



Board Agenda Item #	III B- Consent Item
Date:	July 23, 2020
To:	Magnolia Board of Directors
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	David Yilmaz, Chief Accountability Officer
RE:	Approval of Amended MPS Policies

Proposed Board Recommendation

I move that the board approve the following amended MPS policies:

- Attendance Policy
- Education of Foster and Mobile Youth Policy
- Educational Records and Student Information Policy
- Homeless Education Policy
- Parent and Family Engagement Policy
- Student Freedom of Speech/Expression Policy
- Suicide Prevention Policy
- Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy
- Uniform Complaint Procedures (UCP) Policies and Procedures
- Volunteer, Visitation, Shadowing, and Removal Policy

Background

There have been many updates to the legislation and the Ed Code in the recent years that has necessitated a deep review of our existing student services related policies to ensure they are up to date. We worked closely with YM&C in reviewing the 2020-21 Student/Parent Handbook and related MPS policies. The abovementioned policies in the motion are important standalone policies that were updated in collaboration with YM&C. Some of those policies are entirely included in the Handbook either because it is required to have it in the Handbook, e.g., Title IX policy, or to provide convenient student/parent access, e.g., Volunteer Policy. Some policies are required to be posted on the school website, e.g., Suicide Prevention, Title IX, and UCP.

Attached are the updated policies. The following summary highlights modifications made to the policies.

<b>Attendance Policy</b>
<ul style="list-style-type: none"><li>• Added legal definitions of tardy, unexcused absence, truant, habitual truant, chronic truant, and SART.</li><li>• Update the list of excused absences and tardies (pregnant or parenting students, work permit, conference attendance, confidential medical services, etc.)</li><li>• Involuntary Removal Process section has been added.</li></ul>
<b>Education of Foster and Mobile Youth Policy</b>
<ul style="list-style-type: none"><li>• Added “mobile” youth to the policy. Added legal definitions of foster youth, former juvenile court pupil, child of a military family, currently migratory child, pupil participating in a newcomer program, educational rights holder, school of origin, and best interests.</li><li>• Updated School Stability and Enrollment section per the Ed Code.</li><li>• Transportation and Applicability of Graduation Requirements sections have been updated.</li></ul>
<b>Educational Records and Student Information Policy</b>
<ul style="list-style-type: none"><li>• “Request for amendment to education records” section has been updated.</li><li>• “Hearing to challenge education record” section has been clarified with the steps of presentation of evidence.</li><li>• The office name for complaints has been updated to Student Privacy Policy Office.</li></ul>
<b>Homeless Education Policy</b>
<ul style="list-style-type: none"><li>• School Selection section has been modified to reflect MPS enrollment policies.</li><li>• Enrollment dispute and resolution section has been updated.</li><li>• PD and High School Graduation Requirements sections have been added.</li></ul>
<b>Parent and Family Engagement Policy</b>
<ul style="list-style-type: none"><li>• LCAP, CSI/TSI, PAC, SPSA, ELAC, and other accountability language has been added.</li><li>• ParentSquare information is added.</li></ul>
<b>Student Freedom of Speech/Expression Policy</b>
<ul style="list-style-type: none"><li>• Added legal definitions of obscenity, defamation, discriminatory material, harassment, fighting words, vulgarity and profanity, and violating privacy.</li><li>• Added language regarding journalism staff advisers:<ul style="list-style-type: none"><li>○ The journalism staff adviser(s) shall help the student editors judge the literary value, newsworthiness and propriety of materials submitted for publication. “Official school publications” refers to material produced by students in the journalism, newspaper, yearbook, or writing classes and distributed to the student body either free or for a fee.</li><li>○ If the journalism staff adviser(s) consider material submitted for publication to violate this Policy, he or she will notify the student without undue delay and give specific reasons why the submitted</li></ul></li></ul>

material may not be published. The student should be given the opportunity to modify the material or appeal the decision of the journalism staff adviser to the Principal.

- Added: “Students may not post or distribute materials regarding the meetings of non-curricular student-initiated groups.”
- Student Speeches section has been added.
  - If a student is selected to speak at an MPS sponsored event, including but not limited to graduation or school assemblies, MPS has the right to review the pre-prepared speech to ensure that unprotected speech is not included. If unprotected speech is included, the student will be given the opportunity to revise the speech or deliver a modified speech. If not revised or removed, the student will not be permitted to speak at the MPS sponsored event.

### **Suicide Prevention Policy**

- The Education Code requires that the Charter review the policy at least every 5 years; the CDE’s model policy continues to recommend that the policy be reviewed at least annually.
- The policy has been updated based on the CDE’s model policy with resources.
- Language has been added to reflect resources for grades K-6.
- Student identification cards policy is included.
  - Charter School will include the telephone number for the National Suicide Prevention Lifeline (1-800-273-8255) and the National Domestic Violence Hotline (1-800-799-7233) on all student identification cards. MPS will also include the number for the Crisis Text Line, which can be accessed by texting HOME to 741741 and a local suicide prevention hotline on all student identification cards.
- This policy is for the non co-located sites. Co-located MPS sites will continue to follow the LAUSD suicide prevention policy.

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

- Updated legal categories of discrimination.
- Added Bullying and Cyberbullying prevention procedures in detail.
- Grievance procedures and supportive measures have been added.

### **Uniform Complaint Procedures (UCP) Policies and Procedures**

- UCP categories have been updated.
- The procedures have been detailed (filing of complaint, mediation, investigation, and final decision).
- Appeals and civil law remedies sections have been updated.

### **Volunteer, Visitation, Shadowing, and Removal Policy**

- Added legal definitions of visitor and volunteer.
- Clarified that “Volunteerism by parents is encouraged but not mandatory.”
- The following language has been added regarding health and safety:
  - All visitors are asked to comply with current mandated and recommended health and safety protocols. Visitors (including volunteers) who demonstrate signs of a contagious disease (e.g. fever, coughing) may be denied registration. When recommended or requested by the Department of Public Health, visitors will be required to wear personal protective equipment, such as masks, and

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

- The following language has been added regarding disruptive visitors.
  - The Principal may direct a visitor without lawful business on campus to leave campus when the visitor's presence or acts interfere with the peaceful conduct of the activities of the school or disrupt the school or its pupils or school activities. Any visitor who is directed to leave by the Principal or designee will not be permitted to return to the Charter School campus for at least seven (7) days

Budget Implications

N/A

How Does This Action Relate/Affect/Benefit All MSAs?

The amended policies will affect implementation of policies/procedures at the school sites.

Name of Staff Originator:

David Yilmaz, Chief Accountability Officer

Exhibits (Attachments):

- Attendance Policy
- Education of Foster and Mobile Youth Policy
- Educational Records and Student Information Policy
- Homeless Education Policy
- Parent and Family Engagement Policy
- Student Freedom of Speech/Expression Policy
- Suicide Prevention Policy
- Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy
- Uniform Complaint Procedures (UCP) Policies and Procedures
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<b>Title IX</b>
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**Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy**

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

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

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

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

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

CEO & Superintendent  
Magnolia Public Schools  
250 E. 1st St. Ste 1500  
Los Angeles, CA 90012  
(213) 628-3634  
ceo@magnoliapublicschools.org

**Definitions****Prohibited Unlawful Harassment**

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

**Prohibited Unlawful Harassment under Title IX**

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

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

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

programs, or activities available at or through the educational institution.

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

Sexual harassment may include, but is not limited to:

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

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

### Prohibited Bullying

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

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

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

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

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

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
  - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above.
  - b. Creating a credible impersonation of another actual student for the purpose of

having one or more of the effects listed in the definition of “bullying,” above. “Credible impersonation” means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.

- c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of “bullying,” above. “False profile” means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
3. An act of “Cyber sexual bullying” including, but not limited to:
    - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of “bullying,” above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
    - b. “Cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
  4. Notwithstanding the definitions of “bullying” and “electronic act” above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

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

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

### **Bullying and Cyberbullying Prevention Procedures**

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

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

MPS advises students:

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

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

#### **2. Education**

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

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

MPS’ bullying prevention education also discusses the differences between appropriate and inappropriate behaviors and includes sample situations to help students learn and practice appropriate behavior and to develop techniques and strategies to respond in a non-aggressive way

to bullying-type behaviors. Students will also develop confidence and learn how to advocate for themselves and others, and when to go to an adult for help.

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

### 3. Professional Development

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

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

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

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

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

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

## Grievance Procedures

### 1. Scope of Grievance Procedures

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

- a. Are written and signed;

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

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

### 2. Reporting

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

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

CEO & Superintendent  
Magnolia Public Schools  
250 E. 1st St. Ste 1500  
Los Angeles, CA 90012  
(213) 628-3634  
ceo@magnoliapublicschools.org

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

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

Students are expected to report all incidents of misconduct prohibited by this Policy or other verbal, or physical abuses.



Any student who feels they are a target of such behavior should immediately contact a teacher, counselor, the Principal, Coordinator, a staff person or a family member so that the student can get assistance in resolving the issue in a manner that is consistent with this Policy.

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

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

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

### 3. Supportive Measures

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

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint of sexual harassment or where no formal complaint of sexual harassment has been filed. Such measures are designed to restore or preserve equal access to MPS' education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or MPS' educational environment, or deter sexual harassment. Supportive measures available to complainants and respondents may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work

locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. MPS will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of MPS to provide the supportive measures.

### 4. Investigation and Response

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

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

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

- Notice of the Allegations
  - Upon receipt of a formal complaint of sexual harassment, the Coordinator will give all known parties written notice of its grievance process, including any voluntary informal resolution process. The notice will include:
    - A description of the allegations of sexual harassment at issue and to the extent known, the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident;
    - A statement that the respondent is presumed not responsible for the alleged conduct until a final decision is reached;
    - A statement that the parties may have an advisor of their choice, who may be an attorney, and may inspect and review evidence;
    - A statement that MPS prohibits an individual from knowingly making

false statements or knowingly submitting false information during the grievance process.

resolution process, including the records that will be maintained or could be shared; and

- Emergency Removal

- MPS may place a non-student employee respondent on administrative leave during the pendency of a formal complaint of sexual harassment grievance process in accordance with MPS' policies.
- MPS may remove a respondent from MPS' education program or activity on an emergency basis, in accordance with MPS' policies, provided that MPS undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.
- This provision may not be construed to modify any rights under the IDEA, Section 504, or the ADA.

- Informal Resolution

- If a formal complaint of sexual harassment is filed, MPS may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If MPS offers such a process, it will do the following:
  - Provide the parties with advance written notice of:
    - The allegations;
    - The requirements of the voluntary informal resolution process including the circumstances under which the parties are precluded from resuming a formal complaint of sexual harassment arising from the same allegations;
    - The parties' right to withdraw from the voluntary informal resolution process and resume the grievance process at any time prior to agreeing to a resolution; and
    - Any consequences resulting from participating in the voluntary informal

- Obtain the parties' advance voluntary, written consent to the informal resolution process.

- MPS will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

- Investigation Process

- The decision-maker will not be the same person(s) as the Coordinator or the investigator. MPS shall ensure that all decision-makers and investigators do not have a conflict of interest or bias for or against complainants or respondents.
- In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the investigator determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the investigator will inform the complainant and any respondents in writing of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.
- The parties will be provided with an equal opportunity to present witnesses, to inspect and review any evidence obtained that is directly related to the allegations raised, and to have an advisor present during any investigative meeting or interview.
- The parties will not be prohibited from discussing the allegations under investigation or to gather and present relevant evidence.
- A party whose participation is invited or expected at an investigative meeting or interview will receive written notice of the date, time, location, participants, and purpose of the meeting or interview with sufficient time for the party to prepare to participate.
- Prior to completion of the investigative report, MPS will send to each party and the party's advisor, if any, a copy of the evidence subject to inspection and review, and the parties will have at least ten (10) days to submit a written response for the investigator's consideration prior to the completion of the investigation report.
- The investigator will complete an investigation report that fairly summarizes relevant evidence and send a copy of the report to each party and the party's advisor, if

any, at least ten (10) days prior to the determination of responsibility.

- Dismissal of a Formal Complaint of Sexual Harassment
  - If the investigation reveals that the alleged harassment did not occur in MPS' educational program in the United States or would not constitute sexual harassment even if proved, the formal complaint with regard to that conduct must be dismissed. However, such a dismissal does not preclude action under another applicable MPS policy.
  - MPS may dismiss a formal complaint of sexual harassment if:
    - The complainant provides a written withdrawal of the complaint to the Coordinator;
    - The respondent is no longer employed or enrolled at MPS; or
    - The specific circumstances prevent MPS from gathering evidence sufficient to reach a decision on the formal complaint or the allegations therein.
  - If a formal complaint of sexual harassment or any of the claims therein are dismissed, MPS will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties.
- Determination of Responsibility
  - The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
  - MPS will send a written decision on the formal complaint to the complainant and respondent simultaneously that describes:
    - The allegations in the formal complaint of sexual harassment;
    - All procedural steps taken including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
    - The findings of facts supporting the determination;
    - The conclusions about the application of MPS' code of conduct to the facts;
    - The decision and rationale for each allegation;
    - Any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
    - The procedures and permissible bases for appeals.

## 5. Consequences

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

## 6. Right of Appeal

Should the reporting individual find MPS' resolution unsatisfactory, the reporting individual may, within five (5) business days of notice of MPS' decision or resolution, submit a written appeal to the President of the MPS Board, who will review the investigation and render a final decision.

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

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

## 7. Recordkeeping

All records related to any investigation of complaints under this Policy are maintained in a secure location. MPS will maintain the following records for at least seven (7) years:

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

Complaint forms for “**Title IX, Harassment, Intimidation, Discrimination, and Bullying**” and “**Uniform Complaint Procedures**” are included at the end of this handbook and copies are also available in the school office.

MAGNOLIA PUBLIC SCHOOLS

Title IX, Harassment, Intimidation, Discrimination, and Bullying Complaint Form

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

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

City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

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

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

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

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

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

\_\_\_\_\_

Signature of Complainant

\_\_\_\_\_

Print Name

\_\_\_\_\_

Date

**To be completed by MPS:**

\_\_\_\_\_

Received by

\_\_\_\_\_

Date

\_\_\_\_\_

Follow up Meeting with Complainant held on

<b>Uniform Complaint Policy and Procedures</b>
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**Uniform Complaint Procedures (UCP) Annual Notice**

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

1. Complaints alleging unlawful discrimination, harassment, intimidation, or bullying against any protected group on the basis of the actual or perceived characteristics of age, ancestry, color, mental disability, physical disability, ethnic group identification, immigration status, citizenship, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, medical condition, marital status, sex, or sexual orientation, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity.
2. Complaints alleging a violation of state or federal law or regulation governing the following programs:
  - Accommodations for Pregnant and Parenting Pupils;
  - Adult Education;
  - After School Education and Safety;
  - Career Technical Education;
  - Career Technical and Technical Training;
  - Child Care and Development;
  - Compensatory Education;
  - Consolidated Application;
  - Course Periods without Educational Content;
  - Education of Pupils in Foster Care, Pupils who Are Homeless, Migratory Pupils, former Juvenile Court Pupils now Enrolled in a public school and Children of Military Families;
  - Every Student Succeeds Act;
  - Local Control & Accountability Plans (LCAP)/LCFF;
  - Migrant Education;
  - Physical Education Instructional Minutes;
  - Pupil Fees;
  - Reasonable Accommodations to a Lactating Pupil;
  - Regional Occupational Centers and Programs;

- School Plans for School Achievement;
- School Safety Plans;
- Schoolsite Councils.

3. Complaints alleging noncompliance with laws relating to pupil fees. A student enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. A pupil fee includes, but is not limited to, all of the following:
  - A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.
  - A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
  - A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

Complaints of noncompliance with laws relating to pupil fees may be filed with the CEO of Charter School or the Compliance Officer identified below.

4. Complaints alleging noncompliance with the requirements governing the Local Control Funding Formula (“LCFF”) or Local Control and Accountability Plans (“LCAP”) under Education Code sections 47606.5 and 47607.3, as applicable. If Charter School adopts a School Plan for Student Achievement (“SPSA”) in addition to its LCAP, complaints of noncompliance with the requirements of the SPSA under Education Code sections 64000, 64001, 65000, and 65001 shall also fall under the UCP.

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

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

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

CEO and Superintendent  
Magnolia Public Schools  
250 E. 1st St STE 1500  
Los Angeles, CA 90012  
(213) 628-3634

Upon receipt of a complaint, the CEO will appropriately assign to the Principal of the MPS campus attended by the complainant. That Principal and/or designee shall investigate the complaint, with oversight by the CEO.

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

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

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

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

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

A complainant who appeals Charter School's Decision on a UCP complaint to the CDE shall receive a written appeal

decision within sixty (60) calendar days of the CDE's receipt of the appeal, unless extended by written agreement with the complainant or the CDE documents exceptional circumstances and informs the complainant.

Within thirty (30) calendar days of the date of the CDE's appeal Decision pursuant to 5 C.C.R. section 4633(f)(2) or (3), either party may request reconsideration by the State Superintendent of Public Instruction ("SSPI") or the SSPI's designee. The request for reconsideration shall specify and explain the reason(s) for contesting the findings of fact, conclusions of law, or corrective actions in the CDE's appeal Decision.

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

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

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

The UCP Annual Notice, the UCP, and the complaint form for the UCP are all included in the Student/Parent Handbook. Copies are also available in the school office free of charge and on the school website. For further information on any part of the complaint procedures, including filing a complaint or requesting a copy of the UCP, please contact the CEO.

**Note:** It is not required to use the complaint form for the UCP to file a UCP complaint. If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, we shall assist the complainant in the filing of the complaint.

Magnolia Science Academy-1, 2, 3, and 5 are authorized by the Los Angeles County Board of Education.

Los Angeles County Office of Education (LACOE) Charter School Office (CSO) Contact:

- Los Angeles County Office of Education  
Charter School Office  
9300 Imperial Highway  
Downey, CA 90242  
Office Phone Line: (562) 922-8806  
Comments & Concerns Line: (562) 922-8807  
Office Fax: (562) 922-8805  
Website: [www.lacoe.edu](http://www.lacoe.edu)

Magnolia Science Academy-4, 6, 7, and Bell are authorized by the Los Angeles Unified School District (LAUSD) Board of Education.

LAUSD Charter Schools Division (CSD) Contact:

- Los Angeles Unified School District  
Charter Schools Division  
333 S. Beaudry Ave. 20<sup>th</sup> Floor  
Los Angeles, CA 90017  
Main Office: (213) 241-0399  
Fax: (213) 241-2054  
Website: [www.lausd.net](http://www.lausd.net)

Magnolia Science Academy-San Diego is authorized by the San Diego Unified School District (SDUSD) Board of Education.

SDUSD Office of Charter Schools (OCS) Contact:

- San Diego Unified School District  
Office of Charter Schools  
4100 Normal Street, Annex 15  
San Diego, CA 92103  
Main Office: (619) 725-7107  
Website: [www.sandiegounified.org](http://www.sandiegounified.org)

Magnolia Science Academy-Santa Ana is authorized by the State Board of Education (SBE).

California Department of Education (CDE) Charter Schools Division (CSD) Contact:

- California Department of Education  
Charter Schools Division  
1430 N Street, Suite 5401  
Sacramento, CA 95814-5901  
Phone: (916) 322-6029  
Fax: (916) 322-1465  
Email: [charters@cde.ca.gov](mailto:charters@cde.ca.gov)  
Website: [www.cde.ca.gov](http://www.cde.ca.gov)

### Uniform Complaint Procedures (UCP) Policies and Procedures

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

#### Scope

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

1. Complaints alleging unlawful discrimination, harassment, intimidation or bullying against any protected group on the basis of the actual or perceived characteristics of age, ancestry, color, mental disability, physical disability, ethnic group identification, immigration status, citizenship, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, medical condition, marital status, sex, or sexual orientation, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics in any MPS program or activity.
2. Complaints alleging a violation of state or federal law or regulation governing the following programs:
  - Accommodations for Pregnant and Parenting Pupils;
  - Adult Education;
  - After School Education and Safety;
  - Career Technical Education;
  - Career Technical and Technical Training;
  - Child Care and Development;
  - Compensatory Education;
  - Consolidated Application;
  - Course Periods without Educational Content;
  - Education of Pupils in Foster Care, Pupils who Are Homeless, Migratory Pupils, former Juvenile Court Pupils now Enrolled in a public school and Children of Military Families;
  - Every Student Succeeds Act;
  - Local Control & Accountability Plans (LCAP)/LCFF;
  - Migrant Education;
  - Physical Education Instructional Minutes;
  - Pupil Fees;

- Reasonable Accommodations to a Lactating Pupil;
  - Regional Occupational Centers and Programs;
  - School Plans for School Achievement;
  - School Safety Plans;
  - Schoolsite Councils.
3. Complaints alleging that a student enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below.
- a. “Educational activity” means an activity offered by the charter school that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.
  - b. “Pupil fee” means a fee, deposit or other charge imposed on students, or a student’s parents/guardians, in violation of Education Code section 49011 and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all students without regard to their families’ ability or willingness to pay fees or request special waivers, as provided for in *Hartzell v. Connell* (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:
    - i. A fee charged to a student as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.
    - ii. A security deposit, or other payment, that a student is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.
    - iii. A purchase that a student is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.
  - c. A pupil fees complaint and complaints regarding local control and accountability plans (“LCAP”) only, may be filed anonymously (without an identifying signature), if the complaint

provides evidence or information leading to evidence to support an allegation of noncompliance with Education Code sections 52060 - 52077, including an allegation of a violation of Education Code sections 47606.5 or 47607.3, as referenced in Education Code section 52075, regarding local control and accountability plans.

- d. If MPS finds merit in a pupil fees complaint, or the California Department of Education (“CDE”) finds merit in an appeal, MPS shall provide a remedy to all affected students, parents/guardians that, where applicable, includes reasonable efforts by MPS to ensure full reimbursement to all affected students and parents/guardians, subject to procedures established through regulations adopted by the state board.
- e. Nothing in this Policy shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or MPS and other entities from providing student prizes or other recognition for voluntarily participating in fundraising activities.

Complaints alleging noncompliance with the requirements governing the Local Control Funding Formula (“LCFF”) or LCAP under Education Code sections 47606.5 and 47607.3, as applicable. If MPS adopts a School Plan for Student Achievement in addition to its LCAP, complaints of noncompliance with the requirements of the School Plan for Student Achievement under Education Code sections 64000, 64001, 65000, and 65001 shall also fall under this Policy.

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

Complaints alleging noncompliance regarding special education programs established pursuant to Education Code sections 56000-56865 and 59000-59300 are governed by the procedures set forth in 5 C.C.R. sections 3200-3205 and 34 C.F.R. sections 300.151-300.153. MPS acknowledges and respects every individual’s rights to privacy. Unlawful discrimination, harassment, intimidation or bullying complaints shall be investigated in a manner that protects (to the greatest extent reasonably possible and as permitted by law) confidentiality of the parties, including but not limited to the identity of the complainant, and maintains the integrity of the process. MPS cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, MPS will attempt to do so as appropriate. MPS may find it necessary to disclose information regarding the complaint/complainant to the



extent required by law or necessary to carry out the investigation or proceedings, as determined by the CEO, MPS campus Principal, or designee on a case-by-case basis. MPS shall ensure that complainants are protected from retaliation.

### **Compliance Officer**

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

CEO and Superintendent  
Magnolia Public Schools  
250 E. 1<sup>st</sup> St STE 1500  
Los Angeles, CA 90012  
(213) 628-3634

Upon receipt of a complaint, the CEO will appropriately assign to the Principal of the MPS campus attended by the complainant. That Principal and/or designee shall investigate the complaint, with oversight by the CEO.

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

Should a complaint be filed against the CEO, the compliance officer for that case shall be the President of the MPS Board of Directors.

### **Notifications**

The CEO or designee shall make available copies of this Policy free of charge. The annual notice of this Policy will be made available on MPS' website.

MPS shall annually provide written notification of MPS' UCP to employees, students, parents/guardians, advisory committees, private school officials or representatives, and other interested parties as applicable.

The annual notice shall be in English. When necessary under Education Code section 48985, if fifteen (15) percent or more of the students enrolled in MPS speak a single primary language other than English, this annual notice will also be provided to the parent/guardian of any such students in their primary language.

The annual notice shall include the following:

1. A list of the types of complaints that fall under the scope of the UCP and the state and federal provisions that govern complaints regarding child nutrition programs and special education programs.
2. A statement clearly identifying any California State preschool programs that MPS is operating as exempt from licensing pursuant to Health and Safety Code section 1596.792(o) and corresponding Title 5 health and safety regulations, and any California State preschool programs that MPS is operating pursuant to Title 22 licensing requirements.

3. A statement that MPS is primarily responsible for compliance with federal and state laws and regulations.
4. A statement that a student enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.
5. A statement identifying the title of the compliance officer, and the identity(ies) of the person(s) currently occupying that position, if known.
6. A statement that if a UCP complaint is filed directly with the CDE and the CDE determines that it merits direct intervention, the CDE shall complete an investigation and provide a written decision to the complainant within sixty (60) calendar days of receipt of the complaint, unless the parties have agreed to extend the timeline or the CDE documents exceptional circumstances and informs the complainant.
7. A statement that the complainant has a right to appeal MPS' decision to the CDE by filing a written appeal within thirty (30) calendar days of the date of MPS' decision, except if MPS has used its UCP to address a complaint that is not subject to the UCP requirements.
8. A statement that a complainant who appeals MPS' decision on a UCP complaint to the CDE shall receive a written appeal decision within sixty (60) calendar days of the CDE's receipt of the appeal, unless extended by written agreement with the complainant or the CDE documents exceptional circumstances and informs the complainant.
9. A statement that if MPS finds merit in a UCP complaint, or the CDE finds merit in an appeal, MPS shall take corrective actions consistent with the requirements of existing law that will provide a remedy to the affected student and/or parent/guardian as applicable.
10. A statement advising the complainant of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal pursuant to Education Code section 262.3.
11. A statement that copies of MPS' UCP shall be available free of charge.

The UCP Annual Notice, the UCP, and the complaint form for the UCP are all included in the Student/Parent Handbook. Copies are also available in the school office free of charge and on the school website. For further information on any part of the complaint procedures, including filing a complaint or requesting a copy of the UCP, please contact the CEO.

**Note:** It is not required to use the complaint form for the UCP to file a UCP complaint. If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, we shall assist the complainant in the filing of the complaint.

### **Procedures**

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

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

#### • **Step 1: Filing of Complaint**

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

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

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

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

Complaints filed pursuant to this Policy must be in writing and signed. A signature may be handwritten, typed (including in an email) or electronically generated. Only complaints regarding pupil fees or LCAP compliance may be filed anonymously as set forth in this Policy. If a complainant is unable to put a complaint in writing due to

conditions such as a disability or illiteracy, MPS staff shall assist the complainant in the filing of the complaint.

#### • **Step 2: Mediation**

Within three (3) business days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process. Before initiating the mediation of an unlawful discrimination, harassment, intimidation or bullying complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information. If the mediation process does not resolve the complaint to the satisfaction of the complainant, the compliance officer shall proceed with the investigation of the complaint. The use of mediation shall not extend MPS’ timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

#### • **Step 3: Investigation of Complaint**

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

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

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

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

#### • **Step 4: Final Written Decision**

MPS shall issue an investigation report (the “Decision”) based on the evidence. MPS’ Decision shall be in writing and sent to the complainant within sixty (60) calendar days of MPS’ receipt unless the timeframe is extended with the written agreement of the complainant. MPS’ Decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The Decision shall include:

1. The findings of fact based on evidence gathered.

2. The conclusion providing a clear determination for each allegation as to whether MPS is in compliance with the relevant law.
3. Corrective actions, if MPS finds merit in the complaint and any are warranted or required by law.
4. Notice of the complainant's right to appeal MPS' Decision within thirty (30) calendar days to the CDE, except when MPS has used its UCP to address a complaints that are not subject to the UCP requirements.
5. Procedures to be followed for initiating such an appeal.

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

#### **Appeals to the CDE**

If dissatisfied with the Decision, the complainant may appeal in writing to the CDE within thirty (30) calendar days of receiving the Decision. The appeal shall be accompanied by a copy of the complaint filed with MPS and a copy of the Decision. When appealing to the CDE, the complainant must specify and explain the basis for the appeal, including at least one of the following:

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

Upon notification by the CDE that the complainant has appealed the Decision, the Principal or designee, under oversight by the CEO, shall forward the following documents to the CDE within ten (10) calendar days of the date of notification:

1. A copy of the original complaint.
2. A copy of the Decision.
3. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by the parties or gathered by the investigator.

4. A report of any action taken to resolve the complaint.
5. A copy of MPS' complaint procedures.
6. Other relevant information requested by the CDE.

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

Within thirty (30) calendar days of the date of the CDE's appeal Decision pursuant to 5 C.C.R. section 4633(f)(2) or (3), either party may request reconsideration by the State Superintendent of Public Instruction ("SSPI") or the SSPI's designee. The request for reconsideration shall specify and explain the reason(s) for contesting the findings of fact, conclusions of law, or corrective actions in the CDE's appeal Decision. The SSPI will not consider any information not previously submitted to the CDE by a party during the appeal unless such information was unknown to the party at the time of the appeal and, with due diligence, could not have become known to the party. Pending the SSPI's response to a request for reconsideration, the CDE appeal Decision remains in effect and enforceable, unless stayed by a court. The CDE may directly intervene in the complaint without waiting for action by MPS when one of the conditions listed in 5 C.C.R. section 4650 exists, including but not limited to cases in which through no fault of the complainant, MPS has not taken action within sixty (60) calendar days of the date the complaint was filed with MPS.

#### **Civil Law Remedies**

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

**MAGNOLIA PUBLIC SCHOOLS**  
**Uniform Complaint Procedures Form**

Last Name: \_\_\_\_\_ First Name/MI: \_\_\_\_\_  
 (if applicable) Student Name: \_\_\_\_\_ Grade: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 Street Address/Apt. #: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_  
 (if applicable) Location/School/Office of Alleged Violation: \_\_\_\_\_

**Note:** It is not required to use this form to file a UCP complaint. If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, we shall assist the complainant in the filing of the complaint.

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

<input type="checkbox"/> Accommodations for Pregnant and Parenting Pupils <input type="checkbox"/> Adult Education <input type="checkbox"/> After School Education and Safety <input type="checkbox"/> Career Technical Education <input type="checkbox"/> Child Care and Development <input type="checkbox"/> Compensatory Education <input type="checkbox"/> Consolidated Application <input type="checkbox"/> Course Periods without Educational Content	<input type="checkbox"/> Education of Pupils in Foster Care, Pupils who Are Homeless, Migratory Pupils, former Juvenile Court Pupils now Enrolled in a public school and Children of Military Families <input type="checkbox"/> Every Student Succeeds Act <input type="checkbox"/> Local Control & Accountability Plans (LCAP)/LCFF <input type="checkbox"/> Migrant Education <input type="checkbox"/> Physical Education Instructional Minutes	<input type="checkbox"/> Pupil Fees <input type="checkbox"/> Reasonable Accommodations to a Lactating Pupil <input type="checkbox"/> Regional Occupational Centers and Programs <input type="checkbox"/> School Plans for School Achievement <input type="checkbox"/> School Safety Plans <input type="checkbox"/> Schoolsite Councils
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**For allegation(s) of unlawful discrimination, harassment, intimidation or bullying, please check the basis of the unlawful discrimination, harassment, intimidation or bullying described in your complaint, if applicable:**

<input type="checkbox"/> Age <input type="checkbox"/> Ancestry <input type="checkbox"/> Color <input type="checkbox"/> Disability (Mental or Physical) <input type="checkbox"/> Ethnic Group Identification <input type="checkbox"/> Gender / Gender Expression / Gender Identity	<input type="checkbox"/> Genetic Information <input type="checkbox"/> Immigration Status/Citizenship <input type="checkbox"/> Marital Status <input type="checkbox"/> Medical Condition <input type="checkbox"/> National Origin/Nationality <input type="checkbox"/> Race or Ethnicity	<input type="checkbox"/> Religion <input type="checkbox"/> Sex (Actual or Perceived) <input type="checkbox"/> Sexual Orientation (Actual or Perceived) <input type="checkbox"/> Based on association with a person or group with one or more of these actual or perceived characteristics
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For bullying complaints not based on protected groups and other complaints not listed on this form, contact your school’s Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator (“Coordinator.”)

- 1. Please give facts about the complaint. Provide details such as the names of those involved, dates, whether witnesses were present, etc., that may be helpful to the complaint investigator.

[Blank lines for providing details about the complaint]

- 2. Have you discussed your complaint or brought your complaint to any MPS personnel? If you have, to whom did you take the complaint, and what was the result?

[Blank lines for providing details about discussion of the complaint]

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

I have attached supporting documents.       Yes     No

[Signature line]

[Date line]

Signature

Date

**Mail complaint and any relevant documents to:**

CEO & Superintendent  
Magnolia Public Schools  
250 E. 1st St. Ste 1500  
Los Angeles, CA 90012  
(213) 628-3634

**To be completed by MPS:**

[Received by line]

[Date line]

[Follow up Meeting with Complainant held on line]

Received by

Date

Follow up Meeting with Complainant held on

## MAGNOLIA PUBLIC SCHOOLS (MPS) ATTENDANCE POLICY

It is the intent of the Governing Board of the Magnolia Educational and Research Foundation, doing business as Magnolia Public Schools (“MPS”) to ensure that students attend school every day on time. Consistent school attendance is critical to school success. Being present for classroom instructional time is essential for students to reach their goals and achieve their dreams. Chronic absenteeism has been linked to an increased likelihood of poor academic performance, disengagement from school and behavior problems.

### **Avoiding Absences, Written Excuses**

Following an absence, a student is required to bring a written excuse from home when returning to school. Absences without a written excuse are recorded as unexcused.

### **Tardiness:**

Children should be encouraged to be prompt as part of developing good habits. They are expected to be at school on time. If a child is late, the child should bring an excuse from home to the school office. A student will be classified as truant if they are tardy or absent for more than a 30-minute period during the school day without a valid excuse on three occasions in one school year.

### **Definitions:**

- *“Tardy”*: MPS starts at **8:00 a.m.**\* Students shall be classified as tardy if the student arrives after that time.

\* Each individual MPS school start time may vary. Please check with your school office for the exact start time.

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

**Arrest of Truants/School Attendance Review Boards: EC 48263 and 48264:**

The MPS attendance supervisor, administrator or designee, a peace officer, or probation officer may arrest or assume temporary custody during school hours, of any minor who is found away from their home and who is absent from MPS without valid excuse within the county, city or school district. A student who is a habitual truant may be referred to a School Attendance and Review Team (SART).

**Excused Absences/Tardies for Classroom Based Attendance**

No student shall have his or her grade reduced or lose academic credit for any excused absence or absences, if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

(a) A student shall be excused from school when the absence is:

- (1) Due to his or her illness.
- (2) Due to quarantine under the direction of a county or city health officer.
- (3) For the purpose of having medical, dental, optometric, or chiropractic services rendered.
  - a. Students in grades 7-12, inclusive, may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian.
- (4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
- (5) For the purpose of jury duty in the manner provided for by law.
- (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child (The school does not require a note from the doctor for this excusal).
- (7) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
- (8) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in EC 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
- (9) For the purpose of attending the pupil's naturalization ceremony to become a United States Citizen.
- (10) Authorized parental leave for a pregnant or parenting student for up to eight (8) weeks.
- (11) Authorized at the discretion of a school administrator, based on the facts of the student's circumstances, are deemed to constitute a valid excuse.

- (12) A student who holds a work permit to work for a period of not more than five (5) consecutive days in the entertainment or allied industries shall be excused from school during the period that the student is working in the entertainment or allied industry for a maximum of up to five (5) absences per school year subject to the requirements of Education Code section 48225.5.
- (13) In order to participate with a not-for-profit performing arts organization in a performance for a public-school student audience for a maximum of up to five (5) days per school year provided the student's parent or guardian provides a written note to the school authorities explaining the reason for the student's absence.
- (14) Appearance in court.
- (15) Attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization upon written request by parent and approval by the Principal or designee pursuant to uniform standards established by the Board.
- (16) Observance of a religious holiday.
- (17) Participation in religious instruction or exercises as follows: The student shall be excused for this purpose on no more than four (4) school days per month.

(b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

(c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.

(d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

(e) "Immediate family," as used in this section, means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

Other reasons will be considered that are requested in writing and approved by MPS. If the excuse is not one of the valid excuses listed above, the MPS administrators are authorized to excuse school absences due to the pupil's circumstances on a case-by-case basis.

#### **Unexcused Absences/Tardies for Classroom Based Attendance**

Students will be marked unexcused if they:

1. Do not bring a written note within **two (2)** school days following an absence;
2. Leave school without signing out at the school office;
3. Are absent from class without teacher permission or a valid excuse, including walking out of class;
4. Get a pass to go to a certain place but do not report there; and/or
5. Are absent/tardy for reasons **not acceptable** to the administration including but not limited to:



- Not waking up on time
- Transportation problems (missing the bus, traffic, etc.)
- Running errands for family
- Work
- Babysitting
- Hair appointment
- Needed at home
- Vacations or trips
- Athletic workout
- Socializing/Lingering in the hallway.

### **Method of Verification**

A parent/guardian must inform the school office via phone of their child's absence/tardy the morning of the absence/tardy. When students who have been absent return to school, they must present a satisfactory explanation verifying the reason for the absence/tardy within **two (2)** school days of the excused absence and/or upon the student's return. If a satisfactory explanation is not provided within **two (2)** school days of the absence/return, the absence will be marked as "unexcused." The following methods may be used to verify student absences/tardies:

1. Signed, written note from parent/guardian, parent representative;
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
  - a. Name of student;
  - b. Name of parent/guardian or parent representative;
  - c. Name of verifying employee;
  - d. Date or dates of absence; and
  - e. Reason for absence.
3. Visit to the student's home by the verifying employee, or any other reasonable method, which establishes the fact that the student was absent for the reasons stated. A written recording shall be made, including information outlined above.
4. Healthcare provider verification
  - a. When excusing students for confidential medical services or verifying such appointments, MPS staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.

- b. A healthcare provider's note of illness will be accepted for any reported absence. When a student has **had twenty (20)** absences in the school year verified by methods listed in #1-#3 above without a healthcare provider's note, any further absences for illness must be verified by a healthcare provider.

Students should not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency or for students in grades 7-12, inclusive, who may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian. Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to administrative regulations and law. Students who arrive to school late must report to the school office when the student arrives. If the student fails to do this, he or she will receive an unexcused tardy. If the student fails to present a satisfactory explanation verifying the reason for the tardy, the student will receive an unexcused tardy. The student will be given a "late slip" from office staff to be admitted to class.

### **Make up Work for Excused Absences**

An absence from school, even for several days, does not excuse students from responsibilities in the classroom. On the day of return, it is the students' responsibility to find out what work is required and when the work needs to be completed. Students will be given the same number of days they were absent to make up missed work. For students with excused absences, make-up tests will be scheduled at a time designated by the teacher or as outlined in the teacher's syllabus. It is the students' responsibility to take the test at that time. If the student fails to do this, the teacher is not obligated to set another time for make-up. Please check teacher's syllabus and make sure for their individual policy.

### **Independent Study Policy**

Students with a legitimate need for an extended absence of five (5) or more days can enroll in independent study. Please see the school office and website for the "**MPS Independent Study Policy.**"

### **Extracurricular Activities**

When a student accrues ten (10) unexcused absences/tardies in a semester, the student may not be allowed to participate in any extracurricular activities for the remainder of that semester. (Field trips and academic opportunities do not count as extracurricular activities.) Special circumstances with documented explanations should be reviewed with the administration. After twenty (20) unexcused absences/tardies within the school year, the student may be referred to the Reflection Committee regarding their standing and opportunity to participate in any culminating activities, i.e., promotion/graduation, prom or graduation night.

### **Process for Upholding the Attendance Policy**

#### **First Day of School Process**

When students are not in attendance on the **first five (5) consecutive days of school**, MPS will attempt to reach the parent/guardian on a daily basis for each of the first five days to determine whether the student has an excused absence, consistent with the process outlined in this policy. If the student has a basis for an excused absence, parents must notify MPS of the absence and provide documentation consistent with this

policy. However, consistent with process below, students who are not in attendance due to an unexcused absence by the fifth day of school will be disenrolled from the Charter School roster after following the Involuntary Removal Process described below, as it will be assumed that the student has chosen another school option.

1. Students who are not in attendance on the first day of school will be contacted by phone to ensure their intent to enroll.
2. Students who have indicated their intent to enroll, but have not attended by the third day will receive a letter indicating the student will be disenrolled after the fifth day of school if the student has not attended school without valid excuse.
3. Students who have indicated their intent to enroll but have not attended by the fifth day of school will receive a phone call reiterating the content of the letter.
4. MPS will send the Involuntary Removal Notice to the parent/guardian and follow the Involuntary Removal Process described below for any students who have not attended by the sixth (6th) day, and do not have an excused absence.
5. The Involuntary Removal Process can be started immediately upon MPS receiving documentation of the student's enrollment and attendance at another public or private school (i.e. a CALPADS report).
6. MPS will use the contact information provided by the parent/guardian in the registration packet.
7. The last known District of Residence will be notified of the student's failure to attend MPS and the voluntary disenrollment within thirty (30) days of the disenrollment.

### **Truancy Process**

1. Each of the first **two (2)** unexcused absences or unexcused tardies over 30 minutes will result in a call home to the parent/guardian by the Principal or designee. The student's classroom teacher may also call home.
2. Each of the **third (3rd) and fourth (4th)** unexcused absences or unexcused tardies over 30 minutes will result in a call home to the parent/guardian by the Principal or designee. In addition, the student's classroom teacher may also call home and/or MPS may send the parent an e-mail notification. In addition, upon reaching **three (3)** unexcused absences or unexcused tardies over 30 minutes in a school year, the parent/guardian will receive "**Truancy Letter #1 – Truancy Classification Notice**" from the Charter School notifying the parent/guardian of the student's "Truant" status. This letter must be signed by the parent/guardian and returned to the Charter School. This letter shall also be accompanied by a copy of this Attendance Policy. This letter, and all subsequent letter(s) sent home, shall be sent by Certified Mail, return receipt requested, or some other form of mail that can be tracked. This letter shall be re-sent after a fourth (4th) unexcused absence or unexcused tardy over 30 minutes.
3. Upon reaching **seven (7)** unexcused absences or unexcused tardies over 30 minutes, the parent/guardian will receive "**Truancy Letter #2 – Habitual Truant Classification Notice – Conference Request,**" notifying the parent/guardian of the student's "Habitual Truant" status

- and that a parent/guardian conference will be scheduled to review the student's records and develop an intervention plan/contract. In addition, MPS will consult with a school counselor regarding the appropriateness of a home visitation and/or case management.
4. Upon reaching **ten (10)** unexcused absences or unexcused tardies over 30 minutes, the student will be referred to a **Student Support and Progress Team (SSPT)** and the **MPS Attendance Review Team (SART)**. In addition, the parent/guardian will receive a **“Truancy Letter #3 – Referral to SART,”** and will be asked/invited to attend a presentation regarding chronic absenteeism.
  5. The SART panel can include, but is not limited to, the following school members: School Administrators, School Psychologist, Counselor, Nurse, Psychiatric Social Worker, Attendance Clerk, Intervention Teacher(s), MPS Director of Student Services or designee, PSAC or designee. The panel may be composed of any individual who is working with the family and has a viable interest in the student's school attendance. The SART panel will discuss the absence problem with the Parent/Guardian to work on solutions, develop strategies, discuss appropriate support services for the student and his/her family, and establish a plan to resolve the attendance issue.
    - a. The SART panel shall direct the parent/guardian that no further unexcused absences or tardies can be tolerated.
    - b. The parent shall be required to sign a contract formalizing the agreement by the parents to improve the child's attendance or face additional administrative action. The contract will identify the corrective actions required in the future, and indicate that the SART panel shall have the authority to order one or more of the following consequences for non-compliance with the terms of the contract:
      - i. Parent/guardian to attend school with the child for one (1) day
      - ii. Student retention
      - iii. After school detention program
      - iv. Required school counseling
      - v. Loss of field trip privileges
      - vi. Loss of school store privileges
      - vii. Loss of school event privileges
      - viii. Required remediation plan as set by the SART
      - ix. Notification to the District Attorney
    - c. The SART panel may discuss other school placement options.
    - d. Notice of action recommended by the SART will be provided in writing to the parent/guardian.
  6. If the conditions of the SART contract are not met, the student may incur additional administrative action up to and including disenrollment from MPS consistent with the Involuntary Removal

Process described below. If the student is disenrolled after the Involuntary Removal Process has been followed, notification will be sent within thirty (30) days to the student's last known district of residence.

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

### **Involuntary Removal Process**

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (5) schooldays before the effective date of the action ("Involuntary Removal Notice"). The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder. The Involuntary Removal Notice shall include the charges against the student and an explanation of the student's basic rights including the right to request a hearing before the effective date of the action. The hearing shall be consistent with the Charter School's expulsion procedures. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the Charter School's suspension and expulsion policy.

Upon parent/guardian request for a hearing, the Charter School will provide notice of hearing consistent with its expulsion hearing process, through which the student has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the student has the right to bring legal counsel or an advocate. The notice of hearing shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder and shall include a copy of the Charter School's expulsion hearing process.

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

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

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

**Referral to Appropriate Agencies or County District Attorney**

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

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

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

**Reports**

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

## EDUCATION OF FOSTER AND MOBILE YOUTH POLICY

### **I. Introduction**

The Governing Board of Magnolia Public Schools (“MPS”) recognizes that foster and mobile youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs. To enable such students to achieve state and charter school academic standards, MPS shall provide them with full access to MPS’ educational program and implement strategies identified as required by law and necessary for the improvement of the academic achievement of foster youth in MPS’ Local Control and Accountability Plan (“LCAP”).

### **II. Definitions**

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

“*Former juvenile court school pupil*” means a pupil who, upon completion of the pupil’s second year of high school, transfers from a juvenile court school to the Charter School.

“*Child of a military family*” refers to a student who resides in the household of an active duty military member.

“*Currently Migratory Child*” refers to a child who, within the last 12-months, has moved with a parent, guardian, or other person having custody to the Charter School from another Local Educational Agency (“LEA”), either within California or from another state, so that the child or a member of the child’s immediate family might secure temporary or seasonal employment in an agricultural or fishing activity, and whose parents or guardians have been informed of the child’s eligibility for migrant education services. “*Currently Migratory Child*” includes a child who, without the parent/guardian, has continued to migrate annually to secure temporary or seasonal employment in an agricultural or fishing activity.

“*Pupil participating in a newcomer program*” means a pupil who is participating in a program designed to meet the academic and transitional needs of newly arrived immigrant pupils that has as a primary objective the development of English language proficiency.

“*Educational Rights Holder*” (“*ERH*”) means a parent, guardian, responsible adult appointed by a court to make educational decisions for a minor pursuant to Welfare and Institutions Code sections 319, 361 or 726, or a person holding the right to make educational decisions for the pupil pursuant to Education Code section 56055.

“*School of origin*” means the school that the foster youth attended when permanently housed or the school in which the foster youth was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which the student was last enrolled, or if there is some other school that the foster youth attended within the immediately preceding 15 months, the MPS liaison for foster youth, in consultation with and with the agreement of the foster youth and ERH for the youth, shall determine, in the best interests of the foster youth, the school that shall be deemed the school of origin.

“*Best interests*” means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, the opportunity to be educated in the least restrictive educational program and the foster youth's access to academic resources, services, and extracurricular and enrichment activities that are available to all MPS students.

Within this Policy, foster/juvenile court youth, former juvenile court school pupils, a child of a military family, a currently migratory child, and a pupil participating in the newcomer program will be referred to collectively as “Foster and Mobile Youth.”

### **III. Foster and Mobile Youth Liaison**

In order to help facilitate the enrollment, placement, and transfer of foster and mobile youth to MPS, the Governing Board shall designate an MPS foster and mobile youth liaison. The Governing Board designates the following position as MPS’ liaison for foster and mobile youth:

CEO & Superintendent  
Magnolia Public Schools  
250 E. 1<sup>st</sup> St. Ste 1500  
Los Angeles, CA 90012  
(213) 628-3634

The liaison for foster and mobile youth shall be responsible for the following:

1. Ensure and facilitate the proper educational placement, enrollment in MPS, and checkout from MPS of foster youth.
2. Ensure proper transfer of credits, records, and grades when foster youth transfer to or from MPS.
3. When a foster youth is enrolling in MPS, the foster and mobile youth liaison shall contact the school last attended by the student, within two (2) business days, to obtain all academic and other records. The last school attended by the foster youth shall provide all required records to the new school regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended. When a foster youth is transferring to a new school, the foster and mobile youth liaison shall provide the student’s records to the new school within two (2) business days of receiving the new school’s request, regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the Charter School. .
4. When required by law, notify the foster youth’s attorney and the appropriate representative of the county child welfare agency at least ten (10) calendar days preceding the date of the following:
  - a. An expulsion hearing for a discretionary act under MPS’ charter.
  - b. Any meeting to extend a suspension until an expulsion decision is rendered if the decision to recommend expulsion is a discretionary act under MPS’ charter. The foster youth’s attorney and the agency representative will be invited to participate.
  - c. A manifestation determination meeting prior to a change in the foster youth’s placement if the change in placement is due to an act for which the recommendation for expulsion is discretionary and the student is a student with a disability under state and federal special education laws. The foster youth’s attorney and the agency representative will be invited to participate.
5. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973.
6. As needed, ensure that students in foster care receive appropriate school-based services, such as counseling and health services, supplemental instruction, and after-school services.



7. Develop protocols and procedures for creating awareness for MPS staff, including but not limited to the Principal, teachers, attendance clerks, and office staff, of the requirements for the proper enrollment, placement, and transfer of foster youth.
8. Collaborate with the county placing agency, social services, probation officers, juvenile court officers, and other appropriate agencies to help coordinate services for MPS' foster youth.
9. Monitor the educational progress of foster youth and provide reports to the Principal or designee and the Governing Board based on indicators identified in MPS' LCAP.

This policy does not grant the foster and mobile youth liaison authority that supersedes the authority granted under state and federal law to a parent or legal guardian retaining educational rights, a responsible person appointed by the court to represent the child pursuant to Welfare and Institutions Code sections 319, 361 or 726, a surrogate parent, or a foster parent exercising authority under the Education Code section 56055. The role of the foster and mobile youth liaison is advisory with respect to placement options and determination of the school of origin.

#### **IV. School Stability and Enrollment**

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

Foster youth, currently migratory children, and children of military families have the right to remain in their school of origin if it is their best interest. The Charter School will immediately enroll a foster youth, a currently migratory child, or child of a military family seeking reenrollment in the Charter School as their school of origin.

A foster youth, currently migratory child, or child of a military family who seeks to transfer to the Charter School will be immediately enrolled (subject to the Charter School's capacity, if the Charter School is not the student's school of origin, and pursuant to the procedures stated in the Charter School's charter and Board policy) even if the student has outstanding fees, fines, textbooks, or other items or monies due to the school last attended or is unable to meet normal enrollment documentation or school uniform requirements (e.g. producing medical records or academic records from a previous school).

At the initial detention or placement or any subsequent change in placement, a foster youth may continue in their school of origin for the duration of the court's jurisdiction. A currently migratory child or child of a military family may continue in their school of origin as long as the student meets the definition of a currently migratory child or child of a military family as described above. Foster youth, currently migratory children, and children of military families have the right to remain in their school of origin following the termination of the court's jurisdiction or termination of the child's status as a currently migratory child or child of a military family, as follows:

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

If the foster youth, currently migratory child or child of a military family is transitioning between school grade levels, the youth shall be allowed to continue in the district of origin in the same attendance area to provide the youth the benefit of matriculating with their peers in accordance with the established feeder patterns of school districts. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

The foster and mobile youth liaison may, in consultation with and with the agreement of the foster youth and the ERH for the foster youth, recommend that the foster youth's right to attend the school of origin be waived and the student be enrolled in any district school that the student would otherwise be eligible to attend as a resident of the school district or in MPS consistent with current enrollment procedures. All decisions shall be made in accordance with the foster youth's best interests.

Prior to making any recommendation to move a foster youth from their school of origin, the foster and mobile youth liaison shall provide the foster youth and the foster youth's ERH with a written explanation of the basis for the recommendation and how the recommendation serves the foster youth's best interests.

If any dispute arises regarding a foster youth's request to remain in MPS as the foster youth's school of origin, the foster youth has the right to remain in MPS pending resolution of the dispute. The dispute shall be resolved in accordance with the existing MPS dispute resolution process.

#### **V. Transportation**

MPS shall not be responsible for providing transportation to allow a foster youth to attend school, unless there is an agreement with a local child welfare agency that the Charter School assumes part or all of the transportation costs in accordance with Section 6312(c)(5) of Title 20 of the United States Code, or unless required by federal law. MPS is not prohibited from providing transportation, at its discretion, to allow a foster youth to attend school.

In accordance with Section 6312(c)(5) of Title 20 of the United States Code, the Charter School shall collaborate with local child welfare agencies to develop and implement clear written procedures to address the transportation needs of foster youth to maintain them in their school of origin, when it is in the best interest of the youth.

For any student who has an individualized education program ("IEP"), the student's IEP team will determine if the student requires special education transportation as a related service regardless of the student's status.

#### **VI. Effect of Absences on Grades**

The grades of a foster youth shall not be lowered for any absence from school that is due to either of the following circumstances:

1. A decision by a court or placement agency to change the student's placement, in which case the student's grades shall be calculated as of the date the student left school.
2. A verified court appearance or related court-ordered activity.

#### **VII. Transfer of Coursework and Credits**

When a foster and mobile youth transfers into MPS, MPS shall accept and issue full credit for any coursework that the foster and mobile youth has satisfactorily completed while attending another public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school or agency even if the student did not complete the entire course and shall issue that student full or partial credit for the coursework

completed. For purposes of coursework completed by a student who is a child of a military family, “public school” includes schools operated by the United States Department of Defense.

If the foster and mobile youth did not complete the entire course, the student shall be issued partial credit for the coursework completed and shall not be required to retake the portion of the course that the student completed at another school. unless MPS, in consultation with the student’s ERH, finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a foster and mobile youth in any particular course, the student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course.

In no event shall MPS prevent a foster and mobile youth from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California.

### **VIII. Applicability of Graduation Requirements**

To obtain a high school diploma from MPS, a student must complete all courses required by MPS, and fulfill any additional graduation requirements prescribed by the Board.

However, foster and mobile youth who transfer to MPS any time after the completion of their second year of high school, and pupils participating in a newcomer program who are in their third or fourth year of high school, shall be exempt from any of the Charter School’s graduation requirements that are in excess of the California minimum graduation requirements specified in Education Code section 51225.3 (“additional graduation requirements”) unless MPS makes a finding that the student is reasonably able to complete the MPS graduation requirements by the end of the student’s fourth year of high school.

To determine whether a foster and mobile youth is in their third or fourth year of high school, either the number of credits the student has earned to the date of transfer or the length of the student’s school enrollment may be used, whichever will qualify the student for the exemption. For a pupil participating in a newcomer program, enrollment in grade 11 or 12 may be used to determine whether the student is in their third or fourth year of high school.

Within thirty (30) calendar days of the date that a student who may qualify for exemption under the above requirements transfers into the Charter School, the Charter School shall notify the student, the ERH, and where applicable, the student’s social worker or probation officer, of the availability of the exemption and whether the student qualifies for the exemption. If the Charter School fails to provide timely notice of the availability of the exemption, the Foster and Mobile Youth shall be eligible for the exemption from the additional graduation requirements once notified, even if that notification occurs after the termination of the court’s jurisdiction over the student, if the foster youth otherwise qualifies for the exemption.

If a student is exempted from the Charter School’s additional graduation requirements pursuant to this Policy and completes the statewide coursework requirements specified in Educational Code section 51225.3 before the end of their fourth year of high school and that student would otherwise be entitled to remain in attendance at the Charter School, the Charter School shall not require or request that the student graduate before the end of their fourth year of high school.

The Principal or designee shall notify a foster and mobile youth and their ERH if MPS grants an exemption from additional graduation requirements, how any requirements that are waived will affect the foster and mobile youth's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges.

A foster and mobile youth who would otherwise be entitled to remain in attendance at the Charter School shall not be required to accept the exemption from additional graduation requirements or be denied enrollment in, or the ability to complete, courses for which the foster and mobile youth is otherwise eligible, including courses necessary to attend an institution of higher education, regardless of whether those courses are required for statewide graduation requirements.

If an eligible student is not exempted from additional graduation requirements or has previously declined the exemption pursuant to this Policy, the Charter School shall exempt the student at any time if an exemption is requested by the youth and the youth qualifies for the exemption. Likewise, if the youth is exempted, the Charter School may not revoke the exemption.

If a Foster and Mobile Youth is exempted from additional graduation requirements pursuant to this section, the exemption shall continue to apply after the termination of the court's jurisdiction over the student or after the termination of circumstances which make the Student eligible while he or she is enrolled in school or if the student transfers to another school, including a charter school, or school district.

MPS shall not require or request a foster and mobile youth to transfer schools in order to qualify for an exemption from additional graduation requirements, and no foster and mobile youth or any person acting on behalf of a foster and mobile youth may request a transfer solely to qualify for an exemption from the Charter School's additional graduation requirements.

Upon making a finding that a foster and mobile youth is reasonably able to complete MPS graduation requirements within the student's fifth year of high school, the Principal or designee shall:

1. Inform the student and the student's ERH of the student's option to remain in school for a fifth year to complete MPS' graduation requirements, consistent with the laws regarding continuous enrollment and satisfactory progress for Charter School students over age 19.
2. Inform the student and the student's ERH how remaining in school for a fifth year will affect the student's ability to gain admission to a postsecondary educational institution.
3. Provide information to the student about transfer opportunities available through the California Community Colleges
4. Upon agreement with the student or, if the student is under 18 years of age, the ERH, permit the foster and mobile youth to stay in school for a fifth year to complete MPS' graduation requirements.

If a juvenile court youth satisfies the requirements for high school graduation while enrolled at a juvenile court school but has elected to decline the issuance of the diploma for the purpose of taking additional coursework, the Charter School will not prevent the juvenile court youth from enrolling in the Charter School and pursuing additional coursework if requested by the youth or by the youth's ERH.

#### **IX. Retroactive Grant of High School Diplomas: Departed/Deported Pupils**

The governing board of the MPS may award a diploma to any student who has been deported outside the US against their will, if at the time of the student's deportation, was enrolled in grade 12 of a high school operated by MPS, did not receive a high school diploma because the student's education was interrupted due to their deportation, and was in good academic standing at the time of their deportation. Any transfer credits completed by the student outside the

US or through online or virtual classes will be considered by MPS in its evaluation as to whether to award a high school diploma to a student under this provision.

**X. Eligibility for Extracurricular Activities**

A student who is in foster care whose residence changes pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities.

**XI. Waiver of Fees for Afterschool Programs**

The Charter School shall not charge any student who the Charter School knows is currently in foster care any family fees associated with an After-School Education and Safety (“ASES”) Program operated by the Charter School.

**XII. Student Records**

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

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

**XIII. Complaints of Noncompliance**

Complaints of noncompliance with this policy shall be governed by MPS’ Uniform Complaint Procedures policy. A copy of MPS’ “**Uniform Complaint Policy and Procedures**” is available in the school office and on the school website.

MAGNOLIA PUBLIC SCHOOLS (MPS) EDUCATION OF HOMELESS CHILDREN AND YOUTH POLICY

**I. Introduction**

The MPS Governing Board desires to ensure that homeless children and youth are provided with equal access to its educational program, have an opportunity to meet the same challenging State academic standards, are provided a free and appropriate public education, are not stigmatized or segregated on the basis of their status as homeless, and to establish safeguards that protect homeless students from discrimination on the basis of their homelessness.

**II. Definitions**

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

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

Homeless status is determined in cooperation with the parent or guardian. In the case of unaccompanied youth, status is determined by the Homeless Liaison.

**III. MPS Liaison**

The **Principal** of each MPS school site shall serve as the Liaison for homeless students ((42 USC 11432(g)(1)(J).)

The Homeless Liaison shall ensure that the following requirements are fulfilled by MPS (42 U.S.C. 11432(g)(6)):

1. Homeless students are identified by school personnel and through outreach and coordination activities with other entities and agencies.
2. Homeless students enroll in and have a full and equal opportunity to succeed at MPS.
3. Homeless students and families receive educational services for which they are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act, early intervention services under part C of the Individuals with Disabilities Education Act (“IDEA”), any other preschool programs administered by MPS, if any, and referrals to health care

- services, dental services, mental health services, substance abuse services, housing services, and other appropriate services.
4. Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
  5. Public notice of the educational rights of homeless children is disseminated at places frequented by parents or guardians of such youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, and in a manner and form understandable to the parents and guardians of homeless youth and unaccompanied youth.
  6. Enrollment/admissions disputes are mediated in accordance with law, the MPS charter, and Board policy.
  7. Parents/guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.
  8. MPS personnel providing services receive professional development and other support.
  9. The MPS Liaison collaborates with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.
  10. Unaccompanied youth are enrolled in school; have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth; and are informed of their status as independent students and that the youths may obtain assistance from the MPS Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid.

#### **IV. General Assurances**

MPS provides the following general assurances:

- Homeless children and youth shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way.
- Homeless children and youth shall be provided services comparable to those received by other students in the school, including transportation services, and education programs for which students meet eligibility criteria, such as services provided under Title 1 or similar state and local programs; programs for students with disabilities; programs for students with limited English proficiency; vocational or technical programs; gifted and talented programs; and school nutrition programs.
- Homeless children and youth will have access to any funds reserved (set-asides) for serving homeless students at their school.
- MPS shall provide homeless students with access to education and other services necessary for these students to meet the same challenging academic standards as other students.
- MPS shall provide and post notices of the educational rights of homeless children and youth.

**V. Identification and Reporting**

Homeless children and youth will be identified through:

1. The application process for enrollment (self-identification)
2. School personnel recommendations
3. Coordinated activities with other entities and agencies

MPS will comply with all federal, state, county, and other data collections and reporting requirements regarding homeless children and youth.

**VI. School Selection**

All MPS schools are independent charter schools, and therefore schools of choice rather than assigned district schools. In order to provide equal access to its schools, the MPS annual student recruitment plan shall include efforts to reach homeless families, children, and youth via free public events, community centers, and local homeless service providers. Homeless students may also be identified at the time of enrollment (through self-reports).

**VII. Enrollment and Records**

Homeless youth will not be discriminated against in the application process. Homeless children and youth will be allowed to apply for enrollment in accordance with current MPS enrollment policies even if the parent/guardian is unable to provide the school with the records normally required for enrollment such as previous academic records, birth certificate, medical records, proof of residency, or other documentation. The MPS designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other medical records, the designee shall refer the parent/guardian to the MPS Liaison. The liaison shall assist the parent/guardian in obtaining the necessary immunizations or records for the student.

In the case of an unaccompanied youth who meet the criteria for homeless student, the MPS Liaison shall assist in the enrollment process. Unaccompanied youth shall be immediately enrolled if eligible and if space is available even if unable to provide the school with the records normally required for enrollment (as above), and despite lack of parent or legal guardian's supervision or permissions, or "power of attorney" by supervising adult.

In accordance with current MPS enrollment policies and state regulations regarding charter schools, if the grade level for which a homeless child or youth has applied has more applicants than spaces available, a random public lottery will take place once annually in order to determine enrollment for the following school year. An "in-district" priority will apply during the lottery to homeless youth who self-identify as homeless during the lottery application process as to not discriminate against homeless children or youth due to lack of permanent housing. If a homeless child or youth applies for admission after the annual random public lottery and no space is available in the student's grade level, the student will be placed on the waitlist in the order in which the application was received, even if the application is incomplete at the time of submission.

Any confidential record ordinarily kept by the school, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, of each



homeless child or youth will be maintained so that the records are available, in a timely fashion, when a child or youth enters a new school or school district.

MPS shall immediately admit/enroll the student for which the Charter School is a School of Origin. "School of Origin" means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

MPS shall also immediately enroll a homeless youth who seeks to enroll in the Charter School, if the youth would otherwise be eligible to attend and subject to the Charter School's capacity and pursuant to the procedures stated in the MPS charter and Board policy. A homeless youth who is enrolled will have the right to attend classes and participate fully in school activities, including extracurricular activities.

The youth shall be immediately enrolled even if the student lacks records normally required for enrollment (such as previous academic records, records of immunizations, other required health records, proof of residency) or has missed application or enrollment deadlines during any period of homelessness. Records will immediately be requested from the previous school. (42 U.S.C. § 11432(g)(3)(C); Education Code Section 48850(a)(3)(A).)

If the student needs to obtain immunizations or does not possess immunization or other medical records, the CEO or designee shall refer the parent/guardian to the Charter School Liaison. The Charter School Liaison shall assist the parent/guardian in obtaining the necessary immunizations or records for the student. (42 U.S.C. § 11432(g)(3)(C).)

A homeless youth may remain in the student's school of origin for the entire period for which the youth is homeless. If a youth obtains permanent housing during an academic year, the youth will be permitted to remain in the school of origin through the end of the academic year.

### **VIII. Enrollment Disputes and Resolution Process**

If a disagreement arises over admissions/ enrollment, the student shall be immediately admitted (subject to MPS's capacity and pursuant to the procedures stated in the Charter School charter and Board policy), pending final resolution of the dispute, including all available appeals. (42 U.S.C. § 11432(g)(3)(E).)

Enrollment is defined as "attending classes and participating fully in school activities."

The school must refer the student, parent, or guardian to the MPS Liaison to carry out the Board-adopted dispute resolution process as expeditiously as possible.

A written explanation of the school's decision regarding admissions/ enrollment shall be provided to the parent, guardian, or unaccompanied youth, including the right to appeal. The written explanation shall be provided in a language that the parent, guardian, or unaccompanied youth can understand.

### **IX. Comparable Services**

Each homeless child or youth shall promptly be provided services comparable to services offered to other students in MPS such as (42 U.S.C. § 11432(g)(4)):

- Transportation services

- Educational services for which the child or youth meets eligibility criteria, such as educational programs for students with disabilities and educational programs for students with limited English proficiency
- Programs in vocational and technical education
- Programs for gifted and talented students
- Charter School nutrition programs

Homeless students automatically qualify for free breakfast and lunch at MPS schools. Families do not have to fill out an application or provide proof of income. Homeless students will be added to the free meals program as soon as they have been identified.

#### **X. Transportation**

In the event that MPS provides transportation services to all MPS students, MPS shall provide comparable transportation services to each homeless child or youth attending MPS, as noted above. (42 U.S.C. § 11432(g)(4).)

If MPS does not otherwise provide transportation services to all MPS students, MPS shall ensure that transportation is provided for homeless students to and from MPS at the request of the parent/guardian (or Charter School Liaison), if MPS is the student's school of origin. (42 U.S.C. § 11432(g)(1)(J).) Transportation provided by MPS will be adequate and appropriate for the Student's situation, but MPS does not commit to any one method of transportation for all youth.

MPS may work with other agencies to provide transportation services.

#### **XI. Professional Development**

All administrators, teachers, and employees of MPS will be provided professional development on the identification, services, and sensitivity necessary when dealing with homeless children and youth. (42 U.S.C. § 11433(d)(3).) All identified or suspected homeless children and youth will be referred to the Charter School Liaison.

#### **XII. High School Graduation Requirements**

Homeless students who transfer to the MPS any time after the completion of their second year of high school shall be exempt from any of the Charter School's graduation requirements that are in excess of the California minimum graduation requirements specified in Education Code section 51225.3 ("additional graduation requirements") unless MPS makes a finding that the student is reasonably able to complete the Charter School's graduation requirements by the end of the student's fourth year of high school.

To determine whether a homeless student is in their third or fourth year of high school, either the number of credits the student has earned to the date of transfer or the length of the student's school enrollment may be used, whichever will qualify the student for the exemption.

Within thirty (30) calendar days of the date that a student who may qualify for exemption under the above requirements transfers into the Charter School, the Charter School shall notify the student, the student's

educational rights holder, and the Charter School Liaison of the availability of the exemption and whether the student qualifies for an exemption.

The Charter School shall notify students who are exempted from the Charter School's additional graduation requirements and the student's educational rights holder of how any of the requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and provide information about transfer opportunities available through the California Community Colleges.

The Charter School shall not require any student who would otherwise be entitled to remain in attendance at the Charter School to accept the exemption from the Charter School's additional graduation requirements or deny the student enrollment in, or the ability to complete, courses for which the student is otherwise eligible. The Charter School shall not revoke an exemption and shall grant an eligible student's request for the exemption at any time if the student qualifies, regardless of whether the student previously declined the exemption. An eligible student's exemption from the Charter School's additional graduation requirements will continue to apply while the student is enrolled in the Charter School or if the student transfers to another school even after the student no longer meets the definition of a homeless child.

The Charter School shall not require or request that a student transfer schools in order to qualify the student for the exemption. Nor shall a student, a student's parent/guardian or educational rights holder, or a student's social worker or probation officer request a transfer solely to qualify for an exemption from the Charter School's additional graduation requirements.

If a student who is exempted from the Charter School's additional graduation requirements completes the California minimum coursework requirements specified in Education Code section 51225.3 before the end of the student's fourth year of high school and would otherwise be entitled to remain in attendance at the Charter School, the Charter School shall not require or request that the student graduate before the end of the student's fourth year of high school.

If the Charter School determines the student is reasonably able to complete the Charter School's graduation requirements by the end of the student's fifth year of high school, the Charter School shall do the following:

1. Inform the student of the student's option to remain at the Charter School for a fifth year to complete the Charter School's graduation requirements.
2. Inform the student, and the educational rights holder for the student, about how remaining in school for a fifth year to complete the Charter School's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution.
3. Provide information to the student about transfer opportunities available through the California Community Colleges.
4. Permit the student to stay at the Charter School for a fifth year to complete the Charter School's graduation requirements upon agreement with the student, if the student is 18 years of age or older, or, if the student is under 18 years of age, upon agreement with the educational rights holder for the student.

**XIII. Acceptance of Course Work**

The Charter School will accept any coursework satisfactorily completed at any public school, a juvenile court school, a school in a country other than the United States, and/or a nonpublic, nonsectarian school or agency by a homeless student.

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

**XIV. Notice**

For any homeless student who seeks enrollment at the Charter School, written notice will be provided to the parent/guardian at the time of enrollment and while the student is enrolled at the Charter School in alignment with the law. (42 U.S.C. § 11432(e)(3)(C).)

**XV. Annual Policy Review**

The Charter School shall annually review and revise any policies that may act as barriers to the identification of homeless children and youths or the enrollment of homeless children and youths at the Charter School. In reviewing and revising such policies, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship. Special attention shall be given to ensuring the identification, enrollment, and attendance of homeless children and youths who are not currently attending school.

**EDUCATIONAL RECORDS AND STUDENT INFORMATION POLICY**

The Board of Directors of Magnolia Public Schools (“MPS”), a California nonprofit public benefit corporation operating public charter schools, adopts this Educational Records and Student Information Policy to apply to all educational records and student information maintained by MPS.

**I. DEFINITIONS****1. Education Record**

An education record is any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche that directly relates to a student and is maintained by MPS or by a party acting for MPS. Such information includes, but is not limited to:

- a. Date and place of birth; parent and/or guardian’s address, mother's maiden name and where the parties may be contacted for emergency purposes;
- b. Grades, test scores, courses taken, academic specializations and school activities;
- c. Special education records;
- d. Disciplinary records;
- e. Medical and health records;
- f. Attendance records and records of past schools attended; and
- g. Personal information such as, but not limited to, a student’s name, the name of a student’s parent or other family member, student identification numbers, social security numbers, photographs, biometric record or any other type of information that aids in identification of a student.

An education record does not include any of the following:

- a. Records that are kept in the sole possession of the maker are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records maintained by a law enforcement unit of MPS that were created by that law enforcement unit for the purpose of law enforcement;
- c. In the case of a person who is employed by MPS but who is not in attendance MPS, records made and maintained in the normal course of business, relate exclusively to the individual in that individual's capacity as an employee; and are not available for any other purpose;
- d. Records of a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are: a) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in their professional capacity or assisting in a paraprofessional capacity; b) made, maintained, or used only in connection with treatment of the student; and c) disclosed only to individuals providing the treatment. For the purpose of this definition, “treatment” does not include

remedial educational activities or activities that are part of the program of instruction at MPS;

- e. Records that only contain information about an individual after the individual is no longer a student at MPS; or
- f. Grades on peer-graded papers before they are collected and recorded by a teacher.

2. Personally Identifiable Information

Personally identifiable information (“PII”) is information about a student that is contained in their education records that cannot be disclosed without compliance with the requirements of Family Educational Rights and Privacy Act of 2001 (“FERPA”). PII includes, but is not limited to: a student’s name; the name of a student’s parent or other family member; the address of a student or student’s family; a personal identifier, such as the student’s Social Security number, student number or biometric record; other indirect identifiers, such as the student’s date of birth, place of birth, and mother’s maiden name; other information that, alone or in combinations, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who MPS reasonably believes knows the identity of the student to whom the education record relates.

3. Directory Information

MPS may disclose the PII that it has designated as directory information, consistent with the terms of MPS’ annual notice provided pursuant to FERPA. (20 U.S.C. 1232g) MPS has designated the following information as directory information:

- Student’s name
- Student’s address
- Parent/guardian’s address
- Telephone listing
- Student’s electronic mail address
- Parent/guardian’s electronic mail address
- Photograph or video
- Date and place of birth
- Dates of attendance
- Grade level
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended

- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.)
- Participation in officially recognized activities and sports

4. Parent

Parent means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.

5. Eligible Student

Eligible student means a student who has reached eighteen (18) years of age.

6. School Official

A school official is a person employed by MPS as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the Board of Directors of MPS. A school official also may include a volunteer or an independent contractor of MPS or other party who performs an institutional service or function for which MPS would otherwise use its own employees and who is under the direct control of MPS with respect to the use and maintenance of PII from education records, including but not limited to an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, volunteer or company assisting MPS or another school official in performing an institutional service or function.

7. Legitimate Educational Interest

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

## **II. DISCLOSURE OF DIRECTORY INFORMATION**

At the beginning of each school year, MPS shall provide parents and eligible students with a notice containing the following information: 1) The type of PII it designates as directory information; 2) The parent's or eligible student's right to require that MPS not release "directory information" without obtaining prior written consent from the parent or eligible student; and 3) The period of time within which a parent or eligible student must notify MPS in writing of the categories of "directory information" that it may not disclose without the parent's or eligible student's prior written consent.

MPS will continue to honor a valid request to opt out of the disclosure of a former student's made while the former student was in attendance unless the student rescinds the opt out request.

A directory information release opt-out form is included at the end of this policy and copies are also available in the school office.

**III. ANNUAL NOTIFICATION TO PARENTS AND ELIGIBLE STUDENTS**

At the beginning of each school year, in addition to the notice required for directory information, MPS shall provide eligible students currently in attendance and parents of students currently in attendance with a notice of their rights under the FERPA. The notice shall inform the parents and eligible students that they have the right to:

1. Inspect and review the student's education records;
2. Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading or otherwise in violation of the student's privacy rights;
3. Consent to disclosures of PII contained in the student's education records, except to the extent that disclosure is permitted without prior written consent pursuant to FERPA;
4. File with the U.S. Department of Education a complaint concerning alleged failures by MPS to comply with the requirements of FERPA and its promulgated regulations; and
5. Request that MPS not release student names, addresses and telephone listings to military recruiters or institutions of higher education without prior written parental consent.

The notice must also include the following:

1. The procedure for exercising the right to inspect and review educational records;
2. The procedure for requesting amendment of records;
3. A statement that MPS forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer; and
4. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

**IV. PARENTAL AND ELIGIBLE STUDENT RIGHTS RELATING TO EDUCATION RECORDS**

Parents and eligible students have the right to review the student's education records. In order to do so, parents and eligible students shall submit a request to review education records in writing to the Principal. Within five (5) business days, MPS shall comply with the request.

**1. Copies of Education Records**

MPS will provide copies of requested documents within five (5) business days of a written request for copies. MPS may charge reasonable fees for copies it provides to parents or eligible students. However, no charge shall be made for furnishing (1) up to two transcripts of former students' records or (2) up to two verifications of various records of former students. The charge will not include a fee to search for or to retrieve the education records.

**2. Request for Amendment to Education Records**

Following the inspection and review of a student's education record, a parent or eligible student may file a written request with the Principal to correct or remove any information in the student's education record that is any of the following:



- (1) Inaccurate;
- (2) Misleading; or
- (3) In violation of the privacy rights of the student.

MPS will respond within thirty (30) days of the receipt of the request to amend. MPS' response will be in writing and if the request for amendment is denied, MPS will set forth the reason for the denial and inform the parent or eligible student of their right to a hearing challenging the content of the education record.

If the Principal sustains any or all of the allegations, they must order the correction or the removal and destruction of the information. The Principal or Principal's designee must then inform the parent or eligible student of the amendment in writing.

3. Hearing to Challenge Education Record

If MPS denies a parent or eligible student's request to amend an education record, the parent or eligible student may, within (30) days of the denial, request in writing that the parent or eligible student be given the opportunity for a hearing to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading or in violation of the privacy rights of the student.

The Board Chair may convene a hearing panel to assist in making determinations regarding educational record challenges provided that the parent has given written consent to release information from the student's records to the members of the panel convened. The hearing panel shall consist of the following persons:

- 1) The principal or designee of a public school other than the public school at which the record is on file;
- 2) A certificated MPS employee; and
- 3) A parent appointed by the Principal or by the Board Chair, depending upon who convenes the panel.

The hearing to challenge the education record shall be held within thirty (30) days of the date of the request for a hearing. Notice of the date, time and place of the hearing will be sent by MPS to the parent or eligible student no later than twenty (20) days before the hearing.

If a hearing panel is convened by the Board Chair, the principal or designee of a public school shall serve as the chairman and shall not be required to use formal rules of evidence or procedure. The parent or eligible student will be given a full and fair opportunity to present evidence relevant to the issues relating to the challenge to the education record, and presentation of evidence shall be done in the following manner:

- a. The parent or eligible student may submit a written statement and any relevant documentary evidence to the hearing officer not less than 48 hours in advance of the meeting.
- b. The parent or eligible student shall be provided up to 15 minutes to present evidence

relevant to the issues during the hearing. The parent or eligible student may reserve 2-5 minutes of their time to respond to any evidence presented by the MPS administrator that created the record. The parent or eligible student shall not be permitted to question witnesses during the hearing but may submit or read aloud any relevant witness statements.

- c. The parent or eligible student may be assisted or represented by one or more individuals of their own choice, including an attorney, at their own expense. If the parent or eligible student will be represented by an attorney at the hearing, the parent or eligible student must provide notice to MPS not less than three (3) days in advance of the hearing. If the parent or eligible student does not provide sufficient notice, MPS reserves the right to reschedule the hearing within a reasonable time in order to have its counsel present.
- d. The MPS administrator that created the record, or a designee, shall be afforded up to 15 minutes to present evidence relevant to the issues raised in the pupil records challenge.

The parent or eligible student may also, at their own expense, be assisted or represented by one or more individuals of their choice, including an attorney. The decision of the Board Chair or designee will be based solely on the evidence presented at the hearing and is final. Within thirty (30) days after the conclusion of the hearing, MPS' decision regarding the challenge will be made in writing and will include a summary of the evidence and the reasons for the decision.

If, as a result of the hearing, MPS decides that the information is inaccurate, misleading, or in violation of the privacy rights of the student, it will amend the record accordingly and inform the parent or eligible student of the amendment in writing.

If, as a result of the hearing, MPS decides that the information in the education record is not inaccurate, misleading, or in violation of the privacy rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why they disagree with the decision of MPS, or both. If MPS places a statement by the parent or eligible student in the education records of a student, it will maintain the statement with the contested part of the record for as long as the record is maintained and disclose the statement whenever it discloses the portion of the record to which the statement relates.

#### **V. DISCLOSURE OF EDUCATION RECORDS AND DIRECTORY INFORMATION**

MPS must have a signed and dated written consent from the parent or eligible student before releasing any non-directory information from a student's education record except as provided below. The written permission must specify the records that may be disclosed, the purpose of the disclosure and the party or class of parties to whom the disclosure may be made. When disclosure is made pursuant to written permission, the parent or eligible student may request a copy of the disclosed records, and MPS shall provide the requestor with a copy of the records disclosed upon request. Signed and dated written consent may include a record and signature in electronic form if it identifies and authenticates a particular person as the

source of the electronic consent and indicates such person's approval of the information contained in the electronic consent.

MPS will only disclose PII on the condition that the receiving party not disclose the information to any party without the prior written consent of the parent or eligible student and that the receiving party use the information for the purposes for which the disclosure was made. This restriction does not apply to disclosures that fall within the disclosure exceptions listed below. MPS must maintain the appropriate records related to these disclosure exceptions, as described below. Except for disclosures pursuant to a warrant, judicial order or lawfully issued subpoena, or directory information or to parents or eligible students, MPS will inform a receiving party of the requirement that the party not disclose the information to any other party without the prior written consent of the parent or eligible student and that the receiving party use it for the purpose for which the disclosure was made.

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

MPS will disclose education records, without prior written consent of the parent or eligible student, to the following parties:

1. School officials who have a legitimate educational interest as defined by 34 Code of Federal Regulations ("C.F.R.") Part 99;
2. Other schools to which a student seeks or intends to enroll so long as the disclosure is for purposes related to the student's enrollment or transfer. When a student transfers schools, MPS will mail the original or a copy of a student's cumulative file to the receiving district or private school within ten (10) school days following the date the request is received from the public school or private school where the student intends to enroll. MPS will make a reasonable attempt to notify the parent or eligible student of the request for records at their last known address, unless the disclosure is initiated by the parent or eligible student. Additionally, MPS will give the parent or eligible student, upon request, a copy of the record that was disclosed and give the parent or eligible student, upon request, an opportunity for hearing pursuant to Section (IV)(3) above;
3. Certain government officials listed in 20 U.S.C. § 1232g(b)(1) in order to carry out lawful functions;
4. Appropriate parties in connection with a student's application for, or receipt of, financial aid if it is necessary to determine eligibility, amount of aid, conditions for aid or enforcing the terms and conditions of the aid;
5. Organizations conducting certain studies for the MPS in accordance with 20 U.S.C. § 1232g(b)(1)(F);
6. Accrediting organizations in order to carry out their accrediting functions;
7. Parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1986;
8. Individuals or entities, in compliance with a judicial order or lawfully issued subpoena. Subject to the exceptions found in 34 C.F.R. 99.31(a)(9)(i), reasonable effort must be made to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or eligible student may seek a protective order;

9. Persons who need to know in cases of health and safety emergencies;
10. State and local authorities, within a juvenile justice system, pursuant to specific State law;
11. A foster family agency with jurisdiction over a currently enrolled or former student, a short-term residential treatment program staff responsible for the education or case management of a student, and/or a caregiver (regardless of whether the caregiver has been appointed as the student's educational rights holder) who has direct responsibility for the care of the student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, may access the current or most recent records of grades, transcripts, attendance, discipline, and online communication on platforms established by MPS for student and parents, and any individualized education program ("IEP") or Section 504 plan that may have been developed or maintained by MPS; and/or
12. A victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include final results of the disciplinary proceedings conducted by MPS with respect to that alleged crime or offense. MPS may disclose the final results of the disciplinary proceeding, regardless of whether MPS concluded a violation was committed.

#### **VI. RECORD KEEPING REQUIREMENTS**

MPS will maintain a record of each request for access to and each disclosure of PII from the education records of each student for as long as the records are maintained. For each request, the record must include the following information: the parties who have requested or received the information and the legitimate interests the parties had in requesting or obtaining the information.

For disclosures of PII to institutions that make disclosures of the information on behalf of MPS in accordance with 34 C.F.R. 99.33(b), the record must include the names of the additional parties to which the receiving party may disclose the information on behalf of MPS and the legitimate interests that each of the additional parties has in requesting or obtaining the information.

These record keeping requirements do not apply to requests from or disclosure to parents or eligible students, MPS officials with a legitimate purpose of inspecting the records, a party with written consent from the parent or eligible student, a party seeking directory information, or a party seeking or receiving the records as directed by a court order or subpoena.

The records relating to disclosures of personally identifiable student information may be inspected by parents and eligible students, MPS officials (or their assistants) responsible for the custody of the records, and parties authorized by regulations for the purpose of auditing the recordkeeping procedures of MPS.

Student cumulative records may not be removed from the premises of the MPS, unless the individual removing the record has a legitimate educational interest, and is authorized by the Principal, or by a majority of a quorum of the Board of Directors at a duly agendaized meeting. Employees who remove student cumulative records or other student records from the MPS premises without a legitimate educational interest and authorization may be subject to discipline. Employees are permitted to take student work-product, or other appropriate student records, off premises without authorization for legitimate academic purposes (e.g. grading work-product, assigning credit, reviewing materials for classroom discussion, etc.)

**VII. COMPLAINTS**

Parents and eligible students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by MPS to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-5920

MAGNOLIA PUBLIC SCHOOLS

20\_\_ - \_\_ Directory Information Release Opt-Out Form

(Applicable Only for the Current School Year)

COMPLETE THIS FORM ONLY IF YOU ARE OPTING OUT.

Student Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Telephone No.: \_\_\_\_\_ Grade: \_\_\_\_\_  
 School: \_\_\_\_\_

The primary purpose of directory information is to allow MPS to include this type of information from your child’s education records in certain school publications. Directory information includes names, addresses and telephone listings, information that is generally not considered harmful or an invasion of privacy if released.

The Family Educational Rights and Privacy Act (FERPA) permits MPS to disclose appropriately designated “directory information” without written consent, unless you have advised MPS that you do not want your student’s directory information disclosed without your prior written consent.

Directory information regarding pupil identified as a homeless child or youth shall not be released unless a parent, or eligible pupil, has provided written consent that directory information may be released.

Student Directory Information

I **do not** wish to have any directory information released to any individual or organization.

\_\_\_\_\_  
 Signature of Parent/Guardian (if student is under 18)      Date

\_\_\_\_\_  
 Signature of Student (if student is 18 or older)      Date

## PARENT AND FAMILY ENGAGEMENT POLICY

### **I. Introduction**

Research has shown that the attitudes, behavior and achievement of children are enhanced when parents<sup>1</sup> or other caregivers are engaged in their children’s education. To that end, the **Magnolia Public Schools (MPS)** (“MPS,” the “LEA” or “School”) has adopted this parent and family engagement policy in order to promote learning and provide a more positive learning experience for our students. This policy has also been submitted to the California Department of Education with the School’s Consolidated Application.

### **II. Engagement in Drafting LEA/School Plans**

Parents will be engaged in the development of all school plans, including, but not limited to, the Local Control and Accountability Plan (LCAP), the LCAP Federal Addendum, the Single Plan for Student Achievement (SPSA)\*, and WASC Self-Study.

*\* State law provides that single school districts and charter schools may utilize the LCAP to serve as the SPSA, provided that the LCAP meets federal school planning requirements and relevant stakeholder requirements for LCAPs under state law. Charter schools and single school districts may use the LCAP planning process to meet the planning requirements of the LCAP and the SPSA. In doing so, they may utilize the LCAP stakeholder engagement requirements. **MPS chooses to utilize the LCAP to serve as the SPSA. MPS will utilize our Parent Advisory Committee (PAC) in developing the LCAP.***

On an annual basis, the LEA will submit California Department of Education (“CDE”)–required plans to the PAC for review and suggested changes before appropriate plans are submitted to the authorizers and the CDE. In addition, all parents of participating children will annually be invited to review the LCAP, the LCAP Federal Addendum, and if applicable, the SPSA, and submit comments. If the plans are not satisfactory to the parents of participating children, the LEA will submit any comments from parents of participating children with the plans when it is submitted to the authorizers and the CDE.

### **III. Engagement in School Review and Improvement**

All parents will be engaged, to the extent possible, in the process of school review and improvement. This includes disseminating the results of the local annual review of each school served under Title I, Part A to parents.

In addition, the parents of participating children will be invited to annually review the effectiveness of the parent and family engagement policy and other Title I, Part A activities and provide comments to the School.

#### ***Identification of a school for improvement:***

- A school that has been identified for CSI, TSI, ATSI, or an eligible school operating a SWP shall develop a comprehensive plan, to be consolidated into a single plan, known as the SPSA in California, pursuant to section 64001(a) of the California Education Code. **MPS chooses to utilize the LCAP to serve as the SPSA.**
- The LCAP, serving as SPSA, shall be developed with the engagement of parents and other members of the community to be served; individuals who will carry out such plan, including teachers, principals, other school

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<sup>1</sup> Within this policy, the word “parent” is employed. This word is intended to reach any caregiver of students enrolled in the school, including but not limited to, parents, guardians, grandparents, aunts, uncles, foster parents, stepparents, etc.

leaders, paraprofessionals present in the school, students (in secondary schools), and other individuals determined by the school.

- The LCAP, serving as SPSA, shall remain in effect for the duration of the school's participation under this part and shall be regularly monitored and revised as necessary based on student needs.
- The LCAP, serving as SPSA, shall be available to the LEA, parents, and the public, and the information contained in the plan shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.
- The LCAP, serving as the SPSA, shall be based on a comprehensive needs assessment of the entire school that takes into account information on the academic achievement of children in relation to the challenging state academic standards, particularly the needs of those children who are failing, or are at risk of failing, to meet the challenging state academic standards and any other factors as determined by the LEA.
  - The comprehensive needs assessment shall include an analysis of verifiable data, consistent with all state priorities and informed by all indicators.
- The LCAP, serving as the SPSA, shall include a description of methods and instructional strategies that strengthen the academic program in the school, increase the amount and quality of learning time, help provide an enriched and accelerated curriculum, address the needs of all children in the school, particularly the needs of those at risk of not meeting the challenging state academic standards, and provide opportunities for all children to meet the challenging state academic standards.
- The LCAP, serving as the SPSA, shall include goals set to improve pupil outcomes, including addressing the needs of pupil groups as identified through the needs assessment.
- The LCAP, serving as the SPSA, shall include evidence-based strategies, actions, or services.
- The LCAP, serving as the SPSA, shall include proposed expenditures, based on the projected resource allocation from the governing board or body of the LEA, to address the findings of the needs assessment.

***(If applicable) Comprehensive Support and Improvement (CSI):***

- Upon receiving notification from the state of identification for CSI, the School shall, in partnership with stakeholders (including the principal and other school leaders, teachers, and parents), locally develop and implement a CSI plan for the school to improve student outcomes.
- The plan shall be informed by all indicators described in subsection 1111(c)(4)(B) of the ESEA, as amended by the ESSA, including student performance against state-determined long-term goals.
- The plan shall include evidence-based interventions.
- The plan shall be based on a school-level needs assessment.
- The plan shall identify resource inequities, which may include a review of LEA/school-level budgeting, to be addressed through implementation of such plan.

***(If applicable) Targeted Support and Improvement (TSI):***

- Upon receiving notification from the state of identification for TSI, the School shall, in partnership with stakeholders (including the principal and other school leaders, teachers, and parents), locally develop and



implement a TSI plan for the school to improve student outcomes based on the indicators in the statewide accountability system established under subsection 1111(c)(4) of the ESEA, as amended by the ESSA, for each subgroup of students that was the subject of notification.

- The plan shall be informed by all indicators described in subsection 1111(c)(4)(B) of the ESEA, as amended by the ESSA, including student performance against long-term goals.
- The plan shall include evidence-based interventions.
- The plan shall be approved by the LEA prior to implementation of such plan.
- Upon submission and implementation, the plan shall be monitored by the LEA.
- The plan shall result in additional action following unsuccessful implementation of such plan after a number of years determined by the LEA.

***(If applicable) Additional Targeted Support and Improvement (ATSI):***

- Schools are eligible for ATSI if they are among schools eligible for TSI and if any student group at the school, on its own, meets the criteria for the lowest-performing five percent of Title I schools for CSI.
- A school identified for ATSI shall identify resource inequities, which may include a review of LEA/school-level budgeting, which will be addressed through implementation of its plan.

***(If applicable) Targeted Assistance School Program (TAS):***

- To assist targeted assistance schools (TAS) and LEAs to meet their responsibility to provide for all their students served under this part the opportunity to meet the challenging state academic standards, each targeted assistance program shall carry out the following requirements:
- The TAS program shall determine which students will be served according to the guidelines in section 1115(c) of the ESEA, as amended by the ESSA.
  - Eligible children from eligible populations are children identified by the school as failing, or most at risk of failing, to meet the challenging state academic standards.
  - Children who are economically disadvantaged, children with disabilities, migrant children, and English learners (ELs) are eligible for services under Title I, Part A on the same basis as other children selected to receive services.
- The TAS program shall use resources to help eligible children meet the challenging state academic standards.
- The TAS program shall serve participating students by using effective methods and instructional strategies that strengthen the academic program of the school.
- The TAS program shall coordinate with and support the regular education program of the school.
- The TAS program shall provide PD to teachers, the principal, other school leaders, paraprofessionals, and, if appropriate, specialized instructional support personnel, and other school personnel who work with eligible children in programs under this section or in the regular education program.
- The TAS program shall implement strategies to increase the involvement of parents of eligible children in accordance with section 1116 of the ESEA, as amended by the ESSA.
- The TAS program, if appropriate and applicable, shall coordinate and integrate federal, state, and local services and programs.

#### **IV. Coordination, Technical Assistance, and Other Support**

The MPS Home Office will provide the coordination, technical assistance, and other support necessary to assist all MPS schools in planning and implementing effective parent engagement activities to improve student academic achievement and school performance in the following ways:

- The MPS Home Office and school leaders will collaborate to devise a timeline for parental engagement activities throughout the school year and create a follow up tool to ensure that the activities occur.
- The MPS Home Office and school leaders will collaborate to develop the necessary technical assistance for planning and implementing effective parent engagement activities to improve student academic achievement and school performance.

#### **V. Annual Meeting**

Within 60 days of the first day of school, the School shall convene an annual meeting to which all parents of children participating in Title I, Part A programs are invited and encouraged to attend. The School will hold additional meetings to ensure the maximum parental participation, providing the same information, to be offered at flexible times, such as in the morning or evening.

The information provided at the meetings will inform parents of the School's receipt of Title I, Part A funds and the specific requirements of Title I, Part A. Additionally, parents shall be informed of their rights to be involved in Title I, Part A programs.

#### **VI. Notice**

Within **60** days of the beginning of school, the School will send [**e.g., via mail, sent home with students, and/or placed in orientation packets and/or registration packets**] a notice to [**if in a targeted assistance school**] [parents of participating children] [**or if in a school with a school wide program**] [all parents] containing, but not limited to, the following information:

- Information about Title I, Part A programs;
- An explanation of the requirements of Title I, Part A programs;
- A description of the rights parents have for participation in Title I, Part A programs;
- A description (including timing of meetings, location, etc.) of how parents can participate in the planning, review and/or improvement of the parent and family engagement policy, and if applicable, the schoolwide program.
- A description and explanation of the curriculum in use at the School, the forms of academic assessment used to measure student progress and the proficiency levels students are expected to meet;
- An invitation to attend the annual meeting and additional meetings, providing information about the purpose of the meetings and the dates and times.
- A copy of the most current Parent and Family Engagement Policy and a feedback form for parents to comment on its content.

With this notice, the School will include a survey for parents to complete identifying whether they will require transportation, child care or home visits in order to participate in the parental engagement program of the School. If there is sufficient need for transportation or child care at any of the parental engagement activities identified in this policy, the School may provide such services and notify the parents of such provided services.

In addition to mailing this notice to parents of participating children, the School will post the information on its website.

#### **VII. Title I, Part A Program Engagement**

In order to engage parents in an organized, ongoing and timely way in the planning, review and improvement of Title I, Part A programs, the parent and family engagement policy, and if applicable, the schoolwide program plan, the School will engage parents of participating students as follows:

- The School will conduct at least one Family Learning Night each year where all parents of participating children will be invited to the School to learn about the different Title I, Part A programs, details of this policy, and if applicable, the schoolwide program plan. These meetings will be held at flexible times. Additionally, some may be located at community libraries or at parent volunteer homes for those who live far from the School.
- Parents not attending the Family Learning Nights will be contacted by a volunteer by telephone to encourage participation and inform them of future Family Learning Nights.
- The School will publish a regular Newsletter with notification of upcoming participation opportunities.
- Each year, the School will hold an End of School Night, at which parents of participating children will be invited to review Title I, Part A programs, the parent and family engagement policy, and if applicable, the schoolwide program plan and recommend any changes.
- **At least one** of parents of participating children will be invited to accompany School staff on retreats to participate in discussions and sessions dealing with Title I, Part A programs.
- If requested by parents of participating children, the School will schedule regular meetings where parents are able to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children. The School will respond to such suggestions within **48 hours**.
- If the schoolwide program plan is not satisfactory to parents of participating children, the School will submit any parent comments on the plan when it submits the plan to the authorizers/CDE.

#### ***School Site Council (SSC):***

- **If a SPSA is required**, the School will create a School Site Council (SSC) where it will plan, review, and improve Title I, Part A programs, the parent and family engagement policy, and if applicable, the schoolwide program plan. The SSC will meet at the School and will be composed of 10 members, selected by their peers, as follows:

##### Category (a):

- The school principal shall be an ex officio member of the SSC
- 3 teacher representatives selected by teachers at the school
- 1 other school personnel selected by peers at the school

##### Category (b):

- 5 Parents or community members and Students (Parents of students attending the school and community members selected by such parents and Students selected by students attending the school)

The SSC shall be constituted to ensure parity between the principal, classroom teachers and other school personnel; (b) parents or other community members selected by parents and pupils. Classroom teachers shall comprise the majority of persons represented under category (a). (Education Code Section 65000)

Additionally, the SSC will be involved in decisions regarding how funds reserved for parent engagement activities are allotted for those activities.

***Parent Advisory Committee (PAC):***

- **If a SPSA is not required**, and the LCAP can serve as the SPSA, MPS chooses to utilize the LCAP to serve as the SPSA. MPS will utilize our Parent Advisory Committee (PAC) in developing the LCAP. In this case, PAC will meet the stakeholder engagement requirements.
- PAC will plan, review, and improve the LCAP as well as plan, review, and improve Title I, Part A programs and align them to the LCAP. PAC will also be the main committee reviewing the parent and family engagement policy, and if applicable, other school program plans. School leadership will work closely with PAC to ensure parents are engaged in the school improvement process.
- **Parent Advisory Committee** - as used in California Education Code (EC) sections 52063 and 52069, shall be composed of a majority of parents, as defined in subdivision (e), of pupils and include parents of pupils to whom one or more of the definitions in EC Section 42238.01 apply. A governing board of a school district or a county superintendent of schools shall not be required to establish a new parent advisory committee if a previously established committee meets these requirements, including any committee established to meet the requirements of the federal No Child Left Behind Act of 2001 (Public Law 107-110) pursuant to Section 1112 of Subpart 1 of Part A of Title I of that act.

***English Learner Parent Advisory Committee (ELPAC):***

- **English Learner Parent Advisory Committee** - as used in EC sections 52063 and 52069 for those school districts or schools and programs operated by county superintendents of schools whose enrollment includes at least 15 percent English learners and at least 50 pupils who are English learners, shall be composed of a majority of parents, as defined in subdivision (e), of pupils to whom the definition in EC Section 42238.01(c) applies. A governing board of a school district or a county superintendent of schools shall not be required to establish a new English learner parent advisory committee if a previously established committee meets these requirements.

***Consulting with Pupils:***

- **Consult with Pupils** - as used in EC sections 52060, 52066, and 47606.5, means a process to enable pupils, including unduplicated pupils and other numerically significant pupil subgroups, to review and comment on the development of the LCAP. This process may include surveys of pupils, forums with pupils, pupil advisory committees, or meetings with pupil government bodies or other groups representing pupils.

- The School annually conducts student, parent, and staff surveys to improve our stakeholders' school experience and to consult with them. Conducting such stakeholder surveys is an essential part of the School's LCAP development process.

## **VIII. Building Capacity for Engagement**

### **A. Standards, Assessments, Title I Requirements, Monitoring Progress and Improving Student Achievement**

In order to ensure effective parental engagement and support a partnership among the LEA, parents and the community to improve student academic achievement, the LEA will provide the following programs to assist parents in understanding State academic content standards and State student academic achievement standards, State and local academic assessments, Title I requirements, and how to monitor their child's progress and work with educators to improve the academic achievement of their children (collectively referred to "Standards and Requirements"):

- The LEA will encourage parents to serve on its board of directors;
- The LEA will seek input from the PAC and the SSC on ways to assist parents to understand the Standards and Requirements.
- The LEA will encourage parents to serve on its board committees.
- The LEA will regularly publish in its newsletter, and/or on its website, descriptions and explanations of State academic content standards and State student academic achievement standards, State and local academic assessments, Title I requirements, and how to monitor their child's progress and work with educators to improve the academic achievement of their children.
- Regular meetings will be held by the school, at community libraries and/or parent volunteer homes, to discuss how parents can work with educators to improve their child's academic achievement.
- The LEA will hold Back to School nights to introduce parents to the School's curriculum and its correlation to the State's academic content standards and academic achievement standards.
- Parents will be invited to attend regular classes to learn about State and local academic assessments and to take sample tests.

### **B. Helping Parents to Work with their Children**

In an effort to foster parental engagement, the LEA will provide materials and training to help parents to work with their children to improve their children's achievement through the following programs:

- **Student-Teacher Portal:** MPS uses an online web portal to enable parents, students, and teachers to communicate more efficiently. Teachers have a webpage for every class in which they post course material, homework assignments, projects, course grade statistics and records of students' grades on quizzes, tests, class participation and homework assignments. Students and parents use confidential passwords to log on.
- Families without home computers will be encouraged to come to the school and use one of the available computer stations. Classes are held at the school on how to use the portal as well as how to access it via free Internet access at public libraries if that is more convenient than coming to the school.
- **ParentSquare:** MPS uses a unified school-to-home engagement platform called ParentSquare. This platform enables the school to send automated messages to parents with student-specific information.

MPS uses ParentSquare to communicate attendance information, news and upcoming events, parent and family engagement opportunities, surveys, resources for parent education and more. With extensive student information system integration, translation to more than 100 languages and access via app, email, text, voice, and web portal, ParentSquare enables the school to engage all families, ensuring equitable communication.

- The LEA will provide parents with access to literacy programs that bond families around reading and using the public library.
- The LEA will provide annual seminars on parenting skills and parent-child communication.
- The school's psychologist will work with parents to better understand their children and the issues facing them.
- The LEA will train parents how to tutor their children in the school.
- Individualized student and parent advisory sessions: Each of LEA teachers and mentors will be assigned to a small group of students. They will arrange two to four meetings at school during the school year to discuss their students' academic achievements.
- One-on-one meetings with the parents of academically low-achieving students to support the parent in providing the student the study environment he/she needs.

### **C. Education on Parent Engagement**

The LEA will annually educate teachers, pupil services personnel, principals and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs and build ties between parents and the School. The training shall take place each year in staff orientations, annual staff development materials and other in-service trainings held throughout the school year.

In order to better understand what works best for the current parents of participating children attending the LEA's schools, the education will take place after the following research is done (which shall be accomplished within the first 90 days of the commencement of the School year):

- **Home Visits:** Research has shown that one of the keys to successful teaching and schooling is creating personal connections with students inside and outside of school.<sup>2</sup> Knowing the students' outside interests, families, and home routines, and then using this information to connect in meaningful, individualized ways can have huge rewards in helping to create happier, healthier, and smarter kids. Recognizing these facts, the LEA will use home visits as one of the important features of its education program to not only improve student and school performance, but also to identify and intervene early with low-achieving students.
- The LEA teachers will visit students at their homes to enhance student learning and engagement. Family visits offer invaluable insights about students. They can provide new understanding about students' learning styles. Visits might also reveal the emotional and social needs and behaviors of students. It is helpful to know if they react to problems with tears, anger, or withdrawal, and how they socialize with peers. Through family visits, teachers can identify students' latest interests or concerns, such as a new hobby, an upcoming trip, or a change in the family.

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<sup>2</sup> Source: [http://crede.berkeley.edu/products/print/pract\\_briefs/pb1.shtml](http://crede.berkeley.edu/products/print/pract_briefs/pb1.shtml)

- A phone tree will be established where volunteers call all parents of participating students to solicit feedback and ideas for building ties between parents and the LEA, how to best communicate with parents and how to work with parents as equal partners.
- A survey will be sent home to parents of participating students that solicits information on what skills each parent has to offer the LEA and what types of parental engagement programs in which parents would most likely participate.

#### **D. Other Optional Parent Participation**

- The LEA will engage parents in the development of the training regarding the importance of parent engagement for teachers, principal, and other educators to improve the effectiveness of such training.
- In order to maximize parental engagement and participation, the LEA will arrange school meetings at various times or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend such conferences at the LEA.
- The LEA will adopt and implement model approaches to improving parental engagement.
- The LEA will develop appropriate roles for community-based organizations and businesses in parent engagement activities, such as sponsoring events, providing volunteers for school activities, and creating internships for students.

#### **IX. Coordination with Other Programs**

If applicable, the LEA shall, to the extent feasible and appropriate, coordinate and integrate parent engagement programs and activities with programs such as Head Start, Early Reading First, and public preschool and other programs and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children.

The LEA will coordinate and integrate parent engagement programs and activities with these programs as follows: 1) requiring that the school conduct meetings involving parents, kindergarten or elementary school teachers, and Head Start teachers or, if appropriate, teachers from other early childhood development programs such as the Early Reading First program, to discuss the developmental and other needs of individual children; 2) developing and implementing a systematic procedure for receiving records regarding such children, transferred with parental consent from a Head Start program or, where applicable, another early childhood development program such as the Early Reading First program.

#### **X. Annual Evaluation**

The LEA, with the involvement of parents, shall conduct an annual evaluation of the content and effectiveness of this parent and family engagement policy in improving the academic quality of the schools served under Title I, Part A, including identifying barriers to greater participation by parents in activities under ESSA. The LEA will pay particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background. The LEA will use the findings of such evaluation to design strategies for more effective parental engagement and to revise, if necessary, this family and parent engagement policy.

#### **XI. School-Parent Compact**

At the beginning of each school year, the School will enter into School-Parent Compacts with parents of participating children. The School-Parent Compact will outline how parents, the entire school staff and students will share the

responsibility for improved student academic achievement and the means by which the School and parents will build and develop a partnership to help children achieve the State's high standards.

The PAC will annually evaluate the effectiveness of the School-Parent Compact and provide feedback and suggestions for revision.

## **XII. Engagement of Parents of Limited English Proficient Students, Disabled Parents and Parents of Migratory Children**

The LEA shall implement an effective means of outreach to parents of limited English proficient students to inform them regarding how they can be engaged in the education of their children, and be active participants in assisting their children to attain English proficiency, achieve at high levels in core academic subjects and meet challenging State academic achievement standards and State academic content standards expected of all student. To accomplish this goal, the LEA will do the following:

- The LEA will hold regular meetings, and send notice of these meetings, for the purpose of formulating and responding to recommendations from parents of participating children.
- The LEA will provide language translators at parent meetings to the extent practicable.
- The LEA will schedule meetings to enable families to share information about culture, background, children's talents and particular needs for the schools.
- The LEA will provide parents of limited English proficiency with access to English as a Second Language (ESL) classes to increase their English language proficiency to assist their children with homework. The school's principal will visit the classes to interact with the parents.
- **English Learner Advisory Committee:** The English Learner Advisory Committee (ELAC) is mainly a committee of parents or other community members who want to advocate for English Learners. The committee provides parents of English Learners opportunities to learn more about the programs offered to their students and advises the principal and the PAC/SSC on programs and services for English Learners. State law mandates each school site with 21 or more students of Limited English Proficiency (LEP) in attendance, regardless of language, to form a functioning ELAC. The ELAC will be formed at the LEA when the School has 21 or more students of LEP.

The LEA will provide full opportunities for participation of parents with disabilities and parents of migratory children. To accomplish this goal, the LEA will do the following:

- The LEA will schedule meetings to enable families to share information about culture, background, children's talents and particular needs for the schools.
- Teachers will be encouraged to make home visits to discuss student progress with the parents. Parents, students, and teachers meet throughout the year to monitor students' progress.
- Teachers will meet one-on-one with parents of such students on an as needed basis to ensure the proper supports are in place for the student.

## **XIII. Notices**

In accordance with ESSA, the LEA will provide the following notices to parents of children attending Title I, Part A schools:



- Annual report card;
- A notice regarding the professional qualifications of the student's classroom teachers;
- The notice regarding language instruction programs;
- Any other notices required by law.

**XIV. Miscellaneous**

- The LEA shall ensure that all information related to LEA and parent programs, meetings and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand.
- The LEA will provide other reasonable support for parental engagement activities as requested by parents.

## STUDENT FREEDOM OF SPEECH/EXPRESSION POLICY

### **Introduction**

Magnolia Public Schools (“MPS”) respect students’ rights to express ideas and opinions, take stands, and support causes, whether controversial or not, through their speech, their writing, their clothing, and the printed materials they choose to post or distribute including the right of expression in official publications, and/or the wearing of buttons, badges and other insignia.

Student freedom of expression shall be limited only as allowed by state and federal law in order to maintain an orderly school environment and to protect the rights, health, and safety of all members of the school community. Unprotected Expression includes the following: obscenity; defamation; discriminatory material; harassment (including sexual harassment), intimidation and/or bullying; fighting words; vulgarity and/or profanity; or violating privacy as defined below.

### **Definitions**

1. “*Obscenity*”: when the (1) average person applying current community standards finds the work as a whole appeals to the prurient interest, (2) the work is patently offensive, and (3) the work lacks serious literary, artistic, political, or scientific value. Examples include pornography or sexually explicit material.
2. “*Defamation*”: Libel (written defamation) and Slander (oral defamation), which includes but is not limited to inaccurately attributing a statement to another, either on purpose for public officials (which includes Charter School staff) or by mistake for private officials, that mischaracterizes the statement.
3. “*Discriminatory Material*”: material that demeans a person or group because of the person/group’s disability, pregnancy, gender, gender identity, gender expression, nationality, ancestry, race or ethnicity, immigration status, religion, religious affiliation, sexual orientation, childbirth or related medical conditions, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or any other basis protected by federal, state, local law, ordinance or regulation that has the purpose of humiliating, offending, or provoking a person/group.
4. “*Harassment (including sexual harassment), Intimidation and/or Bullying*”: severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act. Bullying includes one or more acts committed by a student or group of students that may constitute sexual harassment, hate violence, or creates an intimidating and/or hostile educational environment, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following: (1) placing a reasonable student or students in fear of harm to that student’s or those students’ person or property, (2) causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health, (3) causing a reasonable student to experience a substantial interference with his or her academic performance, (4) causing a reasonable student to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
5. “*Fighting Words*”: words likely to cause (1) the average person to fight or (2) the creation of a clear and present danger of violence, unlawful acts in violation of lawful school regulations, or the substantial disruption of school.

6. *“Vulgarity and/or Profanity”*: the continual use of curse words by a student, even after warning.
7. *“Violating Privacy”*: publicizing or distributing confidential or private material without permission.

### **Distribution of Circulars, Newspapers, and Other Printed Matter**

Students shall be allowed to distribute circulars, leaflets, newspapers, and pictorial or other printed matter, and to circulate petitions, subject to the following specific limitations:

1. Leaflets, pictorial and other printed matter to be distributed shall be submitted to the MPS school site Principal or designee at least one school day prior to distribution.
2. Distribution, free or for a fee, may take place at any time except during instructional time and providing there is no substantial disruption in the school programs (as determined by the MPS school site Principal).
3. The manner of distribution shall be such that coercion is not used to induce students to accept the printed matter or to sign petitions.
4. The solicitation of signatures must not take place in instructional classes or school offices, nor be substantially disruptive to the school program (as determined by the MPS school site Principal).
5. Pupil editors of official school publications shall be responsible for assigning and editing the news, editorial, and feature content of their publications subject to the limitations of this section. However, it shall be the responsibility of journalism staff adviser or advisers of pupil publications to supervise the production of the pupil staff, to maintain professional standards of English and journalism, and to maintain the provisions of this Policy. The journalism staff adviser(s) shall help the student editors judge the literary value, newsworthiness and propriety of materials submitted for publication. “Official school publications” refers to material produced by students in the journalism, newspaper, yearbook, or writing classes and distributed to the student body either free or for a fee.
6. There shall be no prior restraint of material prepared for official school publications except insofar as it violates this policy. MPS officials shall have the burden of showing justification without undue delay prior to a limitation of pupil expression under this policy. If the journalism staff adviser(s) consider material submitted for publication to violate this Policy, he or she will notify the student without undue delay and give specific reasons why the submitted material may not be published. The student should be given the opportunity to modify the material or appeal the decision of the journalism staff adviser to the Principal.

### **Buttons, Badges, and Other Insignia of Symbolic Expression**

Students shall be permitted to wear buttons, badges, armbands, and other insignia as a form of expression, subject to the prohibitions enumerated in this Policy.

### **Use of Bulletin Boards**

Students will be provided with bulletin boards, upon request and subject to availability, for use in posting student materials on campus locations convenient to student use. Where feasible, the location and quantity of such bulletin boards shall be by mutual agreement of student government representatives and MPS administration. Posted material must be in compliance with other sections of this Policy, particularly regarding the distribution of materials and prohibited speech. Students may not post or distribute materials regarding the meetings of non-curricular student-initiated groups.

**Organized Demonstrations**

Students have the right to lawful organized on-campus demonstrations, subject to the provisions of this Policy and applicable law. Demonstrations that incite pupils to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or demonstrations that substantially disrupt of the orderly operation of the school are prohibited.

No organized demonstrations by school groups may take place during school hours off the school campus unless sanctioned by school authorities and supervised by a designated school authority. No individual student may demonstrate in the name of the school or as an official school group at any time unless authorized by the school to participate in the activity.

**Student Speeches**

If a student is selected to speak at an MPS sponsored event, including but not limited to graduation or school assemblies, MPS has the right to review the pre-prepared speech to ensure that unprotected speech is not included. If unprotected speech is included, the student will be given the opportunity to revise the speech or deliver a modified speech. If not revised or removed, the student will not be permitted to speak at the MPS sponsored event.

**Enforcement**

1. The MPS school site Principal or designee shall review material submitted in a reasonable amount of time and shall allow the approved material to be distributed according to the time and manner established by this Policy.
2. Any student may appeal the decision of the MPS school site Principal or designee to the Board who shall render a decision within a reasonable period of time after receipt of the appeal. The appeal by the student must be made within five school days from the time the unsatisfactory decision was rendered.
3. The MPS school site administrator shall work with student government representatives in the development of these procedures. Student responsibilities shall be emphasized.
4. Students who are considering actions in the areas covered by this Policy should be informed of the possible consequences of their action under each specific circumstance.
5. This Policy does not prohibit or prevent the MPS Governing Board from adopting otherwise valid rules and regulations relating to oral communications by pupils upon the premises of each MPS school.
6. No MPS employee shall be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a pupil engaged in the conduct authorized under this Policy, or refusing to infringe upon conduct that is authorized under this Policy, the First Amendment to the United States Constitution, or Section 2 of Article I of the California Constitution.
7. MPS shall not make or enforce a rule subjecting a student to disciplinary sanctions solely on the basis of conduct that is speech or other communication that, when engaged in outside of the campus, is protected from governmental restriction by the First Amendment to the United States Constitution or Section 2 of Article I of the California Constitution.

## MAGNOLIA PUBLIC SCHOOLS (MPS) SUICIDE PREVENTION POLICY

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

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

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

### Definitions/Terms

1. **At risk:** A student who is defined as high risk for suicide is one who has made a suicide attempt, has the intent to die by suicide, or has displayed a significant change in behavior suggesting the onset or deterioration of a mental health condition. The student may have thought about suicide including potential means of death and may have a plan. In addition, the student may exhibit feelings of isolation, hopelessness, helplessness, and the inability to tolerate any more pain. This situation would necessitate a referral, as documented in the following procedures.
2. **Crisis team:** A multidisciplinary team of primarily administrative, mental health, safety professionals, and support staff whose primary focus is to address crisis preparedness, intervention/response and recovery. These professionals have been specifically trained in crisis preparedness through recovery and take the leadership role in developing crisis plans, ensuring school staff can effectively execute various crisis protocols, and may provide mental health services for effective crisis interventions and recovery supports.
3. **Mental Health:** A state of mental and emotional being that can impact choices and actions that affect wellness. Mental health problems include mental and substance use disorders.
4. **Postvention:** Suicide postvention is a crisis intervention strategy designed to reduce the risk of suicide and suicide contagion, provide the support needed to help survivors cope with a suicide death, address the social stigma associated with suicide, and disseminate factual information after the suicide death of a member of the school community.
5. **Risk Assessment:** An evaluation of a student who may be at risk for suicide, conducted by the appropriate school staff (e.g., school psychologist, school counselor, or school social worker). This assessment is designed to elicit information regarding the student’s intent to die by suicide, previous history of suicide attempts, presence of a suicide

plan and its level of lethality and availability, presence of support systems, and level of hopelessness and helplessness, mental status, and other relevant risk factors.

6. **Risk factors for suicide:** Characteristics or conditions that increase the chance that a person may try to take his or her life. Suicide risk tends to be highest when someone has several risk factors at the same time. Risk factors may encompass biological, psychological, and or social factors in the individual, family, and environment.

7. **Self-harm:** Behavior that is self-directed and deliberately results in injury or the potential for injury to oneself. Can be categorized as either nonsuicidal or suicidal. Although self-harm often lacks suicidal intent, youth who engage in self-harm are more likely to attempt suicide.

8. **Suicide:** Death caused by self-directed injurious behavior with any intent to die as a result of the behavior. Note: The coroner's or medical examiner's office must first confirm that the death was a suicide before any school official may state this as the cause of death.

9. **Suicide attempt:** A self-injurious behavior for which there is evidence that the person had at least some intent to kill himself or herself. A suicide attempt may result in death, injuries, or no injuries. A mixture of ambivalent feelings such as wish to die and desire to live is a common experience with most suicide attempts. Therefore, ambivalence is not a sign of a less serious or less dangerous suicide attempt.

10. **Suicidal behavior:** Suicide attempts, intentional injury to self-associated with at least some level of intent, developing a plan or strategy for suicide, gathering the means for a suicide plan, or any other overt action or thought indicating intent to end one's life.

11. **Suicide contagion:** The process by which suicidal behavior or a suicide influences an increase in the suicidal behaviors of others. Guilt, identification, and modeling are each thought to play a role in contagion. Although rare, suicide contagion can result in a cluster of suicides.

12. **Suicidal ideation:** Thinking about, considering, or planning for self-injurious behavior which may result in death. A desire to be dead without a plan or intent to end one's life is still considered suicidal ideation and should be taken seriously.

## **RISK FACTORS AND PROTECTIVE FACTORS**

Risk Factors for Suicide are characteristics or conditions that increase the possibility that a person may try to take her or his life. Suicide risk tends to be compounded when someone has several other conditions at the same time.

The most frequently cited risk factors for suicide are:

- Major depression (feeling sad or down in a way that impacts your ability to proceed with daily life) or bipolar disorder (severe mood swings)
- Alcohol or drug use
- Atypical thoughts or behaviors; confusion about reality
- Personality traits that create a pattern of intense, unstable relationships or trouble with the law
- Impulsivity and aggression
- Previous suicide attempt or family history of a suicide attempt or mental disorder

- Serious medical condition and/or pain

It is important to keep in mind that the large majority of people with mental disorders or other suicide risk factors do not engage in suicidal behavior.

### **Protective Factors for Suicide**

Protective Factors for suicide are characteristics or conditions that may help to decrease a person's suicide risk. While these factors do not eliminate the possibility of suicide, they may help to reduce that risk.

Protective factors for suicide include:

- Receiving effective mental health care
- Positive connections or relationships with family, peers, community, and social institutions such as marriage and religion that foster resilience
- The skills and ability to solve problems/ coping skills

Professional Development will also include additional information regarding groups of students judged by the school, and available research, to be at elevated risk for suicide. These groups include, but are not limited to, the following:

**1. Youth living with mental and/or substance use disorders.** While the large majority of people with mental disorders do not engage in suicidal behavior, people with mental disorders account for more than 90 percent of deaths by suicide. Mental disorders, in particular depression or bi-polar (manic-depressive) disorder, alcohol or substance abuse, schizophrenia and other psychotic disorders, borderline personality disorder, conduct disorders, and anxiety disorders are 3 important risk factors for suicidal behavior among young people. The majority of people suffer from these mental disorders are not engaged in treatment, therefore school staff may play a pivotal role in recognizing and referring the student to treatment that may reduce risk.

**2. Youth who engage in self-harm or have attempted suicide.** Suicide risk among those who engage in selfharm is significantly higher than the general population. Whether or not they report suicidal intent, people who engage in self-harm are at elevated risk for dying by suicide within 10 years. Additionally, a previous suicide attempt is a known predictor of suicide death. Many adolescents who have attempted suicide do not receive necessary follow up care.

**3. Youth in out-of-home settings.** Youth involved in the juvenile justice or child welfare systems have a high prevalence of many risk factors for suicide. Young people involved in the juvenile justice system die by suicide at a rate about four times greater than the rate among youth in the general population. Though comprehensive suicide data on youth in foster care does not exist, one researcher found that youth in foster care were more than twice as likely to have considered suicide and almost four times more likely to have attempted suicide than their peers not in foster care.

**4. Youth experiencing homelessness.** For youth experiencing homelessness, rates of suicide attempts are higher than those of the adolescent population in general. These young people also have higher rates of mood disorders, conduct disorders, and post-traumatic stress disorder. One study found that more than half of runaway and homeless youth have had some kind of suicidal ideation.

**5. American Indian/Alaska Native (AI/AN) youth.** In 2009, the rate of suicide among AI/AN youth ages 15-19 was more than twice that of the general youth population. Risk factors that can affect this group include substance use, discrimination, lack of access to mental health care, and historical trauma. For more information about historical

trauma and how it can affect AI/AN youth, see [http://www.nctsn.org/nctsn\\_assets/pdfs/AI\\_Youth-CurrentandHistoricalTrauma.pdf](http://www.nctsn.org/nctsn_assets/pdfs/AI_Youth-CurrentandHistoricalTrauma.pdf).

**6. LGBTQ (lesbian, gay, bisexual, transgender, or questioning) youth.** The CDC finds that LGB youth are four times more likely, and questioning youth are three times more likely, to attempt suicide as their straight peers. The American Association of Suicidology reports that nearly half of young transgender people have seriously considered taking their lives and one quarter report having made a suicide attempt. Suicidal behavior among LGBTQ youth can be related to experiences of discrimination, family rejection, harassment, bullying, violence, and victimization. For those youth with baseline risk for suicide (especially those with a mental LGBTQ (lesbian, gay, bisexual, transgender, and questioning) students, students bereaved by suicide, and those with medical conditions or certain types of disabilities. disorder), these experiences can place them at increased risk. It is these societal factors, in concert with other individual factors such as mental health history, and not the fact of being LGBTQ which elevate the risk of suicidal behavior for LGBTQ youth.

**7. Youth bereaved by suicide.** Studies show that those who have experienced suicide loss, through the death of a friend or loved one, are at increased risk for suicide themselves.

### **Staff Development**

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

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

1. All suicide prevention trainings shall be offered under the direction of mental health professionals (e.g., school counselors, school psychologists, other public entity professionals, such as psychologists or social workers) who have received advanced training specific to suicide. Staff training may be adjusted year-to-year based on previous professional development activities and emerging best practices.
2. At least annually, all staff shall receive training on the risk factors and warning signs of suicide, suicide prevention, intervention, referral, and postvention.
3. At a minimum, all staff shall participate in training on the core components of suicide prevention (identification of suicide risk factors and warning signs, prevention, intervention, referral, and postvention) at the beginning of their employment or annually. Core components of the general suicide prevention training shall include:
  - a. Suicide risk factors, warning signs, and protective factors.
  - b. How to talk with a student about thoughts of suicide.
  - c. How to respond appropriately to the youth who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and an immediate referral for a suicide risk assessment.



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

- k. Resources regarding youth suicide prevention.
- l. Emphasis on stigma reduction and the fact that early prevention and intervention can drastically reduce the risk of suicide.

Emphasis that any student who is identified to be at risk of suicide is to be immediately referred (same day) for assessment while being constantly monitored by a staff member.

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

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

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

1. Parents/guardians/caregivers may be included in suicide prevention efforts. At a minimum, the Charter School shall share this Policy with parents/guardians/caregivers by notifying them where a complete copy of the policy is available.
2. This Suicide Prevention Policy shall be easily accessible and prominently displayed on the MPS web page and made available in the school office.
3. Parents/guardians/caregivers should be invited to provide input on the development and implementation of this policy.
4. All parents/guardians/caregivers may have access to suicide prevention training that addresses the following:
  - a. Suicide risk factors, warning signs, and protective factors.
  - b. How to talk with a student about thoughts of suicide.

How to respond appropriately to the student who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and referral for an immediate suicide risk assessment.

### **Student Participation and Education**

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

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

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

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

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

MPS will support the creation and implementation of programs and/or activities on campus that raise awareness about mental wellness and suicide prevention (e.g., Mental Health Awareness Week, Peer Counseling, Freshman Success, and National Alliance on Mental Illness on Campus High School Clubs).

### **Intervention and Emergency Procedures**

MPS designates the following administrators to act as the primary and secondary suicide prevention liaisons:

1. School Psychologist
2. Schoolsite Principal

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

- The suicide prevention liaison shall immediately notify the principal, another school administrator, school psychologist or school counselor, if different from the primary and secondary contact persons.

The principal or designee, another school administrator, school counselor, school psychologist, social worker, or nurse, who shall then notify the student's parent/guardian as soon as possible if appropriate and in the best interest of the student. Determination of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.

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

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

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

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

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

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

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

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

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

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

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

The suicide prevention liaison shall:

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

### **Parent Involvement**

Parents and guardians play a key role in youth suicide prevention, and it is important Magnolia Public Schools to involve them in suicide prevention efforts. Parents/ guardians need to be informed and actively involved in decisions regarding their child's welfare.

Parents and guardians who learn the warning signs and risk factors for suicide are better equipped to connect their children with professional help when necessary.

Parents/ guardians should be advised to take every statement regarding suicide and wish to die seriously and avoid assuming that a child is simply seeking attention.

Parents and guardians can also contribute to important protective factors – conditions that reduce vulnerability to suicidal behavior – for vulnerable youth populations such as LGBTQ youth. Research from the Family Acceptance

Project found that gay and transgender youth who reported being rejected by their parents or guardians were more than eight times as likely to have attempted suicide. Conversely, feeling accepted by parents or guardians is a critical protective factor for LGBTQ youth and other vulnerable youth populations.

Educators can help to protect LGBTQ youth by ensuring that parents and guardians have resources about family acceptance and the essential role it plays in youth health.

### **Student Identification Cards**

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

### **Resources**

#### **GUIDEBOOKS AND TOOLKITS**

- “Preventing Suicide: A Toolkit for High Schools” – U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration Center for Mental Health Services <http://store.samhsa.gov/product/Preventing-Suicide-A-Toolkit-for-High-Schools/SMA12-4669>
- “After a Suicide: A Toolkit for Schools” – American Foundation for Suicide Prevention and Suicide Prevention Resource Center [www.afsp.org/schools](http://www.afsp.org/schools)
- “Guidelines for School-Based Suicide Prevention Programs” – American Association of Suicidology [http://www.sprc.org/sites/sprc.org/files/library/aasguide\\_school.pdf](http://www.sprc.org/sites/sprc.org/files/library/aasguide_school.pdf)
- “Youth Suicide Prevention, Intervention, and Postvention Guidelines: A Resource for School Personnel” – Maine Youth Suicide Prevention Program <http://www.maine.gov/suicide/docs/Guideline.pdf>
- “Trevor Resource Kit” – The Trevor Project [thetrevorproject.org/resourcekit](http://thetrevorproject.org/resourcekit)

- “Supportive Families, Healthy Children: Helping Families with Lesbian, Gay, Bisexual & Transgender (LGBT) Children” – Family Acceptance Project <http://familyproject.sfsu.edu/publications>
- National Center for School Crisis and Bereavement <http://www.stchristophershospital.com/pediatric-specialties-programs/specialties/690>
- Adolescent and School Health Resources – Centers for Disease Control and Prevention, contains an assortment of resources and tools relating to coordinated school health, school connectedness, and health and academics <http://www.cdc.gov/healthyyouth/schoolhealth/index.htm>

#### CRISIS SERVICES FOR STUDENTS

- National Suicide Prevention Lifeline: The Lifeline is a 24-hour, toll-free suicide prevention service available to anyone in suicidal crisis or their friends and loved ones. Call 1.800.273.8255 (TALK). Callers are routed to the closest possible crisis center in their area. <http://www.suicidepreventionlifeline.org>
- The Trevor Lifeline: The only nationwide, around-the-clock crisis intervention and suicide prevention lifeline for lesbian, gay, bisexual, transgender, and questioning young people, 13-24, available at 1.866.488.7386.
- TrevorChat: A free, confidential, secure instant messaging service that provides live help to lesbian, gay, bisexual, transgender, and questioning young people, 13-24, through <http://www.TheTrevorProject.org>

#### RELEVANT RESEARCH

- “Youth Risk Behavior Surveillance System” – Centers for Disease Control and Prevention. Monitors health-risk behaviors among youth, including a national schoolbased survey conducted by CDC and state, territorial, tribal, and local surveys conducted by state, territorial, and local education and health agencies and tribal governments. <http://www.cdc.gov/healthyyouth/yrbs/index.htm>
- 2012 National Strategy for Suicide Prevention: A report by the U.S. Surgeon General and the National Alliance for Suicide Prevention outlining a national strategy to guide suicide prevention actions. Includes up-to-date research on suicide prevention. [http://www.surgeongeneral.gov/library/reports/national-strategy-suicide-prevention/full\\_report-rev.pdf](http://www.surgeongeneral.gov/library/reports/national-strategy-suicide-prevention/full_report-rev.pdf)



## MAGNOLIA PUBLIC SCHOOLS

### VOLUNTEER, VISITATION, SHADOWING, AND REMOVAL POLICY

While Magnolia Public Schools (“MPS”) encourages parents/guardians and interested members of the community to visit MPS and view the educational program, MPS also endeavors to create a safe environment for students and staff. Additionally, parents volunteering in the classroom can be extremely helpful to our teachers and valuable to our students. We thank all parents for their willingness to volunteer in this manner.

Nevertheless, to ensure the safety of students and staff as well as to minimize interruption of the instructional program, MPS has established the following procedures to facilitate volunteering and visitations during regular school days:

#### **Definitions**

- A “*visitor*” is defined as any person seeking to enter the school building who is not an employee of the Charter School or a student currently enrolled in that building. All visitors who are not parents or guardians of a student must have a specific and educationally relevant purpose for their visit.
- A “*volunteer*” is defined as any person who voluntarily offers and provides a service to the Charter School with Charter School approval without receiving compensation.

#### **Volunteering Categories and Application Process**

##### **A. Certified Volunteers (“C-Volunteers”)**

- a. Who are C-Volunteers: These are volunteers that would like to volunteer with MPS on an ongoing basis and may have unsupervised exposure or contact with students. Examples may include but are not limited to: classroom volunteers, tutors, field-trip volunteers, etc.
- b. Application Process: C-Volunteers must provide MPS with the following documents:
  - Volunteer Application Form (signed)
  - Volunteer Commitment Form (signed)
  - Fingerprinting and Background Clearance (if volunteering outside of the direct supervision of a credentialed employee)
  - Tuberculosis risk assessment or examination
  - Valid photo I.D. (driver’s license, passport, military ID, US or other government identification)

##### **B. Single Event Volunteers (“SE-Volunteers”)**

- a. Who are SE-Volunteers: These are volunteers that would like to volunteer at MPS for a one (1) days special event or activity and have no unsupervised exposure or

contact with students. Examples may include but are not limited to: guest story reader, guest speaker, senior exhibition panel member, etc.

- b. Application Process: SE-Volunteers are not required to submit a volunteer application but must comply with the Volunteering Guidelines below and provide MPS with a valid photo I.D.

### **Volunteering Guidelines**

Parents or guardians who are interested in volunteering must adhere to the following guidelines:

1. Volunteers must arrange volunteering schedule with the classroom teacher and/or MPS Principal or designee, at least forty-eight (48) hours in advance. Volunteering in class may be limited to certain hours or specific assignments as determined by the classroom teacher(s) or MPS administration.
2. For all prospective volunteers (both C-Volunteers and SE-Volunteers), the MPS Principal or designee will review California Megan's Law online database at <http://www.meganslaw.ca.gov> to ensure that prospective volunteers are not registered sex offenders.

Prior to volunteering in the classroom or on campus, the volunteer should communicate with the teacher and/or MPS staff to discuss the expectations for volunteering needs. Classroom volunteers are there to benefit the entire class and are not in class solely for the benefit of their own child. Classroom volunteers must follow the instructions provided by the classroom teacher or aide. Classroom rules also apply to volunteers to ensure minimal distraction to the teacher. If a volunteer is uncomfortable following the direction of the teacher or aid the volunteer may leave their volunteer position for that day.

3. Information gained by volunteers regarding students (e.g. academic performance or behavior) is to be maintained in strict confidentiality and may not be shared with any individual except with the MPS Principal. Volunteers must sign in agreement that they have read and understand and agree to follow the Family Educational Rights and Privacy Act ("FERPA") Policy.
4. Volunteers shall follow and be governed by all other guidelines indicated elsewhere in this Policy. This includes, but is not limited to, the process of registering and signing out of the campus at the main office as indicated below.
5. Volunteerism by parents is encouraged but not mandatory. All parents are encouraged – but not required – to contribute a minimum of 10 hours per year to the school. No child will be excluded from MPS or school activities due to the failure of his or her parent or legal guardian to fulfill the encouraged volunteer hours.

6. This Policy does not authorize MPS to permit a parent/guardian to volunteer or visit the campus if doing so conflicts with a valid restraining order, protective order, or order for custody or visitation issued by a court of competent jurisdiction.

### **Visitation Guidelines**

1. Visits during school hours should first be arranged with the teacher and MPS Principal or designee, at least three (3) school days in advance. If a conference is desired, an appointment should be set with the teacher during non-instructional time, at least three (3) school days in advance. Parents/guardians seeking to visit a classroom during school hours must first obtain the written approval of the classroom teacher and the MPS Principal or designee.
2. All visitors (including volunteers) shall register in the Visitor's Log Book and complete a Visitor's Permit in the main office immediately upon entering any school building or grounds when during regular school hours, including immigration enforcement officers. When registering, the visitor is required to provide his/her name, address, age (if under 21), his/her purpose for entering school grounds, and proof of identity.

If the visitor is an immigration enforcement officer, the officer will also be asked to produce any documentation that authorizes school access. A copy of the documentation provided by the officer/official and notes from the encounter may be maintained by MPS. The appropriate agencies will be contacted regarding any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes.

3. For purposes of school safety and security, the MPS Principal or designee have designated that each visitor wear a visitor's pass/sticker as a visible means of identification for visitors while on school premises.
4. All visitors are asked to comply with current mandated and recommended health and safety protocols. Visitors (including volunteers) who demonstrate signs of a contagious disease (e.g. fever, coughing) may be denied registration. When recommended or requested by the Department of Public Health, visitors will be required to wear personal protective equipment, such as masks, and practice social distancing. MPS reserves the right to implement additional measures for the protection of its school community, such as requiring forehead temperature checks before entry to the same extent being utilized for students and employees.
5. Except for unusual circumstances, approved in advance by the MPS Principal, MPS visits should not exceed approximately sixty (60) minutes in length and may not occur more than twice per semester.
6. While on campus, visitors are to enter and leave classrooms as quietly as possible, not converse with any student, teacher, or other instructional assistant unless permitted, and not interfere with any school activity. No electronic listening or recording device

- may be used in a classroom without the teacher's and MPS Principal's advance written permission.
7. Before leaving campus, the visitor shall return the Visitor's Permit and sign out of the Visitors Log Book in the main office.
  8. The MPS Principal, or designee, may refuse to register a visitor or volunteer if it is believed that the presence of the visitor or volunteer would cause a threat of disruption or physical injury to teachers, other employees, or students.
  9. The Principal may direct a visitor without lawful business on campus to leave campus when the visitor's presence or acts interfere with the peaceful conduct of the activities of the school or disrupt the school or its pupils or school activities. Any visitor who is directed to leave by the Principal or designee will not be permitted to return to the Charter School campus for at least seven (7) days.
  10. The MPS Principal or designee may withdraw consent to be on campus even if the visitor has a right to be on campus whenever there is reason to believe that the person has willfully disrupted or is likely to disrupt MPS' orderly operation. Consent will be reinstated whenever the MPS Principal has reason to believe that the person's presence will not constitute a disruption or substantial and material threat to MPS' orderly operation. Consent to be on campus can be withdrawn for up to fourteen (14) days.
  11. The MPS Principal or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or withdrawn, promptly leave school grounds. When a visitor is directed to leave, the MPS Principal or designee shall inform the visitor that if the visitor reenters the school without following the posted requirements the visitor will be guilty of a misdemeanor.
  12. Any visitor who is denied registration or has his/her registration revoked may request a conference with the MPS Principal. The request shall be in writing, shall state why the denial or revocation was improper, shall give the address to which notice of conference is to be sent, and shall be delivered to the MPS Principal with fourteen (14) days of the denial or revocation of consent. The MPS Principal shall promptly mail a written notice of the date, time, and place of the conference to the person who requested the conference. A conference with the MPS Principal shall be held within seven (7) days after the MPS Principal receives the request. If no resolution can be agreed upon, the MPS Principal shall forward notice of the complaint to the MPS Board of Directors. The MPS Board of Directors shall address the Complaint at the next regular board meeting and make a final determination.
  13. At each entrance to the campus, signs shall be posted specifying the hours during which registration is required, stating where the office of the MPS Principal or designee is located, and what route to take to that office, and setting forth the penalties for violation of this policy.

14. The MPS Principal or designee may seek the assistance of the police in managing with or reporting any visitor in violation of this Policy.

**“Certified Volunteer (C-Volunteer) Application Form” and “Volunteer Commitment and Procedures”** are included at the end of this Policy and copies are also available in the school office.

### **Shadowing Guidelines**

Shadowing gives parents and students an opportunity to observe instruction during an ordinary school day and can help open dialog between parents and students about school. Parents are welcome to shadow their children, that is, to follow them through their school day. In order to maximize the benefits of shadowing, we request that parents adhere to the following guidelines:

- Follow the above procedure for providing three (3) school days advance notice of your visit, signing in at the main office when arriving at MPS, and obtaining a visitor’s pass/sticker. Notice of your visit and intent to shadow should be provided by completing the Shadow Request Form, below, and submitting it to MPS at least three (3) school days in advance of your visit.
- Shadowing is not a time for parent/teacher conferences. If you desire a conference, please make prior arrangements with your child’s teachers.
- To preserve the academic environment, please do not take part in the lesson unless invited to do so by the teacher. Do not visit with your child or other students during class time. At no time may visiting parents address other students directly. Visitors are not allowed to record audio or video, or take photos. Should you have any concerns, report them to the MPS administrators.
- Meet with MPS administration to debrief your visit.

### **Penalties**

1. Pursuant to the California Penal Code, if a visitor does not leave after being asked or if the visitor returns without following the posted requirements after being directed to leave, he/she will be guilty of a crime as specified which is punishable by a fine of up to \$500.00 (five hundred dollars) or imprisonment in the County jail for a period of up to six (6) months or both.
2. Under California Education Code section 44811, disruption by a parent, guardian or other person whose conduct materially disrupts classwork or extracurricular activities or involves substantial disorder is guilty of a misdemeanor and is punishable, upon the first conviction by a fine of no less than \$500.00 (five hundred dollars) and no more than \$1,000.00 (one thousand dollars) or by imprisonment in a County jail for no more than one (1) year, or both the fine and imprisonment.
3. Disruptive conduct may lead to MPS’ pursuit of a restraining order against a visitor, which would prohibit him/her from coming onto school grounds or attending school activities for any purpose for a period of up to three (3) years.

MAGNOLIA PUBLIC SCHOOLS

Shadow Request Form

Visiting Person Information:

Person Visiting Is:  Parent/Guardian  Student  Other \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_

Home Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Student Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Grade: \_\_\_\_\_

If student is not a current student at MPS:

Is the student enrolled in MPS for the next school year?  Yes  No \_\_\_\_\_

Current School Name: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Country: \_\_\_\_\_

Health Concerns: \_\_\_\_\_

Visit Details:

Date(s) Wishing to be a Visitor: \_\_\_\_\_

Reason for Visit: \_\_\_\_\_

\_\_\_\_\_

Signatures:

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

Visiting Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Principal's Approval:

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

Parent Contact Made on Date: \_\_\_\_\_

MAGNOLIA PUBLIC SCHOOLS

Certified Volunteer (C-Volunteer) Application Form

Magnolia Public Schools ("MPS") encourages parents/guardians and interested members of the community to volunteer at MPS as volunteering in the classroom can be extremely helpful to our teachers and valuable to our students. We thank all parents/guardians/community members for their willingness to volunteer.

School Name/Location and School Year: \_\_\_\_\_ (Date: \_\_\_\_\_)

Name: \_\_\_\_\_
Last First Middle Maiden Name/Other Names Used

Residence Address: \_\_\_\_\_
Street City State Zip

Home Telephone: (\_\_\_\_\_) Work or Mobile Telephone: (\_\_\_\_\_)

Emergency Contact Name and Phone: \_\_\_\_\_ (\_\_\_\_\_) \_\_\_\_\_

Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_ CA Driver's License or ID Card: Yes ( ) No ( ) Number: \_\_\_\_\_

Physical Limitations: Yes ( ) No ( ) Explain: \_\_\_\_\_

Relationship to any student(s) or staff members at school? Yes ( ) No ( ) Explain: \_\_\_\_\_

Languages spoken: \_\_\_\_\_

Please respond to the following: "I am interested in volunteering because \_\_\_\_\_

Do you have any felony convictions\*: Yes ( ) No ( ) If so, please list: \_\_\_\_\_

Have you EVER been convicted\* of any sex offense for which you must register with any Law Enforcement Agency pursuant to Penal Code Section 290? Yes ( ) No ( )

\*Conviction includes a finding of guilty by a court in a trial with or without a jury or a plea or verdict of guilty.

I certify under penalty of perjury that the foregoing statements are true and complete, and I authorize MPS to complete a background check as a condition of school volunteer service, as provided by California Education Code 45125.1.

I understand that I will not receive any compensation or salary, or any other health or retirement benefits, or workers' compensation insurance coverage during this volunteer assignment. I agree to waive all claims against the MPS and hold the MPS, its officers, directors, agents, employees, authorizer, and volunteers harmless from any and all liability or claims which may arise out of or in connection with my participation in this volunteer activity.

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

## MAGNOLIA PUBLIC SCHOOLS

**Volunteer Commitment and Procedures**

The administration, staff, and students of Magnolia Public Schools (“MPS”) are appreciative of all persons who are willing to commit time and energy to helping students succeed and to provide an excellent place of learning for all students. Most of the MPS activities and events simply would not happen without the participation of our volunteers.

**Ways a Volunteer can help**

- Room Parent
- Clerical Help
- Tutoring students (e.g.: math, computer activities, reading with students, etc.)
- Morning, lunch, yard, and/or dismissal supervision
- Chaperone Field Trips
- Help with special class events (e.g.: career fairs, fundraisers, etc.)
- Athletic support

Below are ethics and **guidelines** that must be followed while you are volunteering at MPS. These guidelines are designed:

- to promote a productive and safe environment
- to set appropriate expectations
- to clarify roles & responsibilities

**APPLICATION AND SCREENING:**Certified Volunteers (“C-Volunteers”)

- a. Who are C-Volunteers: These are volunteers that would like to volunteer with MPS on an ongoing basis.
- b. Application Process: C-Volunteers must provide MPS with the following documents:
  - Volunteer Application Form (signed)
  - Volunteer Commitment Form (signed)
  - Fingerprinting and Background Clearance (if volunteering outside of the direct supervision of a credentialed employee)
  - Tuberculosis risk assessment or examination
  - Valid photo I.D. (driver’s license, passport, military ID, US or other government identification)

Single Event Volunteers (“SE-Volunteers”)

- a. Who are SE-Volunteers: These are volunteers that would like to volunteer at MPS for a one (1) days special event or activity.
- b. Application Process: SE-Volunteers are not required to submit a volunteer application but must comply with the Volunteering Guidelines below and provide MPS with a valid photo I.D.

**CONFIDENTIALITY:** Volunteers should realize that they have a position of trust. Personal information pertaining to students or staff, as well as conversations between parents, teachers, staff members, and students MUST be kept confidential. Volunteers are NOT permitted to view any part of a student's records including test scores, report cards, attendance reports, or any other document to that would be included in student records. What you SEE or HEAR in a classroom, hallway, bathroom, on a



field trip, or on the playground should be considered confidential and only discussed with a teacher, counselor or principal. For MPS to provide the best environment for learning, everyone's privacy must be respected. No gossiping will be permitted.

**LIABILITY:** MPS is proud to provide liability coverage and an accident policy for its volunteers, after any other valid and collectible insurance. In order to have this protection, all volunteers must sign in on MPS' volunteer / visitor sign in sheet (in every school office) every time they volunteer. Volunteers are not covered by Workers' Compensation.

**CHILD NEGLECT AND ABUSE REPORTING:** MPS volunteers are obligated under mandatory child reporting laws to report any suspected child neglect or abuse. Please refer to MPS mandatory reporting guidelines located in the MPS Employee Handbook.

**SUPERVISION:** Volunteers perform under the direction and supervision of MPS personnel. Any volunteers who are volunteering outside of the direct supervision of a credentialed employee must be fingerprinted and receive background clearance. Volunteers should know and follow MPS policies and rules. MPS, in its discretion and without a statement of reasons, may suspend any volunteer from further volunteer activities. No statement by the MPS establishes a property right to perform volunteer work.

**COMMUNICATION:** If you are unable to make it to school when you are expected, please call MPS and leave a message. Similarly, MPS staff will contact you if your time is cancelled or changed for any unforeseen reason. You may contact the MPS main Office at \_\_\_\_\_, or email \_\_\_\_\_ with questions or for assistance. Please be dependable and on-time. Teachers and staff count on you!

**STUDENT/VOLUNTEER RELATIONSHIP:** Volunteers function in a position of trust and MPS does not extend that volunteer / student trust relationship outside of the supervised school environment. It is the responsibility of the volunteer to notify MPS immediately if he/she becomes involved with a student / family outside the school environment.

**DISCIPLINE:** A teacher or staff member is responsible for student discipline. If you see a child behaving in a way that endangers themselves or others, you need to stop the behavior and report it to a staff member. If a student continues to be noncompliant, disrespectful, or disruptive after a verbal warning, please notify a teacher or staff member. Student safety is the responsibility of all adults, but student discipline is the responsibility of MPS staff.

**SIGN IN:** Volunteers should always sign in at the front desk. A volunteer should always have a visitor's pass/sticker on while working on campus or while acting as a chaperone on a class field trip.

**CELL PHONE/PHOTO/SOCIAL MEDIA:** Cell phones may be used on campus however we ask that you use a "silent setting" so that the class is not disturbed. Phones should only be used for emergencies. Volunteers are not allowed to take photos or post on social media unless approved by MPS.

**EMERGENCY PROCEDURES:** Classroom procedures and escape routes are located in each room. Drills are performed throughout the year. During a fire drill, the entire building is evacuated and each classroom reports to a designated area outside on the MPS campus. Please take the time to familiarize yourself with these safety plans.

I have read the above information and agree to the guidelines and responsibilities.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_