from the School Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Act.

The California Department of Education publishes a list of the contact information for the Homeless Education Liaisons in the state, which is available at: <https://www.cde.ca.gov/sp/hs/>

Acceptance of Course Work: The Charter School will accept any coursework satisfactorily completed at any public

school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency by a homeless student.

The Charter School will provide homeless students credit for the partial completion of courses taken while attending a public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency. If the student did not complete the entire course, the Charter School shall not require the student to retake the portion of the course the student completed unless the Charter School, in consultation with the holder of educational rights for the student, finds that the student is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the homeless student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course. These students shall not be prevented from taking or retaking a course to meet California State University or the University of California admission eligibility requirements.

For any homeless student who enrolls at CSCE, a copy of CSCE's complete policy shall be provided at the time of enrollment and at least twice annually. A copy of the complete Policy is available upon request at the main office or on the school website.

Education of Foster and Mobile Youth

- a. *"Foster youth"* refers to any child who has been removed from their home pursuant Welfare and Institutions Code section 309 and/or is the subject of a petition filed under Welfare and Institutions Code section 300 or 602. This includes children who are the subject of cases in dependency court and juvenile justice court.

"Former juvenile court school pupils" refers to a student who, upon completion of the student's second year of high school, transfers from a juvenile court school to the Charter School.

- *"Child of a military family"* refers to a student who resides in the household of an active duty military member.
- *"Currently Migratory Child"* refers to a child who, within the last 12-months, has moved with a parent, guardian, or other person having custody to the Charter School from another Local Educational Agency ("LEA"), either within California or from another state, in order that the child or a member of the child's immediate family might secure temporary or seasonal employment in an agricultural or fishing activity, and whose parents or guardians have been informed of the child's eligibility for migrant education services. *"Currently Migratory Child"* includes a child who, without the parent/guardian, has continued to migrate annually to secure temporary or seasonal employment in an agricultural or fishing activity.
- *"Pupil participating in a newcomer program"* means a pupil who is participating in a program designed to meet the academic and transitional needs of newly arrived immigrant pupils that has as a primary objective the development of English language proficiency.

Within this notice, foster youth, former juvenile court school pupils, a child of a military family, a currently migratory child, and a pupil participating in the newcomer program will be collectively referred to as "Foster and Mobile Youth." Within this notice, a parent, guardian, or other person holding the educational rights for a Foster and Mobile Youth will be referred to as a "parent."

Foster and Mobile Youth Liaison: The Head of School or designee designates the following staff person as the Liaison for Foster and Mobile Youth:

Phillip Gedeon
Head of School
2111 International Boulevard Oakland, CA 94606
510-686-4131

The Foster and Mobile Youth Liaison's responsibilities include but are not limited to the following:

1. Ensuring and facilitating the proper educational placement, enrollment in school, and checkout from school of foster children.
2. Assisting foster children when transferring from one school to another school in ensuring proper transfer of credits, records and grades.

School Stability: The Charter School will work with foster youth and their parent to ensure that each pupil is placed in the least restrictive educational programs, and has access to the academic resources, services, and extracurricular and enrichment activities that are available to all pupils, including, but not necessarily limited to, interscholastic sports. All decisions regarding a foster youth's education and placement will be based on the best interest of the child and shall consider, among other factors, educational stability and the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress.

Foster youth, currently migratory children and children of military families have the right to remain in their school of origin if it is their best interest. The Charter School will immediately enroll a foster youth, currently migratory child or child of a military family seeking re-enrollment in the Charter School as the student's school of origin (subject to the Charter School's capacity and pursuant to the procedures stated in the Charter School's charter and Board policy). If a dispute arises regarding a foster youth's request to remain in the Charter School as the school of origin, the foster youth has the right to remain in the Charter School pending the resolution of the dispute. The Charter School will also immediately enroll any foster youth, currently migratory child or child of a military family seeking to transfer to the Charter School (subject to the Charter School's capacity and pursuant to the procedures stated in the Charter School's charter and Board policy) regardless of the student's ability to meet normal enrollment documentation or uniform requirements (e.g. producing medical records or academic records from a previous school).

Foster youth, currently migratory children, and children of military families have the right to remain in their school of origin following the termination of the child's status as a foster youth, currently migratory child or child of a military family, as follows:

1. For students in Kindergarten through eighth grade, inclusive, the student will be allowed to continue in the school of origin through the duration of the academic year in which the student's status changed.
2. For students enrolled in high school, the student will be allowed to continue in the school of origin through graduation.

Acceptance of Course Work: The Charter School will accept any coursework satisfactorily completed at any public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency by a Foster and Mobile Youth.

The Charter School will provide Foster and Mobile Youth credit for the partial completion of courses taken while attending a public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency. If the student did not complete the entire course, the Charter School shall not require the student to retake the portion of the course the student completed unless the Charter School, in consultation with the holder of educational rights for the student, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the Foster and Mobile Youth shall be enrolled in the same or equivalent course, if applicable, so that the student may continue

and complete the entire course. These students shall not be prevented from taking or retaking a course to meet California State University or the University of California admission eligibility requirements.

Student Records: When the Charter School receives a transfer request and/or student records request for the educational information and records of a foster youth from a new local educational agency (“LEA”), the Charter School shall provide these student records within two (2) business days. The Charter School shall compile the complete educational record of the pupil, including but not limited to a determination of seat time, full or partial credits earned, current classes and grades, immunization and other records, and, if applicable, a copy of the pupil’s special education records including assessments, IEPs, and/or 504 plans. All requests for student records will be shared with the Foster and Mobile Youth Liaison, who shall be aware of the specific educational record keeping needs of Foster and Mobile Youth.

The Charter School shall not lower a foster youth’s grades as a result of the student’s absence due to a verified court appearance, related court ordered activity, or a change in the placement of the student made by a county or placing agency. If a foster youth is absent from school due to a decision to change the placement of the student made by a county or placing agency, the grades and credits of the pupil will be calculated as of the date the student left the Charter School.

In accordance with the Charter School’s Educational Records and Student Information Policy, under limited circumstances, the Charter School may disclose student records or personally identifiable information contained in those records to certain requesting parties including but not limited to a foster family agency and state and local authorities within a juvenile justice system, without parental consent.

Discipline Determinations: If the Charter School intends to extend the suspension of any foster/ youth pending a recommendation for expulsion, the Charter School will invite the student’s attorney and an appropriate representative from the relevant county agency to participate in the meeting at which the extension of the suspension will be discussed.

If the Charter School intends to suspend for more than ten (10) consecutive school days or expel a student with a disability who is also a foster youth due to an act for which the recommendation for expulsion is discretionary, the Charter School will invite the student’s attorney and an appropriate representative from the relevant county agency to participate in the Manifestation Determination Review meeting.

Complaints of Noncompliance: A complaint of noncompliance with any of the requirements outlined above may be filed through the Charter School’s Uniform Complaint Procedures. A copy of the Uniform Complaint Policy and Procedures is available upon request at the main office.

Availability of Complete Policy: For any Foster and Mobile Youth who enrolls at the Charter School, a copy of the Charter School’s complete foster youth policy shall be provided at the time of enrollment. A copy of the complete Policy is available upon request at the main office or on the school website.

Involuntary Removal Process

No student shall be involuntarily removed by the Charter School 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 (5) schooldays before the effective date of the action (“Involuntary Removal Notice”). 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. The Involuntary Removal Notice shall include the charges against the student and an explanation of the student’s basic rights including the right to request a hearing before the effective date of the action. The hearing shall be consistent with the Charter School’s expulsion procedures. 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 suspensions or expulsions pursuant to the Charter School’s suspension and expulsion policy.

Upon parent/guardian request for a hearing, the Charter School will provide notice of hearing consistent with its expulsion hearing process, through which the student has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the student has the right to bring legal counsel or an advocate. The notice of hearing 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 include a copy of the Charter School’s expulsion hearing process.

If the parent/guardian is nonresponsive to the Involuntary Removal Notice, the Student will be disenrolled as of the effective date set forth in the Involuntary Removal Notice. If parent/guardian requests a hearing and does not attend on the date scheduled for the hearing the Student will be disenrolled effective the date of the hearing.

If as a result of the hearing the student is disenrolled, notice will be sent to the student’s last known district of residence within thirty (30) days.

A hearing decision not to disenroll the student does not prevent the Charter School from making a similar recommendation in the future should student truancy continue or re-occur.

Lost or Damaged School Property

If a student willfully damages the Charter School’s property or the personal property of a Charter School employee, or fails to return a textbook, library book, computer/tablet or other Charter School property that has been loaned to the student, the student’s parents/guardians are liable for all damages caused by the student’s misconduct not to exceed ten thousand dollars (\$10,000), adjusted annually for inflation. After notifying the student’s parent or guardian in writing of the student’s alleged misconduct and affording the student due process, Charter School may withhold the student’s grades and transcripts until the damages have been paid. If the student and the student’s parent/guardian are unable to pay for the damages or to return the property, Charter School will provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Upon completion of the voluntary work, the student’s grades will be released.

Nondiscrimination Statement

CSCE does not discriminate against any person on the basis of actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, immigration status, religion, religious affiliation, sexual orientation, pregnancy, or any other characteristic that is contained in the definition of hate crimes in the California Penal Code.

CSCE adheres to all provisions of federal law related to students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 (“ADA”), and the Individuals with Disabilities Education Improvement Act of 2004 (“IDEIA”).

CSCE does not discourage students from enrolling or seeking to enroll in the Charter School for any reason, including, but not limited to, academic performance, disability, neglect or delinquency, English proficiency, for being homeless or a foster/mobile youth, economic disadvantage, nationality, race, ethnicity, or sexual orientation. Charter School shall not encourage a student currently attending Charter School to disenroll or transfer to another school

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

based on any of the aforementioned reasons except in cases of expulsion and suspension or involuntary removal in accordance with the Charter School's charter and relevant policies.

The Charter School does not request nor require student records prior to a student's enrollment.

The Charter School shall provide a copy of the California Department of Education Complaint Notice and Form to any parent, guardian, or student over the age of 18 at the following times: (1) when a parent, guardian, or student over the age of 18 inquires about enrollment; (2) before conducting an enrollment lottery; and (3) before disenrollment of a student.

CSCE is committed to providing an educational atmosphere that is free of unlawful harassment under Title IX of the Education Amendments of 1972 (sex); Titles IV, VI, and VII of the Civil Rights Act of 1964 (race, color, or national origin); the IDEIA; and Section 504 and Title II of the ADA (mental or physical disability). CSCE also prohibits sexual harassment, including cyber sexual bullying, and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, religious affiliation, creed, color, immigration status, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. CSCE does not condone or tolerate harassment of any type, including discrimination, intimidation, or bullying, including cyber sexual bullying, by any employee, independent contractor or other person with which CSCE does business, or any other individual, student, or volunteer. This applies to all employees, students, or volunteers and relationships, regardless of position or gender. CSCE will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted. Inquiries, complaints, or grievances regarding harassment as described in this section, above, should be directed to the CSCE Uniform Complaint Procedures ("UCP") Compliance Officer:

Phillip Gedeon
Head of School
2111 International Boulevard Oakland, CA 94606
510-686-4131

The lack of English language skills will not be a barrier to admission or participation in Charter School's programs or activities. Charter School prohibits retaliation against anyone who files a complaint or who participates or refuses to participate in a complaint investigation.

Student Records, including Records Challenges and Directory Information

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

1. The right to inspect and review the student's education records within 5 business days after the day the Charter School receives a request for access. Parents or eligible students should submit to the CSCE Head of School or designee a written request that identifies the records they wish to inspect. The Charter School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask CSCE to amend a record should write to the CSCE school Head of School or designee, clearly identify the part of the record they want changed and specify why it should be changed. If the Charter School decides not to amend the record as requested by the parent or eligible student,

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

the Charter School will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing. If the Charter School decides to amend the record as requested by the parent or eligible student, the CSCE Head of School must order the correction or the removal and destruction of the information and inform the parent or eligible student of the amendment in writing.

3. The right to provide written consent before CSCE discloses personally identifiable information (“PII”) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

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

Upon request, CSCE discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled, if the disclosure is for purposes of the student’s enrollment or transfer.

Note that CSCE will not release information to third parties for immigration-enforcement purposes, except as required by law or court order.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by CSCE to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

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

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

1. Charter School officials who have a legitimate educational interest as defined by 34 C.F.R. Part 99;

2. Other schools to which a student seeks or intends to enroll so long as the disclosure is for purposes related to the student's enrollment or transfer. When a student transfers schools, the Charter School will mail the original or a copy of a student's cumulative file to the receiving district or private school within ten (10) school days following the date the request is received from the public school or private school where the student intends to enroll. Charter School will make a reasonable attempt to notify the parent or eligible student of the request for records at his/her last known address, unless the disclosure is initiated by the parent or eligible student. Additionally, Charter School will give the parent or eligible student, upon request, a copy of the record that was disclosed and give the parent or eligible student, upon request, an opportunity for hearing;
3. Certain government officials listed in 20 U.S.C. § 1232g(b)(1) in order to carry out lawful functions;
4. Appropriate parties in connection with a student's application for, or receipt of, financial aid if it is necessary to determine eligibility, amount of aid, conditions for aid or enforcing the terms and conditions of the aid;
5. Organizations conducting certain studies for the Charter School in accordance with 20 U.S.C. § 1232g(b)(1)(F);
6. Accrediting organizations in order to carry out their accrediting functions;
7. Parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1986;
8. Individuals or entities, in compliance with a judicial order or lawfully issued subpoena. Subject to the exceptions found in 34 C.F.R. § 99.31(a)(9)(i), reasonable effort must be made to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or eligible student may seek a protective order;
9. Persons who need to know in cases of health and safety emergencies;
10. State and local authorities, within a juvenile justice system, pursuant to specific State law;
11. A foster family agency with jurisdiction over a currently enrolled or former student, a short-term residential treatment program staff responsible for the education or case management of a student, and a caregiver (regardless of whether the caregiver has been appointed as the student's educational rights holder) who has direct responsibility for the care of the student, including a certified or licensed foster parent, an approved relative or non related extended family member, or a resource family, may access the current or most recent records of grades, transcripts, attendance, discipline, and online communication on platforms established by Charter School for student and parents, and any individualized education program ("IEP") or Section 504 plan that may have been developed or maintained by Charter School; and/or
12. A victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include the final results of the disciplinary proceedings conducted by Charter School with respect to that alleged crime or offense. Charter School discloses the final results of the disciplinary proceeding regardless of whether Charter School concluded a violation was committed.

"Directory Information" is information that is generally not considered harmful or an invasion of privacy if released. Charter School may disclose the personally identifiable information that it has designated as directory information without a parent's prior written consent. The CSCE has designated the following information as directory information:

1. Student's name
2. Student's address

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

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

Phillip Gedeon
Head of School
2111 International Boulevard
Oakland, California 94606
(510) 686-4131

A copy of the complete Policy is available upon request at the main office or on the school website.

Uniform Complaint Procedure ("UCP")

Charter School is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. Charter School shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedure ("UCP") adopted by our Governing Board for the following types of complaints:

1. Complaints alleging unlawful discrimination, harassment, intimidation, or bullying against any protected group on the basis of the actual or perceived characteristics of age, ancestry, color, mental disability, physical disability, ethnic group identification, immigration status, citizenship, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, medical condition, marital status, sex, or sexual orientation, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity.
2. Complaints alleging a violation of state or federal law or regulation governing the following programs:
 - Accommodations for Pregnant, Parenting or Lactating Students;
 - Adult Education;
 - Career Technical and Technical Education;
 - Career Technical and Technical Training;

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

- Child Care and Development Programs;
 - Consolidated Categorical Aid;
 - Education of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a public school, Migratory Children and Children of Military Families;
 - Every Student Succeeds Act;
 - Migrant Education Programs;
 - Regional Occupational Centers and Programs; and/or
 - School Safety Plans.
3. Complaints alleging noncompliance with laws relating to pupil fees. A student enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. A pupil fee includes, but is not limited to, all of the following:
- A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.
 - A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
 - A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.
- Complaints of noncompliance with laws relating to pupil fees may be filed with the Head of School of Charter School or the Compliance Officer identified below.
4. Complaints alleging noncompliance with the requirements governing the Local Control Funding Formula (“LCFF”) or Local Control and Accountability Plans (“LCAP”) under Education Code sections 47606.5 and 47607.3, as applicable. If Charter School adopts a School Plan for Student Achievement (“SPSA”) in addition to its LCAP, complaints of noncompliance with the requirements of the SPSA under Education Code sections 64000, 64001, 65000, and 65001 shall also fall under the UCP.

Complaints alleging noncompliance regarding child nutrition programs established pursuant to Education Code sections 49490-49590 are governed by Title 7, Code of Federal Regulations (“C.F.R.”) sections 210.19(a)(4), 215.1(a), 220.13(c), 225.11(b), 226.6(n), and 250.15(d) and Title 5, California Code of Regulations (“C.C.R.”) sections 15580 - 15584.

Complaints alleging noncompliance regarding special education programs established pursuant to Education Code sections 56000-56865 and 59000-59300 are governed by the procedures set forth in 5 C.C.R. sections 3200-3205 and 34 C.F.R. sections 300.151-300.153.

Complaints regarding state preschool health and safety issues in local educational agencies exempt from licensing are governed by 5 C.C.R. sections 4690-4694, except as otherwise indicated. Charter School is operating the following preschool programs as exempt from licensing pursuant to Health and Safety Code section 1596.792(o) and corresponding Title 5 health and safety regulations. Charter School is operating the following preschool programs pursuant to Title 22 licensing requirements.

Complaints other than complaints relating to pupil fees must be filed in writing with the following Compliance Officer:

Phillip Gedeon
Head of School
2111 International Boulevard
Oakland, California 94606
(510) 686-4131

Only complaints regarding pupil fees or LCAP compliance may be filed anonymously and only if the anonymous complainant provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees or LCAP.

Complaints alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed within six (6) months from the date the alleged 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. All other complaints under the UCP shall be filed not later than one (1) year from the date the alleged violation occurred. For complaints relating to the LCAP, the date of the alleged violation is the date on which Charter School's Board of Directors approved the LCAP or the annual update was adopted by Charter School.

The Compliance Officer responsible for investigating the complaint shall conduct and complete the investigation in accordance with California regulations and in accordance with Charter School's UCP Policy. The Compliance Officer shall provide the complainant with a final written investigation report ("Decision") within sixty (60) calendar days from Charter School's receipt of the complaint. This sixty (60) calendar day time period may be extended by written agreement of the complainant.

The complainant has a right to appeal Charter School's Decision to the California Department of Education ("CDE") by filing a written appeal within thirty (30) calendar days of the date of the Charter School's written Decision, except if Charter School has used its UCP to address a complaint that is not subject to the UCP requirements. The appeal must include a copy of the complaint filed with Charter School, a copy of Charter School's Decision, and the complainant must specify and explain the basis for the appeal of the Decision, including at least one of the following:

1. Charter School failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, Charter School's Decision lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in Charter School's Decision are not supported by substantial evidence.
4. The legal conclusion in Charter School's Decision is inconsistent with the law.
5. In a case in which Charter School's Decision found noncompliance, the corrective actions fail to provide a proper remedy.

A complainant who appeals Charter School's Decision on a UCP complaint to the CDE shall receive a written appeal decision within sixty (60) calendar days of the CDE's receipt of the appeal, unless extended by written agreement with the complainant or the CDE documents exceptional circumstances and informs the complainant.

Within thirty (30) calendar days of the date of the CDE's appeal Decision pursuant to 5 C.C.R. section 4633(f)(2) or (3), either party may request reconsideration by the State Superintendent of Public Instruction ("SSPI") or the SSPI's

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

designee. The request for reconsideration shall specify and explain the reason(s) for contesting the findings of fact, conclusions of law, or corrective actions in the CDE's appeal Decision.

If a UCP complaint is filed directly with the CDE and the CDE determines that it merits direct intervention, the CDE shall complete an investigation and provide a written decision to the complainant within sixty (60) calendar days of receipt of the complaint, unless the parties have agreed to extend the timeline or the CDE documents exceptional circumstances and informs the complainant.

If Charter School finds merit in a UCP complaint, or the CDE finds merit in an appeal, Charter School shall take corrective actions consistent with the requirements of existing law that will provide a remedy to the affected student and/or parent/guardian as applicable.

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

A copy of the UCP shall be available upon request free of charge in the main office. For further information on any part of the complaint procedures, including filing a complaint or requesting a copy of the UCP, please contact the Head of School.

Use of Student Information Learned from Social Media

The Charter School complies with all federal, state, and local guidelines regarding the gathering and/or maintenance of information about any enrolled student obtained from social media in the student's educational record. The Charter School gathers student information from social media. Such information shall be maintained in the Charter School's records with regard to the student and shall be destroyed within one (1) year after a student turns 18 years of age or within one (1) year after the student is no longer enrolled in the Charter School, whichever occurs first. A non-minor student or a student's parent or guardian may access the student's records for examination of the information, request the removal of information or corrections made to information gathered or maintained by the Charter School by contacting the Head of School.

Student Internet and Technology Use Policy and Agreement

Students are expected to use technology and the Internet as an educational resource. The following procedures and guidelines are used to help ensure appropriate use of the technology and the Internet at all facilities used for Alameda County Department of Education purposes.

CSCE Policy

- a. CSCE uses technology protection measures that block or filter Internet access to some Internet sites that are not in accordance with the policy of CSCE.
- b. The technology protection measure that blocks or filters Internet access may be modified by a CSCE staff member for bona fide research purposes by an adult.
- c. A CSCE staff member may override the technology protection measure that blocks or filters Internet access for a student to access a site with legitimate educational value that is wrongly blocked by the technology protection measure that blocks or filters Internet access.

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

- d. CSCE staff will monitor students' use of the Internet, either through direct supervision or by monitoring Internet use history, to ensure enforcement of the policy.

Students are responsible for appropriate behavior on CSCE's computer network, just as they are in a classroom or on school grounds. Communications on the network/systems are often public in nature. Expectation of confidentiality should not be assumed. General school rules for behavior and communications apply. It is expected that users will comply with district standards and the specific rules set forth below. The use of technology is a privilege, not a right, and may be revoked if abused. The user is personally responsible for his/her actions in accessing and utilizing the school's technology resources. The students are not allowed to access, keep, or send anything that they would not want their parents or teachers to see.

- a. Students shall not access material that is obscene, "harmful to minors", or otherwise inappropriate for educational uses.
- b. Students shall not use school resources to engage in "hacking" or attempts to otherwise compromise system security.
- c. Students shall not engage in any illegal activities on the Internet.
- d. Students shall only use electronic mail, chat rooms, and other forms of direct electronic communications for school-related purposes.
- e. Students shall not download or install any commercial software, shareware, or freeware onto network drives or disks, unless they have permission from the Network Administrator. Neither shall students copy other people's work or intrude into other people's files.
- f. Students shall not disclose personal information, such as name, school, address, and telephone number outside of the school network.
- g. Students shall notify the teacher or a CSCE for Creative Education staff member immediately, if by accident, you encounter materials which violate the boundaries of appropriate use.
- h. The Student shall not use Internet resources for personal gain or political purposes.
- i. Students shall BE PREPARED to be held accountable for their actions and for the loss of privileges if the Rules of Appropriate Use are violated.

Any violation of school policy and rules may result in loss of school-provided access to technology. Additional disciplinary action may be determined in keeping with existing school policies and procedures. When and where applicable, law enforcement agencies may be involved.

A complete copy of this Policy is available for review in the main office or on the school website.

Cell Phone and Electronic Equipment Policy

CSCE recognizes the potential for cell phones, smartphones, pagers, and electronic signaling devices (hereinafter collectively referred to as "private devices") to disrupt the learning environment of the Charter School. Students can possess, but not use private devices while on school grounds, at school-sponsored activities, or under the supervision of Charter School employees, except as otherwise provided in this Policy. Students who possess any private devices must submit them to the office upon entry into the school grounds and can collect them upon leaving campus. Charter School teachers, administrators, and staff will confiscate any private devices used by a student in violation of this Policy.

All students are required to adhere to the following guidelines regarding private devices:

Private devices may be used:

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

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

Private devices should be turned in as soon as a student arrives on campus and may pick it up before they leave.

Possession of private devices is a privilege, which may be forfeited by any student who fails to abide by the terms of this Policy. All Charter School employees shall remove any private device from the possession of a student found to be violating this Policy. If a private device is heard ringing, beeping, or buzzing from inside a jacket, purse, backpack, or other similar article, whether within the immediate presence of the student or not, a Charter School employee may remove the private device and confiscate the private device. Parents/guardians will be contacted to pick up any confiscated private devices at the end of the regular school day or at the conclusion of a Charter School sponsored activity.

In addition to this Policy, all other applicable Charter School student discipline policies and rules shall apply to any student who fails to comply with the requirements of this Policy.

Students who possess any private device(s) shall assume sole responsibility for the maintenance and care of any such private device(s) in accordance with this Policy. At no time shall the Charter School be responsible for preventing theft, loss or damage to any private devices brought onto campus or at Charter School sponsored activities.

- ❑ Should the scholar be caught violating the above policy, the following will occur:

1st offense- Teacher/Staff confiscate the device. The scholar may collect his/her device after school. Parents/guardians will be informed as to help remind the scholar of proper technology etiquette.

2nd offense - Teacher/Staff confiscates the device and issues a universal office referral. **Additionally**, parents/guardians will be contacted to pick up the device from the office at the end of the day.

3rd offense and beyond- The student will receive an in-school suspension and the device will be turned in to the Head of School. The parent may collect the device at the end of the school day. Other disciplinary consequences may occur at the discretion of the Head of School.

- ❑ Refusal to give up the device will automatically result in the 3rd offense.

Positive Student Culture

School-wide Behavior Policy

CSCE is committed to creating a safe and nurturing environment for every child. We are equally committed to helping our children grow into healthy, happy, responsible adults. CSCE is implementing the best research-based approaches to discipline.

Our School-wide approach carefully integrates Waldorf, Positive Behavior, and Restorative Practices to discourage misbehavior and encourage students to learn from mistakes and make appropriate choices in the future. Our **Waldorf** inspiration encourages us to consider the developmental stage of a child, particularly in how we communicate expectations and provide consequences. Using **Positive Behavior Intervention Systems (PBIS)** as our behavior management system, we establish clear expectations and school-wide values so we are proactively developing a positive school culture. Implementation of the **social/emotional curriculum Toolbox** as well as daily **Mindfulness** practices aim to support students' peaceful reflection, full presence, and community membership throughout the day. **Restorative Justice Practices** promote equity, inclusion, and community cohesion which provides a vehicle to collaboratively create solutions to conflict based on the needs of the individual(s) harmed in addition to the community as a whole.

CSCE is committed to creating a safe and nurturing learning environment for every child. CSCE uses Restorative Practices moving toward restoring a sense of harmony and well-being for all those affected by a hurtful act. It addresses incidents of harm or conflict by exploring root cause(s), considering underlying needs of those that caused the harm, as well as identifying needs of those who were harmed so as to collaboratively create solutions that allow everyone to thrive. It provides families, schools, and communities a way to ensure accountability while at the same time breaking the cycle of retribution and violence. It is based on a view of resilience in children and youth and their capability to solve problems, as opposed to the youth themselves being the problems adults must fix. It focuses not on retribution or punishment but on reconnecting severed relationships and re-empowering individuals as they acknowledge the effect of their actions and work collaboratively toward solutions. This approach acknowledges that, when a person does harm, it affects the persons they hurt, the community, and themselves. When using restorative measures, an attempt is made to repair the harm caused by one person to another and to the community so that everyone is moved toward healing.

Restorative practices involve students and the entire school community in a process to repair the harm resulting from conflicts through such means as: community circles that create a respectful group space in which students participate in establishing the values for the class based on human dignity and the democratic principles of rights and responsibilities. All students will be encouraged to participate in restorative practices.

Code of Behavior

In order to provide a school environment that fosters cooperation, responsibility and respect; we offer these guidelines for positive behavior in our School community.

The CSCE Creed

The Student Behavior Guidelines are based on a philosophy of care and are stated in our CSCE Creed:

*Take care of **self***

- *Head:* Respect for oneself and one's ability to learn
- *Heart:* Do your best
- *Hands:* Complete class assignments

*Take care of **others***

- Respect for all human beings
- Respect for the guidance provided by teachers, staff and Parents/Guardians

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

- Respect for our classmates
- Observe class starting and ending times

*Take care of this **space***

- Respect for the earth and all living things
- Respect for all school and personal property
- Complete classroom chore

| | Be Responsible | Be Respectful | Be Safe |
|--------------------------------------|---|---|--|
| Before Arriving to School | <ul style="list-style-type: none"> • Ensure you have your school uniform handy • Homework and Reading Log is complete and in your backpack • You have your refillable water bottle | <ul style="list-style-type: none"> • Check your backpack and leave any toys, trading cards, sports, equipment, etc at home | <ul style="list-style-type: none"> • Do not bring any weapons or unsafe objects from home |
| During your Arrival to School | <ul style="list-style-type: none"> • If you have a Technology Agreement Form Agreement completed, you must turn in your device as soon as you arrive • Keep your backpack, coat, and water bottle close to you • If you are hungry stop by the Cafeteria for Breakfast (8:00-8:30 AM) | <ul style="list-style-type: none"> • If you have a Technology Agreement Form Agreement completed, you must turn in your device as soon as you arrive • Greet staff and other students • Listen to all CSCE adults and follow their instructions • Use Rock, Paper, Scissors when you are trying to figure out who is going first | <ul style="list-style-type: none"> • If you have a Technology Agreement Form Agreement completed, you must turn in your device as soon as you arrive • Follow all rules • Do not participate in any games involving tag, rough play, or violence |
| Water Fountain | <ul style="list-style-type: none"> • Fill water bottle during breaks • Walk to and from the fountain, no lingering | <ul style="list-style-type: none"> • Wait turn safely and patiently behind line • Form a line along the wall so there is space for others to pass in the hall • Respect personal space • Give someone else a turn after 10 seconds | <ul style="list-style-type: none"> • Use water responsibly • Report clogs or spills to teacher |

| | | | |
|--|--|--|---|
| <p>Bath- room</p> | <ul style="list-style-type: none"> • Wash hands with soap • Ask for permission and take a pass only when you really need to use it the bathroom • Throw away trash inside the bin and do not splash water on the floor • Inform teacher if supplies are needed | <ul style="list-style-type: none"> • Respect our rule of “Only 4 students in the Restroom at a time” • Use a quiet voice • Respect your learning time by going directly back to class | <ul style="list-style-type: none"> • Respect others’ privacy and space • Only use the right amount of paper towels and throw them inside the trash bin NOT in the toilet |
| <p>Hallway/ Stairwell</p> | <ul style="list-style-type: none"> • Get permission and use hall pass • Stay on the right side of the hallway • Pick up/hold all trash until you reach a Trash/Recycling bin | <ul style="list-style-type: none"> • Respect others’ learning time by walking and using an inside voice • Respect artist work on display by keeping your hands to yourself | <ul style="list-style-type: none"> • Shoelaces should always be tied • Pick up your feet walking up or down the stairway and hallways • Keep my hands, feet, and body to yourself • Notify teacher of any spills |
| <p>Large Yard/ Blacktop/ Small Yard/ Play Structure</p> | <ul style="list-style-type: none"> • Do not bring any toys, trading cards, or sports equipment from home • Stay in your designated area where adults can see you • This is the time to get water and go to the bathroom • Line up with all of your belonging when asked • Help keep the yard clean & garbage free | <ul style="list-style-type: none"> • Play safely and fairly • Include others in games and activities • Respect the equipment and play structure and use it as it is intended • Respect all living things, do not harm or pull the plants/flowers • Line up when asked | <ul style="list-style-type: none"> • Remain with your group at all times • Stay in approved play area where an adult can see you • Use equipment appropriately and fairly • No sports equipment allowed in the Small Yard • Do not talk or engage with anyone outside of school campus |
| <p>Library</p> | <ul style="list-style-type: none"> • Must be accompanied by an adult at all times • No food/drinks allowed • Borrow 1 book at a time and bring your book back to the library | <ul style="list-style-type: none"> • Be considerate of others who are focused and reading • Treat all items in library with care | <ul style="list-style-type: none"> • Must be accompanied by an adult at all times • No running or hiding in the library |

| | | | |
|-----------------------------------|---|--|--|
| | <ul style="list-style-type: none"> Put books back in their correct place | | |
| Office/ Lobby | <ul style="list-style-type: none"> Ask permission or go only when sent by staff member Communicate purpose or what you need through the Office window Walk into the Office only when given permission Walk to and from the Office with a pass using a quiet voice Retrieve your belongings from the Lost & Found | <ul style="list-style-type: none"> Respect your and other's learning time by getting back to class as soon as possible Respect privacy of others Be polite, courteous, and use your manners Wait your turn | <ul style="list-style-type: none"> You must have permission from an adult to leave your class or group, and must have a pass |
| Cafeteria | <ul style="list-style-type: none"> Grab a complete meal If you bring a Home Lunch make sure you bring it down with you Eat healthy meals Sort your trash correctly | <ul style="list-style-type: none"> Raise hand if you need something Stay in your seat Respect others' cultural dishes Sit in your assigned table/zone | <ul style="list-style-type: none"> We are a nut-free school Shoe laces are always tied Stay in your seat until dismissed Enter in a line with a calm body and indoor voice |
| End of Day/ Going Home | <ul style="list-style-type: none"> Grab all of your belongings Report to where you are suppose to be: After-school, Walk home, or get picked up by car | <ul style="list-style-type: none"> Keep your hands, feet, and body to yourself | <ul style="list-style-type: none"> Walk to your designated pick up location Listen to all adults and follow instructions |

Scholar Behavior Expectations

*In addition, individual classroom teachers will have guidelines for positive behavior for their own classroom and will communicate it to their classes. Teachers will develop a class management system, approved by the administrator, and appropriate to the age level of their individual class. Parent/Guardian concerns about the implementation of this policy shall be shared directly with their child's teacher.

Response to Student Choices

The School has implemented a school-wide positive behavior system that encourages equity and inclusion while also considering a child’s developmental stage. This approach aims to create a strong and caring school culture where all members of the community are valued and supported to grow and learn together. In the event that a school-wide positive behavior system and/or the individual class management systems are not sufficient to correct disruptive or disrespectful behavior, we will implement our **referral procedures** based on the severity of the infraction and the teacher and/or the dean/administrator’s evaluation of the circumstances.

Inappropriate behaviors include (but are not limited to):

| Minor – Teacher Managed | Major – Dean of Students Managed |
|---|---|
| <p>Disrespect</p> <ul style="list-style-type: none"> ☞ Talking back ☞ Chewing gum ☞ Food in Class ☞ Mocking ☞ Note passing <p>Defiance</p> <ul style="list-style-type: none"> ☞ Noncompliance with classroom instructions ☞ Incomplete work or not working ☞ Dishonesty <p>Inappropriate Language</p> <ul style="list-style-type: none"> ☞ Cursing ☞ Name Calling <p>Observable Behavior</p> <ul style="list-style-type: none"> ☞ Running in class/hall ☞ Poor line behavior ☞ Throwing objects/food <p>Physical Contact (reaction)</p> <ul style="list-style-type: none"> ☞ Wrestling or horseplay with another student ☞ Pushing, shoving, kicking ☞ Biting (with no mark) <p>Property Misuse</p> <ul style="list-style-type: none"> ☞ Inappropriate use of materials ☞ Misuse of technology ☞ Looking in others’ desks/bags ☞ Causing minor repairable damage to school property <p>Disruptive</p> <ul style="list-style-type: none"> ☞ Out of seat ☞ Calling out | <p>Abusive Language</p> <ul style="list-style-type: none"> ☞ Taunting ☞ Harassment ☞ Racism, Homophobia, Transphobia, Classism, Ableism, Ageism, Body Types <p>Threats/Intimidation/Bullying</p> <p>Leaving school grounds without permission</p> <p>Vandalism of personal/school property</p> <p>Truancy</p> <p>Fighting/Physical Aggression (intent)</p> <ul style="list-style-type: none"> ☞ Hitting, pushing, shoving, kicking, grabbing, tripping, slapping, punching, spitting, hair pulling, throwing objects with intent to do harm <p>Theft</p> <p>Weapons/Dangerous Items</p> <ul style="list-style-type: none"> ☞ possession of knives, lighters, matches, etc. <p>Inappropriate behavior involving bodily fluids (blood, urine, spit)</p> <p style="text-align: center;">-OR-</p> <p>Three (3) documented minor behaviors with teacher intervention</p> |

☞ Talking or non verbally communicating with classmate at inappropriate time
☞ Noisemaking
Dress Code Violation

Prohibited Items

In support of creating an ideal learning environment and in order to reduce distraction and/or potential for conflict, the School asks that certain personal items are not brought to school. Prohibited items include, but are not limited to the following:

- Chewing gum
- Unhealthy foods containing high concentration of sugar and/or fat (e.g. candy, soda, chips, fast food)
- Electronic devices (e.g. cell phones, Apple Watch, pagers, tablets, games/toys, laptops, handheld devices)
- Vehicles (e.g. scooters, skateboards, rollerblades, shoes with wheels)
- Permanent markers/pens/paint
- Aerosol cans, spray bottles, water shooters
- Hairspray, perfume/cologne, cosmetics
- Playing cards or trading cards
- Toys, stickers, or games of any kind
- Toy, fake weapons

The school is not responsible for the loss or theft of items brought from home. Administration will not disrupt students’ learning time to investigate the loss of an item that is on the forbidden items list.

Universal Referral Form and Family Communication

Minor/Teacher Managed Behaviors: If a child fails to follow the school or classroom behavior guidelines or in any way undermines a healthy learning environment, others or property, a notice will be sent home through Parent Square. will be stored in the student’s file describing this behavior.. This Universal Referral Form is to be completed by the classroom teacher or staff member who directly responded to the behavior. Teacher will follow this up with a phone call or email to the Parents/Guardians. A copy of the Universal Referral Form can be made available for Parent/Guardian/guardian and will also be maintained by the Dean of Student Culture.

Major/Office Managed Behaviors: If a student’s behavior is categorized as Major (or reoccurring Minor), the Referral process is warranted. These behaviors can lead to suspension. (See referral/suspension process below). The Universal Referral Form is completed by the staff member directly aware of behavior and submitted to the Head of School and Dean of Student Culture. The Head of School or Dean will further investigate behavior and will contact the guardian by phone. The Referral will state the behavior concern and restorative practice used. The Universal Referral Form is for internal documentation purposes only. Parent/Guardian will be provided written documentation of behavior using the Parent/Guardian Acknowledgement form and will be asked to sign stating they have reviewed this form. The signed form is to be returned to the teacher/office the following day. Either the Parent/Guardian or the class teacher may request a telephone or personal conference.

Family/Parent/Guardian-Teacher Conference

When a student receives two referrals, a family/Parent/Guardian-teacher conference will be scheduled by the class teacher. If both family and class teacher agree, the child may be included in the meeting. A behavior plan may be developed at this time. The class teacher or Parents/Guardians may request that an administrator be present. Parents/Guardians may invite other individuals to the conference.

Expectations of Class Teachers:

- Help the children – tend to injury, mediate conflict (after child has time to cool off)
- Find out what happened/ talk to other children or witnesses
- Call Parent/Guardian/guardian when appropriate
- Complete behavior form and submit to Dean of Student Culture
- Follow-up with children and Parents/Guardians (set up meeting if needed)/ check back

CSCE CSCE CSCE Student Success Team (SST)

Class teachers and/or a Parent/Guardian/guardian can request an SST meeting in order to develop a plan to support student behavior and academics on campus. An SST meeting, consisting of the student's Parent/Guardian(s)/guardian, classroom teacher, administrator, as well as other specialists or support staff, if needed, will be convened to review the child and his/her needs. The team will work to cultivate healthy classroom and playground behavior. During this meeting a behavior plan may be developed. Below is a summary of the steps that may be taken prior to a recommendation for suspension or expulsion:

Referral process initiated

1. First referral: Phone call to Parent/Guardian
2. Second referral: Phone call and Parent/Guardian-teacher conference
3. Third referral: Phone call home and SST meeting is scheduled

Student Success Team (SST) Meeting Initiated

Continuation of Referral process

4. Fourth referral: Phone call home
5. Fifth referral: Phone call and Parent/Guardian-teacher conference
6. Sixth referral and suspension: Phone call home. SST follow-up meeting is scheduled

Student Success Team (SST) Meeting

Continuation of Referral process

7. Seventh referral: Phone call home.
8. Eighth referral: Phone call home and Parent/Guardian-teacher conference
9. Ninth referral and/or 3rd suspension: Phone call home. SST follow-up meeting is scheduled

Clearing Referrals

Referrals and suspensions are cumulative from year to year. In order for a student's referral record to be cleared, he/she must be referral free for two consecutive school years.

Health & Safety

Meal Program

Breakfast and lunch will be available to all students. The Charter School also participates in the National School Lunch Program. Through this program, all students may receive a free breakfast and lunch. Students in the Extended Day program may receive a free snack and supper. The Charter School will provide each student who meets federal eligibility criteria for free and reduced-price meals with at least one free or reduced-price, nutritionally adequate meal per school day.

CSCE has applied to the Community Eligible Provision (CEP), and is providing all school meals free of cost to any student, regardless of family income.

A child may bring lunch from home. If bringing food from home we encourage low sugar, low sodium options. Candy and soda are not permitted. Please avoid sugary drinks and artificial food coloring when possible. This will better equip our scholars for a successful day of learning. We are also striving for a waste-free campus.

Nut Free School

As part of our ongoing effort to *Take Care of Others*, we are a **Nut Free Campus**. This includes peanuts and tree nuts. There are several students with severe nut allergies. To ensure good health for all please **avoid sending food items containing tree nuts, peanut butter, peanuts or nuts of any kind**.

Health, Safety & Emergency

For complete information on health and safety at CSCE, please reference the Health and Safety Handbook, available in the office. Students will be asked to bring a small comfort kit/emergency kit in the event of an emergency. In addition, teachers may request that students bring spare clothing to be left at school in the event of an emergency.

Lice

Head lice are common and are easily spread. The Administration will send home information about the treatment and control of head lice to Parent/Guardian/guardians as needed to prevent the spread of infestations. Staff will report all suspected cases of head lice to the Administration as soon as possible. CSCE recognizes that responsibility for the treatment of head lice rests with the home. When lice are found, the student shall be sent home as soon as possible with proper Parent/Guardian/guardian notification. Staff shall make every effort to maintain the privacy of students identified as having head lice and excluded from classes for treatment.

If a child is affected in any one classroom, information about head lice shall be sent home to all Parent/Guardian/guardians/ in the class. Excluded students may return to school when they bring a note from the Parent/Guardian/guardian indicating the treatment applied and date administered. Students will be rechecked before readmission.

Oral Health Assessment

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

Immunizations

Pursuant to the California Health and Safety Code and the California Code of Regulations, children must provide proof of having received required immunizations (shots) before they can attend school unless they meet the requirements for an exemption. Immunization records are required for all incoming students. Verification of immunizations will be completed with written medical records from the child’s doctor or immunization clinic. To ensure a safe learning environment for all students, the Charter School follows and abides by the health standards set forth by the state of California. The immunization status of all students will be reviewed periodically. Those students who are not in compliance with the State requirements must be excluded from attendance until the requirements are met. Students who have been exposed to a communicable disease for which they have not been immunized may be excluded from school at the discretion of the Charter School.

These required immunizations include:

| Child’s Grade | List of shots required to attend school |
|-------------------|--|
| TK/K-12 Admission | <p>Diphtheria, Tetanus and Pertussis (DTaP) - Five (5) doses Polio - Four (4) doses Measles, Mumps, and Rubella (MMR) - Two (2) doses Hepatitis B (Hep B) - Three (3) doses Varicella (chickenpox) – Two (2) doses</p> <p>NOTE: Four doses of DTaP are allowed if one was given on or after the fourth birthday. Three doses of DTaP meet the requirement if at least one dose of Tdap, DTaP, or DTP vaccine was given on or after the seventh birthday (also meets the 7th-12th grade Tdap requirement.) One or two doses of Td vaccine given on or after the seventh birthday count towards the requirement for DTaP. Three doses of Polio are allowed if one was given on or after fourth birthday. MMR doses must be given on or after first birthday. Two doses of measles, two doses of mumps, and one dose of rubella vaccine meet the requirement, separately or combined. Combination vaccines (e.g., MMRV) meet the requirements for individual component vaccines.</p> |

| | |
|---|---|
| <p>Entering 7th Grade</p> | <p>Tetanus, reduced Diphtheria, and acellular Pertussis (Tdap) - One (1) dose Varicella (chickenpox) - Two (2) doses</p> <p>NOTE: In order to begin 7th grade, students who had a valid personal belief exemption on file with a public or private elementary or secondary school in California before January 1, 2016 must meet the requirements listed for grades K-12 as well as requirements for 7th grade advancement (i.e., polio, MMR, varicella and primary series for diphtheria, tetanus, and pertussis). At least one dose of pertussis-containing vaccine is required on or after the 7th birthday.</p> |
|---|---|

Physical Examinations and Right to Refuse

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

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

Diabetes

The CSCE will provide an information sheet regarding type 2 diabetes to the Parent/Guardian or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but shall not be limited to, all of the following:

1. A description of type 2 diabetes.
2. A description of the risk factors and warning signs associated with type 2 diabetes.
3. A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes should be screened for type 2 diabetes.
4. A description of treatments and prevention of methods of type 2 diabetes.
5. A description of the different types of diabetes screening tests available.

A copy of the information sheet regarding type 2 diabetes is available at:

<https://www.cde.ca.gov/ls/he/hn/type2diabetes.asp>

Please contact the office if you need a copy of this information sheet or if you have any questions about this information sheet.

Concussion/Head Injuries

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

Sudden Cardiac Arrest

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

Opioid Information Sheet

The Charter School annually provides each athlete with an Opioid Factsheet for Patients published by the Centers for Disease Control and Prevention. The athlete and, if the athlete is 17 years of age or younger, the athlete's parent or guardian shall sign a document acknowledging receipt of the Opioid Factsheet for Patients and return that document to the Charter School before the athlete initiates practice or competition. The fact sheet is available at:

<https://www.cdc.gov/drugoverdose/pdf/AHA-Patient-Opioid-Factsheet-a.pdf>

Human Trafficking Prevention

California has the highest number of incidents of human trafficking in the U.S., and all students may be vulnerable. Charter School believes it is a priority to inform our students about (1) prevalence, nature of and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance, and (2) how social medial and mobile device applications are used for human trafficking.

In accordance with the California Healthy Youth Act, Charter School will provide age-appropriate instruction on the prevention of human trafficking, including sexual abuse, assault, and harassment. You have the right to excuse your child from all or part of the instruction on the prevention of human trafficking. An opt-out form is available in the main office for your convenience. Your consent for this instruction is NOT required. If we do not receive a written request to excuse your child, your child will be included in the instruction.

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

Information and materials for parents/guardians about the curriculum and resources on prevention of human trafficking and abuse, including sexual abuse, assault, and harassment are available on Charter School's website for your review.

Mental Health Services

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

Available on Campus:

- **School-based counseling services** – your child is encouraged to directly contact a Charter School counselor by coming into the counseling office during school hours and making an appointment to speak with a counselor. The counseling office can also be reached at Mrs. Esther Pyon. Our Charter School counselors support students by providing individual sessions, group or parent consultations whenever a student is having a difficult time due to academic stress, transition to changes in their environment, or social concerns, including isolation. Counseling services, whether provided by our Charter School or by an outside provider listed in this letter, are voluntary.
- **Special education services** – if you believe your child may have a disability, you are encouraged to directly contact Ms. Alina Kagan at 510-686-4131 to request an evaluation.
- **Prescription medication while on campus** – if your child requires prescription medication during school hours and you would like assistance from School staff in providing this medication to your child, please contact Mrs. Yolanda Cordovia at 510-686-4131.

Available Nationally:

- National Suicide Prevention Hotline - This organization provides confidential support for adults and youth in distress, including prevention and crisis resources. Available 24 hours at 1-800-273-8255.
- The Trevor Project - This organization provides suicide prevention and crisis intervention for LGBTQ youth between the ages of 13 and 24. **Available at 1-866-488-7386 or visit <https://www.thetrevorproject.org/>.**
- Big Brothers/Big Sisters of America – This organization is a community- based mentorship program. Community-specific program information can be found online at <https://www.bbbs.org> or by calling (813) 720-8778.

Pregnant and Parenting Students

The Charter School recognizes that pregnant and parenting students are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their health and the health of their children. A pregnant or parenting student is entitled to eight (8) weeks of parental leave, or more if deemed medically necessary by the student's physician, which the student may take before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction, in order to protect the health of the student who gives or expects to give birth and

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

the infant, and to allow the pregnant or parenting student to care for and bond with the infant. The Charter School will ensure that absences from the student's regular school program are excused until the student is able to return to the regular school program.

Upon return to school after taking parental leave, a pregnant or parenting student will be able to make up work missed during the pregnant or parenting student's leave, including, but not limited to, makeup work plans and reenrollment in courses. Notwithstanding any other law, a pregnant or parenting student may remain enrolled for a fifth year of instruction in the Charter School if it is necessary in order for the student to be able to complete any graduation requirements, unless the Charter School determines that the student is reasonably able to complete the graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.

Complaints of noncompliance with laws relating to pregnant or parenting students may be filed under the Uniform Complaint Procedures ("UCP") of the Charter School. The complaint may be filed in writing with the compliance officer:

Phillip Gedeon
Head of School
2111 International Boulevard
Oakland, California 94606
(510) 686-4131

A copy of the UCP is available upon request at the main office or on the school website. For further information on any part of the complaint procedures, including filing a complaint or requesting a copy of the complaint procedures, please contact the Head of School.

Home-School Communication

The Weekly Folder

Every week your child's classroom teacher will send home a folder of weekly information, in hardcopy, with the student. Weekly Folders will include your child's homework, notes from your child's teacher, and any notes that go out school wide. The Weekly Folder will serve as the primary communication between school and home. Teachers will also review the Weekly Folder with their students each week. If your child is missing the Weekly Folder, it is your responsibility to contact your child's teacher to obtain a copy.

Monthly Newsletter

Once per month the School will send a school-wide newsletter via email and hard copy with your child. This newsletter will include a message from the Administration with highlights for the month, a calendar with upcoming events, and flyers announcing special activities or invitations.

Robo Call

The CSCE will utilize an automated phone service (in addition to other methods) to remind you of important events or to communicate other time-sensitive information.

Conferences

Parent/Guardian/guardian-teacher conferences will happen twice per year and as requested by the teacher or family. In addition, there will be 6 meetings per year when families are invited into the classrooms for student exhibitions and collaborative planning.

Publications and Websites

The CSCE website URL is: <http://www.communityschoolforcreativeeducation.org/>

The CSCE also has a Facebook group that we invite you to join. This is a great way to connect with other Parents/Guardians and to find out about playdates and other Parent/Guardian gatherings.

Family/Parent/Guardian-as-Partner Policy

The CSCE for Creative Education believes that the creation of a welcoming, responsive, and creative learning environment that places students at the center of transformative learning, is only possible with the inclusion of families and community. We advocate strong connections between the home, school, and the community, as one means of supporting the creativity of young people. Studies demonstrate that when Parents/Guardians are involved in their children's education, the attitudes, behaviors, and achievement of students are positively enhanced.

We value all members of our learning community providing input and resources to better the learning outcomes for our students. Working in genuine partnerships is mutually beneficial. Developing cooperative efforts and meaningful involvement contributes to improved schools and successful students. CSCE strongly encourages Parents/Guardians/guardians to be active partners in developing school policies and leading efforts to engage the support of the community, making recommendations about issues related to the school, and reviewing family and community concerns. Please join us each month for our Parent/Guardian work groups and focus groups. See website calendar and Monthly Newsletter for regular scheduled meetings.

As a community, we will include outreach strategies, related home-learning activities, community resources, as well as supportive school and district policies and actions.

- **Our Parent/Guardian/family drop-in policy is: (suspended due to COVID-19)**
Parents/Guardians/visitors are welcome to participate in the work of classroom and out of classroom school activities, as arranged prior to the lesson with the class teacher. Notes on where Parents/Guardians can volunteer in class are included in each teacher's weekly class newsletter. If you are visiting, first check-in with the main office and receive a visitor's pass. If you are OBSERVING rather than volunteering, we ask that you observe silently unless otherwise agreed with the teacher, whose attention must be 100 % on the children. If you want to speak to the teacher, please make those arrangements after class so the children's instructional time is preserved. According to State law, Parents/Guardians that will be **alone** with children must be fingerprinted.
- **Our goal for Parent/Guardian/family engagement:** All Parents/Guardians and community are welcome as partners in building a strong supportive learning environment for all children. We seek to build a model of Parent/Guardian engagement that is consistent across classrooms, is supportive of the skills and assets that our community possesses, and that is pushing our school towards greatness. A copy of CSCE's Parent/Guardian and Family Engagement Policy is available in the main office.
- **Our systems that make this happen:** From the Head of School to instructional assistants, Parents/Guardians will feel welcomed as valued stake-holders integral to the future of this school. Parents/Guardians and the community can expect to experience welcoming classrooms with open door

policies, volunteer roles that utilize the strengths that families bring, opportunities to provide feedback and reflections on how we are doing at meeting our goals. We seek to enrich our school family by being intentional in offering meaningful ways for our community to work together towards doing better.

- **Supporting teachers means:** Being respectful of the classroom dynamics, treating all children as valued members of our school community, providing appropriate constructive feedback outside of class time, and working with the school to push our practices and policies towards the best possible models for our students.
- **Supporting young people means:** Treating all children as valued members of our school community. As a community we must encourage one another to be equitable and just in the treatment that all children receive. As a community, we celebrate all the differences and diversity that is present among us. To support our children we must actively model working in collaborative, respectful, uplifting partnership that actively challenges gender, race, class, and ability based oppression that is active in our society.
- **Supporting Parents/Guardians means:** all members of the school community see Parents/Guardians as partners and equals.
- **Our “Open Door” policy means:** that parents/Guardians are welcome to support, observe, or engage in the classroom at any time pending prior arrangement and consent.

As we actively work towards meeting the needs of our children, we look to our community to hold us accountable. We expect critical feedback, input and, where appropriate, affirmations to let us know how we are doing in all areas of honoring our Parent/Guardian engagement and leadership policy.

Classroom Representative/Community Keepers: Each teacher will request two Parent/Guardian/family volunteers to represent each class. These Parents/Guardians/family members will meet with the classroom teacher on a regular basis and will communicate with other classroom Parents/Guardians/family members. They will also communicate about their classroom activities to the wider school community during School Site Council meetings.

Parent/Guardian and Family Engagement

CSCCE aims to provide all students in our schools significant opportunities to receive a fair, equitable, and high-quality education, and to close educational achievement gaps while abiding by guidelines within the Elementary and Secondary Education Act (ESEA).

CSCCE staff recognizes a partnership with families is essential to meet this goal. Our family engagement policy promotes active involvement of all families as partners with schools to ensure student success.

Providing Information

A. A Parent/Guardian Family Action Committee (PFA) shall be established, consisting of Parent/Guardian/guardian representatives from each grade and overall. Representatives shall meet at least five times per year and report back to school. The PFA will work together with the staff to:

1. Involve Parents/Guardians in the planning, implementation, and evaluation of various components funded by the Title I grant and other grant sources.

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

2. Provide input on educational opportunities for children, and make recommendations for strengthening the partnerships between home and school in order to improve student achievement.
3. Develop, annually review, and revise at least annually the CSCE family engagement policy and the school level LCAP.
4. Give input to the design of annual surveys of CSCE to determine the range and effectiveness of the family engagement practices and to capture schools' efforts to overcome barriers to family engagement.
5. Prepare an annual report to the CSCE Board with recommendations for enhancing services and enhancing Parent/Guardian engagement..

B. CSCE Administration will support the school to:

1. Work jointly with Parents/Guardians to develop a school-level Family Engagement Policy and School-Home Compact and to ensure these meet the requirements of the ESEA. These documents will be reviewed and distributed to Parents/Guardians annually, revised, at least, every two years, and translated for accessibility for all Parents/Guardians.
2. Collect and share family engagement strategies taking place in schools

Coordination and Assistance

A. CSCE will actively involve Parents/Guardians in their school improvement planning process and in the review and revision of the school-level Family Engagement Policy and School-Home Compact.

B. CSCE Administration will:

1. Support the staff collaboration with Parents/Guardians through meetings, surveys, and

informal discussions that can help Parents/Guardians understand the curriculum, instructional practices, academic assessments, expected proficiency levels and strategies to support their children at home to improve student achievement.

2. Collaborate with schools to ensure availability of Parent/Guardian and family programs such as: Faith in Action East Bay and California Charter Schools Association Parent/Guardian leadership and advocacy training; CSCE Parent/Guardian Family University; CSCE Parents/Guardians Family Action Committee; Sweet Pea Nursery Planning Committee; Head of School's coffees and other Parent/Guardian workshops; Family field trips

3. Collaborate with CSCE Administration to inform Parents/Guardians of available Adult ESOL

classes, Parent/Guardian workshops, and family literacy programs.

4. Collaborate with CSCE Administration to guide the school in developing partnerships with local community organizations in support of student achievement and improved Parent/Guardian involvement.

Building Capacity

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

A. In order to support implementation and further development of family engagement strategies and actions related to the CSCE Board's Student Achievement Goals and focus on closing achievement gaps, CSCE will identify a class Parent/Guardian. The class Parent/Guardian together with the Parent/Guardian Family Action Committee Chairs and members will:

1. Gain access to additional family engagement professional learning opportunities.
2. Serve as point of contact for the school's PFA chairs and representative and instructional staff.
3. Share family engagement resources, updates, and Parent/Guardian involvement and volunteer opportunities with the school community.
4. Participate in reflective conversations about the school's family engagement practices to support school improvement planning and closing achievement gaps.

B. To build schools' capacity for strong family engagement, home office staff will:

1. Facilitate opportunities for school staff to share successful programs and strategies,
2. Promote reflective processes for schools to assess current practices and identify potential opportunities for strengthening family engagement.
3. Provide informational resources to schools to explain Title I federal regulations to Parents/Guardians
4. Collaborate with other CSCE staff to provide professional learning opportunities and resources to assist schools in strengthening family engagement and overcoming barriers to family engagement.
5. Consult with school staff to support the development of school-level Family Engagement Policies and School-Home Compacts.
6. Support schools in Site Budget planning for effective family engagement programming.
7. Offer logistical support for schools to develop or maintain Parent/Guardian centers to provide Parents/Guardians with resources, information, and opportunities for partnership.
8. Produce and distribute a Parent/Guardian newsletter to inform Parents/Guardians about opportunities and resources for involvement and to highlight effective family engagement practices.
9. Recommend materials for family engagement programs

Accessibility

A. CSCE will:

1. Engage in practices to ensure a welcoming atmosphere for families of all cultures and backgrounds.

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

2. Offer family engagement events at times convenient to Parents/Guardians, ensuring childcare, refreshments, and transportation are available, as needed, to facilitate full participation.

3. Whenever possible, enlist interpreters and translators to communicate with Parents/Guardians who have requested correspondence in another language.

4. Apply principles of nondiscrimination, as embodied within Board policy.

B. CSCE Administration staff will:

1. Ensure translations are available in all correspondence languages identified

within CSCE for all federally required Title I communications to Parents/Guardians within

ESEA, such as A Parent/Guardian's Right to Know.

2. Ensure translated materials and language interpreters are available for all events sponsored by Title I funds

Organizational Structures & Governance

In-school Structures

Alameda County Office of Education: CSCE for Creative Education is authorized by Alameda County Board of Education (ACOE). ACOE oversees the school and its board.

CSCE for Creative Education Board of Trustees: The school is overseen by the CSCE for Creative Education Board of Trustees. Trustees meet monthly at CSCE (see website and monthly calendar for schedule). Meetings are public and Parents/Guardians/family members and community are encouraged to join. Agendas are posted 72 hours in advance on the school website and at the School Office.

Head of School: Our Head of School, Phillip Gedeon, is the Head of School. He ensures the school follows the mission and vision of the school. Further, he focuses on the external relations of the school and works to make CSCE a hub of non-profit organizing in Lower San Antonio and the model for scaleup of Intercultural Public Waldorf education; and he works to secure funding with foundations and organizations.

Dean of Student Culture: Our Dean of Student Culture, Mr. Malcolm Defils, models how to build strong, mutually respectful relationships with students and families in our multicultural, multilingual setting through the oversight of our Waldorf-inspired school-wide positive behavior system.

Office Manager & Family Liaison: The office is supported by the Office Manager, Mrs. Yolanda Cordova. This person provides front office assistance to the students, families, Head of School and school staff by answering/screening phone calls, preparing correspondence and other written communication, receiving and responding to inquiries and requests, leading rainy-day schedule adjustments, coordinating meetings and events, managing crisis situations, handling confidential information and other related duties.

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

Class Teachers and Instructional Assistants: Each class is led by a class teacher. In addition, each kindergarten is supported by one instructional assistant. Other classes may have an instructional assistant based on specific student needs.

Staff Meetings: All teachers and staff members meet once a week Wednesday 1:30 - 4:15 pm for staff meeting, collaboration around student work and professional development.

CSCE Partners

As a full-service CSCE, CSCE maintains an abundance and growing number of deep partnerships to best serve its students and families. Below are the school's key partners.

Attitudinal Healing Connection (AHC): AHC is the lead agency providing our arts enriched extended day program. AHC strives to provide 'seamless' continuous learning to empower students to be self-aware and inspired through art, creativity, and education, by leading students in making positive choices to become cultural change makers.

Faith in Action East Bay (FIAEB) [formerly Oakland Community Organizations (OCO): FIAEB is CSCE's founding and key partner. FIAEB trained all CSCE Design Team Members during its planning years 2008-2011 and remains a critical training partner and ally to ensure CSCE identifies as full service CSCE.

Alameda County Office of Education (ACOE): ACOE oversees elementary and secondary education as well as community colleges serving over 280,000 students across Alameda County.

The Alliance for Public Waldorf Education: The Alliance for Public Waldorf Education was established to represent and connect public schools inspired by Waldorf Education. They promote and support high quality public schools inspired by Waldorf education.

Friends of Waldorf Education World Wide/Waldorf Emergency Pedagogy: CSCE is a founding member of Friends of Waldorf Education's *Waldorf Emergency Pedagogy Without Borders*, and CA/USA Waldorf Emergency Pedagogy Hub.

Alameda County Food Bank and Oakland Head Start: Through this three-way partnership CSCE has been offering a mobile food pantry for the past 5 years uninterrupted by COVID-19.

CSCE Corporate Structure and Board

Corporate Status:

CSCE is a non-profit, 501(c) (3) public benefit corporation with Employer Identification Number EIN 26-5964588. For a copy of our Bylaws and Board list, we refer you to our website.

Board of Directors:

CSCE is governed by a Board of Directors of up to eleven members in accordance with California's Charter Schools Act and the Nonprofit Public Benefit Corporation Law. The Board seeks to represent the diversity of its constituents.

Board and Officer Election, Appointment and Replacement:

The number of Directors comprising the Board of Directors (**Board**) is, by the CSCE bylaws, no less than five (5) and no more than eleven (11), unless changed by amendments to the bylaws. Board members will

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

possess expertise in a variety of fields, such as, education, business, accounting, or law to maximize their benefit to the CSCE. Directors and officers are elected, appointed or replaced in accordance with the bylaws.

Board Meetings:

The Board generally meets once monthly consistent with the bylaws as needed and in accordance with the Brown Act. Meeting agendas are posted 72 hours before the meeting on the CSCE website and at CSCE, the place of meeting, in accordance with the Brown Act. All are welcome to join in accordance with the Brown Act.

Board Responsibility:

The Board responsibilities and general powers include, among other things:

- Appointing and removing all corporate officers, agents and employees and fixing their compensation;
- Borrowing money and incurring indebtedness;
- Creation of committees;
- Approval and monitoring of the annual budget;
- Financial audit and oversight;
- Approval of annual fiscal and performance audits;
- Attendance at Board committee meetings.

NOTE: Refer to the website, Bylaws and Board Members for more detail regarding Board officers and Board responsibilities. The current list of Board members and their biographies is on the website. CSCE is committed to community representation on the Board and refers you to [How to Join the Board How to Apply](#) and to the [Board Skills and Capacity Rubric](#) on the website for more information

Board Member Nominations:

The Chair of the Board of Directors will appoint a committee to designate qualified candidates for election to the Board at least thirty (30) days before the date of any election of Directors. The nominating committee shall make its report at least seven (7) days before the date of the election or at such other time as the Board may set and the Secretary shall forward to each Board member, with the notice of meeting required by these bylaws, a list of all candidates nominated by committee. Any person can make a recommendation to the nominating committee.

Alameda County Board of Education Representation

In accordance with Education Code §47604 (b), the Alameda County Board of Education will be granted the right to a representative on the CSCE Board.

Board Member Job Description:

Each member of the CSCE Board is individually and collectively responsible for the ethical and legal mandates that govern the School. Board members are solely responsible for determining School policy, and have ultimate responsibility for the operation and activities of the School. Board members have key responsibilities in the following areas:

COMMUNITY RELATIONS 1. Ensure that the School's programs and services appropriately meet the needs of the people it serves. 2. Solicit opinions and input of Parents/Guardians/family members regarding issues of significance in the School community. 3. Develop and maintain a positive relationship with the ACOE and the community. 4. Represent the School at key public or charter functions, and serve as emissaries in the community.

PERSONNEL 1. Recruit new Board members and provide for the continuance of the School through Board succession. 2. Supervise the Director and Head of School of the School, including all employment issues such as hiring, termination, and evaluation. 3. Provide necessary support to the Director and Head of School to ensure that directorial duties may be properly carried out. 4. Develop and adopt necessary personnel policies, including guidelines for hiring and termination, salaries, benefits, and grievance procedures. 5. Develop and adopt policies for volunteer involvement.

PLANNING 1. Set and review the School's Mission and Vision and goals. 2. Develop short-term and long-range goals for the future of the School. 3. Approve services and programs provided by the School. 4. Evaluate the School's programs and operations on a regular basis. 5. Review policies and bylaws that govern the School. 6. Develop policies to ensure smooth operations and continuance of the School. 7. Participate in the CSCE Charter renewal process.

FINANCE 1. Ensure the fiscal accountability and viability of the School. 2. Oversee development, approval and review of the School budget. 3. Engage in fundraising efforts to ensure that adequate funds are available to support the School's programs and the School's facilities. CSCE for Creative Education Board Member Job Description

OPERATIONS 1. Ensure that the School's administrative systems are adequate. 2. Ensure that the Board's operations meet all applicable legal and ethical standards. 3. Ensure that the organizational and legal structures are adequate and appropriate. 4. Ensure that the School and its Board members meet all applicable legal standards and requirements.

MINIMAL JOB REQUIREMENTS 1. A demonstrated interest in the School's educational programs. 2. A commitment to a three-year term. 3. A willingness to represent the School to the community at large. 4. Active participation in the majority of scheduled Board meetings. 5. A willingness to serve as a board liaison to at least one committee. 6. A thorough understanding of the public meeting laws governed by the Brown Act. 7. Participation in at least one board development seminar or workshop per year. 8. Participation in one Brown Act workshop per term.

Fundraising Programs and Ways to Donate

CSCE is a tuition-free school that received funding from the state, however donations of time and money are always welcomed to support the programs CSCE provides.

Checks, Credit Cards and Electronic Funds Transfers:

CSCE can accept automatic donations by check, credit card (Visa, MasterCard, Discover and American Express) or electronic funds transfer.

Employer Matching:

More than 6,000 businesses in the country participate in employer matching gift programs. Some companies will even donate twice the amount of the original gift! Please contact the community relations person in your workplace for information on how to register.

Payroll Deduction:

Many employers offer pre-tax, payroll deduction plans to assist their employees with charitable giving. Contact your company's payroll department for more information.

In-Kind Donations:

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

You can receive tax benefits for the donation of new or used goods or pro bono professional services. Even school supplies or the perfect place to hold a special event can be donated in exchange for a tax deduction. Please contact our office if you have something in-kind that you would like to contribute.

Appreciated Securities:

Many donors make gifts of securities as a way to make a contribution and avoid Capital Gains taxes. In most cases, this enables the donor to obtain a charitable income tax deduction equal to the market value of the securities at the time of transfer, for up to 30% of their adjusted gross income.

Estate Planning:

Planning for your financial future can save you tax dollars if you make a nonprofit organization a recipient of your estate plans. For further information, please consult with your financial planner or tax advisor.

APPENDIX: Complete Policies

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, Community School for Creative Education ("CSCE") prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether. This policy is inclusive of all acts related to school activity or school attendance 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, CSCE 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. CSCE staff that witness acts of misconduct prohibited by this policy will take immediate steps to intervene when safe to do so.

Moreover, CSCE will not condone or tolerate misconduct prohibited by this policy by any employee, independent contractor or other person with which CSCE 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. CSCE 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. CSCE 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.

Notification

When necessary under Education Code section 48985, if fifteen (15) percent or more of the pupils

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

enrolled in CSCE speak a single primary language other than English, this policy, and all notices, reports, and statements pertaining to this policy will be translated into the primary language and will be provided to the parent/guardian of any such students in their primary language.

This policy shall be made readily accessible in a prominent location on CSCE’s existing internet website in a manner that is easily accessible to parents/guardians and pupils. CSCE shall post the following Title IX requirements in a prominent and conspicuous location on the existing web page:

1. The name and contact information of the Title IX coordinator that public school, school district, county office of education, or charter school which shall include the Title IX coordinator’s phone number and email address.
2. The rights of a pupil and the public and the responsibilities of public school, school district, county office of education, or charter school under Title IX, which shall include, but shall not be limited to, internet web links to information about those rights and responsibilities located on the internet websites of the department’s Office of Equal Opportunity and the U.S. Department of Education (ED) Office of Civil Rights (OCR), and the list of rights specified in Education Code section 221.8.
3. A description of how to file a complaint under Title IX, which must include all of the following:
 - a. an explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred, and how a complaint may be filed beyond the statute of limitations.
 - b. an explanation of how the complaint will be investigated and how the complainant may further pursue the complaint including, but not limited to, internet web links to this information on the U.S. ED OCR’s internet web site.
 - c. an internet web link to the U.S. ED OCR complaints form, and the contact information for the office, which shall include the phone number and email address for the office.
4. The link to the CDE’s Title IX information.

Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator (“Coordinator”):

Ms. Amy Gaerlan
Title IX Coordinator
510-916-8896
amyg@communityschoolforcreativeeducation.org
21111 International Blvd.
Oakland, CA 94606

Definitions

Prohibited Unlawful Harassment

1. Verbal conduct such as epithets, derogatory jokes or comments, or slurs.
2. 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.
3. Retaliation for reporting or threatening to report harassment.
4. 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 CSCE.

CSCE 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 up to an including termination. 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:

1. Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, education, academic status, or progress;
2. submission to, or rejection of, the conduct by the individual is used as the basis of employment, educational or academic decisions affecting the individual;
3. 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
4. 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:

1. Physical assaults of a sexual nature, such as:
 - a. Rape, sexual battery, molestation or attempts to commit these assaults.
 - b. Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body.
2. Unwanted sexual advances, propositions or other sexual comments, such as:
 - a. Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience.
 - b. 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.
 - c. Subjecting or threats of subjecting a student to unwelcome sexual attention or conduct or intentionally making the student's academic performance more difficult because of the student's sex.
3. Sexual or discriminatory displays or publications anywhere in the educational environment, such as:
 - a. Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view in the educational environment.
 - b. Reading publicly or otherwise publicizing in the educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic.
 - c. Displaying signs or other materials purporting to segregate an individual by sex in an area of the educational environment (other than restrooms or similar rooms).

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

Prohibited Bullying

Bullying is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act.

Bullying includes one or more acts committed by a student or group of students that may constitute sexual harassment, hate violence, or creates an intimidating and/or hostile educational environment, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing a reasonable pupil* or pupils in fear of harm to that pupil's or those pupils' person or property.
2. Causing a reasonable pupil to experience a substantially detrimental effect on the pupil's physical

or mental health.

3. Causing a reasonable pupil to experience substantial interference with the pupil's academic performance.
4. Causing a reasonable pupil to experience a substantial interference with the pupil's ability to participate in or benefit from the services, activities, or privileges provided by CSCE.

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

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

Electronic act means the creation and 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 Website including, but not limited to:
 - a. Posting to or creating a burn page. A "burn page" means an Internet Website created for the purpose of having one or more of the effects as listed in the definition of "bullying," above.
 - b. Creating a credible impersonation* of another actual pupil for the purpose of having one or more of the effects listed in the definition of "bullying" above. *"Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
3. An act of "cyber sexual bullying" including, but not limited to:
 - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in the 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.
- c. 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 CSCE’s education program or activity or signed by the Coordinator alleging sexual harassment against a respondent and requesting that CSCE 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

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

1. Cyberbullying Prevention Procedures

CSCE 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 public had access to it.
- d. To consider how it would feel receiving such comments before making comments about others online.

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

2. Education

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

CSCE 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.

CSCE'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.

CSCE informs its 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

CSCE 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 CSCE employees who have regular interaction with students.

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

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

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

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

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

Grievance Procedures

Scope of Grievance Procedures

CSCE 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 that 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 CSCE 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, CSCE will utilize the following grievance procedures in addition to its UCP when applicable.

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:

Ms. Amy Gaerlan
Title IX Coordinator
510-916-8896
amyg@communityschoolforcreativeeducation.org
21111 International Blvd.

Oakland, CA 94606

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. CSCE 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 program 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.

POLICY

CSCE 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 designee on a case-by-case basis.

CSCE 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 individuals designated as a coordinator, investigator, or decision-maker will receive sexual harassment training and/or instruction concerning sexual harassment as required by law.

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 CSCE's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or CSCE'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. CSCE 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 CSCE to provide the supportive measures.

Investigation and Response

Upon receipt of a report of misconduct prohibited by this policy from a student, staff member, parent/guardian, volunteer, visitor or affiliate of CSCE, 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:

1. Notice of the Allegations

- a. 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:
- b. 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;
- c. A statement that the respondent is presumed not responsible for the alleged conduct until a final decision is reached;
 - d. A statement that the parties may have an advisor of their choice, who may be an attorney, and may inspect and review evidence; and
 - e. A statement that CSCE prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process.
2. Emergency Removal

- a. CSCE 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 CSCE's policies.
- b. CSCE may remove a respondent from CSCE's education program or activity on an emergency basis, in accordance with CSCE's policies, provided that CSCE 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.
- c. This provision may not be construed to modify any rights under the IDEA, Section 504, or the ADA.

3. Informal Resolution

- a. If a formal complaint of sexual harassment is filed, CSCE may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If CSCE offers such a process, it will do the following:
 - i. 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
 - ii. Obtain the parties' advance voluntary, written consent to the informal resolution process.
- a. CSCE will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

4. Investigation Process

- a. The decision-maker will not be the same person(s) as the Coordinator or the investigator. CSCE shall ensure that all decision-makers and investigators do not have a conflict of interest or bias for or against complainants or respondents.
- b. 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.
- c. 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.
- d. The parties will not be prohibited from discussing the allegations under investigation or to gather and present relevant evidence.
- e. 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.
- f. Prior to completion of the investigative report, CSCE 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.
- g. The investigator will complete an investigation report that fairly summarizes 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.

5. Dismissal of a Formal Complaint of Sexual Harassment

- a. If the investigation reveals that the alleged harassment did not occur in CSCE'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 CSCE policy.
- b. CSCE may dismiss a formal complaint of sexual harassment if:
 - i. The complainant provides a written withdrawal of the complaint to the Coordinator;
 - ii. The respondent is no longer employed or enrolled at CSCE; or
 - iii. The specific circumstances prevent CSCE from gathering evidence sufficient to reach a decision on the formal complaint or the allegations therein.
- c. If a formal complaint of sexual harassment or any of the claims therein are dismissed, CSCE will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties.

6. Determination of Responsibility

- a. The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
- b. CSCE will send a written decision on the formal complaint to the complainant and

respondent simultaneously that describes:

- i. The allegations in the formal complaint of sexual harassment;
- ii. All procedural steps taken including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- iii. The findings of facts supporting the determination;
- iv. The conclusions about the application of CSCE's code of conduct to the facts;
- v. The decision and rationale for each allegation;
- vi. 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
- vii. The procedures and permissible bases for appeals.

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 CSCE or termination of employment. The Coordinator is responsible for effective implementation of any remedies ordered by CSCE in response to a formal complaint of sexual harassment.

Right of Appeal

Should the reporting individual find CSCE's resolution unsatisfactory, the reporting individual may, within five (5) business days of notice of CSCE's decision or resolution, submit a written appeal to the Chief Executive Officer, 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:

- a. The complainant and the respondent shall have the same appeal rights and CSCE will implement appeal procedures equally for both parties.
- b. CSCE will notify the other party in writing when an appeal is filed.
- c. 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.

Recordkeeping

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

CSCE will maintain the following records for at least seven (7) years: a. 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. b. Records of any appeal of a formal sexual harassment complaint and the results of that appeal.
- c. Records of any informal resolution of a sexual harassment complaint and the results of that informal resolution.
 - d. All materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
 - e. Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

**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 the Community School for Creative Education 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 that 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 CSCE:

Received by: _____ Date _____

Follow up meeting with complainant held on: _____

Suspension and Expulsion Policy and Procedures

Policy

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

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

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

CSCE administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline and involuntary removal policies and procedures. The notice shall state that this Policy and its Procedures are available upon request at the Head of School’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 CSCE has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 (“IDEA”) or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. CSCE will follow all applicable federal and state laws including but not limited to the applicable provisions of the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom CSCE has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by the Charter School for any reason unless the parent/guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before

the effective date of the action. The written notice shall be in the native language of the student or the student's parent/guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform the student, the student's parent/guardian, or educational rights holder of the basis for which the student is being involuntarily removed and the student's parent/guardian, or educational rights holder's right to request a hearing to challenge the involuntary removal. If a student's parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

Procedures

A. Grounds for Suspension and Expulsion of Students

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

B. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended when it is determined the student:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

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

- crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for their own safety or for their immediate family's safety, or for the protection of school property, , which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This policy shall apply to student in any of grades 4 to 8, inclusive.
 - r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in Education Code Section 233(e). This section shall apply to pupils in any of grades 4 to 8, inclusive.
 - s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This policy shall apply to students in any of grades 4 to 8, inclusive.
 - t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.

- iii. Causing a reasonable student to experience substantial interference with their academic performance.
 - iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by CSCE.
- 2) “Electronic Act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- i. A message, text, sound, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this policy, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) For purposes of this policy, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

- u) A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(.
- v) Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Head of School or designee's concurrence.

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

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

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

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

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

- crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for their own safety or for their immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This policy shall apply to students in any of grades 4 to 8, inclusive.
 - r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This policy shall apply to pupils in any of grades 4 to 8, inclusive.
 - s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(2) by creating an intimidating or hostile educational environment. This policy shall apply to students in any of grades 4 to 8, inclusive.
 - t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.

- iii. Causing a reasonable student to experience substantial interference with their academic performance.
 - iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2) “Electronic Act” means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- i. A message, text, sound, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this policy, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) For purposes of this policy, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

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

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

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

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

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

The Charter School will use the following definitions:

- The term "knife" means (A) any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing; (B) a weapon with a blade fitted primarily for stabbing; (C) a weapon with a blade longer than 3½ inches; (D) a folding knife with a blade that locks into place; or (E) a razor with an unguarded blade.
- The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

- The term “destructive device” means any explosive, incendiary, or poison gas, including but not limited to: (A) bomb; (B) grenade; (C) rocket having a propellant charge of more than four ounces; (D) missile having an explosive or incendiary charge of more than one-quarter ounce; (E) mine; or (F) device similar to any of the devices described in the preceding clauses.

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Head of School or designee with the student and the student’s parent/guardian and, whenever practical, the teacher, supervisor or CSCE employee who referred the student to the Head of School or designee.

The conference may be omitted if the Head of School 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 CSCE personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student’s right to return to school for the purpose of a conference.

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

2. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student as well as the date when the student may return to school following the suspension. In addition, the notice may also state the time when the student may return to school. If CSCE 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 Head of School or designee, the student and the student’s parent/guardian or representative will be invited to a conference to determine if the suspension for the student should be extended pending an expulsion hearing. In such instances when CSCE has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the student or the student’s parent/guardian, unless the student and the student’s parent/guardian fail

to attend the conference.

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

4. Homework Assignments During Suspension

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

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

D. Authority to Expel

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

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

E. Expulsion Procedures

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

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

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

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

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

CSCE 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 CSCE or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the student.

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

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

complaining witness to the hours the complaining witness is normally in school, if there is no good cause to take the testimony during other hours.

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

G. Record of Hearing

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

H. Presentation of Evidence

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

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

I. Written Notice to Expel

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

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

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

J. Written Notice to Expel

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

student; and (b) Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with CSCE.

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

K. Disciplinary Records

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

L. No Right to Appeal

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

M. Expelled Students/Alternative Education

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

N. Rehabilitation Plans

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

O. Readmission or Admission of Previously Expelled Student

The decision to readmit a student after the end of the student's expulsion term or to admit a previously expelled student from another school district or charter school who has not been readmitted/admitted to another school or school district after the end of the student's expulsion term, shall be in the sole discretion of the Board of Directors following a meeting with the Head of School or designee and the student and student's parent/guardian or representative to determine whether the student has successfully completed the rehabilitation plan and to determine whether the student poses a threat to others or will be disruptive to the school environment. The Head

of School or designee shall make a recommendation to the Board of Directors following the meeting regarding the Head of School or designee's determination. The Board shall then make a final decision regarding readmission or admission of the student during the closed session of a public meeting, reporting any action taken during closed session consistent with the requirements of the Brown Act. The student's readmission is also contingent upon CSCE's capacity at the time the student seeks readmission or admission to CSCE.

P. Notice to Teachers

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

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

1. Notification of SELPA

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

2. Services During Suspension

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

3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, CSCE, 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.

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

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

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

4. Due Process Appeals

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

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent/guardian or CSCE, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 U.S.C. Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent/guardian and CSCE 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

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

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

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

- a. Carries or possesses a weapon, as defined in 18 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 CSCE's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if CSCE had knowledge that the student was disabled before the behavior occurred.

CSCE 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 CSCE supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b. The parent/guardian has requested an evaluation of the child.

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

- c. The child's teacher, or other CSCE personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other CSCE supervisory personnel.

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

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

Suicide Prevention Policy

The Board of Directors of Community School for Creative Education (“Charter School”) recognizes that suicide is a major cause of death among youth and should be taken seriously. To attempt to reduce suicidal behavior and its impact on students and families, the Board of Directors has developed prevention strategies and intervention procedures.

In compliance with Education Code section 215, this policy has been developed in consultation with the Charter School and community stakeholders, the Charter School-employed mental health professionals (e.g., school counselors, psychologists, social workers, nurses), administrators, other school staff members, parents/guardians/caregivers, students, local health agencies and professionals, the county mental health plan, law enforcement, and community organizations in planning, implementing, and evaluating the Charter School’s strategies for suicide prevention and intervention. The Charter School must work in conjunction with local government agencies, community-based organizations, and other community supports to identify additional resources.

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

Staff Development

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

Training shall be provided for all school staff members. It may also be provided, when appropriate, for other adults on campus (such as substitutes and intermittent staff, volunteers, interns, tutors, coaches, and afterschool staff). Training shall include the following:

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

postvention) at the beginning of their employment or annually. Core components of the general suicide prevention training shall include:

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

- k. Resources regarding youth suicide prevention.
- l. Emphasis on stigma reduction and the fact that early prevention and intervention can drastically reduce the risk of suicide.
- m. Emphasis that any student who is identified to be at risk of suicide is to be immediately referred (same day) for assessment while being constantly monitored by a staff member.

Employee Qualifications and Scope of Services

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

Parents, Guardians, and Caregivers Participation and Education

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

Student Participation and Education

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

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

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

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

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

Student-focused suicide prevention education can be incorporated into classroom curricula (e.g., health classes, orientation classes, science, and physical education).

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

Intervention and Emergency Procedures

The Charter School designates the following administrators to act as the primary and secondary suicide prevention liaisons:

1. School Psychologist
2. Head of School

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

The suicide prevention liaison shall immediately notify the Head of School or designee, who shall then notify the student's parent/guardian as soon as possible if appropriate and in the best interest of the student. Determination

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.

The suicide prevention liaison shall also refer the student to mental health resources at the Charter School or in the community.

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

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

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

In the event a suicide occurs or is attempted on the Charter School campus, the suicide prevention liaison shall follow the crisis intervention procedures contained in the Charter School's safety plan. After consultation with the Head of School or designee and the student's parent/guardian about facts that may be divulged in accordance with the laws governing confidentiality of student record information, the Head of School or designee may provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. The Charter School's staff may receive assistance from the Charter School's counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students.

In the event a suicide occurs or is attempted off the Charter School's campus and unrelated to school activities, the Head of School or designee shall take the following steps to support the student:

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

Supporting Students during or after a Mental Health Crisis

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

Responding After a Suicide Death (Postvention)

A death by suicide in the school community (whether by a student or staff member) can have devastating consequences on the school community, including students and staff. The Charter School shall follow the below

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

action plan for responding to a suicide death, which incorporates both immediate and long-term steps and objectives:

The suicide prevention liaison shall:

Coordinate with the Head of School to:

- a. Confirm death and cause.
 - b. Identify a staff member to contact the deceased's family (within 24 hours).
 - c. Enact the Suicide Postvention Response.
 - d. Notify all staff members (ideally in-person or via phone, not via e-mail or mass notification).
1. Coordinate an all-staff meeting, to include:
 - a. Notification (if not already conducted) to staff about suicide death.
 - b. Emotional support and resources available to staff.
 - c. Notification to students about suicide death and the availability of support services (if this is the protocol that is decided by administration).
 - d. Share information that is relevant and that which you have permission to disclose.
 2. Prepare staff to respond to needs of students regarding the following:
 - a. Review of protocols for referring students for support/assessment.
 - b. Talking points for staff to notify students.
 - c. Resources available to students (on and off campus).
 3. Identify students significantly affected by suicide death and other students at risk of imitative behavior.
 4. Identify students affected by suicide death but not at risk of imitative behavior.
 5. Communicate with the larger school community about the suicide death.
 6. Consider funeral arrangements for the family and school community.
 7. Respond to memorial requests in respectful and non-harmful manner; responses should be handled in a thoughtful way and their impact on other students should be considered.
 8. Identify media spokesperson if needed.
 9. Include long-term suicide postvention responses:
 - a. Consider important dates (i.e., anniversary of death, deceased birthday, graduation, or other significant event) and how these will be addressed.
 - b. Support siblings, close friends, teachers, and/or students of the deceased.

- c. Consider long-term memorials and how they may impact students who are emotionally vulnerable and at risk of suicide.

Student Identification Cards

- The Charter School will include the telephone number for the National Suicide Prevention Lifeline (1-800-273-8255) and the National Domestic Violence Hotline (1-800-799-7233) on all student identification cards. The Charter School will also include the number for the Crisis Text Line, which can be accessed by texting HOME to 741741 and a local suicide prevention hotline on all student identification cards.

Professional Boundaries: Staff/Student Interaction Policy

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

Corporal Punishment

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

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

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

- A. Examples of PERMITTED actions (NOT corporal punishment)
 1. Stopping a student from fighting with another student;
 2. Preventing a pupil from committing an act of vandalism;
 3. Defending yourself from physical injury or assault by a student;
 4. Forcing a pupil to give up a weapon or dangerous object;
 5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
 6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.
- B. Examples of PROHIBITED actions (corporal punishment)

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

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

Acceptable and Unacceptable Staff/Student Behavior

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

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

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

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

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

Duty to Report Suspected Misconduct

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

Examples of Specific Behaviors

The following examples are not an exhaustive list:

Unacceptable Staff/Student Behaviors (Violations of this Policy)

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

Unacceptable Staff/Student Behaviors without Parent and Supervisor Permission

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

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

Cautionary Staff/Student Behaviors

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

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

Acceptable and Recommended Staff/Student Behaviors

- (a) Getting parents' written consent for any after-school activity.
- (b) Obtaining formal approval to take students off school property for activities such as field trips or competitions.
- (c) Emails, text, phone and instant messages to students must be very professional and pertaining to school activities or classes (Communication should be limited to school technology).
- (d) Keeping the door open when alone with a student.

- (e) Keeping reasonable space between you and your students.
- (f) Stopping and correcting students if they cross your own personal boundaries.
- (g) Keeping parents informed when a significant issue develops about a student.
- (h) Keeping after-class discussions with a student professional and brief.
- (i) Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries.
- (j) Involving your supervisor if conflict arises with the student.
- (k) Informing the Head of School about situations that have the potential to become more severe.
- (l) Making detailed notes about an incident that could evolve into a more serious situation later.
- (m) Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- (n) Asking another staff member to be present if you will be alone with any type of special needs student.
- (o) Asking another staff member to be present when you must be alone with a student after regular school hours.
- (p) Giving students praise and recognition without touching them.
- (q) Pats on the back, high fives and handshakes are acceptable.
- (r) Keeping your professional conduct a high priority.
- (s) Asking yourself if your actions are worth your job and career.

Uniform Complaint Policy and Procedures

Community School for Creative Education (“CSCE” or the “Charter School”) complies with applicable federal and state laws and regulations. CSCE is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. Pursuant to this policy, persons responsible for compliance and/or conducting investigations shall be knowledgeable about the laws and programs which they are assigned to investigate.

Scope

This complaint procedure is adopted to provide a uniform system of complaint processing (“UCP”) for the following types of complaints:

- (1) Complaints alleging unlawful discrimination, harassment, intimidation or bullying against any protected group, including actual or perceived discrimination, on the basis of the actual or perceived characteristics of age, ancestry, color, mental disability, physical disability, ethnic group identification, immigration status, citizenship, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, medical condition, marital status, sex, or sexual orientation, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics in any CSCE program or activity.
- (2) Complaints of violations of state or federal law and regulations governing the following programs:
 - National School Lunch Program (NSLP);
 - Accommodations for Pregnant, Parenting or Lactating Students;
 - Education of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a public school, and Migratory Children and Children of Military Families;
 - Every Student Succeeds Act Programs (Titles I-VII), including improving academic achievement, limited English proficiency, and migrant education;
 - School Safety Plans;
 - Special Education Programs, and
 - Tobacco-Use Prevention Education.
- (3) Complaints alleging that a pupil enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below.

- a. “Educational activity” means an activity offered by the Charter School that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.
 - b. “Pupil fee” means a fee, deposit or other charge imposed on pupils, or a pupil’s parents or guardians, in violation of Section 49011 of the Education Code and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all pupils without regard to their families’ ability or willingness to pay fees or request special waivers, as provided for in *Hartzell v. Connell* (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:
 - i. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.
 - ii. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.
 - iii. A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.
 - c. A pupil fees complaint and complaints regarding local control and accountability plans (“LCAP”) only, may be filed anonymously (without an identifying signature), if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with Education Code Sections 52060-52077, including an allegation of a violation of Education Code Sections 47606.5 or 47607.3, as referenced in Education Code Section 52075, regarding local control and accountability plans.
 - d. If CSCE finds merit in a pupil fees complaint, or the California Department of Education (“CDE”) finds merit in an appeal, CSCE shall provide a remedy to all affected pupils, and parents and guardians that, where applicable, includes reasonable efforts by CSCE to ensure full reimbursement to all affected pupils and parents and guardians, subject to procedures established through regulations adopted by the state board.
 - e. Nothing in this Policy shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or CSCE and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.
- (4) Complaints alleging noncompliance with the requirements governing the Local Control Funding Formula (“LCFF”) or LCAP under Sections 47606.5 and 47607.3 of the Education Code, as applicable. If CSCE adopts a School Plan for Student Achievement in addition to its LCAP, complaints of noncompliance with

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

the requirements of the School Plan for Student Achievement under Education Code sections 64000, 64001, 65000, and 65001 shall also fall under this Policy.

- (5) Complaints alleging noncompliance regarding child nutrition programs established pursuant to Education Code sections 49490-49590 are governed by Title 7, Code of Federal Regulations (“C.F.R.”) sections 210.19(a)(4), 215.1(a), 220.13(c), 225.11(b), 226.6(n), and 250.15(d) and Title 5, California Code of Regulations (“C.C.R.”) sections 15580 - 15584.
- (6) Complaints alleging noncompliance regarding special education programs established pursuant to Education Code sections 56000-56865 and 59000-59300 are governed by the procedures set forth in 5 C.C.R. sections 3200-3205 and 34 C.F.R. sections 300.151-300.153.

CSCE acknowledges and respects every individual’s rights to privacy. Unlawful discrimination, harassment, intimidation or bullying complaints shall be investigated in a manner that protects (to the greatest extent reasonably possible and as permitted by law) the confidentiality of the parties, including but not limited to the identity of the complainant, and maintains the integrity of the process. CSCE cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, CSCE will attempt to do so as appropriate. CSCE may find it necessary to disclose information regarding the complaint/complainant to the extent required by law or necessary to carry out the investigation or proceedings, as determined by the Head of School or designee on a case-by-case basis.

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

Compliance Officer

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

Phillip Gedeon
Head of School
2111 International Boulevard
Oakland, California 94606
(510) 686-4131

The Head of School or designee shall ensure that the compliance officer(s) designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Head of School or designee.

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

Notifications

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

The Head of School or designee shall annually provide written notification of the Charter School's UCP to employees, students, parents and/or guardians, advisory committees, private school officials and other interested parties as applicable.

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

The Head of School or designee shall make available copies of the Charter School's UCP free of charge.

The annual notice shall include the following:

- (a) A list of the types of complaints that fall under the scope of the UCP and the state and federal provisions that govern complaints regarding child nutrition programs and special education programs.
- (b) A statement clearly identifying any California State preschool programs that CSCE is operating as exempt from licensing pursuant to Health and Safety Code section 1596.792(o) and corresponding Title 5 health and safety regulations, and any California State preschool programs that CSCE is operating pursuant to Title 22 licensing requirements.
- (c) A statement that CSCE is primarily responsible for compliance with federal and state laws and regulations.
- (d) A statement that a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.
- (e) A statement identifying the title of the compliance officer, and the identity(ies) of the person(s) currently occupying that position, if known.
- (f) A statement that if a UCP complaint is filed directly with the CDE and the CDE determines that it merits direct intervention, the CDE shall complete an investigation and provide a written decision to the complainant within sixty (60) calendar days of receipt of the complaint, unless the parties have agreed to extend the timeline or the CDE documents exceptional circumstances and informs the complainant.
- (g) A statement that the complainant has a right to appeal CSCE's decision to the CDE by filing a written appeal within thirty (30) calendar days of the date of CSCE's decision, except if CSCE has used its UCP to address a complaint that is not subject to the UCP requirements.
- (h) A statement that a complainant who appeals CSCE's decision on a UCP complaint to the CDE shall receive a written appeal decision within sixty (60) calendar days of the CDE's receipt of the appeal, unless extended by written agreement with the complainant or the CDE documents exceptional circumstances and informs the complainant.
- (i) A statement that if CSCE finds merit in a UCP complaint, or the CDE finds merit in an appeal, CSCE shall take corrective actions consistent with the requirements of existing law that will provide a remedy to the affected student and/or parent/guardian as applicable.

- (j) A statement advising the complainant of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal pursuant to Education Code Section 262.3.
- (k) A statement that copies of the CSCE's UCP shall be available free of charge.

Procedures

The following procedures shall be used to address all complaints which allege that CSCE has violated federal or state laws or regulations enumerated in the "Scope" section above. Compliance officers shall maintain a record of each complaint and subsequent related actions for at least three (3) calendar years.

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

- **Step 1: Filing of Complaint**

Any individual, including a person's duly authorized representative or an interested third party, public agency, or organization may file a written complaint of alleged noncompliance by the Charter School or unlawful discrimination, harassment, intimidation or bullying pursuant to this Policy.

A complaint of unlawful discrimination, harassment, intimidation or bullying may be filed by an individual who alleges that that individual has personally suffered unlawful discrimination, harassment, intimidation or bullying or by one who believes any specific class of individuals has been subjected to unlawful discrimination, harassment, intimidation or bullying, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. An investigation of alleged unlawful discrimination, harassment, intimidation or bullying shall be initiated by filing a complaint no later than six (6) months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying unless the time for filing is extended by the Head of School or designee, upon written request by the complainant setting forth the reasons for the extension. Such extension by the Head of School or designee shall be made in writing. The period for filing may be extended by the Head of School or designee for good cause for a period not to exceed ninety (90) calendar days following the expiration of the six-month time period. The Head of School shall respond immediately upon a receipt of a request for extension.

All other complaints under this Policy shall be filed not later than one (1) year from the date the alleged violation occurred. For complaints relating to the LCAP, the date of the alleged violation is the date on which the CSCE Board of Directors approved the LCAP or the annual update was adopted by CSCE.

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

Complaints filed pursuant to this Policy must be in writing and signed. A signature may be handwritten, typed (including in an email) or electronically generated. Only complaints regarding pupil fees or LCAP

compliance may be filed anonymously as set forth in this Policy. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, CSCE staff shall assist the complainant in the filing of the complaint.

- **Step 2: Mediation**

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

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

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

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

- **Step 3: Investigation of Complaint**

The compliance officer is encouraged to hold an investigative meeting within five (5) business days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or the complainant's representative to repeat the complaint orally.

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

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

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

- **Step 4: Final Written Decision**

The Charter School shall issue an investigation report (the "Decision") based on the evidence. CSCE's Decision shall be in writing and sent to the complainant within sixty (60) calendar days of CSCE's receipt unless the time frame is extended with the written agreement of the complainant. CSCE's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The Decision shall include:

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

1. The findings of fact based on evidence gathered.
2. The conclusion(s) provide a clear determination for each allegation as to whether CSCE is in compliance with the relevant law.
3. Disposition of the complaint.
4. Rationale for such disposition.
5. Corrective actions, if CSCE finds merit in the complaint and any are warranted or required by law.
6. Notice of the complainant's right to appeal CSCE's Decision within thirty (30) calendar days to the CDE and procedures to be followed for initiating such an appeal, except when CSCE has used its UCP to address complaints that are not subject to the UCP.
7. For unlawful discrimination, harassment, intimidation or bullying complaints arising under state law, notice that the complainant must wait until sixty (60) calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.
8. For unlawful discrimination, harassment, intimidation or bullying complaints arising under federal law such complaints may be made at any time to the U.S. Department of Education, Office for Civil Rights.

If an employee is disciplined as a result of the complaint, the Decision shall simply state that effective action was taken and that the employee was informed of CSCE's expectations. The Decision shall not give any further information as to the nature of the disciplinary action except as required by applicable law.

Appeals to the CDE

If dissatisfied with CSCE's Decision, the complainant may appeal in writing to the CDE within thirty (30) calendar days of receiving CSCE's Decision. The appeal shall be accompanied by a copy of the complaint filed with CSCE and a copy of the Decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied, including at least one of the following:

1. The Charter School failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, the Charter School's Decision lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in the Charter School's Decision are not supported by substantial evidence.
4. The legal conclusion in the Charter School's Decision is inconsistent with the law.
6. In a case in which the Charter School's Decision found noncompliance, the corrective actions fail to provide a proper remedy.

Upon notification by the CDE that the complainant has appealed CSCE's Decision, the Head of School or designee shall forward the following documents to the CDE within ten (10) calendar days of the date of the notification:

1. A copy of the original complaint.
2. A copy of the Decision.
3. A summary of the nature and extent of the investigation conducted by the Charter

- School, if not covered by the Decision.
4. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by all parties and gathered by the compliance officer.
 5. A report of any action taken to resolve the complaint.
 6. A copy of the Charter School's complaint procedures.
 7. Other relevant information requested by the CDE.

If the CDE determines the appeal raises issues not contained in the local complaint, the CDE will refer those new issues back to CSCE for resolution as a new complaint. If the CDE notifies CSCE that its Decision failed to address an allegation raised by the complaint and subject to the UCP process, CSCE will investigate and address such allegation(s) in accordance with the UCP requirements and provide the CDE and the appellant with an amended Decision addressing such allegation(s) within twenty (20) calendar days of the CDE's notification. The amended Decision will inform the appellant of the right to separately appeal the amended Decision with respect to the complaint allegation(s) not addressed in the original Decision.

Within thirty (30) calendar days of the date of the CDE's appeal Decision pursuant to 5 C.C.R. section 4633(f)(2) or (3), either party may request reconsideration by the State Superintendent of Public Instruction ("SSPI") or the SSPI's designee. The request for reconsideration shall specify and explain the reason(s) for contesting the findings of fact, conclusions of law, or corrective actions in the CDE's appeal Decision. The SSPI will not consider any information not previously submitted to the CDE by a party during the appeal unless such information was unknown to the party at the time of the appeal and, with due diligence, could not have become known to the party. Pending the SSPI's response to a request for reconsideration, the CDE appeal Decision remains in effect and enforceable, unless stayed by a court.

The CDE may directly intervene in the complaint without waiting for action by CSCE when one of the conditions listed in Title 5, California Code of Regulations, Section 4650 exists, including but not limited to cases in which through no fault of the complainant, CSCE has not taken action within sixty (60) calendar days of the date the complaint was filed with the Charter School.

Civil Law Remedies

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

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

UNIFORM COMPLAINT PROCEDURE FORM

Last Name: _____ First Name/MI: _____

Student Name (if applicable): _____ Grade: _____ Date of Birth: _____

Street Address/Apt. #: _____

City: _____ State: _____ Zip Code: _____

Home Phone: _____ Cell Phone: _____ Work Phone: _____

School/Office of Alleged Violation: _____

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

- | | | |
|--|---|---|
| <input type="checkbox"/> National School Lunch Program | <input type="checkbox"/> Foster/Homeless Youth | <input type="checkbox"/> Tobacco-Use Prevention Education |
| <input type="checkbox"/> Migrant Education | <input type="checkbox"/> No Child Left Behind Programs | <input type="checkbox"/> Lactating Pupils |
| <input type="checkbox"/> Special Education | <input type="checkbox"/> Every Student Succeeds Act Prog. | <input type="checkbox"/> Juvenile Court School Pupils |
| <input type="checkbox"/> Pupil Fees | <input type="checkbox"/> Local Control Funding Formula/ Local Control and Accountability Plan | |

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

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

1. Please give facts about the complaint. Provide details such as the names of those involved, dates, whether

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

witnesses were present, etc., that may be helpful to the complaint investigator.

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

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

I have attached supporting documents. Yes No

Signature: _____ Date: _____

Mail complaint and any relevant documents to the Charter School’s compliance officer:

Phillip Gedeon
Head of School
2111 International Boulevard
Oakland, California 94606
510-686-4131

Dress Code Policy

Having students arrive at school in the appropriate clothes helps them to focus their energy on joining our learning community. As part of this dress code, we ask that your child come to school in clean and tidy clothes with hair that is neat and clean.

All students must abide by the following daily dress code: The CSCE Administration has the right to modify/adjust policies, as needed. CSCE encourages you to bring in uniforms that your child has grown out of for our uniform closet.

- **Bottoms** – *Khaki or Navy blue: Pants, Capris, Shorts, Skirts, Jumpers. Clothes should fit appropriately (no sweatpants, tights/leggings without skirt or shorts, sagging pants, or denim). Shorts, Skorts, Skirts and Jumpers must be longer than the tips of the child's fingers when the child's arms are at rest next to their side. Solid colored leggings, tights, or knee high socks may be worn under skirts or jumpers- no patterns.*



No Mini Skirts

- **Shoes-** *We have recess, PE and/or movement activities everyday. Students need to wear closed toed shoes NO open sandals or heel shoes.*



- **Accessories/Jewelry:** *Earrings* should not hang more than an inch below the earlobe. **Bracelets and rings are not permitted.** Necklaces are permitted but must remain concealed under clothing. **Makeup and acrylic/false nails are not permitted.**

Grades TK through 5th

- **Tops must have a collar (polo or oxford) -Color is navy blue (No crop tops, halter tops, or exposed midriff)**



- **Sweaters or Sweatshirts and Jackets- Solid navy blue – no logos, slogans, or images permitted. Heavy coats can be worn to/from school and at recess but will not be permitted during instructional time. Students are not permitted to wear hoodies.**



Grades 6th through 8th (Upper grades)

- **Tops must have a collar (polo or oxford) - students can wear any color (No crop tops, halter tops, or exposed midriff)**



- **Sweaters or Sweatshirts and Jackets- Solid colors (upper grades only). No logos, slogans, or cartoon images permitted. Heavy coats can be worn to/from school and at recess but will not be permitted during instructional time. Students are not permitted to wear hoodies.**



Items NOT permitted in CSCE's Dress Code:

- No articles of clothing or jewelry that promote tobacco, alcohol, drugs, and other controlled substances, or advertise establishments that sell them
- No articles of clothing or jewelry which display language or images that condone racism or prejudice
- No articles of clothing or jewelry that display gang-related language or images
- No articles of clothing or jewelry that display sexually suggestive, vulgar, or profane language or images
- No articles of clothing or jewelry that display gang-related language or images

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

- Clothing that exposes the midriff – no crop or halter tops
- Makeup
- False nails (acrylic, gel, etc.)
- Open toe shoes or high heels
- Patterned tights, leggings or knee-high socks (solid colors permitted)
- Hats, hoods, or heavy outdoor coats (indoors)
- Jeans, sweat pants, tights/leggings without skirt or shorts, or sagging pants
- Dangling earrings (more than an inch below earlobe)

Consequences for Violating CSCE Dress Code:

Students who come to school out of dress code will be sent to the office and asked to wear a loaned dress code item belonging to the school. you will receive a phone call or e-mail and a note to be informed of the loan with an agreement to return the cleaned item or the option to purchase the item at the cost to the school. the use of clothing and accessories with media advertisement, cartoon images, slogans and commercial logos will be taken and given to parents. In case of any problems involving the student dress code, community school administration has the right to modify/adjust policies as needed.

Attendance Policy

School Attendance is required by law. The CSCE for Creative Education (“CSCE”) Board of Directors (“Board”) believes that regular attendance plays an important role in student achievement and success in school. Excessive student absenteeism and tardiness, whether caused by excused or unexcused absences, may be an early warning sign of poor academic achievement and may put students at risk. The Board recognizes its responsibility under the law to ensure that students attend school regularly CSCE students attend school every day. Every day is significant.

State law requires parents/guardians of children ages 6 to 18 to send their children to school, unless otherwise provided by law. Parents who fail to meet this obligation may be subject to prosecution. The Board shall abide by all attendance laws and may use appropriate legal means to correct the problems of excessive absence or truancy.

Definitions

- “*Tardy*”: CSCE starts at 8:30am. Students shall be classified as tardy if the student arrives after that time.
- “*Unexcused Absence*”: Students shall have an unexcused absence if the student is absent or is tardy for more than thirty (30) minutes without a valid excuse.
- “*Truant*”: Students shall be classified as truant if the student is absent from school without a valid excuse three (3) full days in one school year, or if the student is tardy or absent for more than any 30-minute period during the school day without a valid excuse on three (3) occasions in one school year, or any combination thereof. Any student who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be deemed a truant. Such students shall be reported to the Head of School or designee.
- “*Habitual Truant*”: Students shall be classified as a habitual truant if the student is reported for truancy three (3) or more times within the same school year. This generally occurs when the student is absent from school without a valid excuse for five (5) full days in one school year or if the student is tardy or absent for more than any 30-minute period during the school day without a valid excuse on five (5) occasions in one school year, or any combination thereof.
- “*Chronic Truant*”: Students shall be classified as a chronic truant if the student is absent from school without a valid excuse for ten (10) percent or more of the school days in one school year, from the date of enrollment to the current date.

Reporting Absences

All excused absences and tardies require appropriate documentation

If a student is absent, **parents or guardians are required to call the school at 510-686-4131** each day that the child is absent. Absences not cleared within 48 hours will be officially recorded as unexcused.

Process for Students Who Are Not in Attendance at the Beginning of the School Year

When students who are not in attendance at the start of the school year, the Charter School will attempt to reach the parent/guardian on a daily basis for each of the first nine (9) days to determine whether the student has an excused absence, consistent with the process outlined in this policy. However, consistent with the process below, a student not in attendance due to an unexcused absence by the tenth (10) day of the school year will be dis-enrolled from the school roster, pursuant to the CSCE Attendance Policy, as it will be assumed that the student has chosen another school option.

CSCE will attempt to reach the Parent/Guardian on a daily basis for each of the first nine (9) days to determine whether the student has an excused absence. Written notification will follow as described more fully below. If the student has a basis for an excused absence, parents/family members must notify the school of the absence and provide documentation.

1. Students who are not in attendance on the first day of the school year will be contacted by phone to ensure their intent to enroll in the Charter School.
2. Students who have indicated their intent to enroll but have not attended by the third (3rd) day of the school year will receive a letter indicating the student's risk of disenrollment.
3. Students who have indicated their intent to enroll but have not attended by the fifth (5th) day of the school year will receive a phone call reiterating the content of the letter.
4. The Charter School will send the Involuntary Removal Notice to the Parent/Guardian and follow the Involuntary Removal Process described below for any students who have not attended by the tenth (10th) day, and do not have an excused absence.
5. The Involuntary Removal Process can be started immediately upon the Charter School receiving documentation of Student's enrollment and attendance at another public or private school (i.e. a CALPADS report).

Involuntary Removal Process

No student shall be involuntarily removed by CSCE 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 (5) schooldays before the effective date of the action ("Involuntary Removal Notice"). 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. The Involuntary Removal Notice shall include the charges against the student and an explanation of the student's basic rights including the right to request a hearing before the effective date of the action. The hearing shall be consistent with the Charter School's expulsion procedures. 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 suspensions or expulsions pursuant to the Charter School's suspension and expulsion policy.

Upon parent/guardian request for a hearing, the Charter School will provide notice of hearing consistent with its expulsion hearing process, through which the student has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the student has the right to bring legal counsel or an advocate. The notice of hearing 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 include a copy of the Charter School's expulsion hearing process.

If the parent/guardian is nonresponsive to the Involuntary Removal Notice, the Student will be disenrolled as of the effective date set forth in the Involuntary Removal Notice. If parent/guardian requests a hearing and does not attend on the date scheduled for the hearing, the Student will be disenrolled effective the date of the hearing.

If as a result of the hearing the student is disenrolled, notice will be sent to the student's last known district of residence within thirty (30) days.

A hearing decision not to disenroll the student does not prevent the Charter School from making a similar recommendation in the future should student truancy continue or re-occur.

Excused Absences and Tardies

It is important for parents/family members to inform the school whenever their child is absent. An absence is considered "excused" only for the following reasons:

- o Personal Illness- A child is too ill to attend school if he or she has a contagious condition, a temperature of over 100, symptoms of vomiting or diarrhea, or written orders from a doctor to stay home. Keep sick children at home for at least 24 hours *after* they no longer have a fever, without using fever-reducing medications. Keeping children with a fever at home will reduce the number of people who may get infected.
- Quarantine – Students are quarantined under the direction of a county or city health officer.

Appointments- Student's medical, dental or chiropractic appointments, verified with documentation from the provider. Insofar as class participation is an integral part of students' learning experiences, parents/guardians and students are encouraged to schedule medical appointments during non-school hours, and, whenever possible, to encourage students to return to school after a non-emergency appointment. Students in grades 7-12, inclusive, may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian.

- Funeral Services - for immediate family (1 day in State, 3 days out of State). "Immediate family" shall be defined as parent or guardian, grandparent, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister or any other relative living in the student's household.
- Court Appearance - Verified with documentation from the court or other appropriate body or official, such as an attorney.
- Attendance at the Student's naturalization ceremony to become a United States citizen.

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

- Religious Holiday - With a note and approval by the school prior to the holiday. Attendance at religious retreats shall not exceed 8 hours per year.
- Religious instruction or exercises (up to 4 days per month) or religious retreats (up to four hours per semester)
- Authorization is at the discretion of a school administrator, based on the facts of the student's circumstances, which are deemed to constitute a valid excuse.
- In order to participate with a not-for-profit performing arts organization in a performance for a public-school student audience for a maximum of up to five (5) days per school year provided the student's parent or guardian provides a written note to the school authorities explaining the reason for the student's absence.
- To permit the student to spend time with an immediate family member who is an active duty member of the uniformed services, as defined in Education Code section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the Charter School.
- For purpose of serving as a member of a precinct board for an election pursuant to Election Code section 12302.
- For the purposes of jury duty in the manner provided for by law.
- Attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization upon written request by parent and approval by the Head of School or designee pursuant to uniform standards established by the Board.
- A student who holds a work permit to work for a period of not more than five (5) consecutive days in the entertainment or allied industries shall be excused from school during the period that the student is working in the entertainment or allied industry for a maximum of up to five (5) absences per school year subject to the requirements of Education Code section 48225.5.
- Due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent, including absences to care for a sick child. (The school does not require a note from the doctor for this excuse).

Authorized parental leave for a pregnant or parenting student for up to eight (8) weeks.

Method of Verification

When students who have been absent return to school, they must present a satisfactory explanation verifying the reason for the absence. The following methods may be used to verify student absences:

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

1. Signed, written note from parent/guardian, parent representative.
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - a. Name of student;
 - b. Name of parent/guardian or parent representative;
 - c. Name of verifying employee;
 - d. Date or dates of absence; and
 - e. Reason for absence.
3. Visit to the student's home by the verifying employee, or any other reasonable method, which establishes the fact that the student was absent for the reasons stated. A written recording shall be made, including information outlined above.
4. Healthcare provider verification:
 - a. When excusing students for confidential medical services or verifying such appointments, Charter School staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.
 - b. A healthcare provider's note of illness will be accepted for any reported absence. When a student has had fourteen (14) absences in the school year for illness verified by methods listed in #1-#3 above without a healthcare provider's note, any further absences for illness must be verified by a healthcare provider.

Insofar as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during non-school hours.

Students should not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency or for Students in grades 7-12, inclusive, who may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian. Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to administrative regulations and law.

CSCE's Student Attendance Review Team (SART)

We have implemented a Student Attendance Review Team (SART). This team is designed to meet with parent/guardians of children who have exceeded the allowable amount of excused or unexcused absences. The purpose of the meeting is to discuss the child's attendance record and develop a plan for the child's regular participation in school and improved attendance.

CSCE's SART will hold a hearing with the parent/guardian and truant student to resolve attendance and truancy problems. At that time if the student continues to be truant and does not follow the school's SART directive, the matter will be referred to the district attorney. A Certified Delivery Confirmation letter will be sent to the parent/guardian informing them of this action.

The school's SART will consist of:

- The Head of School or designee
- The ELOP Coordinator
- The Dean of Student Culture
- The student's classroom teacher;

Other relevant members, including: another CSCE administrator, attendance clerk, other teachers or staff as appropriate, counselor, police officer, etc.

Unexcused Absences/Truancy

Absences for most other reasons are considered unexcused. Some examples of unexcused absence are: personal day, family vacation, and car problems. The Head of School, or designee, shall implement positive steps to reduce truancy, including working with the family in an attempt to resolve the attendance problem. A student's progress and learning may be affected by excessive unexcused absences. In addition, the Charter School is fiscally dependent on student attendance and is negatively impacted by excessive unexcused absences. If all attempts to resolve the student's attendance problem are unsuccessful, the Charter School will implement the processes described below. All excused absences and tardies require appropriate documentation. It is during the first two and a half hours of each school day that our students participate in the Main Lesson. This time is extremely valuable and crucial to your student's education.

School begins at 8:30am. All students who arrive after 8:45am are required to check in at the front office upon arriving to receive a tardy slip to notify the teacher of their tardiness. The student must also notify the attendance clerk if they need a school lunch.

Process for Addressing Truancy

1. Each of the first two (2) unexcused absences or unexcused tardies over 30 minutes will result in a call home to the parent/guardian by the Head of School or designee. The student's classroom teacher may also call home.
2. A third (3rd) unexcused absences or unexcused tardies over 30 minutes will result in a call home to the parent/guardian by Head of School or designee. In addition, the student's classroom teacher may also call home and/or the Charter School may send the parent an email notification. In addition, upon reaching three (3) unexcused absences or unexcused tardies over 30 minutes in a school year, the parent/guardian will receive the **Truancy Letter #1: First Notification of Truancy or Excessive Absences**. Letter #1 will be sent regular and Certified Delivery Confirmation mail when a student has accrued three (3) truancy events. The letter shall note:
 - a) That the student is truant.
 - b) That the parent or guardian is obligated to compel the attendance of the pupil at school.
 - c) That parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution.
 - d) That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy.

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

- e) The parent or student may be subject to arrest or held in temporary custody by a probation officer, a peace officer, a school administrator or attendance supervisor or his/her designee under if found away from home and absent from school without a valid excuse.
 - f) The attendance supervisor may notify the district attorney and/or probation officer of the student's name and the name and address of his/her parents/guardians.
 - g) It is recommended that the parent or guardian accompany the pupil to school and attend classes with the pupil for one day.
3. Upon reaching five (5) unexcused absences or unexcused tardies over 30 minutes, the parent/guardian will receive **“Truancy Letter #2 – Second Notification of Truancy or Excessive Absences.** The parent(s) or guardian(s) will receive a phone call from the Dean of Student Culture to notify and inquire about the student's attendance. Letter #2 will be sent regular and Certified Delivery Confirmation mail. The letter shall note:
- a) An Attendance Contract will be entered into to abate truancy.
 - b) The student may be given a written warning by a peace officer. A record of that warning may be kept at the school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school.
 - c) The attendance supervisor may notify the district attorney and/or probation officer when the student continues to be classified as a truant after the parents/guardians have been notified by letter.
4. Upon reaching six (6) unexcused absences or unexcused tardies over 30 minutes, the parent/guardian will receive a **“Truancy Letter #3 – - Notification of Determination as a Habitual Truant Referral to CSCE SART,** and the student will be referred to the SART. Students shall be identified as Habitual Truant. At this time, the Dean of Student Culture will schedule a home visit with the parent(s) or guardian(s). Letter #3 will be sent regular and Certified Delivery Confirmation mail. This letter shall note:
- a) Mandatory SART meeting with student, parent, teacher advisor, and Head of School within 5 days. If not already on file, an Attendance Contract must be signed at this meeting.
 - b) If the parent fails to respond in 5 days or does not attend the scheduled SART meeting, the student may be subject to disenrollment and referred to the District Attorney .Students 12 years of age and older may be referred to the juvenile court for adjudication
2. If, after the above procedures have been followed, the student continues to have unexcused absences, the parent/guardian may receive notice that the student is in violation of the SART contract. The student will then be required to appear before the SART panel again to discuss the unexcused absences. After such meeting, or after two (2) attempts by the SART panel to schedule the meeting if the parent/guardian is nonresponsive, the SART panel may recommend administrative action up to and including disenrollment from the Charter School, consistent with the Involuntary Removal Process described below. If the student is disenrolled after the Involuntary Removal Process has been followed, notification will be sent within thirty (30) days to the student's last known district of residence. If the Student is involuntarily removed,

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

notice will be sent to the student's district of residence within thirty (30) days. A decision not to involuntarily remove the student does not prevent the SART panel from making a similar recommendation in the future.

3. For all communications set forth in this process, the Charter School will use the contact information provided by the parent/guardian in the registration packet. It is the parent's or guardian's responsibility to update the Charter School with any new contact information.
4. If student is absent ten (10) or more consecutive school days without valid excuse and parent/guardian cannot be reached at the number or address provided in the registration packet and does not otherwise respond to the Charter School's communication attempts, as set forth above, the student will be in violation of the SART contract, and the SART panel will recommend that the student be disenrolled in compliance with the Involuntary Removal Process described below. The Involuntary Removal Process can be started immediately upon the Charter School receiving documentation of Student's enrollment and attendance at another public or private school (i.e. a CALPADS report). Any teacher may change the grade of a student who has accrued 10 unexcused absences per semester or 7 unexcused absences per trimester to a failing grade for their courses at the marking period.

Referral to Appropriate Agencies or County District Attorney

It is the Charter School's intent to identify and remove all barriers to the student's success, and the School will explore every possible option to address student attendance issues with the family. For any unexcused absence, the School may refer the family to appropriate school-based and/or social service agencies.

If a child's attendance does not improve after a SART contract has been developed according to the procedures above, or if the parents fail to attend a required SART meeting, the Charter School shall notify the District's Attorney's office, which then may refer the matter for prosecution through the court system. Students twelve (12) years of age and older may be referred to the juvenile court for adjudication.

Non-Discrimination

These policies will be enforced fairly, uniformly, and consistently without regard to the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, pregnancy, or association with an individual who has any of the aforementioned characteristics).

Reports

The Head of School, or designee, shall gather and report to the Board the number of absences both excused and unexcused as well as students who are truant, and the steps taken to remedy the problem.

Acknowledgements and Signatures

FAMILY HANDBOOK CSCE FOR CREATIVE EDUCATION

Parent/Guardian & Student Commitment

Parents/Guardians'/Guardians' Commitment:

Parents/Guardians/guardians fully commit to CSCE for Creative Education in the following ways:

- We will make sure our child arrives at school every day by 8:30 A.M. (Monday-Friday).
- We will make arrangements so our child can remain at school until 3:30 P.M. (2:30 P.M. for TK and K) on Mondays, Tuesdays, and Thursdays and Fridays, and until 12:45 P.M. on Wednesdays.
- We will always help our child in the best way we know how, and we will do whatever it takes for him/her to learn. We will check our child's homework every night, let her/him call the teacher if there is a problem with homework, and read with him/her every night.
- We will always make ourselves available to our children, the school, and attend to any concerns they may have. If our child is going to miss school, we will notify the school as soon as possible, and we will carefully read all the papers that the school sends home to us.
- We will allow our child to go on field trips.
- We will make sure our child follows the dress code.
- We understand that our child must follow the school's rules to protect the safety, interests, and rights of all in the classroom and will support them to be responsible for their behavior and actions.

We understand that failure to adhere to these commitments can cause my child to lose various privileges and can lead to my child being asked to leave CSCE. We understand that failure to adhere to these commitments will cause a meeting between Parents/Guardians, teachers and administrators.

Please sign and return to the Main Office.

Student's Commitment:

I fully commit to CSCE for Creative Education in the following ways:

- I will arrive at school every day by 8:30 A.M. (Monday-Friday).
- I will remain at school until 2:30 (K) 3:30 P.M. (1-4) on Mondays, Tuesdays, Thursdays and Fridays and 12:45 P.M. on Wednesdays.
- I will always work, think, and behave in the best way I know how and I will do whatever it takes for me and my fellow students to learn.
- I will complete all my homework every night. I will raise my hand and ask questions in class if I do not understand something.
- I will always make myself available to my Parents/Guardians/guardians and teachers and will discuss any concerns they may have.
- If I make a mistake, I will tell the truth and accept responsibility for my actions.
- I will always behave so as to protect the safety, interests, and rights of all individuals in the classroom. This means that I will always listen to my classmates and give everyone my respect.
- I will follow the dress code.

2111 International Boulevard Oakland, CA 94606 | Office: 510.686.4131 | Fax: 510.686.4130 | info@communityschoolforcreativeeducation.org

- I am responsible for my own behavior, and I will follow the teachers' directions and school rules.

I understand that failure to adhere to these commitments can cause me to lose various privileges and can lead to my being asked to leave CSCE.

We acknowledge that we have received and reviewed the CSCE for Creative Education for Student Behavior Policy as a family unit.

Comments: _____

Please return signed sheet to the Front Office or acknowledge receipt of **Family Handbook** via email to info@communityschoolforcreativeeducation.org

| | | | |
|---|--|--|--|
| Parent/ Guardian First Name: | | Parent/ Guardian Last Name: | |
| Parent/ Guardian Signature: | | Date: | |
| Student First Name: | | Student Last Name: | |
| Student Signature: | | Date: | |