

	Purpose	Presenter	Time
I. Opening Items			8:00 PM
Opening Items			
A. Record Attendance and Guests		Rochelle Benning	1 m
B. Call the Meeting to Order		Rochelle Benning	1 m
C. Approval of Board Findings Relating to Teleconference Meetings During State of Emergency	Vote	Rochelle Benning	1 m

Board findings pursuant to Government Code Section 54953(e)

The Charter School Board of Directors determines, in accordance with Government Code Section 54953(e)(1)(B), that meeting in person would present imminent risks to the health or safety of attendees. Pursuant to Government Code Section 54953(e)(3), the Board has also reconsidered the circumstances of the State of Emergency declared by the Governor on March 4, 2020, and finds the State of Emergency continues to directly impact the ability of the Directors to meet safely in person and/or that State or local officials continue to impose or recommend measures to promote social distancing.

D. Review and Approve Minutes from 8/17/2022 REGULAR Board Meeting	Approve Minutes	Rochelle Benning	1 m
E. Approve Minutes from 8/17/2022 East Bay Innovation Academy SPECIAL Board Meeting	Approve Minutes	Rochelle Benning	1 m
F. Opening Session - Public Comment (Any Agenda or Non-Agenda Items)		Rochelle Benning	15 m

Public comment is limited to a maximum of 3 minutes of comment time per speaker

II. Governance **8:20 PM**

Governance

A. Review and Approve East Bay Innovation Academy Consent Agenda Items	Vote	Rochelle Benning	5 m
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Consent Agenda Items:

- EBIA Check and Credit Card Registers for August 2022
- Revised HNU facility use agreement
- Contract for Painters (GGA campus) August 2022
- APEX Credit Recovery system subscription renewal
- SY22-23 Safety Plan

	Purpose	Presenter	Time
- Pathway Chromebooks purchase			

III. Academic Excellence **8:25 PM**

Academic Excellence

A. Executive Directors Report	Discuss	Jenna Stauffer	5 m
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Co-ED Team Report (verbal report out)

- "Glows and Grows" from August/September
- Current Priorities

IV. Finance and Development **8:30 PM**

Finance

A. East Bay Innovation Academy - YTD Finance Update	Discuss	Rochelle	1 m
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Nothing to report at this time. Edtec will present in October.

V. EBIA Facilities Update **8:31 PM**

A. EBIA Facilities Updates	Discuss	Jenna Stauffer	1 m
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Verbal update to share any facility improvements, issues or items to address at either EBIA site.

Please consent items for HNU details and painting work at GGA.

Prop 39 request due to OUSD on November 1

VI. Other Business **8:32 PM**

A. Confirm Board Meeting Dates through 2022 -2023 School Year	Discuss	Rochelle Benning	1 m
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Current board meetings through the end of the school year are scheduled follows - do we need to make any adjustments that we can incorporate into our schedule now?

October	8:00PM Wednesday, 10/19/2022
November	8:00PM Wednesday, 11/16/2022
December	2022 Winter Break
January	8:00PM Wednesday, 1/18/2023
February	8:00PM Wednesday, 2/15/2023

	Purpose	Presenter	Time
March	8:00PM Wednesday, 3/15/2023		
April	8:00PM Wednesday, 4/19/2023		
May	8:00PM Wednesday, 5/17/2023		
June	8:00PM Monday, 6/12/2023		
July	2023 Summer Break		
August	8:00PM Wednesday, 8/16/2023		

B. Closing Session - Public Comment (Any Agenda or Non-Agenda Items)	FYI	Rochelle Benning	10 m
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Public comment is limited to a maximum of 3 minutes of comment time per speaker

VII. Closing Items **8:43 PM**

A. Adjourn Meeting	Vote	Rochelle Benning	1 m
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Coversheet

Review and Approve Minutes from 8/17/2022 REGULAR Board Meeting

Section: I. Opening Items
Item: D. Review and Approve Minutes from 8/17/2022 REGULAR
Board Meeting
Purpose: Approve Minutes
Submitted by:
Related Material: Minutes for Board Meeting on August 17, 2022

APPROVED



East Bay Innovation Academy

Minutes

Board Meeting

Date and Time

Wednesday August 17, 2022 at 8:00 PM

Location

Pursuant to the Governor's Executive Order N-29-20, all members of a legislative body and appropriate staff will participate in legislative meetings via phone/video conference until shelter in place order is lifted. Please see meeting link and telephone numbers below to attend and provide public comment at the EBIA Board Meeting.

Jenna Stauffer is inviting you to a scheduled Zoom meeting.

Topic: EBIA Board of Directors

Time: Aug 17, 2022 07:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://eastbayia-org.zoom.us/j/96043893967?pwd=WnF1TWdreldldEFnZGN4bmtMaHlGdz09>

Meeting ID: 960 4389 3967

Passcode: 256429

One tap mobile

+16699006833,,96043893967# US (San Jose)

+16694449171,,96043893967# US

Dial by your location

+1 669 900 6833 US (San Jose)

+1 669 444 9171 US

+1 719 359 4580 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 301 715 8592 US (Washington DC)

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 386 347 5053 US

+1 564 217 2000 US

+1 646 876 9923 US (New York)

+1 646 931 3860 US

Meeting ID: 960 4389 3967

Find your local number: <https://eastbayia-org.zoom.us/u/adAlwJUZvP>

Directors Present

Jennifer Afdahl Rice (remote), Kelly Garcia (remote), Rochelle Benning (remote)

Directors Absent

Brad Edgar, Ken Berrick

Guests Present

Bryce Fleming, Carolyn Gramstorff (remote), Jenna Stauffer (remote), Mi, Mike Pocrnich, francesca.fay@eastbayia.org (remote)

I. Opening Items

A. Record Attendance and Guests

B. Call the Meeting to Order

C. Approval of Board Findings Relating to Teleconference Meetings During State of Emergency

Rochelle Benning called a meeting of the board of directors of East Bay Innovation Academy to order on Wednesday Aug 17, 2022 at 8:04 PM.

Rochelle Benning made a motion to Approve Board Findings Relating to Teleconference Meetings During State of Emergency.

Kelly Garcia seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

Jennifer Afdahl Rice	Aye
Rochelle Benning	Aye
Kelly Garcia	Aye
Ken Berrick	Absent
Brad Edgar	Absent

D. Approve Minutes from 6/27/2022 East Bay Innovation Academy Board Meeting

Rochelle Benning made a motion to approve the minutes from EBIA Board Meeting on 06-27-22.

Kelly Garcia seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

Brad Edgar	Absent
Rochelle Benning	Aye
Ken Berrick	Absent
Kelly Garcia	Aye
Jennifer Afdahl Rice	Aye

E. Opening Session - Public Comment (Any Agenda or Non-Agenda Items)

No members of the public present.

II. Governance

A.

Review and Approve East Bay Innovation Academy Consent Agenda Items

Jenna to add a do-not-exceed clause to the contract with Michelle Cho.

The board verified that the drinks expenditure at Nido's Backyard were non-alcoholic drinks.

The handbooks are approved but need to be corrected with regards to hours.

The Golden Gate Academy expense was for multiple expenses.

Rochelle Benning made a motion to Approve East Bay Innovation Academy Consent Agenda Items with the conditions noted in the discussion.

Jennifer Afdahl Rice seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

Kelly Garcia	Aye
Brad Edgar	Absent
Ken Berrick	Absent
Jennifer Afdahl Rice	Aye
Rochelle Benning	Aye

III. Academic Excellence

A. Executive Directors Report

Jenna Staufer and Carolyn Gramstorff presented an Executive Director report.

For specific details please see the board packet.

B. EBIA Academic Report - SBAC & AP Results for 2021-2022

Francesca Fay presented an academic report. For specific details please see the board packet.

IV. Finance and Development

A. Finance Update - Fiscal Year 2021 - 2022 Results Summary

Michelle Cho presented a financial update for a 21-22 fiscal year summary. For specific details please see board packet.

B. Finance Update - YTD 2022 - 2023 Result Overview

Our Ed Teach consultants presented a financial update. For specific details please see board packet.

V. EBIA Facilities Update

A. EBIA Facilities Updates

Jenna shared a facilities update. For specifics please see board packet.

VI. Other Business

A. Confirm Board Meeting Dates through 2022 -2023 School Year

Shelley shared board meeting updates for SY 22-23.

B. Closing Session - Public Comment (Any Agenda or Non-Agenda Items)

No members of the public were present.

VII. Closing Items

A. Adjourn Meeting

Rochelle Benning made a motion to adjourn the meeting.

Kelly Garcia seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

Kelly Garcia Aye

Rochelle Benning Aye

Jennifer Afdahl Rice Aye

Ken Berrick Absent

Brad Edgar Absent

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 10:03 PM.

Respectfully Submitted,
Kelly Garcia

Coversheet

Approve Minutes from 8/17/2022 East Bay Innovation Academy SPECIAL Board Meeting

Section: I. Opening Items
Item: E. Approve Minutes from 8/17/2022 East Bay Innovation
Academy SPECIAL Board Meeting
Purpose: Approve Minutes
Submitted by:
Related Material:
Minutes for Special Board Meeting - EBIA Board on August 17, 2022

APPROVED



East Bay Innovation Academy

Minutes

Special Board Meeting - EBIA Board

Closed Session Board Meeting

Date and Time

Wednesday August 17, 2022 at 7:00 PM

Location

Join Zoom Meeting

[https://eastbayia-org.zoom.us/j/96043893967?](https://eastbayia-org.zoom.us/j/96043893967?pwd=WnF1TWdreldldEFnZGN4bmtMaHlGdz09)

[pwd=WnF1TWdreldldEFnZGN4bmtMaHlGdz09](https://eastbayia-org.zoom.us/j/96043893967?pwd=WnF1TWdreldldEFnZGN4bmtMaHlGdz09)

Meeting ID: 960 4389 3967

Passcode: 256429

DUE TO Approval of Board Findings Relating to Teleconference Meetings During State of Emergency - this meeting will be held online using Zoom ONLY. Please join us!!!

Zoom:

hipaa@eastbayia.org EBIA is inviting you to a scheduled Zoom meeting.

Topic: Special Board Meeting

Directors Present

Jennifer Afdahl Rice (remote), Kelly Garcia (remote), Rochelle Benning (remote)

Directors Absent

Brad Edgar, Ken Berrick

Guests Present

Jenna Stauffer (remote)

I. Opening Items

A.

Record Attendance and Guests

B. Call the Meeting to Order

Rochelle Benning called a meeting of the board of directors of East Bay Innovation Academy to order on Wednesday Aug 17, 2022 at 7:01 PM.

C. Approval of Board Findings Relating to Teleconference Meetings During State of Emergency

Rochelle Benning made a motion to Approve of Board Findings Relating to Teleconference Meetings During State of Emergency.

Jennifer Afdahl Rice seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

Kelly Garcia	Aye
Jennifer Afdahl Rice	Aye
Rochelle Benning	Aye
Brad Edgar	Absent
Ken Berrick	Absent

D. Public Comment (Any Agenda or Non-Agenda Items)

One public at this time. Parent would like to coordinate Monday afternoons and would like support with parent advisories.

E. Adjourn Public Session

Rochelle Benning made a motion to adjourn the public session.

Kelly Garcia seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

Brad Edgar	Absent
Rochelle Benning	Aye
Kelly Garcia	Aye
Jennifer Afdahl Rice	Aye
Ken Berrick	Absent

II. Closed Session

A. Open Closed Session

Board moved to close session.

B. Closed Session: Pending Litigation § 54956.9(d)(1)

We provided counsel on the direction to move forward.

C. Adjourn Closed Session and Move to Public Session

Rochelle Benning made a motion to Adjourn Closed Session and Move to Public Session.

Jennifer Afdahl Rice seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

Rochelle Benning	Aye
Jennifer Afdahl Rice	Aye
Kelly Garcia	Aye
Brad Edgar	Absent
Ken Berrick	Absent

III. Closing Items

A. Open Public Session

Same people are in attendance

B. Report out actions taken during closed session

We provided legal counsel with direction to move forward on pending litigation.

C. Public Comment (on any Agenda or Non Agenda Items)

No public comment.

D. Adjourn Meeting

Rochelle Benning made a motion to adjourn meeting.
Jennifer Afdahl Rice seconded the motion.
The board **VOTED** to approve the motion.

Roll Call

Jennifer Afdahl Rice	Aye
Brad Edgar	Absent
Rochelle Benning	Aye
Kelly Garcia	Aye
Ken Berrick	Absent

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 8:03 PM.

Respectfully Submitted,
Kelly Garcia

Coversheet

Review and Approve East Bay Innovation Academy Consent Agenda Items

Section: II. Governance
Item: A. Review and Approve East Bay Innovation Academy Consent
Agenda Items
Purpose: Vote
Submitted by:
Related Material: Apex Renewal_East Bay Innovation Academy_2022.pdf
Provantage-Quote-8991750 - Charlie Noel.pdf
EBIA_August 2022_Combined Board Check Register.pdf
3800 Mountain REVISED INVOICE.png
Facility contract HNU-EBIA 220830 (2).pdf
EBIA Safety Plan 22-23 DRAFT 09_19_2022.pdf



Date: 07/07/2022
 Order Number: Q-417390
 Revision: 1
 Order Form Expiration Date: 08/02/2022

ORDER FORM

Please fax all pages to 1.877.519.9555 or email to orders@edmentum.com
 Orders Under \$25,000.00 may pay by Credit Card:
 Call 214.294.9901 or e-mail creditcardprocessing@edmentum.com

Customer and Billing Address

Customer No.: 470302
 Customer Name: East Bay Innovation Academy
 Billing Address: 3400 Malcolm Ave
 Oakland, CA 94605-5353

Products and Services

East Bay Innovation Academy

Products	Qty	License Start Date	License End Date	License Term (Months)
Apex Learning Courses: Unlimited enrollment subscription	100	08/03/2022	08/02/2023	12
Custom Consulting Services - Virtual	1	08/03/2022	08/02/2023	12

East Bay Innovation Academy Subtotal: \$18,250.00

Subtotal:	\$18,250.00
Estimated Tax:	\$0.00
Total US Funds:	\$18,250.00

** Unless otherwise specified in this Order Form, the Start Date for your license(s) will be one of the following: (a) the day immediately following the expiration date of the prior license term or (b) the date in which we have accepted your order and have issued log-in credentials for your software license.

*** Services purchased are valid for an annual term. Any service offering that is not used during the applicable term will expire and cannot be carried over or used in subsequent periods.

Invoicing and Payment Terms

Payment Due Date	Amount
8/16/2022	USD 18,250.00
Total	USD 18,250.00

Terms and Conditions

For the purposes of this Order Form, "you" and "your" refer to Customer, and "we", "us" and "our" refer to edmentum Inc. and affiliates. This Order Form and any documents it incorporates (including the Standard Purchase and License Terms located at

Edmentum | P.O. Box 776725 | Chicago, IL 60677-6725 Chicago | www.edmentum.com





Date: 07/07/2022
Order Number: Q-417390
Revision: 1
Order Form Expiration Date: 08/02/2022

ORDER FORM

Please fax all pages to 1.877.519.9555 or email to orders@edmentum.com
Orders Under \$25,000.00 may pay by Credit Card:
Call 214.294.9901 or e-mail creditcardprocessing@edmentum.com

<http://www.edmentum.com/standardterms> and the documents it references) form the entire agreement between you and us ("Agreement"). You acknowledge that any terms and conditions in your purchase order or any other documents you provide that enhance our obligations or restrictions or contradict the Agreement do not have force and effect.

Purchase Order

You acknowledge that this Agreement is non-cancellable and you will submit a purchase order for the full amount of this Order Form. Your order will not be scheduled for delivery until you have submitted a purchase order referencing and conforming to this Order Form.

Acceptance

This offer will expire on the Order Form Expiration Date noted above unless we earlier withdraw or extend the offer in writing.

I represent that I have read the terms and conditions included in this Agreement, that I am authorized to accept this offer and the Agreement's terms and conditions on behalf of the customer identified above and that I do accept this offer on behalf of the customer who agrees to adhere to the Agreement's terms and conditions. To the extent that either parties process does not require that I execute this Order Form, I accept, acknowledge and agree to the terms and conditions identified in and referenced in this Agreement as signified by my receipt, use or access of the products and/or services identified. Please fax all pages to 1.877.519.9555 or email to orders@edmentum.com.

Customer Signature

Name (Printed or Typed)

Title

Date

Edmentum | P.O. Box 776725 | Chicago, IL 60677-6725 Chicago | www.edmentum.com





CERTIFIED QUOTATION

Customer Number 4247431	Quotation Number 8991750	Issue Date 08/26/22	Payment by Amex	Customer Reference None
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Issued by: Gary Adkins 330-433-2627 gadkins@provantage.com

<p>EAST BAY INNOVATION ACADEMY 3400 MALCOLM AVE OAKLAND, CA 94605</p> <p>Charlie.noel@eastbayia.org</p>	<p>QUOTATION</p>	<p>Shipping Via Ground Service</p>
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SKU	Product Name	Part Number	Quantity	Each	Total
ACEN32Q	Acer AN515-45-R1JF,WIN10 Pro ,AMD Ryzen 7 5800H	NH.QB9AA.004	35	920.00	32,200.00

<p>Provantage LLC 7576 Freedom Ave NW North Canton, OH 44720</p>	Subtotal:	32,200.00
	Shipping:	35.00
	Total:	\$32,235.00

To place your order, email gadkins@provantage.com or call 330-433-2627.

Please note that prices on this quotation cannot be guaranteed beyond the issue date.



Combined Board Check Register

School: East Bay Innovation Academy (EBIA)

Month: August 2022

Total Paid By Check: \$ 213,701.00
Total Paid By Credit Card: \$ -

Payment Type	Check #/CC Account	Vendor	Transaction Date	Description	Void	Amount
Check	7631	Kaiser Foundation Health	8/3/2022	Bill #AUGUST2022--August 2022 Medical Health		\$ 30,473.64
Check	7632	Spectrum Center	8/3/2022	Bill #APRIL2022--WD - BEP: Basic Education Program-		\$ 2,990.00
Check	7633	Megan Reed	8/3/2022	Bill #14--Fund and Grant Development Work : Quest		\$ 75.00
Check	7634	Ace Handyman Services	8/3/2022	Bill #13175--LS student restroom toilets (5515)		\$ 475.00
Check	7635	Waste Management Of	8/3/2022	Bill #277807222165--Ops Charter July 2022		\$ 656.73
Check	7636	Nido's Backyard	8/3/2022	Bill #080422--EBIA Teacher Welcome Event 8/4/22		\$ 2,156.49
Check	7637	Jose Rivas	8/3/2022	Bill #01--Mountain Campus 15 classroom painting; 30		\$ 8,900.00
Check	7638	Charter Schools	8/3/2022	Bill #11142--CSDC 1 year Membership US & LS Qty 568		\$ 1,704.00
Check	7639	Waste Management (Cust#	8/3/2022	Bill #412208022167--14yd Open Top dumpster roll on		\$ 320.66
Check	7640	Office Depot	8/24/2022	Bill #258114457001--Qty 3 Boxes of 500 envelopes		\$ 1,678.67
Check	7641	Hawk Circle Consulting	8/24/2022	Bill #1095--Monthly Consulting + 14.5 overtime		\$ 16,487.50
Check	7642	Waste Management	8/24/2022	Bill #412620922168--Marshall Elementary August		\$ 1,522.16
Check	7643	A1 The Clear Choice	8/24/2022	Bill #25212--LS Building gutter and downspout cleaning		\$ 775.00
Check	7644	Kaiser Foundation Health	8/24/2022	Bill #SEPTEMBER2022--September 2022 Medical		\$ 24,298.70
Check	7645	The Phillips Academy	8/24/2022	Bill #20222023.010--EC - Tuition July 2022 Qty 9; In		\$ 1,361.82
Check	7646	Build Your Own Garment	8/24/2022	Bill #29553--2023 Staff Sweaters Qty 67		\$ 3,141.90
Check	7647	Tayllor Washington	8/24/2022	Bill #072722--New Hire Fingerprint Scan		\$ 79.00
Check	7648	Ernesto Diaz	8/24/2022	Bill #080322--Orientation games and supplies; New hire		\$ 376.53
Check	7649	CDW Government	8/24/2022	Bill #BM62372--Qty 75 ACER C922-K04T; ACA Google		\$ 21,694.15
Check	7650	AT&T	8/24/2022	Bill #18488925--#2435 Internet Services 06/13/22 -		\$ 687.39
Check	7651	Alameda County Office of	8/24/2022	Bill #INV2300060--Access Plus Service according to		\$ 16,350.00
Check	7652	Golden Gate Academy	8/24/2022	Bill 8/22/2022--Monthly use fee for Golden Gate		\$ 28,090.00
Check	7653	AT & T	8/24/2022	Bill #18500133--#6883 Internet Services 06/16/22 -		\$ 687.39
Check	7654	California Charter Schools	8/24/2022	Bill #082322--Charter School Membership through		\$ 6,437.50
Check	7655	Law Offices of Young,	8/24/2022	Bill #77848--Legal Services through 7/31/22		\$ 969.00
Check	7656	AALRR Attorneys at Law	8/24/2022	Bill #658149--General Special Education Legal Service		\$ 7,853.75
Check	7657	Lina's Janitorial Services	8/24/2022	Bill #42--anitorial Service for US & LS 8/1/22 - 8/31/22		\$ 10,000.00
Check	7658	Jose Rivas	8/24/2022	Bill #1234567--Bill for labor and materials for 2 benches		\$ 2,000.00
Check	7659	Ready Refresh	8/24/2022	Bill #02H0035832427--Malcolm drinking water 7/7/22 -		\$ 87.33
Check	7660	RingCentral Inc.	8/24/2022	Bill #000436207--Phone Service 07/29/2022 -		\$ 688.51
Check	7661	East Bay Speech Pathology,	8/24/2022	Bill #1772--Speech & Language Pathology Services		\$ 396.00

Note: Multiple expenses or "Itemized/Invoice Amounts" may be paid by one check. The total "Check Amount" will appear for each "Itemized/Invoice Amount" paid by the check.

Payment Type	Check #/CC Account	Vendor	Transaction Date	Description	Void	Amount
Check	7662	EdTec	8/24/2022	Bill #25045--Monthly Data and Back Office Service -		\$ 12,168.50
Check	7663	Waste Management (Cust#	8/24/2022	Bill #413200522167--14yd Rolloff Disposal Trip charges		\$ 1,858.64
Check	7664	CoPower	8/24/2022	Bill #2190379--Dental Plan September 2022		\$ 2,739.44
Check	7665	PG&E	8/24/2022	Bill #081822--Gas and Electric 07/12/22 - 08/10/22		\$ 2,195.77
Check	7666	Cogent Solutions & Supplies	8/24/2022	Bill #1558971--Qty 10 Roll towels; Qty 5 24x33 Trash		\$ 1,254.83
Check	7667	isolved Benefit Services	8/24/2022	Bill #1121770901--FBA Monthly Admin Services 07/01/22		\$ 70.00

Note: Multiple expenses or "Itemized/Invoice Amounts" may be paid by one check. The total "Check Amount" will appear for each "Itemized/Invoice Amount" paid by the check.

QUOTE



8/2/22

Property: 3800 Mountain Blvd
Oakland CA

Description

Total price

Painting 2 small bathrooms and hallway

Painting a total of 30 doors, exterior side only

Painting a total of 15 classrooms using same color on walls,ceilings and trim.

TOTAL \$15,500.00

PAYMENT TERMS: 50% DEPOSIT DUE AT BEGINNING OF WORK,
50% BALANCE DUE UPON COMPLETION OF WORK.

Upon completion of work please pay via check to;

Jose Rivas

If you have any questions please contact me at 510.200.3770

Thank you!



HOLY NAMES
UNIVERSITY
Since 1868

HOLY NAMES UNIVERSITY FACILITY LICENSE CONTRACT

August 30, 2022

Holy Names University, a non-profit public benefit corporation, whose present address is 3500 Mountain Boulevard, Oakland, California 94619 and East Bay Innovation Academy (Licensee), whose present address is 3800 Mountain Boulevard, Oakland, CA 94619 agree as follows:

Section 1. Rented Premises and Contracted Services

In consideration of rents, covenants and agreements reserved and contained on the part of Licensee to be observed and performed, Holy Names University demises and rents to the Licensee those certain premises now on the property of Holy Names University, in the City of Oakland, County of Alameda, California.

The following facilities are being rented:

Facility	Date	Time	Cost
Brennan Hall	September 1, 8, 9, 29, 2022	8:am to 5:00pm	\$300.00 per day
Chemistry Lab 107	October 6, 13, 14, 2022		Total \$2,100.00

Total Facility Fee: \$2,100.00

The following services are being provided:

Housekeepers services @ \$100.00 per day times 7	\$ 700.00
Lab preparation and assistance (labor)	\$1,100.00
Materials and supplies (billed additionally at cost)	TBD

Total Services \$ 1,800.00

Total for facilities and services \$ 3,900.00

HOLY NAMES UNIVERSITY
3500 MOUNTAIN BLVD. OAKLAND, CA 94619 PHONE: 510.436.1000 WWW.HNU.EDU

Section 2. Term of Contract

The term of this rental contract is as follows:

Facility	Date	Time	Cost
Brennan Hall	September 1, 8, 9, 29, 2022	8:00am to 5:00pm	\$2,100.00
Chemistry Lab 107	October 6, 13, 14, 2022		

This rental contract shall terminate without notice on: **October 14, 2022 @ 5:00pm**. On days when the university is closed, whether for scheduled holidays or for emergencies, the licensee shall have no access to the facilities.

Section 3. Facility Rent

Licensee shall pay the sum of **\$3,900.00** as the “Facility Rent” for use of the premises and services provided by Holy Names University, in the form of a “cashier’s check” or “money order”. We also accept VISA & MASTERCARD credit cards. Licensee shall submit one payment of \$3,900.00 for Facility Rental and services on or before: **September 9, 2022**. Licensee is hereby informed that they will be liable to cover fees and/or charges incurred from any transaction involving “stop payment” or “insufficient funds” on the “facility and services payment”. _____ initial

Section 4. Materials and supplies

Licensee shall reimburse Holy Names University for the cost of any supplies or materials provided by Holy Names University, including any equipment damaged by licensee. Holy Names University shall provide the licensee with an itemized invoice of relevant charges by **October 17, 2022**. Payment shall be due within 60 days of receipt of the invoice. _____ initial

The licensee will submit all lab preparation requests to Holy Names University at least 2 weeks before the day on which said lab is to be performed by students. _____ initial

Section 5. Supervision of EBIA students

Licensee shall closely supervise EBIA students at all times they are on the campus of Holy Names University. In the interests of student safety. _____ initial

Licensee shall permit science faculty of Holy Names University to observe licensee activities on the facilities at any time. _____ initial

Section 6. Food Service

Licensee must not have any type of food or beverage in the facilities. _____ initial

Section 7. COVID-19 Requirements

- All students and faculty must be vaccinated and listed on the Attestation Form (see attachment 1)
- Masks will be worn at all times inside classrooms
- Frequent hand washing
- No one should come to campus if feeling ill.

Section 8. Licensee Faculty Orientation

See Laboratory Safety Procedures (see attachment 2)

See Emergency Action Guide (see attachment 3)

Section 9. Facility Security Deposit

Licensee shall pay an additional sum of **\$2,000.00**, as Security Deposit (**On File**). Licensee shall mail or deliver the Security Deposit to Holy Names University prior to sending the signed Facility Rental Contract. Holy Names University, at its option, may refuse to allow the Licensee use of the Premises if Licensee does not execute this Contract and deliver to Holy Names University, along with the Security Deposit and the “Certificate of Liability Insurance Form” by: **September 1, 2022**. Licensee is hereby informed that they will be liable to cover fees and/or charges incurred from any transaction involving “stop payment” or “insufficient funds” on the “security deposit payment”. _____ initial

Licensee’s Security Deposit shall be held as a security fee for the faithful performance by Licensee of all the terms, covenants and conditions of this Contract, (including but not limited to repair or any damages to the premises and any excessive cleaning of said premises, upon expiration of this Lease). In the event Licensee fails to keep and perform all the terms, covenants and conditions of this Contract, Holy Names University reserves the option to terminate said Contract. Holy Names University also reserves the right to retain said Security Deposit, or a portion thereof, as may be necessary to compensate Holy Names University for loss, damage, or excessive cleaning of facilities. Upon Licensee’s performance of the terms, covenants and conditions of this contract, Holy Names University shall return the security deposit minus any portion necessary for compensation to Holy Names University fro any loss, damage, additional services not listed in this contract, or excessive cleaning of facilities. Should the security deposit not be returned in full, Holy Names University should provide the licensee with an itemized invoice of the charges applied to the security deposit, along with the remaining security deposit. _____ initial

Section 10. Cancellation

Cancellation by HNU: Holy Names University reserves the right to cancel this Contract at any time and for good cause, which shall include, but not limited to any total or partial damage or destruction of the Premises which makes it unsuitable for use, any emergencies or other unforeseen or exigent circumstances which make the leased Premises unavailable. Licensee and Holy Names University agree that Holy Names University shall have no liability to Licensee of any kind whatsoever if Holy Names University must cancel this Contract. Licensee’s remedy shall be the return of the Security Deposit and any other advance payments made by Licensee to Holy Names University. If no security deposit on account with Holy Names University, Licensee shall be provided with sufficient notification of cancellation for purposes of securing another venue for the event. _____ initial

Section 11. Authorized Use

a.) Licensee shall use and occupy the Premises during the term agreed and mentioned in Section 2 for the purpose of **chemistry lab instruction**. Licensee shall not use or permit the use of said premises for any other purpose without prior written consent of Holy Names University. It is anticipated that **no more than 24 students will attend any session**. Any significant change in the number of persons attending or the composition of the group, will require the Licensee to give a written notice 48 hours prior to commencement of event. _____ initial

b.) Licensee shall not use the Premises for or carrying on or permit, on said premises, or any part thereof, any offensive, noisy, or dangerous trade, business or occupation, or any nuisance, or anything against public policy, nor interfere with the University. Licensee shall not use the Premises or permit the Premises to be used in whole or in part for the term of this Contract for any purpose or use that is in violation of any laws, ordinances, regulations or rules of any public authority of organization at any time. _____ initial

Section 12. Condition of Property

- a.) Licensee shall keep and maintain the Premises in good order and as safe and clean a condition as they were when received from Holy Names University, reasonable wear and tear is acceptable. Licensee shall promptly replace any portion of the Premises or system or equipment in the Premises damaged by Licensee, which cannot be fully repaired, regardless of whether the benefit of such replacement extends beyond the term of this Agreement. _____ initial
- b.) Holy Names University shall not be liable for any damage or injury to the person, business (or any loss in income there from), goods, wares, merchandise or other property of Licensee, Licensee’s employees, invitees, or any other person in or about the Premises, whether such damage or injury is caused by or results from: (i) fire, steam, electricity, water, gas or rain; (ii) the breakage, leakage, obstruction or other cause; (iii) conditions arising in or about the Premises or upon other portions of any building of which the Premises is a part, or from other sources or places; or (iv) any act or omission of any other licensee of any building of which the Premises are a part. _____ initial
- c.) Upon termination of the Contract, Licensee shall surrender the Property to Holy Names University in the same condition as received, except for ordinary wear and tear which Licensee was not otherwise obligated to remedy under any provisions of this Contract. _____ initial
- d.) Licensee shall not make any alterations, additions, or improvements to the Premises. _____ initial
- e.) No animals are allowed on Campus except certified "service animals" that are accompanying a blind, deaf or physically disabled person. Service animals are animals individually trained to do work or perform a task for the benefit of an individual with a disability, including but not limited to guiding an individual with impaired vision, or alerting an individual with impaired hearing. _____ initial

Section 13. Advertising, Event Notice Compliance

Licensee agrees not to advertise event until a signed Contract by Holy Names University is returned to you. _____ initial

Licensee agrees to comply with Holy Names University rental policy, that Licensee shall in no way in any written or verbal communication including news releases, paid advertisements, posters, flyers, invitations, meeting notices, radio/TV announcements, et cetera, indicate that Holy Names University is a sponsor and/or co-sponsor of the above aforementioned event, or in any way endorses or supports the program, activity, meeting or event. Such notices may use wording such as: "This event is sponsored by EBIA, an independent organization, and is being held on the campus of Holy Names University under a contractual agreement". _____ initial

In addition, the Licensee agrees to submit for Holy Names University approval all written or verbal communication including news releases, paid advertisements, posters, flyers, invitations, meeting notices, radio/TV announcements, et cetera prior to its release and agrees to use said forms of publicity pending Holy Names University approval only. Holy Names University reserves the right to require that any be altered prior to release. Holy Names University may cancel this agreement for any violation of the Section and retain the Security Deposit at its discretion. _____ initial

Section 14. Indemnity

This Contract is made upon the express condition that Licensee agrees to indemnify, keep, save and hold free Holy Names University from all liability, penalties, losses damages, costs, expenses, causes of action, claims and/or judgments arising by reason of any injury or damage to any person or persons, including without limitation the Licensee, its servants, agents, employees, invitees and licensees or property of any kind whatsoever and to whomever belonging, from any cause or causes whatsoever other than from Holy Names University’s gross negligence or willful misconduct while in, upon or in any way connected with the premises to its appurtenances, or the sidewalks adjacent thereto, during the terms of this Contract or any occupancy there under, Licensee hereby covenanting and agreeing to indemnify, protect and save Holy Names University harmless from all liability, loss costs and obligations on account of or arising out of any such injuries or losses, however occurring. _____ initial

Section 15. Arbitration & Attorney’s Fees

Any controversy or claim arising out of or relating to this Agreement, or breach thereof, shall be settled in accordance with the Commercial Arbitration Rules of the American Arbitration Association, and judgment upon the award by the arbitration(s) may be entered in any court having jurisdiction thereof. Holy Names University and Licensee agree that any and all arbitration shall be held in the City of Oakland, County of Alameda, State of California. Should any arbitration be commenced between the parties to this Agreement concerning said Premises, this Agreement, or the rights and duties of either in the relation thereto, the prevailing party shall be entitled, in addition to such other relief as may be granted in the arbitration, to a reasonable sum and for its attorney’s fees in such arbitration which shall be determined by the arbitrator. _____ initial

Should any arbitration be commenced between the parties to this Contract concerning said Premises, this Contract, or the rights and duties of either in the relation thereto, the prevailing party shall be entitled, in addition to such other relief as may be granted in the arbitration, to a reasonable sum and for its attorney’s fees in such arbitration which shall be determined by the arbitrator. _____ initial

Section 16. Governing Law

This agreement shall be governed and interpreted solely by the laws of the State of California. _____ initial

Section 17. Severability

Any provisions of this Agreement which shall prove to be invalid, void or illegal, shall in no way affect, impair or invalidate any other provision hereof and such provisions shall remain in full force and effect. _____ initial

Section 18. Public Liability and Property Damage

Licensee shall take out and maintain with respect to Licensee’s premises and any activities conducted thereon, at Licensee’s expense, Public Liability Insurance, with a combined single limit of One Million Dollars (\$1,000,000.00) per occurrence of Bodily Injury and Property Damage Liability insuring against all liability of Licensee and its authorized representatives arising out of and in connection with Licensee’s use or occupancy of the premises. _____ initial

All public liability and property damage insurance shall insure performance by Licensee of the indemnity of Section 10 and shall contain cross-liability endorsements. _____ initial

The policy is required to be obtained by Licensee pursuant to the provisions of this Section; shall be with a company and in policy whose form is satisfactory and acceptable to Holy Names University. The policy shall designate Holy Names University as an additional named insured. Licensee shall provide Holy Names University with a “certificate of liability insurance form” by the insurance company issuing the policy required, pursuant to the provisions of this Section. Said certificate shall provide that the insurance there under shall not be altered or cancelled until after ten (10) days written notice to Holy Names University. _____ initial

Section 19. Amendments

This Contract may be amended only in writing, signed by Holy Names University and Licensee. _____ initial

Section 20. Technical Services & Setups

a) Licensee shall submit to the Campus Services Office final requests for all technical services (i.e., sound and lighting technicians, stage hands, ushers, etc.), technical and audio-visual equipment, as well as completed, legible “Physical Set Up Diagram Form(s)”, **three (3) weeks prior to scheduled event.** _____ initial

Section 21. Entire Facility Rental Contract

This document includes all of the agreements, and supersedes all prior agreements, between the parties relating to the subject matter, and may be modified only by a Facility Rental Contract Addendum in writing signed by each of the parties.

_____ initial

IN WITNESS WHEREOF, said parties have set their hands as of the day and year set forth.

Holy Names University
3500 Mountain Boulevard
Oakland, California 94619
Telephone: 510-436-1508

East Bay Innovation Academy
3800 Mountain Boulevard
Oakland, CA 94619
Telephone: 510-577-9557

By _____
Luis Guerra, VP Facilities & Events

By _____

Date _____

Date _____

Attachment 1

Attestation Form

As Holy Names University plans more in-person activities on campus this fall semester, it has determined that requiring a COVID-19 vaccination for all students, staff, faculty and visitors will best protect the health and well-being of our campus community.

COVID-19 vaccines have been shown to significantly reduce the probability of contracting and spreading the COVID-19 virus. The vaccines also reduce the chance of serious illness for those who do contract the virus. According to the CDC, the vaccines have received and continue to undergo the most intensive safety monitoring in U.S. history.

As an organization requesting use of our facility, it is a requirement that all individuals coming to our campus be fully vaccinated. You are required to list all staff and students that are planning to attend campus 2 weeks prior to this visit. (see attached)

I _____ certify that all students and faculty names provided below are fully vaccinated. I understand that HNU periodically audits for compliance with this agreement and if it is discovered unvaccinated individuals are on campus the contract will be ended.

Attachment 2 Laboratory Safety Procedures

1. Wear protective goggles at all times in the laboratory.
2. Dress appropriately for the laboratory. Wear only shoes that completely cover the feet. Long hair should be tied back. Lab coats or aprons are recommended
3. Splashing and spilling are major concerns in the lab. However, working carefully and wearing proper personal protective equipment, i.e., goggles, gloves, proper shoes and attire will minimize the impact of any accidental splash.
4. Avoid skin contact with any chemicals. For minor "unwanted" exposure on skin, go to the nearest sink and flush the affected area with plenty of water. Be familiar with the location and operations of eye-wash and emergency shower in the lab. Use these emergency equipments in a "major" exposure.
3. Keep your bench top organized as you work. Put jackets, book bags, and personal belongings away from the work areas and walkways. Clean your working area before you leave the lab.
5. Broken glass can cut and cause injury. Know where the first aid kit is in the lab for treating minor cuts and burns. For a major injury, we will call for emergency medical attention.
6. Be careful when working with glass equipment, they can break. If it breaks, carefully sweep the debris with a brush and a dustpan, and dispose it in the broken glass receptacle.
7. Hot equipment can cause a serious burn. Be careful when handling hot equipment such as crucible, evaporating dish, etc. Always handling hot equipment with a tong or insulating glove.
8. Occasionally, we will use Bunsen burner in our experiments. When a burner is required, clear the bench top completely to limit unwanted fuel for the flame.
9. Familiarize the location and operation of the fire extinguisher in the lab. However, in case of a major fire (or a disaster, e.g., an earthquake), evacuate the lab calmly and orderly and call 911 for help.
10. Treat every reagent that you handle in the lab as a toxic substance, even though most of the substances that you work with in the lab are very mild and benign. Avoid

contact with skin, inhalation and ingestion of any substance. Read the label of all reagent bottle before used.

11. Always dispose of unused chemicals and waste exactly according to the directions of the instructor.
12. No eating or drinking in the laboratory.



EAST BAY INNOVATION ACADEMY (EBIA)

SCHOOL SAFETY PLAN

September 2022

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INTRODUCTION

East Bay Innovation Academy is committed to maintaining safe and secure campuses for all of its pupils and staff. To that end, this Comprehensive School Safety Plan covers the School's policies and expectations regarding the practices of each school in maintaining the security of the physical campus, responding appropriately to emergencies, increasing the safety and protection of students and staff, and creating a safe and orderly environment that is conducive to learning.

All school employees should receive training in the Comprehensive School Safety Plan upon joining the school, and should review any changes to the Plan annually.

The East Bay Innovation Academy's Comprehensive School Safety Plan is required by Education Code 32282-32289¹ to be reviewed and updated by March 1 annually and subsequently submitted for approval to the School Safety Planning Committee, as well as the Governing Board of Directors by April 30th. The contents of the CSSP should include at a minimum, information assessing the current status of school crime (Data about the safety of the campus, including disciplinary matters and/or crimes.) committed on the school campus and at school-related functions, strategies and programs that provide or maintain a high level of school safety, and procedures for complying with existing laws related to school safety. In addition, East Bay Innovation Academy leadership has compiled functional and operational documents and procedures to ensure safety at its campuses, making this a "one-stop shop" for safety protocols and documents.

¹ See CDE Website for [Compliance Tool for Comprehensive School Safety Plans](#)

The Comprehensive School Safety Plan was developed by a Safety Committee that includes leadership, parent, and staff representatives. This version of the safety plan was developed in the Fall of 2022.

The Comprehensive School Safety Plan was approved in a public meeting of the East Bay Innovation Academy’s Board of Directors on <> On <> the East Bay Innovation Academy’s Board of Directors heard public comment on the CSSP. The most recent plan was communicated to all stakeholders through the following means:

- Posted on the webpage as of <>
- Disseminated to all parents via “parentsquare” on <>
- Shared with the charter granting agency, OUSD on <>
- Disseminated to all staff members via mandatory staff meeting during March PD

2021-2022 total number of discipline referrals (not resulting in suspension or expulsion) as of June 30, 2022

Fighting or aggression	0
Theft	0
Cheating	0
Disruption or defiance	0
Others	0

Attendance rates/SARB data

School Year	Attendance Rate
2017-2018	
2018-2019	
2019-2020	
2020-2021	
2021-2022	

Suspension/Expulsion data

School Year	Suspension rate	Expulsion rate
2017-2018		
2018-2019		
2019-2020		
2020-2021		
2021-2022		

CAMPUS SAFETY AND SECURITY

ENTRANCES & EXITS

The Head of School and COO & CFO should develop procedures so that students, staff, parents and community members can enter and exit the building in a safe and orderly way, and that the building is secure from unauthorized entry during non-school hours, as follows:

- Designating individuals to lock the school building and/or grounds when not in use
- Training school staff members to maintain the security of the building when working during non-regular working hours (e.g. not propping doors open, re-securing the building after leaving)
- Maintaining a practice of locking doors that are not being regularly used, even during school hours
- Posting signs requesting that visitors sign in at the main office
- Establishing a culture in which any adults without a visitor or staff badge and any children not enrolled at the school are escorted immediately to the main office
- Periodically testing the security system according to the manufacturer or vendor instructions, to ensure it is functioning
- Creating a dismissal plan and student pick-up traffic plan to avoid congestion of the parking lot and local streets, and to prevent students from crossing traffic unnecessarily

DROP-OFF/PICK-UP PROCEDURES

The Lower School begins at 9:00 a.m. and dismissal time is 3:30 p.m. daily. The Upper School begins at 8:30 a.m. and dismissal time is 3:45 p.m. Light supervision is provided prior to 8:00 a.m. Please pick students up within ten (10) minutes of dismissal. If class is being conducted at an off-campus site, students not picked up within ten (10) minutes of dismissal will be returned to the school site.

Lower School:

Wanting to be good neighbors in our Lower School community and responsible safe keepers of our students, we ask that parents/guardians either **park on Malcolm Ave.** to drop-off or pick-up students **OR** enter the driveway and **move** in a **counter-clockwise** direction in the turn-about. Cars **MAY NOT** park in the turn-about, as indicated by the red painted curb. **Cars should stop for no more than thirty (30) seconds in the turnabout so that traffic may flow.** Turning left onto Malcolm Ave. when exiting the school is not recommended, as cars traveling up the street do not have a lasting, clear view of the driveway. We recommend turning right when exiting the driveway. Parents/guardians needing to meet with EBIA staff should park on Malcolm Ave. Unless disabled and displaying a placard, parents/guardians may not use the parking lot on campus, as those spaces are designated for staff use only.

Upper School:

We ask that parents/guardians enter the driveway and move in a counter-clockwise direction in the turn-about, or park in the front lot. Cars should stop for **no more than thirty (30) seconds** in the turn-about so that traffic may flow. Parents/Guardians needing to meet with EBIA staff should park in the designated spaces next to the driveway. Students are required to park in the upper lot near the gym.

LATE PICK UP POLICY

EBIA is committed to providing a safe campus for all students. When students are left on school property after the close of school hours, EBIA will follow certain steps to ensure students are safe until their parents/guardians come to pick them up. In the event students are left on campus after school hours, EBIA staff will:

- Notify the Principal or designee immediately.
- Attempt to reach parents/guardians through the phone number provided to the School by parents/guardians at the

beginning of the year. This may include contacting any emergency contact(s) listed for the student.

- Bring students into the lobby of the building. Parents/guardians will be asked to come into the building to pick up their student. Students must remain on site until an adult comes to retrieve the student.
- Notify the Principal or designee within forty-five (45) minutes following the close of business if there is a possibility that law enforcement may be called to assist the student.
- As a last resort, at sixty (60) minutes after the close of business, EBIA may contact law enforcement and/or child welfare services who may remove the student and may assume responsibility for the student until the parent/guardian retrieves the student.

EBIA understands unforeseen circumstances can occur. Should a late pick-up be likely, please inform the main office at 510-577-9557. Five (5) or more late pick-ups during a school year may result in a meeting with school administration.

RIDESHARING SERVICES

As per state and federal law, ridesharing services like Lyft and Uber are forbidden for unaccompanied minors (under the age of 18) unless the service explicitly states that its drivers are qualified to transport an unaccompanied minor. If your student uses ridesharing services to get to and from school, you may consider using services like HopSkipDrive or Zum and ensure that the driver is qualified to transport minors. EBIA does not assume responsibility for the safety of students whose parents elect to privately contract with a transportation service.

VISITORS POLICY

The School encourages interested members of the community to visit our schools. To avoid potential disruptions to learning, to provide visitors with the information they need, and for the safety of students and staff, ALL visitors should register immediately upon entering any school building or grounds.

Visitors shall sign in at the beginning of their visit, receive a visitor badge, and sign out at the end of their visit. Students from other schools as well as students who have ended their school day are not to be on campus unless accompanied by parents/guardians or with the permission of the site administrator.

In registering as a visitor, the sign-in form should include spaces for the following information

- Name;
- His/her purpose for entering school grounds;
- Destination within the school
- Time in and out

At his/her discretion, the Head of School, COO & CFO, Office Manager or designee may also request

- proof of identity
- address
- occupation and company affiliation
- age (if less than 21); and any other information consistent with law.

Parents and guardians visiting during the school day for any purpose other than picking up at or dropping off a child at the beginning or end of the school day as part of the normal school day schedule should also be requested to sign into the visitor log. This applies to parents and guardians who are picking up a student early (e.g. for a medical reason) or dropping off a student late (e.g. tardy), as well as parents and guardians who are on campus to volunteer in their child's classroom. If observing instruction, teacher will be notified and administrator will escort parents/guardians to the classroom.

School employees should follow normal check-in procedures upon arrival for work and should wear badges signifying that they are School employees.

Students not enrolled at the school who wish to use the school grounds for recreation during the school day are, at the discretion of the Office Manager, also subject to the School's visitor policy.

The Office Manager or designee may refuse to register any visitor if he or she reasonably concludes that the visitor's/outsider's presence would disrupt the school, students or employees, would result in damage to property, or would result in the distribution or use of a controlled substance. (Penal Code 627.4).

The Office Manager or designee may request that a visitor/outsider who has failed to register, or whose registration privileges have been denied or revoked, to promptly leave school grounds. If necessary, the Office Manager or designee may call the local police to enforce the departure of the visitor/outsider. When a visitor/outsider is directed to leave, the Head of School or designee shall inform the visitor/outsider that if he or she reenters the school within seven (7) days, he or she will be guilty of a misdemeanor and subject to a fine and/or imprisonment. (Penal Code 627.7).

All schools shall inform parents annually about the school's policies regarding visitors/outsiders, and remind parents that to maximize safety and security they should also register when visiting the school.

This visitor/outsider policy is subject to the further terms and conditions contained in The School's Registered Sex Offender Policy, set forth below.

FINGERPRINTING POLICY

For the protection of students, California State law requires criminal background checks for all public school employees, as well as any individual working alone with minors in a school setting. All employees' fingerprints who fall into the above categories run through the Federal Bureau of Investigations (FBI) and/or Department of Justice (DOJ) databases.

WHO SHOULD BE FINGERPRINTED

All new school site employees must be fingerprinted and cleared before they begin working independently with minors. Individuals who were previously fingerprinted when they worked in another school district must be

fingerprinted again to ensure that The School is notified if the person subsequently commits a felony or misdemeanor.

In addition, any volunteers who have the occasion to be alone with a pupil while not in the presence of a School employee must receive fingerprint clearance prior to volunteering on campus. Volunteers do not have to be fingerprinted only if they are working under the direct and continual supervision of a school employee in the same room, and will have no occasion to be alone with a pupil. This policy also applies to parents/guardians of students who volunteer at the school and may have the occasion to be alone with a pupil other than their own child.

The actual background check depends on the individual's residency history. If the individual has resided in the state of California for more than 5 years, only DOJ check is required. If the individual has resided in the state of California for less than 5 years, DOJ and FBI checks are both required.

Note that most DOJ background checks take less than seven days, sometimes more. FBI background checks take considerably longer. Individuals who wish to work or volunteer at the School should plan to get fingerprinted as quickly as possible to avoid delays in commencing work or volunteer activities.

REGISTERED SEX OFFENDER POLICY

For the protection of pupils while they are traveling to and from school, attending school, or at a school-related activity, Directors and their designees should respond appropriately when apprised of information that a registered sex offender resides or works within two (2) miles of the School, or otherwise may be likely to attempt to visit the School for any reason whatsoever.

In accordance with "Megan's Law", the Head of School or designee shall notify parents/guardians annually of the availability of the CD-ROM from local law enforcement regarding registered sex offenders, and recommend that they utilize the information contained on the disk, and that information about registered sex offenders may be obtained from the California Attorney General's Megan's Law website, found at <http://meganslaw.ca.gov>, (Penal Code 290.4 and Parra Act), subject to the disclaimer found on said website.

The School and its employees shall be immune from liability for the good faith dissemination of sex offender information so long as the dissemination is in the manner and to the extent authorized by law. (Penal Code 290).

When a school has received information about a registered sex offender from any source, the Head of School or designee may, on a case-by-case basis, notify staff, including but not limited to, bus drivers, staff who may be involved in visitor/outsider registration, and teachers. If the Head of School or designee informs any staff member of the information about a registered sex offender, the Head of School or designee shall also inform the staff member of the following:

- a) The school will share public registered sex offender information with staff members to assist in identifying a danger;
- b) Any person who uses registered sex offender information to commit a felony will be subject to criminal penalties; and
- c) Staff is not permitted to notify any parents or any other members of the community of any information received pursuant to this policy without the written permission of the Head of School Or designee.

If a suspected registered sex offender is seen on or nearby school grounds, and is not a parent or guardian of a pupil at the school, staff members shall immediately inform the Head of School or designee. When the Head of School or designee receives information that a suspected registered sex offender may be on or nearby school grounds or around any pupil, he or she will determine whether the suspected registered sex offender has received written permission for the entry onto school grounds, is a parent or guardian of a pupil at the school, and if possible, is actually a registered sex offender. Any such registered sex offender who does not have written permission for the entry onto school grounds or is not a parent or guardian of a pupil attending the school will be promptly directed to leave by the Head of School, who will notify law enforcement immediately. Law enforcement will determine if the registered sex offender is in violation of parole or probation conditions.

If a school learns or is notified that a registered sex offender is a parent/guardian of one or more pupils who attend the school, the Head of School or designee should attempt to schedule a meeting with the parent/guardian for the following purposes:

- a) To establish a positive, cooperative working relationship to the extent possible;

- b) To discuss the incident(s) leading to the registration requirement, (the School recognizes that the parent/guardian is not required to discuss any criminal or personal history with representatives of the School);
- c) To explain the limitations placed upon the parent's/guardian's participation in school programs, activities or visits, as specified in this policy;
- d) To advise the parent/guardian that the regulations limiting his/her access to children at school will be strictly enforced with the assistance of law enforcement personnel, if required;
- e) To develop joint strategies with the parent/guardian for "normalizing" the educational experience of his/her children to the fullest extent possible; and
- f) To be advised of any judicial restraining orders or conditions of probation or parole that may limit the parent's/guardian's ability to participate in school activities.

This meeting shall be held on school grounds unless there is a concern for the safety or welfare of pupils or staff, and in that event, it may be held at a location within the Head of School's or designee's discretion. If this meeting with the parent is not held, the Head of School or designee shall notify the parent/guardian in writing of the information contained in this policy. The School recognizes the following rights of the parent/guardian to participate in his/her child's education:

- a) To transport his/her child to and from school;
- b) To attend regularly scheduled parent conferences with the teacher, Head of School or other school official; and
- c) To attend a regularly scheduled school program or activity in which their child is a participant.

The parent/guardian may not extend their presence at school beyond what is reasonable to exercise the aforesaid parental rights, and to that end, a registered sex offender shall not:

- a) Serve as a school or class volunteer;

- b) Act as a chaperone on a school field trip;
- c) Be in the presence of children for any reason other than for the parent rights stated herein; and
- d) Make individual contact with any student other than his/her own while at school or during a school activity.

Staff shall provide observation and/or supervision of a parent/guardian registered sex offender who is visiting a school or participating in a school activity defined herein.

When a parent/guardian is a registered sex offender, the school will make an effort to preserve the confidentiality of information obtained pursuant to the Megan's Law notification process to the fullest degree possible. School officials may share relevant information with employees as needed but will not share the information with unauthorized employees, other parents or with the community at large. In order to avoid a breach of confidentiality, copies of forms, materials or information distributed or used in connection with the implementation of this policy should be collected and/or destroyed. Under no circumstances is it appropriate to post notices, photographs, or the identity of a parent/guardian registered sex offender on school bulletin boards.

All schools shall inform parents annually about the existence of this policy regarding registered sex offenders. All schools shall cooperate to the fullest extent possible with local law enforcement for receiving, communicating and disseminating information concerning registered sex offenders.

NOTE: Pursuant to Penal Code 290(q), any person who uses registered sex offender information to commit a felony will receive a five-year state prison term; any person who uses registered sex offender information to commit a misdemeanor will be fined at least \$500 and not more than \$1000.

EMERGENCY PREPAREDNESS

The Office Manager should have emergency preparedness procedures readily on hand, including a list of up to date emergency contact numbers. This information should be discussed and disseminated before school starts, ideally at an all school staff meeting just when the teachers return to duty.

DRILLS

It is the COO & CFO's responsibility to schedule emergency drills throughout the year, and record the date and time of each drill. The Office Manager may be asked to help out. Those drills are:

- Fire Drill: **At least once per month**, a fire drill should be conducted in which all pupils, teachers, and other employees are required to vacate the building.
- Earthquake Duck & Cover Drill: This drill should be performed **four (4) times per school year**.

DISASTER PLANS

Introduction

These procedures lay out the basic steps of action to take in the case of the following emergencies:

- Fire
- Earthquake
- Active Shooter
- Lockdown
- Shelter in Place
- Other potential scenarios

In addition, this section includes EBIA's Standard Emergency Management System (SEMS) plan, roles, and responsibilities

Annually and on an on-going basis, the Executive Director, in collaboration with the Director of Upper School and Director of Lower School will:

- Assign staff to the Safety Team, and ensure that the list is updated regularly.
- Ensure evacuation maps specific to the school site in each and every classroom and office room by the door, as well as by each fire extinguisher and fire exits, are exhibited.
- Ensure all staff - including after school staff and night staff - are informed of these procedures and have access to all emergency supplies.

- Ensure adequate training in these procedures for all staff.
- Schedule, conduct, and learn from semi-annual practice drills for evacuation, earthquake, active shooter, lockdown, and shelter in place.
- Inform parents of emergency/disaster procedures, as well as reunification procedures.

Use of Incident Command System

In alignment with CDE Recommendations, EBIA will use an Incident Command System (ICS) to manage all emergencies within the school. Planning and preparation for each kind of emergency will help staff learn proper courses of action in an emergency, but this plan cannot foresee all possible circumstances in an emergency. Therefore, all staff must be prepared to evaluate all circumstances and make sound judgements based on the situation.

Employees as Disaster Service Workers

In accordance with California law, each employee at EBIA is considered a Disaster Service Worker, requiring them to be prepared to stay on the campus to care for students for up to 72 hours. If necessary, employees are subject to disaster service activities as assigned to them by their supervisor.

Use of Facilities in an Emergency

Education Code section 32282(a)(2)(B)(ii) states that school officials may be required to grant use of facilities, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or emergencies that affect public health.

Safety Team

This team is responsible for managing emergencies. The Site Director (Principal) is the Incident Commander.

Name	Role
Malcolm Avenue	
Mick Terrizzi / or Designee	Principal
Ernesto Diaz / or Designee	Dean of Students
	Office Assistant
Mountain Blvd	
Rodolfo Ornelas / or Designee	Principal

Mike Calhoun / or Designee	Dean Of Students
	Office Assistant

FIRE

FIRE	
The fire protocol is used when there is an active or suspected fire or the alarm is set off. The fire protocol will be used even if it is known to be a false alarm.	
Step 1 Fire Alarm	<ul style="list-style-type: none"> If there is a fire and the alarm has not been set off, any member witnessing the fire may initiate the fire alarm.
Step 2 Announcement Or Alarm Sounding	<ul style="list-style-type: none"> A Safety Team Member will announce via classroom radios and #lowschool or #upperschool <i>“Attention please, leave the building. Evacuate the building. Leave the building. Evacuate the building and listen for further instructions.”</i>
Step 3 Open SLACK app & Get Backpacks	<ul style="list-style-type: none"> Tune into #emergency SLACK channel Classroom teachers to take Emergency Backpack and Emergency Contact Roster
Step 4 Evacuate	<ul style="list-style-type: none"> Staff and students will evacuate the building in a quiet and orderly fashion using emergency exit routes. We will meet at the Emergency Meeting Area: <ul style="list-style-type: none"> 3400 Malcolm Ave. 3800 Mountain Blvd. The Safety Team will ensure all classrooms, hallways, cafeteria, kitchen, restrooms and offices are empty. The Safety Team will search for any missing students and staff. Assign floors and areas of the building among the Safety Team of each building.
Step 5 Take Roll	<ul style="list-style-type: none"> Once you arrive at the Emergency Meeting Area, classroom teachers take roll. Teacher reports missing students to Safety Team via SLACK #emergency channel Stay in the meeting area for further instruction.
Step 6 Further Instructions & Return	<ul style="list-style-type: none"> Await further instructions from the Fire Department
Step 7 Safety Team Debrief	<ul style="list-style-type: none"> After the emergency is all clear, the Safety Team huddles for debrief. All other staff resume normal operations.
Step 8 Communications	<ul style="list-style-type: none"> The Executive Director will draft and send communications to all staff and families regarding the nature of the emergency and response.

EARTHQUAKE

EARTHQUAKE	
The earthquake protocol is initiated at the onset of an earthquake. Do not wait for an announcement to begin the protocol.	
Step 1 Announcement	<ul style="list-style-type: none"> At the onset of an earthquake, a Safety Team Member will announce via Radio AND #emergency SLACK <i>"Earthquake. Duck, cover and hold Earthquake. Duck,cover and hold. Earthquake. Duck,cover. and hold"</i> Staff should instruct students to take cover, and do so themselves even if they do not hear the announcement.
Step 2 Immediate response	<p>If indoors...</p> <ul style="list-style-type: none"> Turn away from windows, suspended objects or outside walls Drop to the floor, take cover under a desk, table or against an interior wall. Make your body as small as possible; cover head and neck while protecting the chest. Hold position until the ground stops shaking or the Safety Team has announced over radios to begin Evacuation. If an aftershock occurs while you are exiting the building, "Drop, Cover and Hold On" until the shaking stops. <p>If outdoors...</p> <ul style="list-style-type: none"> Teachers get to a clear space (away from buildings, poles, overhead wires and other tall objects) call out to student, "Duck and cover" Students drop to ground, cover head and neck with arms. Watch for dangers that may demand movement. Be prepared to duck and cover again due to aftershocks. Hold position until the ground stops shaking or the Safety Team has announced over radios to begin Evacuation.
Step 3 Open SLACK app & Get backpacks	<ul style="list-style-type: none"> Tune into #emergency SLACK channel Classroom teachers to take Emergency Backpack and Emergency Contact Roster
Step 4 Evacuate	<ul style="list-style-type: none"> Staff and students will evacuate the building in a quiet and orderly fashion using emergency exit routes. We will meet at the Emergency Meeting Area: <ul style="list-style-type: none"> See Maps below The Safety Team will ensure all classrooms, hallways, cafeteria, kitchen, restrooms and offices are empty. The Safety Team will search for any missing students and staff. Assign floors and areas of building among Safety Team of each building.
Step 5 Take Roll	<ul style="list-style-type: none"> Once you arrive at the Emergency Meeting Area, classroom teachers take roll. Teacher reports missing students to Safety Team via SLACK #emergency channel Stay in the meeting area for further instruction.
Step 6 Further Instructions & Return	<p>If there is minimal damage:</p> <ul style="list-style-type: none"> The Safety Team will announce <i>"All clear. All Clear. Please return to your normal activity."</i> Staff and students will return to classrooms in a quiet and orderly fashion.

	<p>If there is damage to the campus:</p> <ul style="list-style-type: none"> • The Safety Team will enact the Reunification Plan at the site of evacuation, or where a Law Enforcement Agency indicates.
Step 7 Safety Team Debrief	<ul style="list-style-type: none"> • After the emergency is all clear, the Safety Team huddles for debrief. • All other staff resume normal operations.
Step 8 Communications	<ul style="list-style-type: none"> • The Executive Director will draft and send communications to all staff and families regarding the nature of the emergency and response.

FLOOD / SEVERE WEATHER

Warnings of severe weather are usually received via public radio or the State Warning Center. If time and conditions permit, students may be sent home. However, if the weather conditions develop during school hours, without sufficient warning, students should be held at school.

The Head of School or COO & CFO will assess the situation and make an announcement over the PA or megaphone to A) evacuate, B) stay in classes or C) release students to go home.

See emergency procedures previously described for evacuation directions.

ELECTRICAL FAILURE

1. Office Manager notifies property owner and PG&E.
2. Office staff and classroom teachers turn off computers and other equipment that might be damaged by a power surge when the service is restored

GAS LINE BREAK

1. Office Manager notifies property owner and PG&E.
2. Office Manager notify the Fire Department.
3. Staff to follow the emergency procedures previously described.

WATER LINE BREAK

1. Office Manager notifies the property owner and the East Bay MUD.
2. Custodian shuts off water.
3. Office Manager notifies the police.
4. Head of School or COO & CFO determines if it is necessary to follow the emergency procedures on page 6 to evacuate students and staff.

WATER CONTAMINATION

1. Instruct teachers to move students away from drinking fountains and sinks.
2. Notify property owner and East Bay MUD headquarters.
3. Have custodian turn off pressure to drinking fountains and sinks.

CHEMICAL SPILL/ INCIDENT

If Indoors:

1. Block or rope off area – DO NOT TOUCH ANYTHING.
2. Evacuate room and TURN OFF air conditioning system.
3. Notify school office and Head Custodian of the incident - contact 911 if necessary.
4. Head Custodian should check for chemical safety data to determine clean up procedure.

If Outdoors:

1. Upon hearing of a chemical leak (usually from the fire department or other city office) the Office Manager will determine if students should be evacuated.
2. Move away from buildings, poles and overhead wires.
3. Close doors and windows and TURN OFF air conditioning system.
4. If it is necessary to leave the site, move crosswind, never more directly with or against the wind which may carry fumes.

5. Give first aid.
6. Staff to follow the emergency procedures previously described.

LOCKDOWN/ SHOOTING INCIDENT

ACTIVE SHOOTER / LOCKDOWN	
An active shooter protocol is used when there is an immediate threat of shooting on the campus. An active shooter protocol can be initiated by anyone in the building.	
Step 1 Announcement	<ul style="list-style-type: none"> If an active shooter is identified, immediate announcements will be heard via Radio, AND #emergency SLACK: <i>“Lockdown. This is a lockdown. Lockdown. There is an active shooter on campus. Lockdown. All students and staff lockdown.”</i>
Step 2 (In real situation only) Call 911	<ul style="list-style-type: none"> At minimum, Administrative staff to call 911 immediately and inform the operator that there is an active shooter or intruder in or around the school. If in doubt that a 911 call was made, make one.
Step 3 Enter a lockdown location	<ul style="list-style-type: none"> In the case of a shooting or suspected intruder, the first priority is to shelter students and staff. If you are... <ul style="list-style-type: none"> Outside of your classroom: bring students into the nearest classroom In the cafeteria: move to the nearest classroom. In the hallway: proceed to the nearest classroom Classroom teachers should quickly glance outside the room and direct any students or staff into your room.
Step 4 Open SLACK channel & Prepare the classroom	<ul style="list-style-type: none"> Open up #emergency channel on SLACK Close and lock doors. Close and lock windows and shut the blinds. Turn off all the lights. Keep the room quiet.
Step 5 Hide	<ul style="list-style-type: none"> Direct students to hide in the classroom. Determine whether ducking quietly under their desks (“duck and cover”) or sitting along a wall or in a closet is the best location to hide. Move away from windows, try not to be visible from outside.
Step 6 Take roll	<ul style="list-style-type: none"> Teacher Takes attendance VISUALLY Report missing students via SLACK to alert the Safety Team if you have students missing from your classroom.
Step 7 Release the room	<ul style="list-style-type: none"> All three credentials must be satisfied before unlocking the door from the inside. <ul style="list-style-type: none"> Credential 1: Door communication Safety Team will knock on the door with a pre-set pattern (i.e. “Knock-, knock-, knock knock knock”) Credentials 2: SLACK communication Safety Team will notify rooms if they are clear to unlock the room via SLACK (“Room 1, This is (insert admin name), all clear to unlock the door.”) Credential 3: Paper communication <ul style="list-style-type: none"> Safety Team will slide a piece of paper that states “ALL CLEAR” under the door from outside the classroom to the inside.

	<ul style="list-style-type: none"> ■ Staff inside classroom will have to slide a piece of paper that says “READY” under the door to the outside of the classroom in response as the confirmation of receiving the true release order. Do not slide the paper back if the intruder is inside the room. The “READY” paper is usually in the emergency folder hanging near the door. ● When all three credentials are cleared, you will hear the Safety Team member say “Thank you, you can safely unlock your room.” You can open the door then.
Step 8 School-wide clearance	<ul style="list-style-type: none"> ● Please ask students to stay in hiding positions and stay quiet until all classrooms are cleared, when you hear the announcement via Radio and #emergency SLACK: <i>“The school is all cleared. You can return to normal activities.”</i>
Step 9 (In real situation only) Evacuation & Reunification	<ul style="list-style-type: none"> ● In a real active shooting situation, the police or Safety Team may make an evacuation announcement. If so, evacuate to the evacuation point. ● In some situations, the police or Safety Team may initiate a reunification process for students to reunite with their families.
Step 10 Safety Team Debrief	<ul style="list-style-type: none"> ● After emergency is all clear, Safety Team huddles for debrief ● The safety team plans for and executes any necessary counseling or group debriefs.
Step 11 Communications	<ul style="list-style-type: none"> ● The Executive Director will draft and send communications to all staff and families regarding the nature of the emergency and response.

SHELTER IN PLACE	
Shelter in Place is used when there may be a threat outside the school campus, such as police activity or toxic air. Students are not locked down in their classrooms and may move throughout the building - they just may not go outside until given permission.	
Step 1 Announcement	<ul style="list-style-type: none"> ● If the need for a “Shelter in Place” is identified, immediate announcements will be heard via Radio #emergency SLACK: <i>“We are experiencing <fill in the blank>. Because of <fill in the blank>, we are going into a shelter in place. Students and staff must remain indoors until all clear. Teachers please take attendance and report missing students immediately.”</i>
Step 2 Go or remain indoors	<ul style="list-style-type: none"> ● During a shelter in place, the first priority is to shelter students and staff. If students are outdoors or in the cafeteria, return to their homeroom classrooms. ● In the case of police activity in the area, safety team will lock perimeter doors.
Step 3 Take roll	<ul style="list-style-type: none"> ● Once you arrive at the Emergency Meeting Area, classroom teachers take roll. ● Teacher reports missing students to Safety Team via SLACK #emergency channel ● Stay in the meeting area for further instruction. ● Report missing students to Safety Team via SLACK #emergency channel
Step 4	<ul style="list-style-type: none"> ● Students and staff may walk within a building but not go outside.

Await further instruction	<ul style="list-style-type: none"> • Normal activities may take place inside
Step 5 School-wide clearance	<ul style="list-style-type: none"> • The shelter in place is over when you hear the announcement via Radio, via SLACK #emergency channel group chat: <i>"The school is all cleared. You can return to normal activities."</i>
Step 6 (In real situation only) Evacuation & Reunification	<ul style="list-style-type: none"> • In a real active shooting situation, the police or Safety Team may make an evacuation announcement. If so, evacuate to the evacuation point. • In some situations, the police or Safety Team may initiate a reunification process for students to reunite with their families.
Step 7 Safety Team Debrief	<ul style="list-style-type: none"> • After emergency is all clear, Safety Team huddles for debrief
Step 8 Communications	<ul style="list-style-type: none"> • The Executive Director will draft and send communications to all staff and families regarding the nature of the emergency and response.

BOMB THREAT

BOMB THREAT BY MAIL, EMAIL, PHONE CALL, OR OTHER COMMUNICATION METHOD	
This protocol is used when a bomb threat is reported, but no suspicious object has been found.	
Step 1 Answer the call	<ul style="list-style-type: none"> ● Notify Administrative Staff immediately <ul style="list-style-type: none"> ○ Charles Noel charlie.noel@eastbayia.org ● Try to maintain the caller on the line and obtain information from the caller such as where the bomb is, where it is set to explode, what it looks like, what kind of bomb it is, why it is there and who the caller is. Note any identifying features about the caller (i.e. gender, speech patterns, background noise, identifying location).
Step 2 Call 911	<ul style="list-style-type: none"> ● Administrative staff to call 911 immediately and inform the operator that there is a current bomb threat on another phone line and provide the number of the line.
Step 3 Team Touchbase	<ul style="list-style-type: none"> ● Immediately gather the Safety Team ● Make quick discussion based on the information from the call and decide <ul style="list-style-type: none"> ○ Whether the students should duck and cover ○ How to evacuate students in the area where the bomb is claimed to be at ○ Whether we should evacuate all students ○ Other response plan impacted by the bomb threat information
Step 4 Announcement	<ul style="list-style-type: none"> ● Safety Team staff will make announcements as soon as possible over the phone speaker, with the signal <ul style="list-style-type: none"> ○ If duck and cover: <i>“Emergency. Duck and Cover. Emergency. Duck and Cover.”</i> ○ If evacuated: <i>“Emergency. Leave the building. Evacuate the building. Emergency. Leave the building. Evacuate the building.”</i> ○ If other instructions are more appropriate, make announcements accordingly.
Step 5 Cover/Evacuate	<ul style="list-style-type: none"> ● Tune into #emergency channel via SLACK. ● Classroom teachers to take Emergency Backpack and Emergency Contact Roster ● Based on the announcement, duck and cover or evacuate using same order and routes as fire/earthquake
Step 6 Take roll	<ul style="list-style-type: none"> ● Once you arrive at the Emergency Meeting Area, classroom teachers take roll. ● Teacher reports missing students to Safety Team via SLACK #emergency channel ● Stay in the meeting area for further instruction. ●
Step 7 Safety Team Search	<ul style="list-style-type: none"> ● Before emergency crews are on campus, do not search for any bomb, or explosive. ● Search only for people who should be evacuated.
Step 8	<ul style="list-style-type: none"> ● Do not resume school activities until the Safety Team announces <i>“All clear. All Clear. Please return to your normal activity.”</i>

Further instructions & Return	<ul style="list-style-type: none"> ● If deemed necessary, the Safety Team will enact the Reunification Plan at the site of evacuation, or where a Law Enforcement Agency indicates.
Step 9 Safety Team Debrief	<ul style="list-style-type: none"> ● After emergency is all clear, Safety Team huddles for debrief
Step 10 Communications	<ul style="list-style-type: none"> ● The Executive Director will draft and send communications to all staff and families regarding the nature of the emergency and response.

BOMB THREAT BY IDENTIFICATION OF A SUSPICIOUS OBJECT

This protocol is used when a suspicious object has been found.

Step 1 Discover the object	<ul style="list-style-type: none"> ● Notify Administrative Staff immediately <ul style="list-style-type: none"> ○ Charles Noel charlie.noel@eastbayia.org ● Do not touch the object but note any identifying features to describe it to the Safety Team and Emergency crews (Fire Department or Police Department) ● Keep students away from the vicinity of the suspicious object
Step 2 Call 911	<ul style="list-style-type: none"> ● Administrative staff to call 911 immediately and inform the operator that there is a current bomb threat.
Step 3 Team Touchbase	<ul style="list-style-type: none"> ● Immediately gather the Safety Team ● Make quick discussion based on the information <ul style="list-style-type: none"> ○ Whether the students should duck and cover ○ How to evacuate students in the area where the bomb is claimed to be at ○ Whether we should evacuate all students ○ Other response plan impacted by the bomb threat information
Step 4 Announcement	<ul style="list-style-type: none"> ● Safety Team staff will make announcements as soon as possible over the phone speaker, with the signal <ul style="list-style-type: none"> ○ If duck and cover: <i>“Emergency. Duck and Cover. Emergency. Duck and Cover.”</i> ○ If evacuated: <i>“Emergency. Leave the building. Evacuate the building. Emergency. Leave the building. Evacuate the building.”</i> ○ If other instructions are more appropriate, announce accordingly.
Step 5 Cover/Evacuate	<ul style="list-style-type: none"> ● Tune into #emergency channel via SLACK. ● Classroom teachers to take Emergency Backpack and Emergency Contact Roster ● Based on the announcement, duck and cover or evacuate using same order and routes as fire/earthquake
Step 6 Take roll	<ul style="list-style-type: none"> ● Once you arrive at the Emergency Meeting Area, classroom teachers take roll. ● Teacher reports missing students to Safety Team via SLACK #emergency channel ● Stay in the meeting area for further instruction.
Step 7	<ul style="list-style-type: none"> ● Before emergency crews are on campus, do not search for any bomb, or explosive.

Safety team search	<ul style="list-style-type: none"> • Search only for people who should be evacuated.
Step 8 Further instructions & Return	<ul style="list-style-type: none"> • Do not resume school activities until the Safety Team announces <i>"All clear. All Clear. Please return to your normal activity."</i> • If deemed necessary, the Safety Team will enact the Reunification Plan at the site of evacuation, or where a Law Enforcement Agency indicates.
Step 9 Safety Team Debrief	<ul style="list-style-type: none"> • After emergency is all clear, Safety Team huddles for debrief.
Step 10 Communications	<ul style="list-style-type: none"> • The Executive Director will draft and send communications to all staff and families regarding the nature of the emergency and response.

DEATH/SUICIDE

1. Office Manager will be notified in the event of a death or suicide on campus.
2. Assigned person(s) will phone 911.
3. Office Manager will notify teachers to keep students in their classrooms until informed otherwise.
4. Assigned person(s) will control and organize media.
5. Assigned person(s) will notify relatives where the victim(s) have been taken and not divulge unnecessary details.
6. Assigned person(s) will ensure that counseling services are available as soon as possible.

INTRUDERS / VICIOUS ANIMALS

1. Head of School, COO & CFO, or the office staff will check out the situation and take appropriate action (i.e., contact Police or animal control agency).
2. Administration should initiate a code to alert staff of a potential suspicious intruder.
3. Keep the students in the classroom until the threat is cleared.
4. Implement shelter in place if necessary; lock classroom doors and windows, move away from windows, draw curtains, remain silent.

5. Notify office of who is with you, if possible.
6. All students outside of the building are to be quietly and cautiously led into the building.
7. Wait for further instructions from administration and/or police/animal agency.

EMERGENCY STUDENT RELEASE PROCEDURES

1. EBIA will keep and care for all students in an emergency situation (such as loss of electrical power, wind/rain storms, earthquakes, etc.) until the end of the school day or longer if the emergency dictates.
2. Should conditions exist that make transportation impossible, students will be kept at school until the parent, guardian or an authorized adult comes to check the student out of school. In such conditions it is expected that parents/authorized adults will come as soon as possible to pick up their student(s).
3. If electrical power has not been disrupted, only high school parents/legal guardians may have their student(s) released, as per normal absence/release procedures.
4. In all situations, the Head of School or COO & CFO may make other decisions dependent on the type of emergency. During any community-wide emergency, please listen to the radio for pertinent information.
5. Those who arrive during an emergency to check a student out of school will go through the designated release procedures: typically the school will record the time, student's name, and the name of adult to whom the student is being released and address or destination.

IF THE EMERGENCY SITUATION DOES NOT EXTEND BEYOND NORMAL SCHOOL HOURS, STUDENTS WILL BE RELEASED AS USUAL AT THE END OF THE SCHOOL DAY.

EMERGENCY EVACUATION PROCEDURES FOR SAFE INGRESS AND EGRESS

Beyond planning for daily ingress/egress routes and emergency evacuation routes, schools must plan for assisting students, staff and visitors with disabilities. Under the Americans with Disabilities Act of 1990, individuals who are deaf/hard of hearing, blind/partially sighted, mobility impaired and/or cognitively/emotionally impaired must be assisted.

A. Considerations for Planning for People with Disabilities:

1. Identify the population of people with disabilities
2. Students with disabilities are located in self-contained SDC and SH classrooms
3. There are certified teachers and paraprofessionals trained to assist students with disabilities
4. Determine proper signage and equipment
5. The facility has been reviewed and certified by the school district's department of buildings and grounds
6. The facility is reviewed for proper signage and equipment on a yearly basis

B. Assigned Staff Trainers for Assisting Individuals With Disabilities

Name	Title
Ernesto Diaz	Lower School Dean
Michael Calhoun	Upper School Dean

On-Campus Evacuation/Assembly Location

[3400 Malcolm Ave \(Marshall Campus\)](#)

[3800 Mountain Blvd. \(GGA Campus\)](#)

Emergency Phone Numbers

Entity	Number
Emergency	911
Oakland Police Department	510-777-3211
Oakland Fire Department	510-444-1616
American Red Cross	510-595-4400
Oakland Office of Emergency Services	510-238-3938
Summit Medical Center Emergency Department	510-869-8700
Highland Hospital Emergency/Trauma Department	510-437-4559
Kaiser Oakland Hospital	510-752-1000
Pacific Gas And Electric	800-743-5000
Ebmud Water	510-835-3000
Alameda County, Poison Center	800-222-1222
Office of Environmental Health Hazard Assessment	916-323-2514
OUSD - Emergency Preparedness	510-879-3670 (office)
GGA	510-504-8210

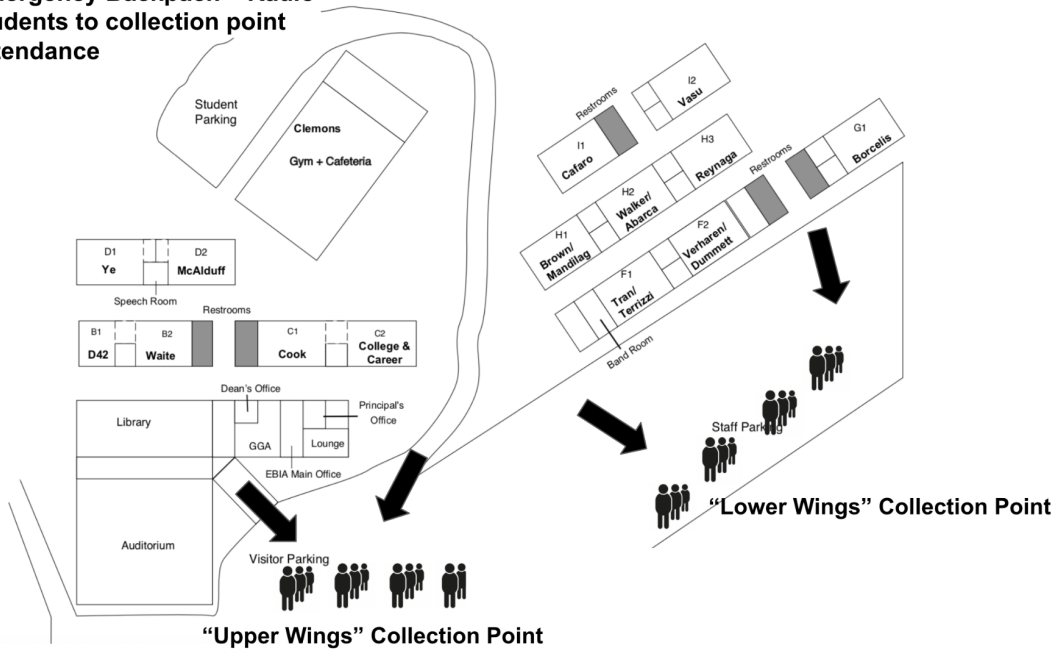
SITE MAPS & EVACUATION PLAN

Lower School - 3400 Malcolm Avenue



Upper School - 3800 Mountain Blvd.

1. Take Emergency Backpack + Radio
2. Take students to collection point
3. Take Attendance



STUDENT DISCIPLINE

The School believes that one of the major functions of education is the preparation of youth for responsible citizenship. The School shall foster a learning environment that reinforces self discipline and the acceptance of personal responsibility. In addition, the School shall work with students and families to provide a safe school environment that provides students with the opportunity to have a quality education.

The following policies and procedures are designed to guide school personnel in dealing with student discipline issues, while providing students and parents with a clear set of expectations regarding student behavior and an understanding of the consequences of misconduct.

As provided in the charter petitions, the policies and procedures for suspension and expulsion of students set forth in this document comply with the policies and procedures identified in the California Education Code. These policies and procedures will be periodically reviewed and the lists of offenses for which students are subject to suspension or expulsion will be modified as necessary.

These policies and procedures will be enforced fairly, uniformly, and consistently without regard to sex, ethnic group, religion, sexual orientation, color, race, national origin and physical or mental disability

DISCIPLINE IN GENERAL

Each school should develop a process for handling, and if necessary escalating, individual cases of student misbehavior. Strategies may include but are not limited to:

- Relocating the student's desk to a different part of the classroom;
- Assigning different or additional work appropriate to the infraction;
- Utilizing a peer mediation or student conflict resolution program;
- Individual conversation with the classroom teacher about behavior and consequences;

- Utilizing a written referral framework;
- Designating selected classrooms and teachers (typically, lead teachers or advisors) as places for “time out”;
- Referring students to the Head of School or a designee;
- Contacting parents/guardians; and/or
- Requiring the student to attend before/after school detention or Saturday detention;

All employees will report unmanageable or unusual behavior of students to the Director of Social and Emotional Learning (DESEL) or designee as soon as possible. The DESEL or designee shall investigate the report and exercise his or her discretion for purposes of notification of parents, legal guardians, law enforcement, or local child protection services.

PUPIL SUSPENSION AND EXPULSION POLICY

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

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

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

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

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

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates

additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

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. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth, or a homeless child or youth, the student's educational rights holder, and shall inform the student, the student's parent or guardian, or educational rights holder of the basis for which the pupil is being involuntarily removed and the student, the student's parent or 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 suspensions or expulsions pursuant to the suspension and expulsion procedures described below.

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

B. ENUMERATED OFFENSES

1. Discretionary Suspension Offense. Students may be suspended for any of the following acts when it is determined the pupil:
 - a) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. This section applies to pupils in any of grades 9 to 12, inclusive.

2. Discretionary Suspension and Expellable Offenses. Students may be suspended or suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

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

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

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

creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
- ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
- iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
- iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) "Electronic Act" means the transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

A message, text, sound, video or image.

- i. A post on a social network Internet Web site including, but not limited to:

(a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.

- (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - ii. An act of cyber sexual bullying.
 - (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
- w) Possessed, sold, or otherwise furnished any knife or other dangerous object

of no reasonable use to the pupil unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

3. Non-Discretionary Suspension and Expellable Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:
 - a) Possessed, sold, or otherwise furnished any firearm, explosive, or other 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 Executive Director or designee's concurrence.
 - b) Brandishing a knife at another person.
 - c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, et seq.
 - d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n).

If it is determined by the Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or 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 pupil shall be provided due process rights of notice and a hearing as required in this policy.

The term "knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3½ inches, a folding knife with a blade that locks into place, or 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 a term does not include an antique firearm.

The term "destructive device" means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more

than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses.

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 Executive Director or the Executive Director's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Executive Director or designee.¹

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

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

2. Notice to Parents/Guardians

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

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed

five (5) consecutive school days per suspension. Upon a recommendation of Expulsion by the Executive Director or Executive Director's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Executive Director or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing. In such instances when the Charter School has determined a suspension period shall

¹ "Designee," as used in this suspension/expulsion policy includes the Principal or Dean of Students. be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parent or guardian, unless the pupil and the pupil's parent or guardian fail to attend the conference.

4. Homework Assignments During Suspension

In accordance with Education Code Section 48913.5, upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the pupil, or the affected pupil, a teacher shall provide to a pupil in any of grades 1 to 12, inclusive, who has been suspended from school for two (2) or more schooldays, the homework that the pupil would otherwise have been assigned.

In accordance with Education Code Section 48913.5(b), if a homework assignment that is requested pursuant to Section 48913.5(a) and turned into the teacher by the pupil either upon the pupil's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the pupil's overall grade in the class.

D. AUTHORITY TO EXPEL

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

A student may be expelled either by the neutral and impartial Charter School Board following a hearing before it or by the Charter School Board upon the recommendation

of a neutral and impartial Administrative Panel, to be assigned by the Board as needed. The Administrative Panel should consist of at least three (3) members who are certificated and neither a teacher of the pupil nor a Board member of the Charter School's governing board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Charter School 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 Executive Director or designee determines that the Pupil 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 pupil confidentiality rules under FERPA) unless the Pupil makes a written request for a public hearing three (3) days prior to the date of the scheduled hearing.

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

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

F. SPECIAL PROCEDURES FOR EXPULSION HEARINGS INVOLVING SEXUAL ASSAULT OR BATTERY OFFENSES

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five (5) days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the body presiding over the hearing from removing a support person whom the presiding chairperson finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
6. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness's presence is both desired by the witness and will be helpful to the Charter School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or

persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

7. 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.
8. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
9. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the body 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 pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

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

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

I. WRITTEN NOTICE TO EXPEL

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

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

J. DISCIPLINARY RECORDS

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

request.

K. NO RIGHT TO APPEAL

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

L. EXPELLED PUPILS/ALTERNATIVE EDUCATION

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

M. REHABILITATION PLANS

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

N. READMISSION OR ADMISSION OF PREVIOUSLY EXPELLED STUDENT

The decision to readmit a pupil after the end of the pupil's expulsion term or to admit a previously expelled pupil from another school district or charter school who has not been readmitted/admitted to another school or school district after the end of the pupil's expulsion term, shall be in the sole discretion of the Board following a meeting with the Executive Director or designee and the pupil and pupil's parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Executive Director or designee shall make a recommendation to the Board following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission or admission of the pupil during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission or admission to the Charter School.

Ó. NOTICE TO TEACHERS

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

P. INVOLUNTARY REMOVAL FOR TRUANCY

As charter schools are schools of choice and as a charter school pupil who fails to attend school is potentially depriving another student of their opportunity to enroll, a student may be involuntarily removed as described within the Charter School's Board adopted Attendance Policy for truancy and only after the Charter School follows the requirements of the Attendance Policy and only in accordance with the policy described above which requires notice and an opportunity for a parent, guardian, educational rights holder to request a hearing prior to any involuntary removal.

Q. SPECIAL PROCEDURES FOR THE CONSIDERATION OF SUSPENSION AND EXPULSION OF STUDENTS WITH DISABILITIES

1. Notification of SELPA

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

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 or functional analysis, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Charter School, the parent, and relevant members of the

IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

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

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

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

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

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

4. Due Process Appeals

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

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 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 and the Charter School agree otherwise.

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

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

5. Special Circumstances

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

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

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

6. Interim Alternative Educational Setting

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

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

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

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

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

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

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

the student shall remain in the education placement determined by the Charter School pending the results of the evaluation.

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

Procedures to Notify Teachers of Dangerous Pupils

East Bay Innovation Academy I is committed to providing a safe, orderly working environment for all employees. In alignment with this commitment and in alignment with the California Education Code, EBIA has established the following procedures related to notifying teachers of dangerous pupils.

A school district shall inform the teacher of each pupil who has engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions, except subdivision (h), of Section 48900 or in Section 48900.2, 48900.3, 48900.4, or 48900.7 that the pupil engaged in, or is reasonably suspected to have engaged in, those acts.

The district shall provide the information to the teacher based upon any records that the district maintains in its ordinary course of business, or receives from a law enforcement agency, regarding a pupil described in this section.

A school district, or school district officer or employee, is not civilly or criminally liable for providing information under this section unless it is proven that the information was false and that the district or district officer or employee knew or should have known that the information was false, or the information was provided with a reckless disregard for its truth or falsity. ED Code 32280-89 15

Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

An officer or employee of a school district who knowingly fails to provide information about a pupil who has engaged in, or who is reasonably suspected to have engaged in, the acts referred to in subdivision (a) is guilty of a misdemeanor, which is punishable by confinement in the county jail for a period not to exceed six months, or by a fine not to exceed one thousand dollars (\$1,000), or both.

The information provided shall be from the previous three school years. Any information received by a teacher pursuant to this section shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Amended by Stats. 2000, Ch. 345, Sec. 2. Effective January 1, 2001.)

1. The school shall ensure that employees are informed, in accordance with law, regarding crimes and offenses by students who may pose a danger in the classroom.
2. The Executive Director is to be made immediately aware of all incidents related to the endangerment of the school site and/or staff.

3. When violence is directed against an employee by any individual and the employee notifies the school, the Site Director or Executive Director shall take steps to ensure that appropriate legal and safety measures are instituted.
4. When the employee notifies the Site Director or Executive Director of a threat of bodily harm, the school shall take appropriate measures to enable the employee to request assistance if a threat occurs on school grounds.
5. East Bay Innovation Academy requires school employees to take immediate action upon being made aware that any person is in possession of an injurious object on school grounds or at a school-related or school-sponsored activity. The employee shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall do one of the following:
 - a. Confiscate the object and deliver it to the Site Director or Executive Director immediately
 - b. Immediately notify the Site Director or Executive Director, who shall take appropriate action
 - c. If the school employee determines the situation, person in question, or injurious object poses **imminent and extreme danger** (e.g. an individual with a brandished firearm, knife, etc.) the employee may directly notify the local law enforcement agency and the Site Director and Executive Director
6. When informing the Site Director or Executive Director about the possession or seizure of a weapon or dangerous device, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.
7. The Executive Director is to be consulted and made aware of any situation involving law enforcement. There should never be a situation where the Police or emergency personnel are on campus and the Executive Director is not aware.
 - a. Whenever possible, the Executive Director should be consulted prior to contacting law enforcement
 - b. If a school employee is unable to consult the Executive Director prior to contacting law enforcement, the Executive Director must be contacted directly after making contact with law enforcement personnel

ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY

East Bay Innovation Academy ("EBIA") is committed to providing a work and educational atmosphere that is free of unlawful harassment. EBIA's policy

prohibits sexual harassment and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, creed, color, gender, 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. EBIA will not condone or tolerate harassment of any type by any employee, independent contractor or other person with which EBIA does business with. This policy applies to all employee actions and relationships, regardless of position or gender. EBIA will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted.

PROHIBITED UNLAWFUL HARASSMENT

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

PROHIBITED UNLAWFUL SEXUAL HARASSMENT

In accordance with existing policy, discrimination on the basis of gender in education institutions is prohibited. All persons, regardless of the gender, are afforded equal rights and opportunities and freedom from unlawful discrimination in education programs or activities conducted by EBIA.

EBIA is committed to provide a workplace free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action, up to, and including dismissal, of the offending employee.

Sexual harassment consists of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when: (1) submission of the conduct is either made explicitly or implicitly a term or condition of an individual's employment; (2) an employment decision is based upon an individual's acceptance or rejection of that conduct; (3) that conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

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

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

Each employee has the responsibility to maintain a workplace free from any form of sexual harassment. Consequently, should any individual, in particular those with Supervisory responsibilities, become aware of any conduct that may constitute sexual harassment or other prohibited behavior, immediate action should be taken to address such conduct. Employees and students are expected to act in a positive and professional manner and to contribute to a productive School environment that is free from harassing or disruptive activity. Any employee who believes they have been harassed or has witnessed harassment is encouraged to immediately report such harassment to their Supervisor or the Head of School or the COO & CFO. See Attachment B for the "Harassment Complaint Form."

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
 - o Rape, sexual battery, molestation or attempts to commit these assaults and

- o Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body.
- Unwanted sexual advances, propositions or other sexual comments, such as:
 - o Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience.
 - o Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
 - o Subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of the employee's sex.
- Sexual or discriminatory displays or publications anywhere at the workplace by employees, such as:
 - o Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing to work or possessing any such material to read, display or view at work.
 - o Reading publicly or otherwise publicizing in the work environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic; and
 - o Displaying signs or other materials purporting to segregate an employee by sex in an area of the workplace (other than restrooms or similar rooms).

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

Complainants and witnesses under these policies will be protected from further harassment and will not be retaliated against in any aspect of their employment due to their participation, filing of a complaint or reporting sexual harassment.

EBIA will investigate complaints promptly and provide a written report of the investigation and decision as soon as practicable. The investigation will be handled in as confidential a manner as possible consistent with a full, fair, and proper investigation.

Employees may also direct their complaints to the California Department of Fair Employment and Housing (“DFEH”), which has authority to conduct investigation of the facts. The deadline for filing complaints with the DFEH is one year from the date of the alleged unlawful conduct. If the DFEH believes a complaint is valid and settlement efforts fail, the DFEH may seek an administrative hearing before the California Fair Employment and Housing Commission (“FEHC”) or file a lawsuit in court. Both the FEHC and the courts have authority to award monetary and non-monetary relief in meritorious cases. Employees can contact the nearest DFEH office or the FEHC by checking the State Government listings in the local telephone directory.

While in most situations a personal relationship is a private matter, these relationships are not appropriate in a professional setting, particularly where one of the parties has management or Supervisory responsibilities.

PREVENTION OF CHILD ABUSE POLICY

The School is committed to maintaining safe and secure campuses for students, and for following its legal responsibilities in reporting suspected child abuse/neglect to the proper authorities.

REPORTING SUSPECTED CHILD ABUSE/ NEGLECT

While the responsibility of enforcing legal prohibitions against child abuse and neglect lies with the protective agencies such as the local police department and Children’s Protective Services, the School’s child care

custodians (including teachers, administrative officers, certificated personnel, etc.) are mandated reporters of known or suspected child abuse/neglect and are required to fulfill this legal responsibility. Every child care custodian of the School must sign a "Child Abuse Reporting" form indicating they understand their responsibilities to report known or suspected child abuse/neglect.

See complete Prevention of Child Abuse Policy and Procedure for specific steps regarding the reporting of suspected abuse and neglect.

REPORTING PROBLEMS AT THE SCHOOL SITE

The School maintains zero tolerance for abuse. Every member of the School community must participate actively in the protection of its students.

The School will monitor the school buildings and grounds:

- All unused rooms, storage areas, and closet doors should be kept locked at all times;
- all unused buildings and areas must be designated, posted and enforced as off-limits to children;
- all students are required to remain in areas that are easily viewed by employees;
- Interior doors should be left open and unlocked when rooms are in use
- Blinds should be left open to allow informal monitoring by a passerby.

In the event that any current or future school employee observes any suspicious or inappropriate behaviors on the part of any third party or other employee while on the school premises or during a school-sponsored activity, he or she is required to immediately report their observations to the Office Manager or designee. Examples of suspicious or inappropriate behaviors include, but are not limited to:

- policy violations,
- neglectful supervision,
- "private time" with students,

- taking students off premises without adhering to procedures,
- buying unusual gifts for children and youth,
- swearing or making suggestive comments to students,
- or any other conduct as identified in this policy, or which is inappropriate or illegal in the eyes of the observer.

All reports of suspicious or inappropriate behavior with students will be taken seriously. The Head of School or designee will conduct an immediate investigation concerning the alleged act or omission. If at any point in gathering information about the allegedly suspicious, inappropriate or illegal behavior, a concern arises that there is a possibility of abuse of any kind, appropriate law enforcement and/or local child protection services will be contacted immediately and a report will be filed. If at any point any policy violations with students are confirmed, employees will be subject to disciplinary action, including but not limited to, administrative leave, termination and/or criminal prosecution.

The School will cooperate with any and all law enforcement and/or governmental entities in the implementation and enforcement of this policy.

A SAFE AND ORDERLY ENVIRONMENT

CLIMATE FOR LEARNING AND GROWTH at EBIA

East Bay Innovation Academy will make every effort to ensure that each student's school experience is rich and significant, and that the environment is orderly, warm, and conducive to learning. EBIA fosters a commonality of purpose and a sense of cohesiveness among parents, school staff, and the community-at-large.

OUR MISSION

East Bay Innovation Academy's ("EBIA," the "School," or "the Charter School") mission is to prepare a diverse group of students to be successful in college and to be thoughtful, engaged citizens who are leaders and innovators in a 21st century global world.

OUR VISION

EBIA is rethinking how schools are run and structured, so that they better reflect the needs of a 21st century world. Most schools have not changed their structure, organization, facilities or instruction in over fifty (50) years. While schools have not changed, our world has, leaving many of our schools, even the “best” ones, behind. EBIA is a powerful option for Oakland families and educators to build a diverse school that addresses the needs of the 21st century and beyond.

OUR INSTRUCTIONAL MODEL

EBIA is a rigorous STEAM (“Science, Technology, Engineering, Art and Math”) school with a unique focus on the social and emotional skills students need to be leaders. Students will learn to be problem solvers and strong advocates who work together and take responsibility for their own learning.



Students will work together on long-term, “**real-world**” projects that combine many different subjects, and will learn to present those projects using technology.

Students will alternate between different learning models, including online learning, and in later grades will be **self-guided**.

OUR CORE BELIEFS

We believe in **Possibility and Perseverance**

All students will achieve at the highest levels and prepare for success in college and career. We value courage, action and hard work.

We believe in **Creativity and Curiosity**

Students will work together with critical and creative minds. We value exploration, perspective and determination.

We believe in **Community**

Parents, teachers, school leaders, and board members will take responsibility for all students' success. We value relationships, kindness, integrity and respect.

We believe in the **Greater Good**

EBIA will teach students about social justice and civic responsibility. We value giving back to the community and improving our school, our community and our world.

We believe in **Diversity**

Students will prepare for society and the workforce by working with and appreciating those who are different from themselves.

OUR INNOVATOR NORMS

The character traits we expect all our students to exhibit are known as **Innovator Norms**. Our six Innovator Norms will be woven throughout our culture, classrooms and community.

Perseverance: Maintaining a steady persistence in a course of action, and exhibiting a commitment to purpose and tenacity, in spite of difficulties, obstacles, or discouragement.

Curiosity: Eagerly desiring to know and learn; taking initiative and being inventive.

Kindness: Being considerate or helpful.

Respect: Honoring or being considerate towards self, property, and others.

Conscientiousness: Being careful, meticulous; being thorough, careful, or vigilant; desiring to do a task well and to completion; being accountable, prioritizing to set and meet goals, and achieving results.

Leadership: The quality of an individual's membership in, and contribution to, a community.

RESTORATIVE JUSTICE

Restorative justice promotes values and principles that use inclusive, collaborative approaches for being in community. These approaches validate the experiences and needs of everyone within the community, particularly those who have been marginalized, oppressed, or harmed. These approaches allow us to act and respond in ways that are healing rather than alienating or coercive.

-excerpt from Amstutz and Mullet, Restorative Discipline for Schools

Instructional time is “sacred” and successful learning experiences depend upon the engaged participation of every student. The community is comprised of individuals who exercise self-discipline while understanding the need for inter-dependency.

Below is an **example** of teacher response to students making poor choices in class which are adversely affecting the learning environment:

1. If misbehavior occurs, the teacher will address the responsible individual(s) respectfully, reminding the student of the appropriate desired behaviors, and logging the behavior as appropriate.
2. If misbehavior persists, the teacher will ask the student(s) to step outside the classroom or individually approach the student for a 1-2-minute conference. That conference will provide the student(s) the opportunity to discuss the behavior and ways in which they can demonstrate to the class that they are ready to learn and re-join the community.
 - If the teacher feels the student(s) is/are ready to return to class, the

student(s) re-joins the community and demonstrates active scholarly participation.

- If the student returns to class and continues misbehavior, that student will be asked to write a reflection and may be referred to speak to an administrator.
 - If the teacher feels the student(s) is/are not ready to return, the student(s) will be asked to write a reflection about the undesired behavior either in that teacher's class or a neighboring class.
3. If the student(s) return(s) to class after having written a reflection and continues with unproductive behavior, the student(s) will be referred to the office and will engage in the administrative behavior support plan.
 4. If the behavior in class is extreme in nature and cannot be dealt with following the aforementioned steps, the student will be referred to the office and will engage in the administrative behavior support plan and/or the School will follow its Suspension Expulsion Policy as outlined within its Charter.

Understanding most behaviors will be addressed by the classroom teacher, as a means of re-engaging students in the learning environment, students referred to the office will already have been given multiple opportunities for correcting misbehavior. We treat every student as an individual and will adjust our approach on a case-by-case basis. We apply restorative justice principles to supporting positive student choices so that unwanted behaviors do not continue, but we can also offer a more traditional model for students and families who prefer not to participate in the restorative approach.

PROCEDURES FOR TACTICAL RESPONSE AND CRIMINAL INCIDENTS

East Bay Innovation Academy is committed to providing a school environment that promotes the safety of students, employees, and visitors to school grounds. In alignment with this commitment and the California Education Code, East Bay Innovation Academy has established the following tactical response procedures.

1. The perimeter of the school campus will be secured at all times.
 - a. The school will install and maintain a door camera and buzzer to control entry into the school building.
 - b. School personnel responsible for operation of the door camera and buzzer will receive training related to permitting entry into the school campus.

- c. During drop-off and pick-up times, additional gates will be unlocked and opened. School personnel will monitor the gates and yard areas to ensure entry is limited to school community members.
 - d. During the after school program, school personnel will monitor the gates and yard areas to ensure entry is limited to school community members.
 - e. End of day security protocols will be developed. All staff will receive annual training related to these procedures.
2. East Bay Innovation Academy will control and maintain access to keys and security codes for all school personnel and other authorized individuals. School personnel and other authorized individuals who are issued keys and/or alarm codes will receive training related to procedures for securing the school site.
 3. East Bay Innovation Academy requires school employees to take immediate action upon being made aware that any person is in possession of an injurious object on school grounds or at a school-related or school-sponsored activity. The employee shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall do one of the following:
 - a. Confiscate the object and deliver it to the Site Director or Executive Director immediately
 - b. Immediately notify the Site Director or Executive Director, who shall take appropriate action
 - c. If the school employee determines the situation, person in question, or injurious object poses **imminent and extreme danger** (e.g. an individual with a brandished firearm, knife, etc.) the employee may directly notify the local law enforcement agency and the Site Director and Executive Director
 4. When informing the Executive Director or Site Director about the possession or seizure of a weapon or dangerous device, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.
 5. East Bay Innovation Academy has developed and will provide annual training and regularly scheduled drills related to the following disaster procedures that will be used as part of the schools' tactical response procedures:

EMPLOYEE CONDUCT WITH STUDENTS

All school employees are responsible for conducting themselves in ways that preserves the safety of students and that prevents either the reality of or perception of inappropriate interaction with students.

In general, all School employees will treat all children with respect and consideration equally, regardless of sex, race, religion, culture or socio-economic status. Employees will portray a positive role model for youth by maintaining an attitude of respect, patience and maturity.

ALCOHOL, TOBACCO, AND CONTROLLED SUBSTANCES

All school employees are prohibited from the use, possession, or distribution of alcohol, tobacco products, or any illegal controlled substances while in the presence of students or at any time on school grounds. They are also prohibited from being under the influence of alcohol or any illegal controlled substances while in the presence of students or at any time on school grounds.

TRANSPORTATION OF STUDENTS

School employees may occasionally be in a position to provide transportation for students. The following guidelines should be observed in such circumstances:

- a) With the exception of emergency situations related to medical necessity, employees should avoid transporting students without the written permission of his or her parent or guardian;
- b) If written permission is not possible, the employee should make a written record of any verbal permission granted by the parent or guardian;
- c) Students should be transported directly to their destination and no unauthorized or unnecessary stops should be made;
- d) Employees will avoid unnecessary and/or inappropriate physical contact with students while in vehicles;
- e) The employee should make a written record of the trip, including departure and arrival times and locations and students involved; and
- f) Whenever possible, two school employees should collectively engage in the transportation activity.

EMERGENCY TELEPHONE NUMBER DIRECTORY

Entity	Number
Emergency	911
Oakland Police Department	510-777-3211
Oakland Fire Department	510-444-1616
American Red Cross	510-595-4400
Oakland Office of Emergency Services	510-238-3938
Summit Medical Center Emergency Department	510-869-8700
Highland Hospital Emergency/Trauma Department	510-437-4559
Kaiser Oakland Hospital	510-752-1000
Pacific Gas And Electric	800-743-5000
Ebmud Water	510-835-3000
Alameda County, Poison Center	800-222-1222
Office of Environmental Health Hazard Assessment	916-323-2514
OUSD - Emergency Preparedness	510-879-3670 (office)
GGA	510-504-8210

APPENDIX

EVACUATION PROCEDURES

EMERGENCY EVACUATION: ADMINISTRATION'S CHECKLIST

- 🕒 Determine appropriate evacuation areas that have been pre-designated.
- 🕒 Activate alarm/PA system or send message runner.
- 🕒 Telephone emergency service personnel:
 - 911 or fire (444-1616)
 - Board of Directors
 - Utilities

ACTIVATE KEY PERSONNEL TO :

- 🕒 Attend to the injured.
- 🕒 Assure complete evacuation and student/staff are accounted for.
- 🕒 Ensure special needs students are evacuated accordingly.
- 🕒 Secure school for specific emergency.
- 🕒 Clear road/fire lanes for emergency vehicles (pre-assigned).
- 🕒 Assure that injured students/staff are reported to medical services for care and transportation to hospital/emergency medical center.
- 🕒 Be contact person for emergency services, District, utility and/or news media personnel and provide needed aid (pre-assigned).
- 🕒 Direct employees to aid those from the emergency services, District, utilities and other authorities. Avoid entering damaged areas unless specifically asked.
- 🕒 Assure the facility is thoroughly inspected by the custodian, fire officials and District Operation personnel before re-entry is allowed.

- ❶ Seek Board of Directors' approval for school closure if damage cannot be immediately restored or repaired.
- ❷ If possible, have students/staff re-enter parts of the school that are declared safe.
- ❸ Make sure all students/staff are accounted for once outside.

EMERGENCY EVACUATION: EMPLOYEES CHECKLIST

- ❶ Upon emergency alert, secure work area as advised and depart/report to assigned area.
- ❷ Perform duties as pre-assigned by the Head of School or COO & CFO in cooperation with emergency services personnel.
- ❸ DO NOT re-enter the building without permission or request of emergency service authorities.
- ❹ Remain in the general assembly areas and calm students if not assigned another duty.
- ❺ If dismissed, inform Head of School or COO & CFO of departure.
- ❻ When signaled to re-enter safe areas of the school, quickly do so.
- ❼ Upon safe re-entry, report anything amiss to the Head of School or COO & CFO.

EMERGENCY EVACUATION: TEACHERS CHECKLIST

- ❶ Upon alert, assemble students for evacuation using designated routes and account for all students.
- ❷ Secure room as advised.
- ❸ Upon arrival at the assembly area, account for all students.
- ❹ Secure medical treatment for injured students.
- ❺ Report any students missing or left behind because of serious injuries.
- ❻ Stay with and calm students.
- ❼ If closure is ordered with no re-entry, when advised, release walkers and car/passengers (unless drivers are needed to evacuate students from the site) accounting for those who have left. Stay with bus riders until buses arrive.

- 🕒 If signaled to re-enter school, assure students do so quickly and calmly. Account for all students.
- 🕒 Check room and report anything amiss to the Head of School or COO & CFO.
- 🕒 Debrief students to calm fears about the evacuation.

IF IT IS NECESSARY TO EVACUATE TO ANOTHER SCHOOL OR RELIEF CENTER, THE EXECUTIVE DIRECTOR WILL:

- 🕒 Cooperate with emergency authorities in enlisting students/staff with cars to help transport evacuees.
- 🕒 Direct the evacuation, assure all students/staff are accounted for as they depart and arrive.

CAMPUS MAPS AND EVACUATION ROUTES

The Evacuation Routes are outlined in each link.

[3400 Malcolm Ave \(Marshall Campus\)](#)

[3800 Mountain Blvd. \(GGA Campus\)](#)

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 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. 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 contact Robert Moore at 510-577-9557 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 Office Manager at 510-577-9557.

Available in the Community:

- Alameda County Behavioral Health
Care Services 2000 Embarcadero #400,
Oakland, CA 94606
(510) 567-8100

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.

[EBIA Reopening Plan Updated January 2021](#)