



Amethod Public Schools

Regular Meeting of the AMPS Board of Directors

Published on November 11, 2022 at 5:10 PM PST

Amended on November 14, 2022 at 8:49 AM PST

Date and Time

Wednesday November 16, 2022 at 6:00 PM PST

This meeting will be by teleconference pursuant to [Government Code Section 54953\(e\)](#).

The Board of Directors (Board) and employees of Amethod Public Schools shall meet via the Zoom meeting platform. Members of the public who wish to access this Board meeting may do so at:

<https://us02web.zoom.us/j/3374735360>

Participating by Telephone: 669 444 9171 Meeting ID: 337 473 5360

Public Comment: Members of the public who wish to comment on an agenda item please use the raise hand tool in the reactions tab located at the bottom of the zoom screen or press star (*) nine if joining by telephone. The Board Chair will call on you. Please note that comments are limited to two minute. The Board Chair may increase or decrease the time allowed for public comment, depending upon the topic and number of persons wishing to be heard.

Access to Board Materials: A copy of the written materials which have been submitted to the School Board with the agenda relating to open session items may be reviewed by any interested persons on the Amethod Public School's website at www.amethodschools.org following the posting of the agenda. Amethod reserves the right to show or distribute additional information and/or documents to the School Board at the meeting, and will make copies of such documents relating to open session items available to the public upon request.

Disability Access: Requests for disability-related modifications or accommodations to participate in this public meeting should be made 72 hours prior to the meeting by calling (510) 965-4562. All efforts will be made for reasonable accommodations. The agenda and public documents can be modified upon request as required by Section 202 of the Americans with Disabilities Act.

ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE

Agenda

	Purpose	Presenter	Time
I. Opening Items			6:00 PM
A. Call the Meeting to Order		Gilbert Lopez Jr.	1 m
B. Record Attendance		Sally Li	1 m
C. Announcements			1 m
II. Preliminary Matters			6:03 PM
A. Approval of Findings Regarding Virtual Board Meetings Pursuant to AB 361 and Government Code Section 54953	Vote	Gilbert Lopez Jr.	2 m
Board findings pursuant to Government Code Section 54953(e)			
<p>The Charter School Board of Directors determines, in accordance with Government Code Section 54953(e)(1)(B), that meeting in person would present imminent risks to the health or safety of attendees. Pursuant to Government Code Section 54953(e)(3), the Board has also reconsidered the circumstances of the State of Emergency declared by the Governor on March 4, 2020, and finds the State of Emergency continues to directly impact the ability of the Directors to meet safely in person and/or that State or local officials continue to impose or recommend measures to promote social distancing.</p>			
III. Closed Session			6:05 PM
A. ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Paragraph (2) or (3) of subdivision (d) of Section 54956.9: (1 Case)	Discuss		45 m

	Purpose	Presenter	Time
B. CEO Evaluation			15 m
IV. Consent			7:05 PM
A. Approval of Board Meeting Minutes: 10/19/2022	Approve Minutes		2 m
B. Approval of Special Board Meeting Minutes: 11/03/2022	Approve Minutes		2 m
C. Approval to Amend Bylaws of Amethod Public Schools	Vote		4 m
D. Information Only: AMPS Policy Manual Revision/ Update	FYI		4 m
V. Business			7:17 PM
A. Approval of Recommendation of the Nominating Committee to Appoint Edgar Quiroz to the Board of Directors	Vote		5 m
VI. Discussion			7:22 PM
A. Special Education Update	Discuss	Alma Ellis	5 m
Topics discussed during this report include SPED eligibility categories of students and specialized services.			
B. Chief Academic Officer: Instructional Update	Discuss	Michael Bradley	5 m
Topics discussed during this report include Charter Schools Development Center and Instructional Update on Leadership Meetings.			
C. CEO Report	Discuss	Evelia Villa	5 m
Topics discussed during this report include Site Visits, State Board of Education Visit- John Henry High School, Recruitment, and Attendance.			
VII. Closing Items			7:37 PM

	Purpose	Presenter	Time
A. Public Comments on Non-Agenda Items	FYI		45 m
Members of the public may comment here on non-agenda items that relate to one or more schools operated by Amethod Public Schools.			
B. Adjourn Meeting	FYI	Gilbert Lopez Jr.	1 m

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Coversheet

Approval of Board Meeting Minutes: 10/19/2022

Section: IV. Consent
Item: A. Approval of Board Meeting Minutes: 10/19/2022
Purpose: Approve Minutes
Submitted by:
Related Material:
Minutes for Regular Meeting of the AMPS Board of Directors on October 19, 2022

APPROVED



Amethod Public Schools

Minutes

Regular Meeting of the AMPS Board of Directors

Date and Time

Wednesday October 19, 2022 at 6:00 PM

This meeting will be by teleconference pursuant to [Government Code Section 54953\(e\)](#).

The Board of Directors (Board) and employees of Amethod Public Schools shall meet via the Zoom meeting platform. Members of the public who wish to access this Board meeting may do so at:

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ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE

Directors Present

E. Gallegos (remote), E. Quiroz (remote), G. Lopez Jr. (remote), J. Azubuike (remote), M. Obaid (remote), N. Driver (remote)

Directors Absent

M. Gonzalez

Guests Present

S. Li

I. Opening Items

A. Call the Meeting to Order

G. Lopez Jr. called a meeting of the board of directors of Amethod Public Schools to order on Wednesday Oct 19, 2022 at 6:01 PM.

B. Record Attendance

C. Announcements

No announcements were made.

D. Public Comments on Non-Agenda Items

No public comments were made.

II. Preliminary Matters

A. Approval of Findings Regarding Virtual Board Meetings Pursuant to AB 361 and Government Code Section 54953

E. Quiroz made a motion to Approve Findings Regarding Virtual Board Meetings Pursuant to AB 361 and Government Code Section 54953.

J. Azubuike seconded the motion.

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

Roll Call

E. Quiroz Aye
M. Obaid Aye
G. Lopez Jr. Aye
E. Gallegos Aye
N. Driver Aye
J. Azubuike Aye
M. Gonzalez Absent

III. Closed Session

A. Public Employee Performance Evaluation (Gov. Code section 54957(b)(1) CEO

Thee Board of Directors made no reportable actions.

IV. Consent Agenda

A. Approval of Board Meeting Minutes: 09/29/2022

N. Driver made a motion to approve the minutes from Regular Meeting of the AMPS Board of Directors on 09-29-22.

E. Quiroz seconded the motion.

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

Roll Call

E. Quiroz Aye
G. Lopez Jr. Aye
J. Azubuike Aye
M. Gonzalez Absent
E. Gallegos Aye
N. Driver Aye
M. Obaid Aye

B. Approval of AMPS Title IX Coordinator

N. Driver made a motion to Approve AMPS Title IX Coordinator.

E. Quiroz seconded the motion.

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

Roll Call

J. Azubuike Aye
N. Driver Aye
M. Obaid Aye
E. Gallegos Aye
G. Lopez Jr. Aye
M. Gonzalez Absent
E. Quiroz Aye

C.

Approval of Ed. Sped Solutions- Addendum

N. Driver made a motion to Approve Ed. Sped Solutions- Addendum.

E. Quiroz seconded the motion.

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

Roll Call

M. Obaid Aye
J. Azubuike Aye
E. Quiroz Aye
G. Lopez Jr. Aye
M. Gonzalez Absent
N. Driver Aye
E. Gallegos Aye

D. Approval of Student Use of Technology Policy 2022-2023

N. Driver made a motion to Approve Student Use of Technology Policy 2022-2023.

E. Quiroz seconded the motion.

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

Roll Call

J. Azubuike Aye
G. Lopez Jr. Aye
N. Driver Aye
E. Gallegos Aye
M. Obaid Aye
M. Gonzalez Absent
E. Quiroz Aye

E. Approval of Consolidated Application and Reporting System (CARS) 2022-2023

N. Driver made a motion to Approve Consolidated Application and Reporting System (CARS) 2022-2023.

E. Quiroz seconded the motion.

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

Roll Call

J. Azubuike Aye
N. Driver Aye
E. Quiroz Aye
E. Gallegos Aye
M. Obaid Aye
G. Lopez Jr. Aye
M. Gonzalez Absent

V. Business

A.

Approval of AMPS 2022 Unaudited Actuals

J. Azubuike made a motion to Approve AMPS 2022 Unaudited Actuals.

E. Gallegos seconded the motion.

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

Roll Call

M. Gonzalez Absent

N. Driver Absent

E. Quiroz Aye

E. Gallegos Aye

J. Azubuike Aye

M. Obaid Aye

G. Lopez Jr. Aye

B. Approval of Oakland Unified School District Intercept Notice

E. Gallegos made a motion to Approve Oakland Unified School District Intercept Notice.

E. Quiroz seconded the motion.

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

Roll Call

J. Azubuike Aye

E. Quiroz Aye

M. Obaid Aye

M. Gonzalez Absent

E. Gallegos Aye

G. Lopez Jr. Aye

N. Driver Absent

C. Approval of School Safety Plan 2022-2023

J. Azubuike made a motion to Approve School Safety Plan 2022-2023.

E. Quiroz seconded the motion.

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

Roll Call

E. Quiroz Aye

J. Azubuike Aye

G. Lopez Jr. Aye

M. Gonzalez Absent

N. Driver Absent

M. Obaid Aye

E. Gallegos Aye

D. Approval of FY22-23 Budget

E. Quiroz made a motion to Approve FY22-23 Budget.

J. Azubuike seconded the motion.

Marie Arce makes her presentation on the FY22-23 Budget.
The board **VOTED** unanimously to approve the motion.

Roll Call

J. Azubuike Aye
N. Driver Aye
E. Gallegos Aye
G. Lopez Jr. Aye
E. Quiroz Aye
M. Obaid Aye
M. Gonzalez Absent

E. Compliance Monitoring and Certification of Governing Board Compliance- John Henry High School

E. Quiroz made a motion to Compliance Monitoring and Certification of Governing Board Compliance- John Henry High School.

E. Gallegos seconded the motion.

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

Roll Call

M. Gonzalez Absent
E. Quiroz Aye
M. Obaid Aye
J. Azubuike Aye
G. Lopez Jr. Aye
N. Driver Aye
E. Gallegos Aye

F. Universal Pre Kindergarten Planning and Implementation Grant Program (UPK): Benito Juarez Elementary

BJE Assistant Director Victoria Brown shares her presentation on Universal Pre Kindergarten and the grant that that was received for the school.

VI. Discussion

A. Instructional Update- CAO

CAO Michael Bradley shares his instructional update presentation. Topics discussed are NWEA testing, all 6 school sites math data and ELA data, and action plans in response to the data.

B. CEO Report

CEO Evelia Villa shares her CEO Report. Topics discussed are ongoing Williams visits, Safe Schools audit, security for ASES, meal premiums, upcoming JHHS school site visit,

Director of Special Education, Local Control Accountability Plan (LCAP), community clean up and enrollment.

C. Board Rotations

N. Driver made a motion to Nominate Gilbert Lopez Jr. as Board Chair.

E. Quiroz seconded the motion.

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

G. Lopez Jr. made a motion to Nominate Nick Driver as Board Vice Chair.

E. Quiroz seconded the motion.

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

N. Driver made a motion to Nominate Edgar Quiroz as Board Treasurer.

E. Gallegos seconded the motion.

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

G. Lopez Jr. made a motion to Nominate Elisa Gallegos- Jackson as Board Secretary.

J. Azubuike seconded the motion.

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

Board Chair Gilbert Lopez Jr. makes an announcement that there'll be a Board retreat in late January or February 2023 and date is to be determined.

VII. Closing Items

A. Adjourn Meeting

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 8:08 PM.

Respectfully Submitted,

G. Lopez Jr.

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Coversheet

Approval of Special Board Meeting Minutes:11/03/2022

Section: IV. Consent
Item: B. Approval of Special Board Meeting Minutes:11/03/2022
Purpose: Approve Minutes
Submitted by:
Related Material:
Minutes for Special Meeting of the AMPS Board of Directors on November 3, 2022

APPROVED



Amethod Public Schools

Minutes

Special Meeting of the AMPS Board of Directors

Date and Time

Thursday November 3, 2022 at 3:30 PM

This meeting will be by teleconference pursuant to [Government Code Section 54953\(e\)](#).

The Board of Directors (Board) and employees of Amethod Public Schools shall meet via the Zoom meeting platform. Members of the public who wish to access this Board meeting may do so at:

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Directors Present

E. Gallegos (remote), E. Quiroz (remote), G. Lopez Jr. (remote), J. Azubuike (remote), N. Driver

Directors Absent

M. Gonzalez, M. Obaid

Directors who arrived after the meeting opened

N. Driver

Guests Present

E. Villa (remote), S. Li (remote)

I. Opening Items

A. Call the Meeting to Order

G. Lopez Jr. called a meeting of the board of directors of Amethod Public Schools to order on Thursday Nov 3, 2022 at 3:36 PM.

B. Record Attendance

N. Driver arrived at 4:30 PM.

C. Announcements

No announcements were made.

D. Public Comments on Non-Agenda Items

No public comments were made.

II. Preliminary Matters

A. Approval of Findings Regarding Virtual Board Meetings Pursuant to AB 361 and Government Code Section 54953

E. Gallegos made a motion to Approve Findings Regarding Virtual Board Meetings Pursuant to AB 361 and Government Code Section 54953.

J. Azubuike seconded the motion.

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

Roll Call

M. Obaid Absent
E. Gallegos Aye
E. Quiroz Aye
G. Lopez Jr. Aye
N. Driver Absent
M. Gonzalez Absent
J. Azubuike Aye

III. Closed Session

A. Board OnTrack CEO Evaluation Survey Report

Board of Directors returns from Closed Session at 5:12pm and no actions were reported from the CEO Evaluation Survey Report.

IV. Closing Items

A. Adjourn Meeting

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 5:12 PM.

Respectfully Submitted,
G. Lopez Jr.

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Coversheet

Approval to Amend Bylaws of Amethod Public Schools

Section:	IV. Consent
Item:	C. Approval to Amend Bylaws of Amethod Public Schools
Purpose:	Vote
Submitted by:	
Related Material:	AMPS Bylaws Rev REDLINE.docx AMPS Bylaws Rev FINAL.docx



**(AMENDED)
BYLAWS OF
AMETHOD PUBLIC SCHOOLS
(Formerly Oakland Charter Academy)
A California Nonprofit Public Benefit Corporation**

Amended by
The Board of Directors
March 10, 2021

Adopted by
The Board of Directors
June 16, 2006

Amethod Public Schools

AMPS

HONOR HARD WORK

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HONOR HARD WORK

BYLAWS OF

AMETHOD PUBLIC SCHOOLS

(Amendment Date: March 10, 2021)
A California Nonprofit Public Benefit Corporation

ARTICLE I **NAME**

Section 1. NAME. The name of this corporation is Amethod Public Schools, a California Nonprofit Public Benefit Corporation ("Corporation"), (formerly Oakland Charter Academy, Inc.).

ARTICLE II **PRINCIPAL OFFICE OF THE CORPORATION**

Section 1. PRINCIPAL OFFICE OF THE CORPORATION. The principal office for the transaction of the activities and affairs of the Corporation shall be within the City of Oakland, Alameda County, California. The Board of Directors of the Corporation ("Board") may change the location of the principal office. Any such change of location must be noted by the Secretary of the Board; alternatively, this Section may be amended to state the new location.

Section 2. OTHER OFFICES OF THE CORPORATION. The Board may, at any time, establish branch or subordinate offices at any place or places where the Corporation is qualified to conduct its activities.

ARTICLE III **GENERAL AND SPECIFIC PURPOSES**

Section 1. GENERAL PURPOSE AND SPECIFIC PURPOSES. The Corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Corporation law of California for public and charitable purposes. The specific purposes for which this Corporation is organized are to manage, operate, guide, direct and promote one or more California public charter schools ("Charter Schools").

The Corporation is organized and operated exclusively for educational and charitable purposes pursuant to and within the meaning of Section 501 (c) (3) of the Internal Revenue Code or the corresponding provision of any future United States Internal Revenue law. Notwithstanding any other provision of these articles, the Corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of the Corporation. The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under Section 501(c) (3) of the Internal Revenue code, or the corresponding section of any future federal tax code; or (b) by a corporation, contributions to which are deductible under Section 170(c) (2) of the Internal Revenue Code, or the

Amethod Public Schools



HONOR HARD WORK

corresponding section of any future federal tax code.

ARTICLE IV **DEDICATION AND DISTRIBUTION OF ASSETS**

Section 1. DEDICATION OF ASSETS. The Corporation's assets are irrevocably dedicated to public benefit and/or charitable purposes. No part of the net earnings, properties, or assets of the Corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or to any Director or officer of the Corporation.

Section 2. DISTRIBUTION OF ASSETS UPON DISSOLUTION. Upon dissolution or winding up of the Corporation, its assets remaining after payment of all debts and liabilities of the Corporation shall be distributed to a nonprofit fund, foundation, or corporation which is organized and operated exclusively for educational, public or charitable purposes and which has established its tax exempt status under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for public purposes. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for educational, public or charitable purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such educational, public or charitable purposes.

ARTICLE V **CORPORATION WITHOUT MEMBERS**

Section 1. CORPORATION WITHOUT MEMBERS. The Corporation shall have no "members" as that term is used in the California Nonprofit Public Benefit Corporation Law. All rights, which would otherwise vest in the members, shall vest in the Board.

ARTICLE VI **BOARD OF DIRECTORS**

Section 1. GENERAL POWERS. Subject to the provisions and limitations of the California Nonprofit Public Benefit Corporation Law, the Articles of Incorporation of the Corporation, these Bylaws. The Charter Schools Act of 1992, and any other applicable laws, the Corporation's activities, business, and affairs shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board, except as provided in Section 3 hereof. The Board may not delegate the responsibilities of budget approval or approval of fiscal and performance audits.

Section 2. SPECIFIC POWERS. Without prejudice to the general powers set forth in Section 1 above, but subject to the same limitations, the Board shall have the power to:

- a. To select and remove, at the pleasure of the Board, the Chief Executive Officer ("CEO"), and

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his/her subordinates, prescribe powers and duties for him/her, as may be consistent with law, the Articles of Incorporation, and these Bylaws; to fix his/her compensation and to require from her/him security for faithful performance.

- b. To conduct, manage, and control the affairs and activities of the Corporation and to make such rules and regulations for this purpose, consistent with law, the Articles of Incorporation, and these Bylaws, as it deems best;
- c. Fix the compensation for corporate officers and employees; and to require from them security for faithful service;
- d. To adopt, make and use a corporate seal, and alter the form of the seal from time to time, as it deems best;
- e. To borrow money and incur indebtedness on behalf of the Corporation, and cause to be executed and delivered for the Corporation's purposes, in the corporate name, promissory notes, debentures, bonds, deeds of trust, mortgages, hypothecations, pledges, and other evidence of debt or securities;
- f. To act as trustee under any trust incidental to the principal object of the Corporation, and to receive, hold, administer, exchange and expend funds and property to such trust;
- g. To acquire by purchase, exchange, lease, gift, devise, bequest, and to hold, improve, sublease, mortgage, transfer in trust, encumber, convey or otherwise dispose of real personal property;
- h. To assume any obligations, enter into any contracts or other instruments, and do any and all other things incidental or expedient to the attainment of any corporate purpose.
- 1. To carry out such other duties as are described in the Charter of each school.

Section 3. DELEGATION OF MANAGEMENT. The Board may delegate the management of the Corporation's activities to any person or persons, management company, or committees, however composed, provided the activities and affairs of the Corporation shall be managed and all corporate powers shall be exercised under the ultimate direction of the Board. No assignment, referral, or delegation of authority by the Board or anyone acting under such delegation shall preclude the Board from exercising full authority over the conduct of the Corporation's activities, and the Board may rescind any such assignment, referral, or delegation at any time.

Section 4. NUMBER OF DIRECTORS. The authorized number of Directors shall be no less than five (5) and no more than eleven (11), with the exact number to be fixed by the Board by resolution from time to time.



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Section 5. RESTRICTION ON INTERESTED PERSONS AS DIRECTORS. No more than 49 percent of the persons serving on the Board may be interested persons. An interested person is:

a. Any person compensated by the Corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a Director as Director; and/or

b. Any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person.

The Board may adopt other policies circumscribing potential conflicts of interest.

Section 6. NOMINATIONS BY COMMITTEE. In the event that there is a vacancy pursuant to Section 9 below, the Chair, will appoint an ad hoc advisory committee to nominate qualified candidates for election to the Board ("Nominating Committee"), which in turn will select a Chairman of the committee. The Nominating Committee's shall not be less than three (3) members and its duties are as follows:

(1) Identify a need/priority for the Corporation based on the Board composition and the expertise need described in Section 4 herein;

(2) Review every candidate(s) thoroughly, including meeting the candidate(s) in person, at which meeting a majority of the Nominating Committee is present;

(3) Vote as a majority to move the candidate(s) forward; if there is no majority then the candidate(s) cannot move forward.

(4) Schedule a meeting between the candidate(s) and the CEO; the meeting shall occur no later than thirty (30) days after the candidate(s) meets with the Nominating Committee;

(5) The candidate(s) who is voted to move forward shall attend a board meeting and meet the current Board Members;

(6) The Nominating Committee shall make an oral presentation on the candidate(s) to the Board at a regularly scheduled meeting.

Section 7. TERM OF OFFICE. Each Director shall hold office for a term of four (4) years or until the Director's death, removal, or resignation, and until a successor Director has been designated and qualified. ~~whichever occurs first.~~ Upon completion of an initial four (4) year term, each Director may serve one (1) additional four (4) term, subject to approval by a majority of the Board of Directors. No Directors shall serve in excess of two (2) consecutive terms, except as set forth herein. Nothing shall prevent a former Director from rejoining the Board as long as that Director has not been a member of the Board with the preceding twelve months.

Section 8. BOARD ROSTER. The Secretary shall maintain and update the Board roster as necessary after each election. Any director who is elected on or before June 30 shall be treated as though elected January

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1 of that year for the purpose of term limits. Any Director who is elected after June 30 of a given year shall be treated as though elected in January of the following year, effectively giving that Director up to an additional six months during the Director's first term.

Section 9. EVENTS CAUSING VACANCIES ON BOARD. A vacancy or vacancies on the Board of Directors shall occur in the event of:

The death, resignation, or removal of any Director;

The declaration by Board resolution of a vacancy of the office of a Director who has been declared of unsound mind by an order of court or convicted of a felony or found by final order or judgment of any court to have breached a duty under California Non -Profit Public Benefit Corporation Law, Chapter 2, Article 3; or found to have neglected or violated his or her duties and responsibilities provided that notice of that meeting at which vote is taken and of the removal questions are given to each member of the Board and to the Director subject to the removal questions are given at least 10 days prior to the meeting. Any vacancy caused by the removal of a Director shall be filled as provided in these Bylaws.

Any Director who does not attend three (3) successive board meetings will automatically be removed from the Board without Board resolution unless the Director suffers from an illness or disability that prevents him or her from attending meetings and the Board adopts a resolution waiving the automatic removal procedure of this subsection. A Director that has been removed from the Board pursuant to this subsection may be reinstated as a Director by resolution of the Board if the Director's seat on the Board remains vacant.

Section 10. RESIGNATION OF DIRECTORS. Except as provided below, any Director may resign by giving oral or written notice to the Chairman of the Board, or to the Secretary of the Board. The resignation shall be effective when the notice is given unless the notice specifies a later time for the resignation to become effective. If oral notice is given, confirmation of the resignation will be confirmed in writing by the Chairman of the Board within 72 hours of receiving oral notice. If a Director's resignation is effective at a later time, the Board may elect a successor to take office as of the date when the resignation becomes effective.

Section 11. DIRECTOR MAY NOT RESIGN IF NO DIRECTOR REMAINS. Except on notice to the California Attorney General, no Director may resign if the Corporation would be left without a duly elected director or directors.

Section 12. NO REMOVAL ON REDUCTION OF NUMBER OF DIRECTORS. No reduction of the authorized number of Directors shall have the effect of removing any Director before that Director's term of office expires unless the reduction also provides for the removal of that specified Director in accordance with these Bylaws and California Nonprofit Corporation Law.

Section 13. REMOVAL OF DIRECTORS. Any Director, other than a representative chosen by a chartering authority, may be removed, with or without cause, by the vote of the majority of the members of the entire Board at a special meeting called for that purpose, or at a regular meeting, provided that notice of that

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meeting and of the removal questions are given in compliance with the provisions of the Ralph M. Brown Act (Chapter 9 [commencing with Section 54950] of Division 2 of Title 5 of the Government Code). Any vacancy caused by the removal of a Director shall be filled as provided by the Bylaws. If a chartering authority has appointed a representative to the Board pursuant to Education Code Section 47604(c), the governing Board of the chartering authority may remove that Director at any time, with or without cause.

Section 14. VACANCIES FILLED BY BOARD. Vacancies on the Board may be filled by approval of the Board of Directors or, if the number of Directors then in office is less than a quorum, by:

- (a) the unanimous consent of the Directors then in office;
- (b) the affirmative vote of a majority of the Directors then in office at a meeting held according to notice or waivers of notice complying with Corporations Code Section 5211; or
- (c) a sole remaining Director.

Section 15. COMPENSATION AND REIMBURSEMENT. Directors shall serve without compensation except that they shall be allowed reasonable advancement or reimbursement of actual reasonable expenses incurred in carrying out his or her duties. Directors shall not otherwise be compensated.

Section 16. NON-LIABILITY OF DIRECTORS. No Director shall be personally liable for the debts, liabilities, or other obligations of the Corporation.

Section 17. COMPLIANCE WITH LAWS GOVERNING STUDENT RECORDS. The Corporation and the Board shall comply with all applicable provisions of the Family Education Rights Privacy Act ("FERPA") as set forth in Title 20 of the United States Code Section 1232g and attendant regulations as they may be amended from time to time.

ARTICLE VII **MEETINGS OF THE BOARD OF DIRECTORS**

Section 1. LOCATION OF BOARD OF DIRECTORS MEETINGS. The Board may designate that a meeting be held at any place within the physical boundaries of the county in which the greatest number of pupils enrolled in Amethod Public Schools reside. All meetings of the Board shall be called, held and conducted in accordance with the terms and provisions of the Ralph M. Brown Act, California Government Code Sections 54950, *et seq.*, as said chapter may be modified by subsequent legislation and Education Code Section 47604.1.

1.1. Meetings by Telephone or Similar Communication Equipment. A teleconference meeting is a meeting in which one or more Directors attend the meeting from a remote location via telephone or other electronic means, transmitting audio or audio/video. Any meeting may be held by conference telephone or other communications equipment permitted by California Nonprofit Corporation Law, and all

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Directors shall be deemed to be present in person at such meeting as long as all Directors participating in the meeting can communicate with one another and all other requirements of California Nonprofit Corporation Law are satisfied. Such meeting must also be noticed and conducted in compliance with Section 54953(b) of the Brown Act, including without limitation the following:

- (a) At a minimum, a quorum of the Board shall participate in the teleconference meeting from within the physical boundaries of the county in which the greatest number of pupils enrolled in Amethod Public Schools reside;
- (b) All votes taken during a teleconference meeting shall be by roll call;
- (c) The Board shall post agendas at all teleconference locations with each such location being identified in the notice and agenda of the meeting;
- (d) All locations where a Director participates in a teleconference meeting must be fully accessible to members of the public and shall be listed on the agenda .
- (e) Members of the public must be able to hear what is said during the meeting and shall be provided with an opportunity to address the Board directly at each teleconference location; and
- (f) The agenda shall indicate that members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.

Section 2. ANNUAL MEETINGS. Pursuant to sufficient notice, the Board shall hold an annual meeting for the purposes of organization, selection of directors and officers, and the transaction of other business.

Section 3. REGULAR MEETINGS. Regular meetings of the Board shall be held at regularly scheduled times as established by the majority of the Board, unless otherwise noted. Such meeting shall comply with the notice and open meeting requirements of the Brown Act (Govt. Code section 5490, *et seq.*) and Education Code Section 47604.1.

Section 4. SPECIAL MEETINGS. Special meetings of the Board for any purpose may be called at any time by the Chair of the Board, if there is such an officer, the Vice-Chair, the Secretary, or any two Directors. The party calling a special meeting shall determine the place, date, and time thereof.

Section 5. NOTICE OF MEETINGS.

5.1. Notice of Regular or Annual Meetings. At least seventy-two (72) hours before an annual meeting or a regular meeting, the Board, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed



in closed session. A brief general description of an item generally need not exceed twenty (20) words. The agenda shall specify the time and location of the meeting and shall be posted in a location that is freely accessible to members of the public, as well as on either the Corporation's or the charter school's website homepage with a prominent and direct link. The posting of the agenda and the contents of the agenda shall be in accordance with Section 54954.2 of the Brown Act. No action or discussion shall be undertaken at any annual or regular meeting on any item not appearing on the posted agenda, except as set forth in Section 54954.2 of the Brown Act.

5.2. Notice of Special Meetings.

5.2.1 Manner of Giving Notice. Notice of the time and place of all regular and special meetings shall be given to each Director by one of the following methods:

- (a) Personal Delivery of written notice;
- (b) First-class mail, postage paid;
- (c) Telephone, including a voice messaging system or other system or technology designed to record and communicate messages; or
- (d) Facsimile, electronic mail ("e-mail") or other means of electronic transmission if the recipient has consented to accept notices in this manner.

All such notices shall be given or sent to the Director's address, phone number, facsimile number or e-mail address as shown on the records of the Corporation.

Notice of the time and place of all regular and special meetings shall be given to members of the public in the following ways:

- (a) Posting on the Corporation's website homepage with a prominent and direct link;
- (b) Posting in a location freely accessible location within the charter schools' jurisdiction to members of the public .

5.2.2. Time Requirements. Notices of special meetings of the Board sent by first-class mail shall be deposited in the United States mail at least 72 hours before the time set for the meeting. Notices given by personal delivery, telephone, or electronic transmission shall be delivered, telephoned, or transmitted at least twenty four (24) hours before the time set for the meeting. In addition to the foregoing, notice of the meeting shall comply with Section 54956 of the Brown Act, and the call of the meeting and notice shall also be posted at least twenty four (24) hours prior to the special meeting in a location within the charter schools' jurisdiction that is freely accessible to members of the public and on the Corporation's website homepage with a prominent and direct link.

5.2.3. Notice of Content. The call and notice of a special meeting of the Board shall state the time and place of the special meeting and the business to be transacted or discussed. No other business



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shall be considered at the special meeting. The notice of a special meeting shall comply with the requirements for special meetings set forth in The Brown Act.

Section 6. EMERGENCY MEETINGS. If there is an "emergency situation," as defined in Section 54956.5 of the Brown Act, involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with either the 24 hour posting requirement of Section 54956 of the Brown Act or both of the notice and posting requirements. The emergency meeting must be noticed and held in compliance with Section 54956.5 of the Brown Act.

Section 7. QUORUM AND ACTION OF THE BOARD.

7.1. **Quorum.** A majority of the voting Directors then in office shall constitute a quorum for the transaction of business, except adjournment.

7.2. **Minimum Vote Requirements for Valid Board Action.** Every action taken or decision made by a majority vote of the Directors then in office at a duly held meeting at which a quorum is present shall be the act of the Board, unless a greater number is expressly required by California Nonprofit Corporation Law, the Articles of Incorporation or these Bylaws. A meeting at which a quorum is initially present but due to the withdrawal of Directors, is no longer present, may not transact business; those Directors present may either: (a) elect to continue as a committee; or (b) adjourn to a future date. Directors may not vote by proxy.

Section 8. WAIVER OF NOTICE. Notice of a meeting need not be given to any Director who, either before or after the meeting, signs a waiver of notice, a written consent to the holding of the meeting, or an approval of the minutes of the meeting. The waiver or notice or consent need not specify the purpose of the meeting. All such waivers, consents, and approvals shall be filed with the corporate records or made a part of the minutes of the meetings. Notice of a meeting need not be given to any Director who attends the meeting and does not protest, before or at the commencement of the meeting, the lack of notice to him or her.

Section 9. ADJOURNMENT. A majority of the Directors present, whether or not a quorum is present, may adjourn any Board of Directors meeting to another time or place. If a meeting is adjourned for more than twenty-four (24) hours, notice of such adjournment to another time or place shall be given, prior to the time schedule for the continuation of the meeting, to the Directors who were not present at the time of the adjournment, and to the public in the manner prescribed by any applicable public open meeting law.

Section 10. CONFLICT OF INTEREST.

- a) **Contracts with Directors:** The Corporation shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor shall the Resolute Academy enter not any contract or transaction with any other corporation, firm association, or other entity in which one or more of the Corporation's directors are directors and have a material financial interest.)

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- b) **Contracts with Non-Director Designated Employees:** The Corporation shall not enter into a contract or transaction in which a non-director designated employee (e.g., officers and other key decision-making employees) directly or indirectly has a material financial interest in compliance with Government Code Section 1090, et seq., as set forth in Education Code Section 47604.1, unless all of the requirements in the Corporation's Conflict of Interest Code have been fulfilled.

Section 11. STANDARD OF CARE. A Director shall perform all duties of a Director, including duties as a member of any committee of the Board on which the Director may serve, in good faith, in a manner the Director believes to be in the best interests of the Corporation and with such care, including the duty to make reasonable inquiries, as an ordinarily prudent person in a like situation would use under similar circumstances.

In performing the duties of a Director, a Director may rely on information, opinions, reports or statements, including financial statements and other financial data, in each case prepared or presented by:

- a. One or more officers or employees of the Corporation whom the Director believes to be reliable and competent in the matters presented;
- b. Legal counsel, independent accountants or other persons as to matters that the Director believes to be within such person's professional or expert competence; or
- c. A committee of the Board upon which the Director does not serve as to matters within its designated authority, provided the Director believes that the committee merits confidence and the Director acts in good faith, after reasonable inquiry when the need therefore is indicated by the circumstances, and without knowledge that would cause such reliance to be unwarranted.

Except with respect to assets that are directly related to the Corporation's charitable programs, the Board shall avoid speculation in investing, reinvesting, purchasing, acquiring, exchanging, selling and managing the Corporation's investments. Instead, the Board is to consider the permanent disposition of funds, the probable income, the probable safety of the Corporation's capital, and is to comply with the express terms of the instrument or agreement, if any, pursuant to which the assets were contributed to the Corporation.

Section 12. CONDUCT OF MEETINGS. Meetings of the Board shall be presided over by the Chair, or, if there is no Chair or the Chair is absent, the Vice-Chair or, in the absence of each of these persons, by a chair of the meeting, chosen by a majority of the Directors present at the meeting. The Secretary shall act as secretary of all meetings of the Board, provided that, if the Secretary is absent, the presiding officer shall appoint another person to act as secretary of the meeting. Meetings shall be governed by rules of procedure as may be determined by the Board from time to time, insofar as such rules are not inconsistent with or in conflict with these Bylaws, with the Articles, or with any provisions of law applicable to the Corporation.



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Section 13. RULES OF PROCEDURE. All meetings of the Board and of the committees shall be conducted in accordance with Robert's Rules of Order.

Section 14. LOANS TO DIRECTORS AND OFFICERS. The Corporation shall not lend any money or property to, or guarantee the obligation of any Director or officer without the approval of the California Attorney General; provided, however that the Corporation may advance money to a Director or officer of the Corporation for expenses reasonably anticipated to be incurred in the performance of his or her duties if that Director or officer would be entitled to reimbursement for such expenses by the Corporation.

Section 15. TRAINING. Every Director who has not previously served on the Corporation's Board must commence attendance at a comprehensive, authorized training(s) regarding Board governance within 12 months of joining the Board as a Director.

ARTICLE VIII **COMMITTEES**

Section 1. CREATION AND COMPOSITION OF COMMITTEES. The Board may, by resolution adopted by a majority of the Directors then in office, create one or more Board Committees ("Committees"), each consisting of two or more Directors, and no persons who are not Directors, to serve at the discretion of the Board. Any two Committees or any particular duties of a Committee may be combined, in the interest of efficiency or management. Unless otherwise directed by the Board, Committees are empowered only to consider and make recommendations upon matters referred to them by the Board. All Committees shall be composed of at least one board member. By majority vote of the Committee members, each committee shall elect one of its members who are also Board members to act as chair of the committee. Any Committee, to the extent provided in the resolution of the Board and allowed by law, may be given the authority of the Board except that no Committee may:

- (a) approve any action for which the California Nonprofit Corporation Law also requires approval of the members or approval of a majority of all members;
- (b) fill vacancies on the Board or in any Committee which has the authority of the Board;
- (c) fix compensation of the Director for serving on the Board or on any Committee;
- (d) amend or repeal any resolution of the board which by its express terms is not so amendable or repealable;
- (e) appoint any other Committees or the members of these Committees;
- (f) expend corporate funds to support a nominee for Director after more person have been nominated than can be elected; or
- (g) approve any transaction (i) between the Corporation and one or more of its Director or

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- (ii) between the Corporation and any entity in which one or more of its directors have a material financial interest.

To facilitate the consideration and management of the Corporation under the Charter and as a corporate legal entity, the following Committee may be created as set forth within this section:

a. Executive Committee. The Executive Committee shall have the power to act in all matters pertaining to the Corporation, as directed by the Board, and working in concert with the goals established by the committees, shall determine the Corporation's short-range and long-range goals. The Executive Committee shall review annually the conditions of employment of the Chief Executive Officer or Principal. The Executive Committee shall be composed of the Chair, Vice- Chair and such other members of the Board as the Board may elect.

b. Audit Committee: The Corporation shall have an audit committee consisting of at least one Director and may include nonvoting advisors. Directors who are employees or officers of the Corporation or who receive, directly or indirectly in any consulting, advisory or other compensatory fee from the Corporation (other than for service as a Director) may not serve on audit committee. The audit committee shall perform the duties and adhere to the guidelines set forth in the audit committee description as amended from time to time by the board. Such duties include:

(1) Assisting the Board in choosing an auditor, if necessary; (2) Negotiating the auditor's compensation; (3) Conferring with the auditor regarding the Corporation's financial affairs; and (4) Reviewing and accepting or rejecting the audit.

c. Finance Committee: The Board Chair shall select the chair of the finance committee. The Treasurer should be a member of the committee. The Finance Committee shall be responsible for developing, recommending, and reviewing fiscal procedures, for the preparation and review of financial reports and projections of revenues and expenses, subject to approval by the board.

d. Other Committees of the Board: Other committees may, from time to time, be designated by resolution of the Board. Such other Committees may consist of persons who are not also members of the board. These additional Committees shall act in an advisory capacity only to the board and shall be clearly titled "advisory" committees.

Section 2. MEETINGS AND ACTION OF COMMITTEES. Meetings and action of Committees shall be governed by, and held and taken in accordance with, the provisions of Article VIII concerning meetings of Directors, with such changes in the context of Article VIII as are necessary to substitute the Committee and its members for the Board and its members, except that the time for regular meetings of Committees may be determined by resolution of the Board, and special meetings of Committees may also be called by resolution of the Board. Minutes shall be kept of each meeting of any Committee and shall be filed with the corporate records. The Committee shall report to the Board from time to time as the Board may require. The Board may adopt rules for the governance of any Committee not inconsistent with the provisions of these Bylaws. In the absence of rules adopted by the Board, the Committee may adopt such rules.

Section 3. QUORUM RULES FOR COMMITTEES. A majority of the Committee members shall



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constitute a quorum for the transaction of Committee business, except to adjourn. A majority of the Committee members present, whether or not constituting a quorum, may adjourn any meeting to another time and place. Every act taken or decision made by a majority of the Committee members then in office at a meeting duly held at which a quorum is present shall be regarded as an act of the Committee, subject to the provisions of the California Nonprofit Corporation Law relating to actions that require a majority vote of the entire Board. Each Committee will hold its meetings in compliance with the Brown Act.

Section 4. REVOCATION OF DELEGATED AUTHORITY. The Board may, at any time, revoke or modify any or all of the authority that the Board has delegated to a Committee, increase or decrease (but not below two) the number of members of a Committee, and fill vacancies in a Committee from the members of the Board.

Section 5. ADVISORY COMMITTEES. The Board may create one or more advisory committees to serve at the pleasure of the Board. The action to create such advisory committees must be made pursuant to Brown Act requirements, meaning at a publicly noticed meeting with the item on the agenda. Appointments to such advisory committees need not, but may be, Directors. The Board shall appoint and discharge advisory committee members. All actions and recommendations of an advisory committee shall require ratification by the Board before being given effect. These advisory committee meetings are not subject to the notice and posting requirements of the Brown Act so long as the committee is comprised solely of Board members; consists of less than the number of Board members who, if present at a meeting, would be able to make a decision; a defined purpose and a time frame to accomplish that purpose; and is advisory.

ARTICLE IX **OFFICERS OF THE CORPORATION**

Section 1. OFFICERS OF THE CORPORATION. The officers of the Corporation ("Officers") shall be a Chair, Vice-Chair, Chief Executive Officer ("CEO"), Secretary and Treasurer. The Corporation may also have, at the Board's discretion, one or more assistant secretaries, one or more assistant treasurers and such other officers as the Board may appoint. Other than the Chair and Vice-Chair, these persons may, but need not be, selected from among the Directors.

Section 2. DUPLICATION OF OFFICE HOLDERS. Any number of offices may be held by the same person, except that neither the Secretary, nor the Treasurer, may serve concurrently as the Chair of the Board.

Section 3. ELECTION OF OFFICERS. The Officers shall be chosen annually by the Board during the first meeting of the fiscal year, and shall serve at the discretion of the Board until his or her successor shall be elected, or his or her earlier resignation or removal.

Section 4. TERM OF CHAIR AND VICE-CHAIR. The Chair and the Vice-Chair shall serve for a term of one (1) year. The Chair and Vice-chair may serve a maximum of two (2) consecutive terms in the same office. Any officer may be removed at any time, with or without cause, by the affirmative vote of a majority of the Board.

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Section 5. REMOVAL OF OFFICERS. Subject to the rights, if any, of an Officer under any contract of employment, any Officer may be removed, with or without cause (i) by the Board, at any regular or special meeting of the Board or at the annual meeting of the Corporation; or (ii) by an Officer on whom such power of removal may be conferred by the Board.

Section 6. RESIGNATION OF OFFICERS. Any officer may resign at any time by giving written notice to the Corporation. The resignation shall take effect on the date the notice is received or at any later time specified in the notice; and, unless otherwise specified in the notice, the resignation need not be accepted to be effective. Any resignation shall be without prejudice to the rights, if any, of the Corporation under any contract to which the Officer is a party.

Section 7. VACANCIES IN OFFICE. A vacancy in any office due to death, resignation, removal, disqualification, or any other cause shall be filled in the manner prescribed in these Bylaws for regular appointment to that office, provided that such vacancies shall be filled as they occur and not on an annual basis.

Section 8. RESPONSIBILITIES OF OFFICERS.

Section 8.1. Chair. The Chair of the Corporation shall preside at all meetings of the Board and exercise and perform such other powers and duties as may from time to time be assigned to him by the Board or prescribed by these bylaws. Subject to the supervisory powers as the Board may give to the Chair of the Board, if any, the Chair shall, subject to the control of the Board, and in conjunction with the officers of the Charter School, shall assist in supervising and directing the business, activities, affairs and the Officers of the Corporation.

Section 8.2. Vice-Chair. In the absence or disability of the Chair, the Vice-Chair, if any, shall perform all duties of the Chair. When so acting, the Vice-Chair shall have all powers of and be subject to all restrictions on the Chair. The Vice-Chair shall have such other powers and perform such other duties as the board or the Bylaws may prescribe.

Section 8.3. CEO. Subject to the control of the Board, the CEO shall be the chief executive officer and general manager of the corporation and shall have general supervision, direction and control of the business and officers of the corporation. He or she shall have the general power and duties of management usually vested in the office of chief executive officer of a corporation and shall have such other powers or duties as may be prescribed by the Board or these Bylaws. Subject to such limitations as may be imposed by the Board, any powers or duties vested in the CEO may be delegated by him or her to such subordinates as he or she may choose.

Section 8.4. Secretary. The Secretary of the Corporation attend to the following:

8.4.1. Bylaws. The Secretary shall certify and keep or cause to be kept at the principal office of the Corporation the original or a copy of these Bylaws as amended to date.

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8.4.2. Minute Book. The Secretary shall keep or cause to be kept a minute book as described herein in Article XV.

8.4.3. Notices. The Secretary shall give, or cause to be given, notice of all meetings of the board in accordance with these Bylaws.

8.4.5. Corporate Records. Upon request, the Secretary shall exhibit or cause to be exhibited at all reasonable times to any Director, or to his or her agent or attorney, these Bylaws and the minute book.

8.4.6. Corporate Seal. The Secretary shall keep or cause to be kept the seal of the Corporation, if any, in safe custody, and shall have such other powers and perform such other duties incident to office of Secretary as may be prescribed by the Board or these Bylaws.

Section. 8.5. Treasurer. The Treasurer of the Corporation shall attend to the following:

8.5.1. Books of Account. The Treasurer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and records of accounts of the Corporation's properties and business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital, retained earnings, and other matters customarily included in financial statements. The books of account shall be open to inspection by any Director at all reasonable times.

8.5.2. Financial Reports. The Treasurer shall send or cause to be given to the Directors such financial statements and reports as are required to be given by law, by these Bylaws, or by the Board.

8.5.3. Deposit And Disbursement Of Money And Valuables. The Treasurer shall deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the Corporation with such depositories as the Board may designate, shall disburse the Corporation's funds as the Board may order, shall render to the Chair, and the Board, when requested, an account of all transactions as Treasurer and of the financial condition of the Corporation, and shall have such other powers and perform such other duties as the Board or the Bylaws may prescribe.

8.5.4. Bond. If required by the Board, the Treasurer shall give the Corporation a bond in the amount of and with the or sureties specified by the board for faithful performance of the duties of his or her office and for restoration to the Corporation of all its books, papers, vouchers, money, and other property of every kind in his or her possession or under his or her control on his or her death, resignation, retirement, or removal from the office.

Section 9. COMPENSATION OF OFFICERS.

9.1. Salaries Fixed By Board. The salaries of Officers of the Corporation shall be fixed from time to time by resolution of the Board. In all cases, any salaries received by Officers of the Organization

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Corporation shall be reasonable and given in return for services actually rendered for the Corporation. No salaried Officer of the Corporation may serve as a Director.

9.2. Fairness Of Compensation. The Board shall periodically review the fairness of compensation, including benefits, paid to every person, regardless of title, with powers, duties, or responsibilities comparable to the CEO, or chief financial officer: (i) once such person is hired; (ii) upon any extension or renewal of such person's term of employment, and (iii) when such person's compensation is modified.

ARTICLE X **INDEMNIFICATION**

Section 1. DEFINITIONS. For the purpose of this Article XII,

1.1. Agent. "Agent" means any person who is or was a Director, officer, employee, or other agent of the Corporation, or is or was serving at the request of the Corporation as a Director, officer, employee, or agent of another foreign or domestic corporation, partnership, joint venture, trust, or other enterprise, or was a director, officer, employee, or agent of a foreign or domestic corporation which was a predecessor corporation of the Corporation or of another enterprise at the request of such predecessor corporation.

1.2. Proceeding. "Proceeding" means any threatened, pending or completed action or proceeding, whether civil, criminal, administrative, or investigative.

1.3. Expenses. "Expenses" includes, without limitation, all reasonable attorneys' fees, costs and any other expenses reasonably incurred in the defense of any claims or proceedings against an Agent by reason of his or her position or relationship as Agent and all attorneys' fees, costs and other expenses reasonably incurred in establishing a right to indemnification under this Article XII.

Section 2. APPLICABILITY OF INDEMNIFICATION PROVISIONS.

2.1. Successful Defense by Agent. To the extent that an Agent has been successful on the merits in the defense of any proceeding referred to in this Article XII, or in the defense of any claim, issue, or matter therein, the Agent shall be indemnified against expenses actually and reasonably incurred by the Agent in connection with the claim.

2.2. Settlement or Unsuccessful Defense by Agent. If an Agent either settles any proceeding referred to in this Article XII, or any claim, issue, or matter therein, or sustains a judgment rendered against him, then the provisions of Section 3 through Section 7 shall determine whether the Agent is entitled to indemnification.

Section 3. ACTIONS BROUGHT BY PERSONS OTHER THAN THE CORPORATION. This Section 3 applies to any proceeding other than an action "by or on behalf of the Corporation" as defined in Section 4 below. Such proceedings that are not brought by or on behalf of the



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Corporation are referred to in this Section 3 as "Third Party proceedings."

3.1. Scope of Indemnification in Third Party Proceedings.

Subject to the required findings to be made pursuant to Section 3.2 the Corporation may indemnify any person who was or is a party, or is threatened to be made a party, to any Third Party proceeding, by reason of the fact that such person is or was an Agent, for all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred in connection with the proceeding.

3.2. Required Standard Of Conduct For Indemnification in Third Party Proceedings.

Any indemnification granted to an Agent in Section 3.1 above is conditioned on the following: the Board must determine, in the manner provided hereof, that the Agent seeking reimbursement acted in good faith, in a manner he or she reasonably believed to be in the best interest of the Corporation, and, in the case of a criminal proceeding, he or she must have had no reasonable cause to believe that his or her conduct was unlawful. The termination of any proceeding by judgment, order, settlement, conviction, or on a plea of *nolo contendere* or its equivalent shall not, of itself, create a presumption that the person did not act in good faith or in a manner he or she reasonably believed to be in the best interest of the Corporation or that he or she had reasonable cause to believe that his or her conduct was unlawful.

Section 4. ACTION BROUGHT BY OR ON BEHALF OF THE CORPORATION.

This Section 4 applies to any proceeding brought (i) by or in the right of the Corporation, or (ii) by an Officer, Director or person granted relator status by the Attorney General, or by the Attorney General, on the ground that the defendant Director was or is engaging in self-dealing within the meaning of section 5233 of the California Nonprofit Corporation Law, or (iii) by the Attorney General or person granted relator status by the Attorney General for any breach of duty relating to assets held in charitable trust (any such proceeding is referred to in these Bylaws as a proceeding "by or on behalf of the Corporation").

4.1. Scope Of Indemnification In Proceeding By Or On Behalf Of The Corporation.

Subject to the required findings to be made pursuant to Section 4.2 and except as provided in Sections 4.3 and 4.4, the Corporation may indemnify any person who was or is a party, or is threatened to be made a party, to any proceeding by or on behalf of the Corporation, by reason of the fact that such person is or was an Agent, for all expenses actually and reasonably incurred in connection with the defense or settlement of such action.

4.2. Required Standard Of Conduct For Indemnification In Proceeding By Or On Behalf Of The Corporation.

Any indemnification granted to an Agent in Section 4.1 is conditioned on the following. The Board must determine, in the manner provided in Section 5 hereof, that the Agent seeking reimbursement acted in good faith, in a manner he or she believed to be in the best interest of the Corporation and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances.

4.3. Claims Settled Out Of Court. If any Agent settles or otherwise disposes of a threatened or pending action brought by or on behalf of the Corporation, with or without court approval, the Agent shall receive no indemnification for amounts paid pursuant to the terms of the settlement or other disposition. Also, in cases settled or otherwise disposed of without court approval, the Agent shall receive no indemnification for expenses reasonably incurred in defending against the proceeding, unless the proceeding is settled with the



approval of the Attorney General.

4.4. Claims And Suits Awarded Against Agent. If any Agent is adjudged to be liable to the Corporation in the performance of the Agent's duty to the Corporation, the Agent shall receive no indemnification for amounts paid pursuant to the judgment, and any indemnification of such Agent under Section 4.1 for expenses actually and reasonably incurred in connection with the defense of that action shall be made only if both of the following conditions are met:

- (a) the determination of good faith conduct required by Section 4.2 must be made in the manner provided for in Section 5 hereof; and
- (b) upon application, the court in which the action was brought must determine that, in view of all of the circumstances of the case, the Agent is fairly and reasonably entitled to indemnity for the expenses incurred. If the Agent is found to be so entitled, the court shall determine the appropriate amount of expenses to be reimbursed.

Section 5. DETERMINATION OF AGENT'S GOOD FAITH CONDUCT. The indemnification granted to an Agent in Section 3 and Section 4, hereof, is conditioned on the findings required by those Sections being made by:

- (a) the Board by a majority vote of the Directors then in office, not counting any vote of parties to the proceeding; or
- (b) the court in which the proceeding is or was pending. Such determination may be made on application brought by the Corporation or the Agent or the attorney or other person rendering a defense to the Agent, whether or not the application by the Agent, attorney, or other person is opposed by the Corporation.

Section 6. LIMITATIONS. No indemnification or advance shall be made under this Article XII, except as provided in Section 2 or Section 7(b), in any circumstances when it appears:

- (a) that the indemnification or advance would be inconsistent with a provision of the Articles of Incorporation, as amended, or an agreement in effect at the time of the accrual of the alleged cause of action asserted in the proceeding in which the expenses were incurred or other amounts were paid, which prohibits or otherwise limits indemnification; or
- (b) that the indemnification would be inconsistent with any condition expressly imposed by a court in approving a settlement.

Section 7. ADVANCE OF EXPENSES. Expenses incurred in defending any proceeding may be advanced by the Corporation before the final disposition of the proceeding on receipt of an undertaking by or on behalf of the Agent to repay the amount of the advance unless it is determined ultimately that the Agent is entitled



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to be indemnified as authorized in this Article XII.

Section 8. CONTRACTUAL RIGHTS OF NON-DIRECTORS AND NON-OFFICERS. Nothing contained in this Article XII shall affect any right to indemnification to which persons other than Directors and Officers of the Corporation, or any of its subsidiaries, may be entitled by contract or otherwise.

Section 9. INSURANCE. The Board may adopt a resolution authorizing the purchase and maintenance of insurance on behalf of any Agent, as defined in this Article XII, against any liability asserted against or incurred by any Agent in such capacity or arising out of the Agent's status as such, whether or not the Corporation would have the power to indemnify the Agent against the liability under the provisions of this Article XII.

Pursuant to the purchase and maintenance of such insurance, any indemnification under this Article shall be made by the Corporation only if authorized in the specific case, upon a determination that indemnification of the Agent is proper in the circumstances because the Agent has met the applicable standard of conduct set forth in Section 7 of this Article XII, by:

a majority vote of the Directors then in office, not counting any vote of parties to such proceeding; or

the court in which such proceeding is or was pending upon application made by the Corporation or the agent or the attorney or other person rendering services in connection with the defense, whether or not such application by the agent, attorney, or other person is opposed by the Corporation.

ARTICLE XI **MAINTENANCE OF CORPORATE RECORDS**

Section 1. MAINTENANCE OF CORPORATE RECORDS. The Corporation shall keep:

- a. Adequate and correct books and records of account;
- b. Written minutes of the proceedings of its members, Board, and committees of the Board; and
- c. Such reports and records as required by law.

Section 2. INSPECTION BY DIRECTORS. Every Director shall have the absolute right at any reasonable time to inspect the Corporation's books, records, documents of every kind, physical properties, and the records of each subsidiary, if any, as permitted by California and federal law. The inspection may be made in person or by the Director's agent or attorney. The right of inspection includes the right to copy and make extracts of documents as permitted by California and federal law. This right to inspect may be circumscribed in instances where the right to inspect conflicts with California or federal law (e.g., restrictions on the release of educational records under FERPA) pertaining to access to books, records, and documents.

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Section 3. ACCOUNTING RECORDS AND MINUTES. On written demand on the Corporation, any Director may inspect, copy, and make extracts of the accounting books and records and the minutes of the proceedings of the Board and committees of the Board at any reasonable time for a purpose reasonably related to the Director's interest as a Director. Any such inspection and copying may be made in person or by the Director's agent or attorney. This right of inspection extends to the records of any subsidiary of the Corporation.

Section 4. MAINTENANCE AND INSPECTION OF ARTICLES AND BYLAWS.
This corporation shall keep at its principal California office the original or a copy of the articles of incorporation and bylaws, as amended to the current date, which shall be open to inspection by the Directors at all reasonable times during office hours. If the corporation has no business office in California, the Secretary shall, on the written request of any Director, furnish to that Director a copy of the articles of incorporation and bylaws, as amended to the current date.

ARTICLE XII **ENDORSEMENT OF DOCUMENTS; CONTRACTS**

Section 1. ENDORSEMENT OF DOCUMENTS; CONTRACTS. Any contract or conveyance made in the name of the Corporation which is authorized or ratified by the Board or done within the scope of authority conferred by the Board or within the agency power of the Officer executing it, except as the Board's authority is limited by law, binds the Corporation and the Corporation acquires rights thereunder whether the contract is executed wholly or in part.

ARTICLE XIII **REQUIRED REPORTS**

Section 1. ANNUAL REPORTS. The Board of Directors shall cause an annual report to be sent to itself (the Board) within 120 days after the end of the Corporation's fiscal year. That report shall contain the following information, in appropriate detail:

- a. The assets and liabilities, including the trust funds, or the Corporation as of the end of the fiscal year;
- b. The principal changes in assets and liabilities, including trust funds;
- c. The Corporation's revenue or receipts, both unrestricted and restricted to particular purposes;
- d. The Corporation's expenses or disbursement for both general and restricted purposes;
- e. Any information required under these bylaws; and
- f. An independent accountant's report or, if none, the certificate of an authorized officer of the Corporation that such statements were prepared without audit from the Corporation's books and records.



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This requirement of an annual report shall not apply if the Corporation receives less than \$25,000 in gross receipts during the fiscal year, provided, however, that the information specified above for inclusion in an annual report must be furnished annually to all Directors and to any member who requests it in writing.

Section 2. ANNUAL STATEMENT OF CERTAIN TRANSACTIONS AND INDEMNIFICATIONS. As part of the annual report to the Board, or as a separate document if no annual report is issued, the Corporation shall, within 120 days after the end of the Corporation's fiscal year, annually prepare and mail or deliver to each Director and furnish to each Director a statement of any transaction or indemnification of the following kind:

- a. Any transaction (i) in which the Corporation, or its parent or subsidiary, was a party, (ii) in which an "interested person" had a direct or indirect material financial interest, and (iii) which involved more than \$50,000 or was one of several transactions with the same interested person involving, in the aggregate, more than \$50,000. For this purpose, an "interested person" is either:
 - 1) Any Director or officer of the Corporation, its parent, or subsidiary (but mere common directorship shall not be considered such an interest) ; or
 - 2) Any holder of more than 10 percent of the voting power of the Corporation, its parent, or its subsidiary. The statement shall include a brief description of the transaction, the names of interested persons involved, their relationship to the Corporation, the nature of their interest, provided that if the transaction was with a partnership in which the interested person is a partner, only the interest of the partnership need be stated.
- b. Any indemnification or advances aggregating more than \$10,000 paid during the fiscal year to any officer or Director of the Corporation as permitted under these bylaws, unless the indemnification has already been approved by the Directors under Corporation' Code Section 5238(d)(2).

ARTICLE XIV **OTHER PROVISIONS**

Section 1. CONSTRUCTION AND DEFINITIONS. Unless the context requires otherwise the general provisions, rules of construction, and definitions in the California Nonprofit Corporation Law and in the California Nonprofit Public Benefit Law shall govern the construction of these Bylaws. Without limiting the generality of foregoing, words in these Bylaws shall be read as the masculine or feminine gender and as the singular or plural, as the context requires. The term "person" includes both a legal entity and a natural person. The captions and headings in these Bylaws are for convenience of reference only and are not intended to limit or define the scope or effect of any provision.

Section 2. AMENDMENT OF BYLAWS. The Board may adopt, amend, or repeal these Bylaws by a majority vote of the Directors then in office at a meeting duly held at which a quorum is present.

Section 3. VALIDITY OF INSTRUMENTS. Subject to the provisions of applicable law, any note, mortgage, evidence of indebtedness, contract, conveyance or other written instrument and any assignment or

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endorsement thereof executed or entered into between the Corporation and any other person, shall be valid and binding on the Corporation when signed by the Chair, Vice-Chair, CEO, Chief Financial Officer, Secretary or Treasurer of the Corporation unless the other person has actual knowledge that the signing officers had no authority to execute the same. Any such instruments may be signed by any other person(s) and in such manner and from time to time shall be determined by the Board and, unless so authorized by the Board, no officer, agent or employee shall have any power or authority to bind the Corporation by any contract or engagement, to pledge its credit. or to render it liable for any purpose or amount.

Section 4. FISCAL YEAR. The fiscal year of the Corporation shall be will be July 1, through June 30 or as set by the Board.

CERTIFICATE OF SECRETARY

I certify that I am the duly elected and acting Secretary of the Amethod Public Schools, a California Nonprofit Public Benefit Corporation; that these Bylaws, are the Bylaws of this Corporation as adopted by the Board of Directors on June 6, 2006, and amended on

Executed on March 10, 2021 at Oakland, California.

Secretary, Board of Directors



**(AMENDED)
BYLAWS OF
AMETHOD PUBLIC SCHOOLS
(Formerly Oakland Charter Academy)
A California Nonprofit Public Benefit Corporation**

Amended by
The Board of Directors
March 10, 2021

Adopted by
The Board of Directors
June 16, 2006

Amethod Public Schools



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BYLAWS OF

AMETHOD PUBLIC SCHOOLS

(Amendment Date: March 10, 2021)
A California Nonprofit Public Benefit Corporation

ARTICLE I **NAME**

Section 1. NAME. The name of this corporation is Amethod Public Schools, a California Nonprofit Public Benefit Corporation ("Corporation"), (formerly Oakland Charter Academy, Inc.).

ARTICLE II **PRINCIPAL OFFICE OF THE CORPORATION**

Section 1. PRINCIPAL OFFICE OF THE CORPORATION. The principal office for the transaction of the activities and affairs of the Corporation shall be within the City of Oakland, Alameda County, California. The Board of Directors of the Corporation ("Board") may change the location of the principal office. Any such change of location must be noted by the Secretary of the Board; alternatively, this Section may be amended to state the new location.

Section 2. OTHER OFFICES OF THE CORPORATION. The Board may, at any time, establish branch or subordinate offices at any place or places where the Corporation is qualified to conduct its activities.

ARTICLE III **GENERAL AND SPECIFIC PURPOSES**

Section 1. GENERAL PURPOSE AND SPECIFIC PURPOSES. The Corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Corporation law of California for public and charitable purposes. The specific purposes for which this Corporation is organized are to manage, operate, guide, direct and promote one or more California public charter schools ("Charter Schools").

The Corporation is organized and operated exclusively for educational and charitable purposes pursuant to and within the meaning of Section 501 (c) (3) of the Internal Revenue Code or the corresponding provision of any future United States Internal Revenue law. Notwithstanding any other provision of these articles, the Corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of the Corporation. The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under Section 501(c) (3) of the Internal Revenue code, or the corresponding section of any future federal tax code; or (b) by a corporation, contributions to which are deductible under Section 170(c) (2) of the Internal Revenue Code, or the

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corresponding section of any future federal tax code.

ARTICLE IV **DEDICATION AND DISTRIBUTION OF ASSETS**

Section 1. DEDICATION OF ASSETS. The Corporation's assets are irrevocably dedicated to public benefit and/or charitable purposes. No part of the net earnings, properties, or assets of the Corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or to any Director or officer of the Corporation.

Section 2. DISTRIBUTION OF ASSETS UPON DISSOLUTION. Upon dissolution or winding up of the Corporation, its assets remaining after payment of all debts and liabilities of the Corporation shall be distributed to a nonprofit fund, foundation, or corporation which is organized and operated exclusively for educational, public or charitable purposes and which has established its tax exempt status under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for public purposes. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for educational, public or charitable purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such educational, public or charitable purposes.

ARTICLE V **CORPORATION WITHOUT MEMBERS**

Section 1. CORPORATION WITHOUT MEMBERS. The Corporation shall have no "members" as that term is used in the California Nonprofit Public Benefit Corporation Law. All rights, which would otherwise vest in the members, shall vest in the Board.

ARTICLE VI **BOARD OF DIRECTORS**

Section 1. GENERAL POWERS. Subject to the provisions and limitations of the California Nonprofit Public Benefit Corporation Law, the Articles of Incorporation of the Corporation, these Bylaws. The Charter Schools Act of 1992, and any other applicable laws, the Corporation's activities, business, and affairs shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board, except as provided in Section 3 hereof. The Board may not delegate the responsibilities of budget approval or approval of fiscal and performance audits.

Section 2. SPECIFIC POWERS. Without prejudice to the general powers set forth in Section 1 above, but subject to the same limitations, the Board shall have the power to:

- a. To select and remove, at the pleasure of the Board, the Chief Executive Officer ("CEO"), and

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his/her subordinates, prescribe powers and duties for him/her, as may be consistent with law, the Articles of Incorporation, and these Bylaws; to fix his/her compensation and to require from her/him security for faithful performance.

- b. To conduct, manage, and control the affairs and activities of the Corporation and to make such rules and regulations for this purpose, consistent with law, the Articles of Incorporation, and these Bylaws, as it deems best;
- c. Fix the compensation for corporate officers and employees; and to require from them security for faithful service;
- d. To adopt, make and use a corporate seal, and alter the form of the seal from time to time, as it deems best;
- e. To borrow money and incur indebtedness on behalf of the Corporation, and cause to be executed and delivered for the Corporation's purposes, in the corporate name, promissory notes, debentures, bonds, deeds of trust, mortgages, hypothecations, pledges, and other evidence of debt or securities;
- f. To act as trustee under any trust incidental to the principal object of the Corporation, and to receive, hold, administer, exchange and expend funds and property to such trust;
- g. To acquire by purchase, exchange, lease, gift, devise, bequest, and to hold, improve, sublease, mortgage, transfer in trust, encumber, convey or otherwise dispose of real personal property;
- h. To assume any obligations, enter into any contracts or other instruments, and do any and all other things incidental or expedient to the attainment of any corporate purpose.
- l. To carry out such other duties as are described in the Charter of each school.

Section 3. DELEGATION OF MANAGEMENT. The Board may delegate the management of the Corporation's activities to any person or persons, management company, or committees, however composed, provided the activities and affairs of the Corporation shall be managed and all corporate powers shall be exercised under the ultimate direction of the Board. No assignment, referral, or delegation of authority by the Board or anyone acting under such delegation shall preclude the Board from exercising full authority over the conduct of the Corporation's activities, and the Board may rescind any such assignment, referral, or delegation at any time.

Section 4. NUMBER OF DIRECTORS. The authorized number of Directors shall be no less than five (5) and no more than eleven (11), with the exact number to be fixed by the Board by resolution from time to time.

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Section 5. RESTRICTION ON INTERESTED PERSONS AS DIRECTORS. No more than 49 percent of the persons serving on the Board may be interested persons. An interested person is:

a. Any person compensated by the Corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a Director as Director; and/or

b. Any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person.

The Board may adopt other policies circumscribing potential conflicts of interest.

Section 6. NOMINATIONS BY COMMITTEE. In the event that there is a vacancy pursuant to Section 9 below, the Chair, will appoint an ad hoc advisory committee to nominate qualified candidates for election to the Board ("Nominating Committee"), which in turn will select a Chairman of the committee. The Nominating Committee's shall not be less than three (3) members and its duties are as follows:

(1) Identify a need/priority for the Corporation based on the Board composition and the expertise need described in Section 4 herein;

(2) Review every candidate(s) thoroughly, including meeting the candidate(s) in person, at which meeting a majority of the Nominating Committee is present;

(3) Vote as a majority to move the candidate(s) forward; if there is no majority then the candidate(s) cannot move forward.

(4) Schedule a meeting between the candidate(s) and the CEO; the meeting shall occur no later than thirty (30) days after the candidate(s) meets with the Nominating Committee;

(5) The candidate(s) who is voted to move forward shall attend a board meeting and meet the current Board Members;

(6) The Nominating Committee shall make an oral presentation on the candidate(s) to the Board at a regularly scheduled meeting.

Section 7. TERM OF OFFICE. Each Director shall hold office for a term of four (4) years or until the Director's death, removal, or resignation, and until a successor Director has been designated and qualified. Upon completion of an initial four (4) year term, each Director may serve one (1) additional four (4) term, subject to approval by a majority of the Board of Directors. No Directors shall serve in excess of two (2) consecutive terms, except as set forth herein. Nothing shall prevent a former Director from rejoining the Board as long as that Director has not been a member of the Board with the preceding twelve months.

Section 8. BOARD ROSTER. The Secretary shall maintain and update the Board roster as necessary after each election. Any director who is elected on or before June 30 shall be treated as though elected January

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1 of that year for the purpose of term limits. Any Director who is elected after June 30 of a given year shall be treated as though elected in January of the following year, effectively giving that Director up to an additional six months during the Director's first term.

Section 9. EVENTS CAUSING VACANCIES ON BOARD. A vacancy or vacancies on the Board of Directors shall occur in the event of:

The death, resignation, or removal of any Director;

The declaration by Board resolution of a vacancy of the office of a Director who has been declared of unsound mind by an order of court or convicted of a felony or found by final order or judgment of any court to have breached a duty under California Non -Profit Public Benefit Corporation Law, Chapter 2, Article 3; or found to have neglected or violated his or her duties and responsibilities provided that notice of that meeting at which vote is taken and of the removal questions are given to each member of the Board and to the Director subject to the removal questions are given at least 10 days prior to the meeting. Any vacancy caused by the removal of a Director shall be filled as provided in these Bylaws.

Any Director who does not attend three (3) successive board meetings will automatically be removed from the Board without Board resolution unless the Director suffers from an illness or disability that prevents him or her from attending meetings and the Board adopts a resolution waiving the automatic removal procedure of this subsection. A Director that has been removed from the Board pursuant to this subsection may be reinstated as a Director by resolution of the Board if the Director's seat on the Board remains vacant.

Section 10. RESIGNATION OF DIRECTORS. Except as provided below, any Director may resign by giving oral or written notice to the Chairman of the Board, or to the Secretary of the Board. The resignation shall be effective when the notice is given unless the notice specifies a later time for the resignation to become effective. If oral notice is given, confirmation of the resignation will be confirmed in writing by the Chairman of the Board within 72 hours of receiving oral notice. If a Director's resignation is effective at a later time, the Board may elect a successor to take office as of the date when the resignation becomes effective.

Section 11. DIRECTOR MAY NOT RESIGN IF NO DIRECTOR REMAINS. Except on notice to the California Attorney General, no Director may resign if the Corporation would be left without a duly elected director or directors.

Section 12. NO REMOVAL ON REDUCTION OF NUMBER OF DIRECTORS. No reduction of the authorized number of Directors shall have the effect of removing any Director before that Director's term of office expires unless the reduction also provides for the removal of that specified Director in accordance with these Bylaws and California Nonprofit Corporation Law.

Section 13. REMOVAL OF DIRECTORS. Any Director, other than a representative chosen by a chartering authority, may be removed, with or without cause, by the vote of the majority of the members of the entire Board at a special meeting called for that purpose, or at a regular meeting, provided that notice of that

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meeting and of the removal questions are given in compliance with the provisions of the Ralph M. Brown Act (Chapter 9 [commencing with Section 54950] of Division 2 of Title 5 of the Government Code). Any vacancy caused by the removal of a Director shall be filled as provided by the Bylaws. If a chartering authority has appointed a representative to the Board pursuant to Education Code Section 47604(c), the governing Board of the chartering authority may remove that Director at any time, with or without cause.

Section 14. VACANCIES FILLED BY BOARD. Vacancies on the Board may be filled by approval of the Board of Directors or, if the number of Directors then in office is less than a quorum, by:

- (a) the unanimous consent of the Directors then in office;
- (b) the affirmative vote of a majority of the Directors then in office at a meeting held according to notice or waivers of notice complying with Corporations Code Section 5211; or
- (c) a sole remaining Director.

Section 15. COMPENSATION AND REIMBURSEMENT. Directors shall serve without compensation except that they shall be allowed reasonable advancement or reimbursement of actual reasonable expenses incurred in carrying out his or her duties. Directors shall not otherwise be compensated.

Section 16. NON-LIABILITY OF DIRECTORS. No Director shall be personally liable for the debts, liabilities, or other obligations of the Corporation.

Section 17. COMPLIANCE WITH LAWS GOVERNING STUDENT RECORDS. The Corporation and the Board shall comply with all applicable provisions of the Family Education Rights Privacy Act ("FERPA") as set forth in Title 20 of the United States Code Section 1232g and attendant regulations as they may be amended from time to time.

ARTICLE VII **MEETINGS OF THE BOARD OF DIRECTORS**

Section 1. LOCATION OF BOARD OF DIRECTORS MEETINGS. The Board may designate that a meeting be held at any place within the physical boundaries of the county in which the greatest number of pupils enrolled in Amethod Public Schools reside. All meetings of the Board shall be called, held and conducted in accordance with the terms and provisions of the Ralph M. Brown Act, California Government Code Sections 54950, *et seq.*, as said chapter may be modified by subsequent legislation and Education Code Section 47604.1.

1.1. Meetings by Telephone or Similar Communication Equipment. A teleconference meeting is a meeting in which one or more Directors attend the meeting from a remote location via telephone or other electronic means, transmitting audio or audio/video. Any meeting may be held by conference telephone or other communications equipment permitted by California Nonprofit Corporation Law, and all

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Directors shall be deemed to be present in person at such meeting as long as all Directors participating in the meeting can communicate with one another and all other requirements of California Nonprofit Corporation Law are satisfied. Such meeting must also be noticed and conducted in compliance with Section 54953(b) of the Brown Act, including without limitation the following:

- (a) At a minimum, a quorum of the Board shall participate in the teleconference meeting from within the physical boundaries of the county in which the greatest number of pupils enrolled in Amethod Public Schools reside;
- (b) All votes taken during a teleconference meeting shall be by roll call;
- (c) The Board shall post agendas at all teleconference locations with each such location being identified in the notice and agenda of the meeting;
- (d) All locations where a Director participates in a teleconference meeting must be fully accessible to members of the public and shall be listed on the agenda .
- (e) Members of the public must be able to hear what is said during the meeting and shall be provided with an opportunity to address the Board directly at each teleconference location; and
- (f) The agenda shall indicate that members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.

Section 2. ANNUAL MEETINGS. Pursuant to sufficient notice, the Board shall hold an annual meeting for the purposes of organization, selection of directors and officers, and the transaction of other business.

Section 3. REGULAR MEETINGS. Regular meetings of the Board shall be held at regularly scheduled times as established by the majority of the Board, unless otherwise noted. Such meeting shall comply with the notice and open meeting requirements of the Brown Act (Govt. Code section 5490, *et seq.*) and Education Code Section 47604.1.

Section 4. SPECIAL MEETINGS. Special meetings of the Board for any purpose may be called at any time by the Chair of the Board, if there is such an officer, the Vice-Chair, the Secretary, or any two Directors. The party calling a special meeting shall determine the place, date, and time thereof.

Section 5. NOTICE OF MEETINGS.

5.1. Notice of Regular or Annual Meetings. At least seventy-two (72) hours before an annual meeting or a regular meeting, the Board, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed

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in closed session. A brief general description of an item generally need not exceed twenty (20) words. The agenda shall specify the time and location of the meeting and shall be posted in a location that is freely accessible to members of the public, as well as on either the Corporation's or the charter school's website homepage with a prominent and direct link. The posting of the agenda and the contents of the agenda shall be in accordance with Section 54954.2 of the Brown Act. No action or discussion shall be undertaken at any annual or regular meeting on any item not appearing on the posted agenda, except as set forth in Section 54954.2 of the Brown Act.

5.2. Notice of Special Meetings.

5.2.1 Manner of Giving Notice. Notice of the time and place of all regular and special meetings shall be given to each Director by one of the following methods:

- (a) Personal Delivery of written notice;
- (b) First-class mail, postage paid;
- (c) Telephone, including a voice messaging system or other system or technology designed to record and communicate messages; or
- (d) Facsimile, electronic mail ("e-mail") or other means of electronic transmission if the recipient has consented to accept notices in this manner.

All such notices shall be given or sent to the Director's address, phone number, facsimile number or e-mail address as shown on the records of the Corporation.

Notice of the time and place of all regular and special meetings shall be given to members of the public in the following ways:

- (a) Posting on the Corporation's website homepage with a prominent and direct link;
- (b) Posting in a location freely accessible location within the charter schools' jurisdiction to members of the public .

5.2.2. Time Requirements. Notices of special meetings of the Board sent by first-class mail shall be deposited in the United States mail at least 72 hours before the time set for the meeting. Notices given by personal delivery, telephone, or electronic transmission shall be delivered, telephoned, or transmitted at least twenty four (24) hours before the time set for the meeting. In addition to the foregoing, notice of the meeting shall comply with Section 54956 of the Brown Act, and the call of the meeting and notice shall also be posted at least twenty four (24) hours prior to the special meeting in a location within the charter schools' jurisdiction that is freely accessible to members of the public and on the Corporation's website homepage with a prominent and direct link.

5.2.3. Notice of Content. The call and notice of a special meeting of the Board shall state the time and place of the special meeting and the business to be transacted or discussed. No other business



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shall be considered at the special meeting. The notice of a special meeting shall comply with the requirements for special meetings set forth in The Brown Act.

Section 6. EMERGENCY MEETINGS. If there is an "emergency situation," as defined in Section 54956.5 of the Brown Act, involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with either the 24 hour posting requirement of Section 54956 of the Brown Act or both of the notice and posting requirements. The emergency meeting must be noticed and held in compliance with Section 54956.5 of the Brown Act.

Section 7. QUORUM AND ACTION OF THE BOARD.

7.1. **Quorum.** A majority of the voting Directors then in office shall constitute a quorum for the transaction of business, except adjournment.

7.2. **Minimum Vote Requirements for Valid Board Action.** Every action taken or decision made by a majority vote of the Directors then in office at a duly held meeting at which a quorum is present shall be the act of the Board, unless a greater number is expressly required by California Nonprofit Corporation Law, the Articles of Incorporation or these Bylaws. A meeting at which a quorum is initially present but due to the withdrawal of Directors, is no longer present, may not transact business; those Directors present may either: (a) elect to continue as a committee; or (b) adjourn to a future date. Directors may not vote by proxy.

Section 8. WAIVER OF NOTICE. Notice of a meeting need not be given to any Director who, either before or after the meeting, signs a waiver of notice, a written consent to the holding of the meeting, or an approval of the minutes of the meeting. The waiver or notice or consent need not specify the purpose of the meeting. All such waivers, consents, and approvals shall be filed with the corporate records or made a part of the minutes of the meetings. Notice of a meeting need not be given to any Director who attends the meeting and does not protest, before or at the commencement of the meeting, the lack of notice to him or her.

Section 9. ADJOURNMENT. A majority of the Directors present, whether or not a quorum is present, may adjourn any Board of Directors meeting to another time or place. If a meeting is adjourned for more than twenty-four (24) hours, notice of such adjournment to another time or place shall be given, prior to the time schedule for the continuation of the meeting, to the Directors who were not present at the time of the adjournment, and to the public in the manner prescribed by any applicable public open meeting law.

Section 10. CONFLICT OF INTEREST.

- a) **Contracts with Directors:** The Corporation shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor shall the Resolute Academy enter not any contract or transaction with any other corporation, firm association, or other entity in which one or more of the Corporation's directors are directors and have a material financial interest.)

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- b) **Contracts with Non-Director Designated Employees:** The Corporation shall not enter into a contract or transaction in which a non-director designated employee (e.g., officers and other key decision-making employees) directly or indirectly has a material financial interest in compliance with Government Code Section 1090, et seq., as set forth in Education Code Section 47604.1, unless all of the requirements in the Corporation's Conflict of Interest Code have been fulfilled.

Section 11. STANDARD OF CARE. A Director shall perform all duties of a Director, including duties as a member of any committee of the Board on which the Director may serve, in good faith, in a manner the Director believes to be in the best interests of the Corporation and with such care, including the duty to make reasonable inquiries, as an ordinarily prudent person in a like situation would use under similar circumstances.

In performing the duties of a Director, a Director may rely on information, opinions, reports or statements, including financial statements and other financial data, in each case prepared or presented by:

- a. One or more officers or employees of the Corporation whom the Director believes to be reliable and competent in the matters presented;
- b. Legal counsel, independent accountants or other persons as to matters that the Director believes to be within such person's professional or expert competence; or
- c. A committee of the Board upon which the Director does not serve as to matters within its designated authority, provided the Director believes that the committee merits confidence and the Director acts in good faith, after reasonable inquiry when the need therefore is indicated by the circumstances, and without knowledge that would cause such reliance to be unwarranted.

Except with respect to assets that are directly related to the Corporation's charitable programs, the Board shall avoid speculation in investing, reinvesting, purchasing, acquiring, exchanging, selling and managing the Corporation's investments. Instead, the Board is to consider the permanent disposition of funds, the probable income, the probable safety of the Corporation's capital, and is to comply with the express terms of the instrument or agreement, if any, pursuant to which the assets were contributed to the Corporation.

Section 12. CONDUCT OF MEETINGS. Meetings of the Board shall be presided over by the Chair, or, if there is no Chair or the Chair is absent, the Vice-Chair or, in the absence of each of these persons, by a chair of the meeting, chosen by a majority of the Directors present at the meeting. The Secretary shall act as secretary of all meetings of the Board, provided that, if the Secretary is absent, the presiding officer shall appoint another person to act as secretary of the meeting. Meetings shall be governed by rules of procedure as may be determined by the Board from time to time, insofar as such rules are not inconsistent with or in conflict with these Bylaws, with the Articles, or with any provisions of law applicable to the Corporation.

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Section 13. RULES OF PROCEDURE. All meetings of the Board and of the committees shall be conducted in accordance with Robert's Rules of Order.

Section 14. LOANS TO DIRECTORS AND OFFICERS. The Corporation shall not lend any money or property to, or guarantee the obligation of any Director or officer without the approval of the California Attorney General; provided, however that the Corporation may advance money to a Director or officer of the Corporation for expenses reasonably anticipated to be incurred in the performance of his or her duties if that Director or officer would be entitled to reimbursement for such expenses by the Corporation.

Section 15. TRAINING. Every Director who has not previously served on the Corporation's Board must commence attendance at a comprehensive, authorized training(s) regarding Board governance within 12 months of joining the Board as a Director.

ARTICLE VIII COMMITTEES

Section 1. CREATION AND COMPOSITION OF COMMITTEES. The Board may, by resolution adopted by a majority of the Directors then in office, create one or more Board Committees ("Committees"), each consisting of two or more Directors, and no persons who are not Directors, to serve at the discretion of the Board. Any two Committees or any particular duties of a Committee may be combined, in the interest of efficiency or management. Unless otherwise directed by the Board, Committees are empowered only to consider and make recommendations upon matters referred to them by the Board. All Committees shall be composed of at least one board member. By majority vote of the Committee members, each committee shall elect one of its members who are also Board members to act as chair of the committee. Any Committee, to the extent provided in the resolution of the Board and allowed by law, may be given the authority of the Board except that no Committee may:

- (a) approve any action for which the California Nonprofit Corporation Law also requires approval of the members or approval of a majority of all members;
- (b) fill vacancies on the Board or in any Committee which has the authority of the Board;
- (c) fix compensation of the Director for serving on the Board or on any Committee;
- (d) amend or repeal any resolution of the board which by its express terms is not so amendable or repealable;
- (e) appoint any other Committees or the members of these Committees;
- (f) expend corporate funds to support a nominee for Director after more person have been nominated than can be elected; or
- (g) approve any transaction (i) between the Corporation and one or more of its Director or

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(ii) between the Corporation and any entity in which one or more of its directors have a material financial interest.

To facilitate the consideration and management of the Corporation under the Charter and as a corporate legal entity, the following Committee may be created as set forth within this section:

a. Executive Committee. The Executive Committee shall have the power to act in all matters pertaining to the Corporation, as directed by the Board, and working in concert with the goals established by the committees, shall determine the Corporation's short-range and long-range goals. The Executive Committee shall review annually the conditions of employment of the Chief Executive Officer or Principal. The Executive Committee shall be composed of the Chair, Vice- Chair and such other members of the Board as the Board may elect.

b. Audit Committee: The Corporation shall have an audit committee consisting of at least one Director and may include nonvoting advisors. Directors who are employees or officers of the Corporation or who receive, directly or indirectly in any consulting, advisory or other compensatory fee from the Corporation (other than for service as a Director) may not serve on audit committee. The audit committee shall perform the duties and adhere to the guidelines set forth in the audit committee description as amended from time to time by the board. Such duties include:

(1) Assisting the Board in choosing an auditor, if necessary; (2) Negotiating the auditor's compensation; (3) Conferring with the auditor regarding the Corporation's financial affairs; and (4) Reviewing and accepting or rejecting the audit.

c. Finance Committee: The Board Chair shall select the chair of the finance committee. The Treasurer should be a member of the committee. The Finance Committee shall be responsible for developing, recommending, and reviewing fiscal procedures, for the preparation and review of financial reports and projections of revenues and expenses, subject to approval by the board.

d. Other Committees of the Board: Other committees may, from time to time, be designated by resolution of the Board. Such other Committees may consist of persons who are not also members of the board. These additional Committees shall act in an advisory capacity only to the board and shall be clearly titled "advisory" committees.

Section 2. MEETINGS AND ACTION OF COMMITTEES. Meetings and action of Committees shall be governed by, and held and taken in accordance with, the provisions of Article VIII concerning meetings of Directors, with such changes in the context of Article VIII as are necessary to substitute the Committee and its members for the Board and its members, except that the time for regular meetings of Committees may be determined by resolution of the Board, and special meetings of Committees may also be called by resolution of the Board. Minutes shall be kept of each meeting of any Committee and shall be filed with the corporate records. The Committee shall report to the Board from time to time as the Board may require. The Board may adopt rules for the governance of any Committee not inconsistent with the provisions of these Bylaws. In the absence of rules adopted by the Board, the Committee may adopt such rules.

Section 3. QUORUM RULES FOR COMMITTEES. A majority of the Committee members shall



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constitute a quorum for the transaction of Committee business, except to adjourn. A majority of the Committee members present, whether or not constituting a quorum, may adjourn any meeting to another time and place. Every act taken or decision made by a majority of the Committee members then in office at a meeting duly held at which a quorum is present shall be regarded as an act of the Committee, subject to the provisions of the California Nonprofit Corporation Law relating to actions that require a majority vote of the entire Board. Each Committee will hold its meetings in compliance with the Brown Act.

Section 4. REVOCATION OF DELEGATED AUTHORITY. The Board may, at any time, revoke or modify any or all of the authority that the Board has delegated to a Committee, increase or decrease (but not below two) the number of members of a Committee, and fill vacancies in a Committee from the members of the Board.

Section 5. ADVISORY COMMITTEES. The Board may create one or more advisory committees to serve at the pleasure of the Board. The action to create such advisory committees must be made pursuant to Brown Act requirements, meaning at a publicly noticed meeting with the item on the agenda. Appointments to such advisory committees need not, but may be, Directors. The Board shall appoint and discharge advisory committee members. All actions and recommendations of an advisory committee shall require ratification by the Board before being given effect. These advisory committee meetings are not subject to the notice and posting requirements of the Brown Act so long as the committee is comprised solely of Board members; consists of less than the number of Board members who, if present at a meeting, would be able to make a decision; a defined purpose and a time frame to accomplish that purpose; and is advisory.

ARTICLE IX **OFFICERS OF THE CORPORATION**

Section 1. OFFICERS OF THE CORPORATION. The officers of the Corporation ("Officers") shall be a Chair, Vice-Chair, Chief Executive Officer ("CEO"), Secretary and Treasurer. The Corporation may also have, at the Board's discretion, one or more assistant secretaries, one or more assistant treasurers and such other officers as the Board may appoint. Other than the Chair and Vice-Chair, these persons may, but need not be, selected from among the Directors.

Section 2. DUPLICATION OF OFFICE HOLDERS. Any number of offices may be held by the same person, except that neither the Secretary, nor the Treasurer, may serve concurrently as the Chair of the Board.

Section 3. ELECTION OF OFFICERS. The Officers shall be chosen annually by the Board during the first meeting of the fiscal year, and shall serve at the discretion of the Board until his or her successor shall be elected, or his or her earlier resignation or removal.

Section 4. TERM OF CHAIR AND VICE-CHAIR. The Chair and the Vice-Chair shall serve for a term of one (1) year. The Chair and Vice-chair may serve a maximum of two (2) consecutive terms in the same office. Any officer may be removed at any time, with or without cause, by the affirmative vote of a majority of the Board.

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Section 5. REMOVAL OF OFFICERS. Subject to the rights, if any, of an Officer under any contract of employment, any Officer may be removed, with or without cause (i) by the Board, at any regular or special meeting of the Board or at the annual meeting of the Corporation; or (ii) by an Officer on whom such power of removal may be conferred by the Board.

Section 6. RESIGNATION OF OFFICERS. Any officer may resign at any time by giving written notice to the Corporation. The resignation shall take effect on the date the notice is received or at any later time specified in the notice; and, unless otherwise specified in the notice, the resignation need not be accepted to be effective. Any resignation shall be without prejudice to the rights, if any, of the Corporation under any contract to which the Officer is a party.

Section 7. VACANCIES IN OFFICE. A vacancy in any office due to death, resignation, removal, disqualification, or any other cause shall be filled in the manner prescribed in these Bylaws for regular appointment to that office, provided that such vacancies shall be filled as they occur and not on an annual basis.

Section 8. RESPONSIBILITIES OF OFFICERS.

Section 8.1. Chair. The Chair of the Corporation shall preside at all meetings of the Board and exercise and perform such other powers and duties as may from time to time be assigned to him by the Board or prescribed by these bylaws. Subject to the supervisory powers as the Board may give to the Chair of the Board, if any, the Chair shall, subject to the control of the Board, and in conjunction with the officers of the Charter School, shall assist in supervising and directing the business, activities, affairs and the Officers of the Corporation.

Section 8.2. Vice-Chair. In the absence or disability of the Chair, the Vice-Chair, if any, shall perform all duties of the Chair. When so acting, the Vice-Chair shall have all powers of and be subject to all restrictions on the Chair. The Vice-Chair shall have such other powers and perform such other duties as the board or the Bylaws may prescribe.

Section 8.3. CEO. Subject to the control of the Board, the CEO shall be the chief executive officer and general manager of the corporation and shall have general supervision, direction and control of the business and officers of the corporation. He or she shall have the general power and duties of management usually vested in the office of chief executive officer of a corporation and shall have such other powers or duties as may be prescribed by the Board or these Bylaws. Subject to such limitations as may be imposed by the Board, any powers or duties vested in the CEO may be delegated by him or her to such subordinates as he or she may choose.

Section 8.4. Secretary. The Secretary of the Corporation attend to the following:

8.4.1. Bylaws. The Secretary shall certify and keep or cause to be kept at the principal office of the Corporation the original or a copy of these Bylaws as amended to date.

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8.4.2. Minute Book. The Secretary shall keep or cause to be kept a minute book as described herein in Article XV.

8.4.3. Notices. The Secretary shall give, or cause to be given, notice of all meetings of the board in accordance with these Bylaws.

8.4.5. Corporate Records. Upon request, the Secretary shall exhibit or cause to be exhibited at all reasonable times to any Director, or to his or her agent or attorney, these Bylaws and the minute book.

8.4.6. Corporate Seal. The Secretary shall keep or cause to be kept the seal of the Corporation, if any, in safe custody, and shall have such other powers and perform such other duties incident to office of Secretary as may be prescribed by the Board or these Bylaws.

Section. 8.5. Treasurer. The Treasurer of the Corporation shall attend to the following:

8.5.1. Books of Account. The Treasurer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and records of accounts of the Corporation's properties and business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital, retained earnings, and other matters customarily included in financial statements. The books of account shall be open to inspection by any Director at all reasonable times.

8.5.2. Financial Reports. The Treasurer shall send or cause to be given to the Directors such financial statements and reports as are required to be given by law, by these Bylaws, or by the Board.

8.5.3. Deposit And Disbursement Of Money And Valuables. The Treasurer shall deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the Corporation with such depositories as the Board may designate, shall disburse the Corporation's funds as the Board may order, shall render to the Chair, and the Board, when requested, an account of all transactions as Treasurer and of the financial condition of the Corporation, and shall have such other powers and perform such other duties as the Board or the Bylaws may prescribe.

8.5.4. Bond. If required by the Board, the Treasurer shall give the Corporation a bond in the amount of and with the or sureties specified by the board for faithful performance of the duties of his or her office and for restoration to the Corporation of all its books, papers, vouchers, money, and other property of every kind in his or her possession or under his or her control on his or her death, resignation, retirement, or removal from the office.

Section 9. COMPENSATION OF OFFICERS.

9.1. Salaries Fixed By Board. The salaries of Officers of the Corporation shall be fixed from time to time by resolution of the Board. In all cases, any salaries received by Officers of the Organization

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Corporation shall be reasonable and given in return for services actually rendered for the Corporation. No salaried Officer of the Corporation may serve as a Director.

9.2. Fairness Of Compensation. The Board shall periodically review the fairness of compensation, including benefits, paid to every person, regardless of title, with powers, duties, or responsibilities comparable to the CEO, or chief financial officer: (i) once such person is hired; (ii) upon any extension or renewal of such person's term of employment, and (iii) when such person's compensation is modified.

ARTICLE X **INDEMNIFICATION**

Section 1. DEFINITIONS. For the purpose of this Article XII,

1.1. Agent. "Agent" means any person who is or was a Director, officer, employee, or other agent of the Corporation, or is or was serving at the request of the Corporation as a Director, officer, employee, or agent of another foreign or domestic corporation, partnership, joint venture, trust, or other enterprise, or was a director, officer, employee, or agent of a foreign or domestic corporation which was a predecessor corporation of the Corporation or of another enterprise at the request of such predecessor corporation.

1.2. Proceeding. "Proceeding" means any threatened, pending or completed action or proceeding, whether civil, criminal, administrative, or investigative.

1.3. Expenses. "Expenses" includes, without limitation, all reasonable attorneys' fees, costs and any other expenses reasonably incurred in the defense of any claims or proceedings against an Agent by reason of his or her position or relationship as Agent and all attorneys' fees, costs and other expenses reasonably incurred in establishing a right to indemnification under this Article XII.

Section 2. APPLICABILITY OF INDEMNIFICATION PROVISIONS.

2.1. Successful Defense by Agent. To the extent that an Agent has been successful on the merits in the defense of any proceeding referred to in this Article XII, or in the defense of any claim, issue, or matter therein, the Agent shall be indemnified against expenses actually and reasonably incurred by the Agent in connection with the claim.

2.2. Settlement or Unsuccessful Defense by Agent. If an Agent either settles any proceeding referred to in this Article XII, or any claim, issue, or matter therein, or sustains a judgment rendered against him, then the provisions of Section 3 through Section 7 shall determine whether the Agent is entitled to indemnification.

Section 3. ACTIONS BROUGHT BY PERSONS OTHER THAN THE CORPORATION. This Section 3 applies to any proceeding other than an action "by or on behalf of the Corporation" as defined in Section 4 below. Such proceedings that are not brought by or on behalf of the



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Corporation are referred to in this Section 3 as "Third Party proceedings."

3.1. Scope of Indemnification in Third Party Proceedings.

Subject to the required findings to be made pursuant to Section 3.2 the Corporation may indemnify any person who was or is a party, or is threatened to be made a party, to any Third Party proceeding, by reason of the fact that such person is or was an Agent, for all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred in connection with the proceeding.

3.2. Required Standard Of Conduct For Indemnification in Third Party Proceedings.

Any indemnification granted to an Agent in Section 3.1 above is conditioned on the following: the Board must determine, in the manner provided hereof, that the Agent seeking reimbursement acted in good faith, in a manner he or she reasonably believed to be in the best interest of the Corporation, and, in the case of a criminal proceeding, he or she must have had no reasonable cause to believe that his or her conduct was unlawful. The termination of any proceeding by judgment, order, settlement, conviction, or on a plea of *nolo contendere* or its equivalent shall not, of itself, create a presumption that the person did not act in good faith or in a manner he or she reasonably believed to be in the best interest of the Corporation or that he or she had reasonable cause to believe that his or her conduct was unlawful.

Section 4. ACTION BROUGHT BY OR ON BEHALF OF THE CORPORATION.

This Section 4 applies to any proceeding brought (i) by or in the right of the Corporation, or (ii) by an Officer, Director or person granted relator status by the Attorney General, or by the Attorney General, on the ground that the defendant Director was or is engaging in self-dealing within the meaning of section 5233 of the California Nonprofit Corporation Law, or (iii) by the Attorney General or person granted relator status by the Attorney General for any breach of duty relating to assets held in charitable trust (any such proceeding is referred to in these Bylaws as a proceeding "by or on behalf of the Corporation").

4.1. Scope Of Indemnification In Proceeding By Or On Behalf Of The Corporation.

Subject to the required findings to be made pursuant to Section 4.2 and except as provided in Sections 4.3 and 4.4, the Corporation may indemnify any person who was or is a party, or is threatened to be made a party, to any proceeding by or on behalf of the Corporation, by reason of the fact that such person is or was an Agent, for all expenses actually and reasonably incurred in connection with the defense or settlement of such action.

4.2. Required Standard Of Conduct For Indemnification In Proceeding By Or On Behalf Of The Corporation.

Any indemnification granted to an Agent in Section 4.1 is conditioned on the following. The Board must determine, in the manner provided in Section 5 hereof, that the Agent seeking reimbursement acted in good faith, in a manner he or she believed to be in the best interest of the Corporation and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances.

4.3. Claims Settled Out Of Court. If any Agent settles or otherwise disposes of a threatened or pending action brought by or on behalf of the Corporation, with or without court approval, the Agent shall receive no indemnification for amounts paid pursuant to the terms of the settlement or other disposition. Also, in cases settled or otherwise disposed of without court approval, the Agent shall receive no indemnification for expenses reasonably incurred in defending against the proceeding, unless the proceeding is settled with the



approval of the Attorney General.

4.4. Claims And Suits Awarded Against Agent. If any Agent is adjudged to be liable to the Corporation in the performance of the Agent's duty to the Corporation, the Agent shall receive no indemnification for amounts paid pursuant to the judgment, and any indemnification of such Agent under Section 4.1 for expenses actually and reasonably incurred in connection with the defense of that action shall be made only if both of the following conditions are met:

- (a) the determination of good faith conduct required by Section 4.2 must be made in the manner provided for in Section 5 hereof; and
- (b) upon application, the court in which the action was brought must determine that, in view of all of the circumstances of the case, the Agent is fairly and reasonably entitled to indemnity for the expenses incurred. If the Agent is found to be so entitled, the court shall determine the appropriate amount of expenses to be reimbursed.

Section 5. DETERMINATION OF AGENT'S GOOD FAITH CONDUCT. The indemnification granted to an Agent in Section 3 and Section 4, hereof, is conditioned on the findings required by those Sections being made by:

- (a) the Board by a majority vote of the Directors then in office, not counting any vote of parties to the proceeding; or
- (b) the court in which the proceeding is or was pending. Such determination may be made on application brought by the Corporation or the Agent or the attorney or other person rendering a defense to the Agent, whether or not the application by the Agent, attorney, or other person is opposed by the Corporation.

Section 6. LIMITATIONS. No indemnification or advance shall be made under this Article XII, except as provided in Section 2 or Section 7(b), in any circumstances when it appears:

- (a) that the indemnification or advance would be inconsistent with a provision of the Articles of Incorporation, as amended, or an agreement in effect at the time of the accrual of the alleged cause of action asserted in the proceeding in which the expenses were incurred or other amounts were paid, which prohibits or otherwise limits indemnification; or
- (b) that the indemnification would be inconsistent with any condition expressly imposed by a court in approving a settlement.

Section 7. ADVANCE OF EXPENSES. Expenses incurred in defending any proceeding may be advanced by the Corporation before the final disposition of the proceeding on receipt of an undertaking by or on behalf of the Agent to repay the amount of the advance unless it is determined ultimately that the Agent is entitled



to be indemnified as authorized in this Article XII.

Section 8. CONTRACTUAL RIGHTS OF NON-DIRECTORS AND NON-OFFICERS. Nothing contained in this Article XII shall affect any right to indemnification to which persons other than Directors and Officers of the Corporation, or any of its subsidiaries, may be entitled by contract or otherwise.

Section 9. INSURANCE. The Board may adopt a resolution authorizing the purchase and maintenance of insurance on behalf of any Agent, as defined in this Article XII, against any liability asserted against or incurred by any Agent in such capacity or arising out of the Agent's status as such, whether or not the Corporation would have the power to indemnify the Agent against the liability under the provisions of this Article XII.

Pursuant to the purchase and maintenance of such insurance, any indemnification under this Article shall be made by the Corporation only if authorized in the specific case, upon a determination that indemnification of the Agent is proper in the circumstances because the Agent has met the applicable standard of conduct set forth in Section 7 of this Article XII, by:

a majority vote of the Directors then in office, not counting any vote of parties to such proceeding; or

the court in which such proceeding is or was pending upon application made by the Corporation or the agent or the attorney or other person rendering services in connection with the defense, whether or not such application by the agent, attorney, or other person is opposed by the Corporation.

ARTICLE XI **MAINTENANCE OF CORPORATE RECORDS**

Section 1. MAINTENANCE OF CORPORATE RECORDS. The Corporation shall keep:

- a. Adequate and correct books and records of account;
- b. Written minutes of the proceedings of its members, Board, and committees of the Board; and
- c. Such reports and records as required by law.

Section 2. INSPECTION BY DIRECTORS. Every Director shall have the absolute right at any reasonable time to inspect the Corporation's books, records, documents of every kind, physical properties, and the records of each subsidiary, if any, as permitted by California and federal law. The inspection may be made in person or by the Director's agent or attorney. The right of inspection includes the right to copy and make extracts of documents as permitted by California and federal law. This right to inspect may be circumscribed in instances where the right to inspect conflicts with California or federal law (e.g., restrictions on the release of educational records under FERPA) pertaining to access to books, records, and documents.



HONOR HARD WORK

Section 3. ACCOUNTING RECORDS AND MINUTES. On written demand on the Corporation, any Director may inspect, copy, and make extracts of the accounting books and records and the minutes of the proceedings of the Board and committees of the Board at any reasonable time for a purpose reasonably related to the Director's interest as a Director. Any such inspection and copying may be made in person or by the Director's agent or attorney. This right of inspection extends to the records of any subsidiary of the Corporation.

Section 4. MAINTENANCE AND INSPECTION OF ARTICLES AND BYLAWS.
This corporation shall keep at its principal California office the original or a copy of the articles of incorporation and bylaws, as amended to the current date, which shall be open to inspection by the Directors at all reasonable times during office hours. If the corporation has no business office in California, the Secretary shall, on the written request of any Director, furnish to that Director a copy of the articles of incorporation and bylaws, as amended to the current date.

ARTICLE XII **ENDORSEMENT OF DOCUMENTS; CONTRACTS**

Section 1. ENDORSEMENT OF DOCUMENTS; CONTRACTS. Any contract or conveyance made in the name of the Corporation which is authorized or ratified by the Board or done within the scope of authority conferred by the Board or within the agency power of the Officer executing it, except as the Board's authority is limited by law, binds the Corporation and the Corporation acquires rights thereunder whether the contract is executed wholly or in part.

ARTICLE XIII **REQUIRED REPORTS**

Section 1. ANNUAL REPORTS. The Board of Directors shall cause an annual report to be sent to itself (the Board) within 120 days after the end of the Corporation's fiscal year. That report shall contain the following information, in appropriate detail:

- a. The assets and liabilities, including the trust funds, or the Corporation as of the end of the fiscal year;
- b. The principal changes in assets and liabilities, including trust funds;
- c. The Corporation's revenue or receipts, both unrestricted and restricted to particular purposes;
- d. The Corporation's expenses or disbursement for both general and restricted purposes;
- e. Any information required under these bylaws; and
- f. An independent accountant's report or, if none, the certificate of an authorized officer of the Corporation that such statements were prepared without audit from the Corporation's books and records.

Amethod Public Schools



HONOR HARD WORK

This requirement of an annual report shall not apply if the Corporation receives less than \$25,000 in gross receipts during the fiscal year, provided, however, that the information specified above for inclusion in an annual report must be furnished annually to all Directors and to any member who requests it in writing.

Section 2. ANNUAL STATEMENT OF CERTAIN TRANSACTIONS AND INDEMNIFICATIONS. As part of the annual report to the Board, or as a separate document if no annual report is issued, the Corporation shall, within 120 days after the end of the Corporation's fiscal year, annually prepare and mail or deliver to each Director and furnish to each Director a statement of any transaction or indemnification of the following kind:

- a. Any transaction (i) in which the Corporation, or its parent or subsidiary, was a party, (ii) in which an "interested person" had a direct or indirect material financial interest, and (iii) which involved more than \$50,000 or was one of several transactions with the same interested person involving, in the aggregate, more than \$50,000. For this purpose, an "interested person" is either:
 - 1) Any Director or officer of the Corporation, its parent, or subsidiary (but mere common directorship shall not be considered such an interest) ; or
 - 2) Any holder of more than 10 percent of the voting power of the Corporation, its parent, or its subsidiary. The statement shall include a brief description of the transaction, the names of interested persons involved, their relationship to the Corporation, the nature of their interest, provided that if the transaction was with a partnership in which the interested person is a partner, only the interest of the partnership need be stated.
- b. Any indemnification or advances aggregating more than \$10,000 paid during the fiscal year to any officer or Director of the Corporation as permitted under these bylaws, unless the indemnification has already been approved by the Directors under Corporation' Code Section 5238(d)(2).

ARTICLE XIV **OTHER PROVISIONS**

Section 1. CONSTRUCTION AND DEFINITIONS. Unless the context requires otherwise the general provisions, rules of construction, and definitions in the California Nonprofit Corporation Law and in the California Nonprofit Public Benefit Law shall govern the construction of these Bylaws. Without limiting the generality of foregoing, words in these Bylaws shall be read as the masculine or feminine gender and as the singular or plural, as the context requires. The term "person" includes both a legal entity and a natural person. The captions and headings in these Bylaws are for convenience of reference only and are not intended to limit or define the scope or effect of any provision.

Section 2. AMENDMENT OF BYLAWS. The Board may adopt, amend, or repeal these Bylaws by a majority vote of the Directors then in office at a meeting duly held at which a quorum is present.

Section 3. VALIDITY OF INSTRUMENTS. Subject to the provisions of applicable law, any note, mortgage, evidence of indebtedness, contract, conveyance or other written instrument and any assignment or

Amethod Public Schools



endorsement thereof executed or entered into between the Corporation and any other person, shall be valid and binding on the Corporation when signed by the Chair, Vice-Chair, CEO, Chief Financial Officer, Secretary or Treasurer of the Corporation unless the other person has actual knowledge that the signing officers had no authority to execute the same. Any such instruments may be signed by any other person(s) and in such manner and from time to time shall be determined by the Board and, unless so authorized by the Board, no officer, agent or employee shall have any power or authority to bind the Corporation by any contract or engagement, to pledge its credit. or to render it liable for any purpose or amount.

Section 4. FISCAL YEAR. The fiscal year of the Corporation shall be will be July 1, through June 30 or as set by the Board.

CERTIFICATE OF SECRETARY

I certify that I am the duly elected and acting Secretary of the Amethod Public Schools, a California Nonprofit Public Benefit Corporation; that these Bylaws, are the Bylaws of this Corporation as adopted by the Board of Directors on June 6, 2006, and amended on

Executed on March 10, 2021 at Oakland, California.

Secretary, Board of Directors

Coversheet

Information Only: AMPS Policy Manual Revision/ Update

Section:	IV. Consent
Item:	D. Information Only: AMPS Policy Manual Revision/ Update
Purpose:	FYI
Submitted by:	
Related Material:	Board Policy Manual (4883-7128-3774.v1) 11.11.2022 REDLINE.docx



AMPS

HONOR HARD WORK

2022-2023 BOARD POLICY MANUAL

Amethod Public Schools

*Benito Juarez Elementary
Oakland Charter Academy
Downtown Charter Academy
Richmond Charter Academy
Oakland Charter High School
John Henry High School*

2101 Livingston St
Oakland, CA 94606
TEL: 510- 436-0172

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UNIFORM COMPLAINT POLICY AND PROCEDURE

Board Policy Number: **INSERT**

Adopted/Ratified: July, 20, 2020

Revised: **INSERT**

Amethod Public Schools (“AMPS”) complies with applicable federal and state laws and regulations. AMPS 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 AMPS program or activity.
- (2) Complaints alleging a violation of state or federal law or regulation governing the following programs:
 - Accommodations for Pregnant, Parenting or Lactating Students;
 - Adult Education Programs;
 - Career Technical and Technical Education and Training Programs
 - Child Care and Development Programs;
 - Migrant Child Education Programs;
 - Consolidated Categorical Aid;

Commented [MB1]: The School will need to review this section (#2) to determine whether the School participates in the identified state or federal program. This list 1-4 must also match the list of programs in the form at the end of the Policy. Some of the programs cannot be removed from this section (#2) as they are required for all schools. These programs include:

Accommodations for Pregnant, Parenting or Lactating Students
Education of Students in Foster Care, Students who are Homeless,
former Juvenile Court Students now enrolled in a Public School,
Migratory Children and Children of Military Families
School Safety Plans
ESSA

- Education of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a public school, Migratory Children and Children of Military Families;
- Every Student Succeeds Act;
- ~~Regional Occupational Centers and Programs Migrant Education Programs;~~
- School Safety Plans.

- (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 AMPS finds merit in a pupil fees complaint, or the California Department of Education (“CDE”) finds merit in an appeal, AMPS shall provide a remedy to all affected students, parents/guardians that, where applicable, includes reasonable efforts by AMPS 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 AMPS and other entities from providing student prizes or other recognition for voluntarily participating in fundraising activities.
- (4) Complaints alleging noncompliance with the requirements governing the Local Control Funding Formula (“LCFF”) or LCAP under Education Code sections 47606.5 and 47607.3, as applicable. If AMPS 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.

AMPS 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. AMPS cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, AMPS will attempt to do so as appropriate. AMPS 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 Chief Executive Officer or designee on a case-by-case basis. AMPS 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 AMPS's compliance with law:

Chief Executive Officer
Amethod Public Schools
2101 Livingston St.
Oakland, CA 94606
Telephone: (510) 436-0172

The Chief Executive Officer 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 Chief Executive Officer or designee.

Should a complaint be filed against the Chief Executive Officer, the compliance officer for that case shall be the President of the AMPS Board of Directors.

Notifications

The Chief Executive Officer or designee shall make available copies of this Policy free of charge. The annual notice of this Policy may be made available on AMPS's website.

AMPS shall annually provide written notification of AMPS's 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 AMPS 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:

- (a) A list of the types of complaints that fall under the scope of the UCP and the state and federal provisions that govern complaints regarding child nutrition programs and special education programs.

- (b) A statement clearly identifying any California State preschool programs that AMPS 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 AMPS is operating pursuant to Title 22 licensing requirements.
- (c) A statement that AMPS is primarily responsible for compliance with federal and state laws and regulations.
- (d) 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.
- (e) A statement identifying the title of the compliance officer, and the identity(ies) of the person(s) currently occupying that position, if known.
- (f) A statement that if a UCP complaint is filed directly with the CDE and the CDE determines that it merits direct intervention, the CDE shall complete an investigation and provide a written decision to the complainant within sixty (60) calendar days of receipt of the complaint, unless the parties have agreed to extend the timeline or the CDE documents exceptional circumstances and informs the complainant.
- (g) A statement that the complainant has a right to appeal AMPS's decision to the CDE by filing a written appeal within thirty (30) calendar days of the date of AMPS's decision, except if AMPS has used its UCP to address a complaint that is not subject to the UCP requirements.
- (h) A statement that a complainant who appeals AMPS's decision on a UCP complaint to the CDE shall receive a written appeal decision within sixty (60) calendar days of the CDE's receipt of the appeal, unless extended by written agreement with the complainant or the CDE documents exceptional circumstances and informs the complainant.
- (i) A statement that if AMPS finds merit in a UCP complaint, or the CDE finds merit in an appeal, AMPS shall take corrective actions consistent with the requirements of existing law that will provide a remedy to the affected student and/or parent/guardian as applicable.
- (j) A statement advising the complainant of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal pursuant to Education Code section 262.3.
- (k) A statement that copies of AMPS's UCP shall be available free of charge.

Procedures

The following procedures shall be used to address all complaints which allege that AMPS 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 Chief Executive Officer or designee, upon written request by the complainant setting forth the reasons for the extension. Such extension by the Chief Executive Officer or designee shall be made in writing. The period for filing may be extended by the Chief Executive Officer 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 Chief Executive Officer 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 AMPS Board of Directors approved the LCAP or the annual update was adopted by AMPS.

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, AMPS 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 AMPS's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

Step 3: Investigation of Complaint

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

The complainant and/or the complainant's representative shall have an opportunity to present 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.

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

- **Step 4: Final Written Decision**

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

The Decision shall include:

1. The findings of fact based on evidence gathered.
2. The conclusion providing a clear determination for each allegation as to whether AMPS is in compliance with the relevant law.
3. Corrective actions, if AMPS finds merit in the complaint and any are warranted or required by law.
4. Notice of the complainant's right to appeal AMPS's Decision within thirty (30) calendar days to the CDE, except when AMPS has used its UCP to address 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 AMPS's expectations. The Decision shall not give any further information as to the nature of the disciplinary action except as required by applicable law.

Appeals to the CDE

If dissatisfied with 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 AMPS 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. AMPS failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, AMPS's Decision lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in AMPS's Decision are not supported by substantial evidence.
4. The legal conclusion in AMPS's Decision is inconsistent with the law.
5. In a case in which AMPS's 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 Chief Executive Officer or designee 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 AMPS's 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 AMPS for resolution as a new complaint. If the CDE notifies AMPS that its Decision failed to address an allegation raised by the complaint and subject to the UCP process, AMPS 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 AMPS 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, AMPS has not taken action within sixty (60) calendar days of the date the complaint was filed with AMPS.

Civil Law Remedies

A complainant may pursue available civil law remedies outside of AMPS'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 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 AMPS has appropriately, and in a timely manner, apprised the complainant of their right to file a complaint.

UNIFORM COMPLAINT PROCEDURE FORM

Last Name: _____ First Name/MI: _____

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

Street Address/Apt. #: _____

City: _____ State: _____ Zip Code: _____

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

School/Office of Alleged Violation: _____

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

- | | | |
|---|--|---|
| <input type="checkbox"/> Consolidated Categorical Aid Programs | <input type="checkbox"/> Education of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a Public School, Migratory Children and Children of Military Families | <input type="checkbox"/> Regional Occupational Centers and Programs |
| <input type="checkbox"/> <u>Career Technical and Technical Education and Training Programs;</u> | <input type="checkbox"/> Every Student Succeeds Act | <input type="checkbox"/> School Plans for School Achievement |
| <input type="checkbox"/> <u>Child Care and Development Programs;</u> | <input type="checkbox"/> Local Control Funding Formula/ Local Control and Accountability Plan | <input type="checkbox"/> School Safety Plan |
| <input type="checkbox"/> <u>Migrant Child Education Programs;</u> | | <input type="checkbox"/> Pupil Fees |
| <input type="checkbox"/> <u>Adult Education Programs;</u> | | <input type="checkbox"/> Pregnant, Parenting or Lactating Students |

Commented [MB2]: This list should be consistent with the list in paragraphs 2-4, under Scope above.

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

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.
- _____

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

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

I have attached supporting documents. ☐ Yes ☐ No

Signature: _____ Date: _____

Mail complaint and any relevant documents to the Compliance Officer:

Chief Executive Officer
Amethod Public Schools
2101 Livingston St.
Oakland, CA 94606
Telephone: (510) 436-0172

SUICIDE PREVENTION POLICY

Board Policy #: 5007

Adopted/Ratified: 2017

Revision Date: May 16, 2021; [INSERT]

The Board of Directors of Amethod Public Schools (“AMPS” or “Charter School”), a nonprofit benefit corporation which operates Oakland Charter Academy, Oakland Charter High School, Downtown Charter Academy, Richmond Charter Academy, Benito Juarez Elementary, and John Henry High 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.

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

To ensure the policies regarding suicide prevention are properly adopted, implemented, and updated, AMPS shall appoint an individual (or team) to serve as the suicide prevention point of contact for AMPS. The suicide prevention point of contact for AMPS and the Site Director 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 Medical beneficiary. This policy shall be reviewed and revised as indicated, at least annually in conjunction with the previously mentioned community stakeholders.

Prevention and Instruction

Suicide prevention strategies may include, but not be limited to, efforts to promote a positive school climate that enhances students’ feelings of connectedness with Charter School and is characterized by caring staff and harmonious interrelationships among students.

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

The Site Director or designee may offer parents/guardians education or information which describes the severity of the youth suicide problem, Charter School’s suicide prevention efforts, risk factors and warning signs of suicide, basic steps for helping suicidal youth, reducing the stigma of mental illness, and/or Charter School and community resources that can help youth in crisis.

The Charter School’s instructional curriculum may include information about suicide prevention, as appropriate or needed, taking into consideration the grade level and age of the students. If offered or included in Charter School’s instructional curriculum, suicide prevention instruction shall be designed to help students:

1. Identify and analyze signs of depression and self-destructive behaviors and understand how feelings of depression, loss, isolation, inadequacy, and anxiety can lead to thoughts of suicide.
2. Identify alternatives to suicide and develop coping and resiliency skills.
3. Learn to listen, be honest, share feelings, and get help when communicating with friends who show signs of suicidal intent.
4. Identify trusted adults, Charter School resources, and/or community crisis intervention resources where youth, including those at high risk, such as youth bereaved by suicide; youth

with disabilities, mental illness, or substance use disorders; youth experiencing homelessness or in out-of-home settings such as foster care; and lesbian, gay, bisexual, transgender, or questioning youth can get help and recognize that there is no stigma associated with seeking mental health, substance abuse, gender identity, or other support services.

Staff Development

Suicide prevention training for staff will be provided and be designed to help staff identify and find help for students at risk of suicide.

AMPS, 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 AMPS 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 AMPS guidelines.
- h. Charter School-approved procedures for responding to suicide risk (including multi-tiered systems of support and referrals). Such procedures should emphasize that the suicidal student should be constantly supervised until a suicide risk assessment is completed.
- i. Charter School-approved procedures for responding to the aftermath of suicidal behavior (suicidal behavior postvention).
- j. Responding after a suicide occurs (suicide postvention).
- k. Resources regarding youth suicide prevention.
- l. Emphasis on stigma reduction and the fact that early prevention and intervention can drastically reduce the risk of suicide.
- m. Emphasis that any student who is identified to be at risk of suicide is to be immediately referred (same day) for assessment while being constantly monitored by a staff member.

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 AMPS Web page and included in the parent handbook.
3. Parents/guardians/caregivers should be invited to provide input on the development and implementation of this policy.
4. All parents/guardians/caregivers may have access to suicide prevention training that addresses the following:
 - a. Suicide risk factors, warning signs, and protective factors.
 - b. How to talk with a student about thoughts of suicide.
 - c. How to respond appropriately to the student who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and referral for an immediate suicide risk assessment.

Student Participation and Education

Messaging about suicide has an effect on suicidal thinking and behaviors. Consequently, AMPS 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 AMPS and is characterized by caring staff and harmonious interrelationships among students.

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

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

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

AMPS 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

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

1. School Psychologist
2. Site Director

Whenever a staff member suspects or has knowledge of a student's suicidal intentions, he/she shall promptly notify the Site Director or designee. The Site Director or designee shall then notify the student's parent/guardian as soon as possible and may also refer the student to mental health resources at Charter School or in the community.

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

- e.d. Remaining calm, keeping in mind the student is overwhelmed, confused, and emotionally distressed.
- d.e. Moving all other students out of the immediate area.
- e.f. Not sending the student away or leaving him/her alone, even to go to the restroom.
- f.g. Providing comfort to the student, listening and allowing the student to talk and being comfortable with moments of silence.
- g.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, AMPS 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, AMPS 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 Charter School.
6. Provide an opportunity for all who respond to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.

In the event a suicide occurs or is attempted on the Charter School campus, the suicide prevention liaison shall follow the crisis intervention procedures contained in Charter School's safety plan. After consultation with the Site Director 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 Site Director or designee may provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. Charter School staff may receive assistance from Charter School counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students.

Students shall be encouraged through the education program and in Charter School activities to notify a teacher, Site Director, another Charter School administrator, psychologist, Charter School counselor, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.

In the event a suicide occurs or is attempted on the AMPS campus, the suicide prevention liaison shall follow the crisis intervention procedures contained in AMPS's safety plan. After consultation with the **Site Director** 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 **Site Director** or designee may provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. AMPS staff may receive assistance from AMPS 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 AMPS campus and unrelated to school activities, the **Site Director** 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 AMPS to respond to the attempt while minimizing widespread rumors among teachers, staff, and students.

Commented [MB3]: The CDE template requires the school to establish crisis intervention procedures to ensure student safety if a suicide occurs or is attempted on campus. The school site safety plan is something the School is required to have, and to have been developed with local law enforcement, so this is an appropriate procedure to follow.

Commented [MB4]: The CDE template has an action plan for out of school suicide attempts. We have incorporated it here.

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 AMPS activities to notify a teacher, the Site Director, another AMPS administrator, psychologist, AMPS 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. AMPS 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. AMPS 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 Site Director 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.

Student Identification Cards

Charter School will include the following 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: ~~AMPS 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.~~

- National Suicide Prevention Lifeline/Suicide Crisis Lifeline:
 - Call or Text “988”
 - Call 1-800-273-8255
- National Domestic Violence Hotline: Call 1-800-799-7233
- Crisis Text Line: Text “HOME” to 741741
- Local suicide prevention hotline telephone number

Charter School Employees Acting Within Scope

Charter School shall ensure that employees act only within the authorization and scope of the employee’s 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. Nothing in this Policy shall be construed as authorizing or encouraging a Charter School employee to diagnose or treat mental illness unless the employee is specifically licensed and employed to do so.

TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION, AND BULLYING POLICY

Board Policy #: 5008
 Adopted/Ratified: April 21, 2021
 Revision Date: **[INSERT]**

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 Amethod Public Schools ("AMPS" 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. AMPS 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 AMPS 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. AMPS 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. AMPS 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"):

Grace Borja
 2101 Livingston St
 Oakland, CA 94606
 Phone Number: (510) 535-1580
 Email Address: gborja@amethodschools.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.
- Differential or preferential treatment based on any of the protected characteristics listed above.

Commented [MB5]: Per AB 34 and 543, this policy 1) must be posted in a prominent and readily accessible location on the School's website; 2) should be included in the School's "regular policy statement"; 3) shall be provided as part of any orientation program conducted for new and continuing pupils at the beginning of each quarter, semester, or summer session, as applicable; 4) shall be provided for each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or at the time that there is a new employee hired; 5) shall appear in any publication of the institution that sets forth the comprehensive rules, regulations, procedures, and standards of conduct for the institution (i.e., student handbook); and 6) shall be displayed in a prominent location in the main administrative building or other area of the campus or schoolsite where other similar notices/policies are posted.

Please note that in addition to this policy, the School is legally required to have Title IX language on the School's website in compliance with Education Code section 221.61 including a link to the CDE's Title IX information, the definition of discrimination and harassment based on sex as described in Section 230, and the rights set forth in Section 221.8. We can provide you with some sample language if desired.

Further, charter schools serving pupils in any of grades 9 through 12, inclusive, shall create a poster that notifies pupils of the applicable sexual harassment policy. The language in the poster shall be age appropriate and culturally relevant. The poster shall be displayed in English and any primary language spoken by 15 percent or more of the pupils enrolled at the schoolsite as determined pursuant to EC Section 48985. The poster shall be no smaller than 8.5 by 11 inches and use at least 12-point font. The poster shall be prominently and conspicuously displayed in each bathroom and locker room at the schoolsite. The poster shall display, at a minimum, all of the following:

- (1) The rules and procedures for reporting a charge of sexual harassment.
- (2) The name, phone number, and email address of an appropriate schoolsite official to contact to report a charge of sexual harassment.
- (3) The rights of the reporting pupil, the complainant, and the respondent, and the responsibilities of the schoolsite in accordance with the applicable written policy on sexual harassment.

Please do not hesitate to reach out with any questions regarding posting requirements.

Commented [MB6]: Please confirm.

Prohibited Unlawful Harassment under Title IX

Title IX (20 U.S.C. § 1681 *et seq.*; 34 C.F.R. ~~§ Part 106.1~~ *et seq.*) and California state law prohibit discrimination and harassment on the basis of sex. Under Title IX, “sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:

An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;

Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or

“Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

In accordance with ~~these existing~~ Title IX and California 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 AMPS.

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

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-

¹ "Reasonable student" is defined as a student, including, but not limited to, an exceptional needs student, 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.

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 AMPS’s education program or activity or signed by the Coordinator alleging sexual harassment against a respondent and requesting that AMPS investigate the allegation of sexual harassment. At the time of filing a formal complaint of sexual harassment, a complainant must be participating in or attempting to participate in AMPS’ education program or activity.

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

Bullying and Cyberbullying Prevention Procedures

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

1. Cyberbullying Prevention Procedures

AMPS 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.

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

2. Education

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

AMPS’s bullying prevention education also discusses the differences between appropriate and inappropriate behaviors and includes sample situations to help students learn and practice appropriate behavior and to develop techniques and strategies to respond in a non-aggressive way to bullying-type behaviors. Students will also develop confidence and learn how to advocate for themselves and others, and when to go to an adult for help.

AMPS informs AMPS 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

AMPS 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 AMPS employees who have regular interaction with students.

AMPS 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 AMPS, 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.

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

Grievance Procedures

1. Scope of Grievance Procedures

AMPS 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~~ based on a protected characteristic, 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 AMPS 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, AMPS 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:

Grace Borja
2101 Livingston St
Oakland, CA 94606
Phone Number: (510) 535-1580

Email Address: gborja@amethodschools.org

Commented [MB7]: Please confirm.

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. AMPS 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 Chief Executive Officer, 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.

AMPS 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.

AMPS 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 AMPS's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or AMPS's educational environment, or deter sexual harassment. Supportive measures available to complainants and respondents may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. AMPS 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 AMPS 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 AMPS, the Coordinator (or administrative designee) will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the Coordinator (or administrative designee) determines that an investigation will take longer than twenty-five (25) school days and

needs to be delayed or extended due to good cause, the Coordinator (or administrative designee) will inform the complainant of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.

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

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

- Notice of the Allegations
 - Upon receipt of a formal complaint of sexual harassment, the Coordinator will give all known parties written notice of its grievance process, including any voluntary informal resolution process. The notice will include:
 - A description of the allegations of sexual harassment at issue and to the extent known, the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident;
 - A statement that the respondent is presumed not responsible for the alleged conduct until a final decision is reached;
 - A statement that the parties may have an advisor of their choice, who may be an attorney, and may inspect and review evidence; and
 - A statement that AMPS prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process.
- Emergency Removal
 - AMPS 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 AMPS's policies.
 - AMPS may remove a respondent from AMPS's education program or activity on an emergency basis, in accordance with AMPS's policies, provided that AMPS 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, AMPS may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If AMPS offers such a process, it will do the following:
 - Provide the parties with advance written notice of:
 - The allegations;
 - The requirements of the voluntary informal resolution process including the circumstances under which the parties are precluded from resuming a formal complaint of sexual harassment arising from the same allegations;
 - The parties' right to withdraw from the voluntary informal resolution process and resume the grievance process at any time prior to agreeing to a resolution; and
 - Any consequences resulting from participating in the voluntary informal resolution process, including the records that will be maintained or could be shared; and
 - Obtain the parties' advance voluntary, written consent to the informal resolution process.
 - AMPS 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. AMPS 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, AMPS will send to each party and the party's advisor, if any, a copy of the evidence subject to inspection and review, and the parties will have at least ten (10) days to submit a written response for the investigator's consideration prior to the completion of the investigation report.
- The investigator will complete an investigation report that fairly summarizes all relevant evidence and send a copy of the report to each party and the party's advisor, if any, at least ten (10) days prior to the determination of responsibility.
- Dismissal of a Formal Complaint of Sexual Harassment
 - If the investigation reveals that the alleged harassment did not occur in AMPS's educational program in the United States or would not constitute sexual harassment even if proved, the formal complaint with regard to that conduct must be dismissed. However, such a dismissal does not preclude action under another applicable AMPS policy.
 - AMPS 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 AMPS; or
 - The specific circumstances prevent AMPS 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, AMPS will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties.
- Determination of Responsibility
 - The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
 - Determinations will be based on an objective evaluation of all relevant evidence and credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
 - AMPS 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 AMPS's code of conduct to the facts;
 - The decision and rationale for each allegation;
 - Any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
 - The procedures and permissible bases for appeals.

5. Consequences

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

6. Right of Appeal

Should the reporting individual find AMPS's resolution unsatisfactory, the reporting individual may, within five (5) business days of notice of AMPS's decision or resolution, submit a written appeal to the President of the AMPS 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 AMPS will implement appeal procedures equally for both parties.
- Within five (5) business days of AMPS' written decision or dismissal of the complaint, the complainant or respondent may submit a written appeal to the Coordinator.
- The decision-maker(s) for the appeal will not be the same person(s) as the Coordinator, the investigator or the initial decision-maker(s).
- The complainant and respondent may appeal from a determination regarding responsibility, and from AMPS' dismissal of a formal complaint or any allegations therein, on the following bases:
 - Procedural irregularity that affected the outcome of the matter;
 - New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
 - The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- AMPS 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.

AMPS 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.

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

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

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

List any witnesses that were present: _____

Where did the incident(s) occur? _____

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

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

Signature of Complainant

Date: _____

Print Name

To be completed by the Charter School:

Received by: _____

Date: _____

Follow up Meeting with Complainant held on: _____

STUDENT FREEDOM OF SPEECH AND EXPRESSION POLICY

Board Policy Number: 5006

Adopted: 2010

Revised: May 19, 2021; [INSERT]

The Board of Directors of Amethod Public Schools (“AMPS” or the “Charter School”) respects students’ rights to express ideas and opinions, take stands, and support causes, whether controversial or not, through their speech, writing, printed materials, including the right of expression in official publications, and/or the wearing of buttons, badges and other insignia.

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 mental or physical disability, sex (including pregnancy, and related conditions and parental status), sexual orientation, gender, gender identity, gender expression, immigration status, nationality, ancestry, (including national origin, country of origin, and citizenship), race or ethnicity, immigration status, (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 twists), religion, (including agnosticism and atheism), religious affiliation, sexual orientation, childbirth or related medical conditions, genetic information, 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.

On-Campus Expression

Student free speech rights include, but are not limited to, the use of bulletin boards, the distribution of printed materials or petitions, the wearing of buttons, badges, and other insignia, and the right of expression in official publications, whether or not the publications or other means of expression are supported financially by the school

or by use of school facilities. Student expression on the Charter School website and online media shall generally be afforded the same protections as print media within the Policy.

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 above. Also prohibited shall be material that incites a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations or the substantial disruption of the orderly operation of the Charter School.

A. Distribution of Circulars, Un-Official Newspapers, and Other Printed Matter

Free inquiry and exchange of ideas are essential parts of a democratic education. 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 Charter School Chief Executive Officer or designee at least one (1) school day prior to distribution. The Charter School Chief Executive Officer 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. ~~Any student may appeal the decision of the Charter School Chief Executive Officer 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 (5) school days from the time the unsatisfactory decision was rendered. The Charter School Executive Director or designee shall notify student(s) if distribution will be granted or denied (and if denied, why distribution is not in compliance with this Policy).~~
2. Distribution, free or for a fee, may take place before school, after school, and/or during lunch provided there is no substantial disruption in the school programs (as determined by the Charter School Chief Executive Officer). Distribution may not occur during instructional time and should not occur in locations that disrupt the normal flow of traffic within the school or at school entrances.
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 Charter School Chief Executive Officer or designee).

The Charter School Chief Executive Officer or designee shall work with student government representatives in the development of these procedures. Student responsibilities shall be emphasized.

B. Official School Publications

Student 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 Policy. However, it shall be the responsibility of the journalism staff adviser(s) of student publications to supervise the production of the student staff, to maintain professional standards of English and journalism, and to maintain the provisions of this Policy.² The journalism staff adviser(s) shall help the student editors judge the literary value, newsworthiness and propriety of materials submitted for publication.

There shall be no prior restraint of material prepared for official school publications except insofar as it violates this Policy. AMPS officials shall have the burden of showing justification without undue delay prior to a limitation of student 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

² "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.

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 Charter School Chief Executive Officer.

C. 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.

D. 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 AMPS 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.

E. 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 students 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 the orderly operation of the school are prohibited.

No individual student may demonstrate in the name of the Charter School or as an official school group at any time unless authorized by the Charter School to participate in the activity.

No student may participate in an organized demonstration that occurs during the hours of mandatory school attendance unless sanctioned by the Charter School and supervised by a designated Charter School employee. Missing school to attend an organized demonstration is not an excused absence. The Charter School will follow its Attendance Policy when determining consequences for students which may include but are not limited to detention, a low grade for a missed test, or receiving a truancy letter. The Charter School will follow its Suspension and Expulsion Policy when determining consequences for students if Charter School policy is violated.

F. Student Speeches

If a student is selected to speak at a Charter School sponsored event, including but not limited to graduation or school assemblies, Charter School 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 Charter School sponsored event.

Off-Campus Expression

Off-campus student expression, including but not limited to student expression on off-campus internet web sites, is generally constitutionally protected but shall be subject to discipline when ~~such expression poses there is a threat~~ sufficient nexus between the speech and the school.

Relevant considerations include:

1. The degree and likelihood of harm to the safety of other students, staff, or Charter School (staff, students, volunteers, and/or property,) caused or substantially disrupts the educational program. The augured by the expression.
2. Whether it is reasonably foreseeable that the expression would reach and impact the Charter School Chief, and
3. The relation between the content and/or context of the expression and the Charter School. There is always a sufficient nexus between the expression and the Charter School when the Charter School reasonably concludes that it faces a credible, identifiable threat of school violence.

The Charter School Executive Officer or designee shall document the impact the expression had or could be expected to have on the educational program. Off-campus expression that results in the material disruption of classwork or involves substantial disorder or invasion of the rights of others may be subject to discipline.

Off-campus expression may result in discipline if the expression involves but is not limited to:

- a. Serious or severe bullying or harassment targeting particular individuals;
- b. Threats aimed at teachers or other students;
- c. The failure to follow rules concerning lessons, the writing of papers, the use of computers, or participation in other online school activities; or
- d. Breaches of school security devices.

Enforcement

1. Upon learning that students are considering actions in the areas covered by this Policy they will be informed of the possible consequences of their action under each specific circumstance. The Charter School Chief Executive Officer shall ensure that due process is followed when resolving disputes regarding student freedom of expression.
2. This Policy does not prohibit or prevent the AMPS Governing Board from adopting otherwise valid rules and regulations relating to oral communications by students upon the AMPS campus.
3. No AMPS employee shall be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a student 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.
4. AMPS 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.

Complaints and Appeals

The following procedures shall be used to address general disputes regarding student freedom of speech and expression:

1. The student and faculty member shall first attempt to resolve the problem internally.
2. If the student and faculty member are unable to resolve the dispute, the student and/or faculty member may bring the matter to the Charter School Chief Executive Officer or designee, who shall hear both sides and strive to resolve the dispute as quickly as possible.
3. Any student or faculty member may appeal the decision of the Charter School Chief Executive Officer 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 (5) school days from the time the unsatisfactory decision was rendered.

A student who feels their freedom of expression was unconstitutionally limited and/or limited on the basis of discrimination may file a complaint with AMPS through following the Charter School's General Complaint Policies and Procedures.

Commented [MB8]: Client Note: This is consistent with the US Supreme Court's June 2021 ruling and discussion in *Mahoney Area School District v B.L.*

In this case the Court ruled that the School **improperly disciplined** a student for off-campus Snapchat posts in which the student used vulgar language and gestures to express frustration with the school's cheerleading program and coaches.

The Court emphasized that there is no bright line rule to guide when off-campus speech may be regulated and when it can't be. This will be a case-by-case determination.

That said, the following were specifically highlighted by the Court as factors that may indicate a school's regulatory interest in off-campus speech. This is not an exhaustive list, but should be used as a general guide.

PROFESSIONAL BOUNDARIES: STAFF/STUDENT INTERACTION POLICY

Board Policy Number: [INSERT]

Adopted: [INSERT]

Revised: [INSERT]

Commented [MB9]: This policy commonly appears in the Employee Handbook. If you have this policy within your Employee Handbook, please be sure to replace that revision with this updated one.

The schools is also required to provide this complete policy to families each year as part of the Annual Notice Packet. We have provide you with the Annual Notice Packet separately.

Commented [MB10]: Please update this information.

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

Corporal Punishment

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

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

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

A. Examples of PERMITTED actions (NOT corporal punishment)

1. Stopping a student from fighting with another student;
2. Preventing a pupil from committing an act of vandalism;
3. Defending yourself from physical injury or assault by a student;
4. Forcing a pupil to give up a weapon or dangerous object;
5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.

B. Examples of PROHIBITED actions (corporal punishment)

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

Acceptable and Unacceptable Staff/Student Behavior

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

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

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

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

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

Duty to Report Suspected Misconduct

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

Examples of Specific Behaviors

The following examples are not an exhaustive list:

Unacceptable Staff/Student Behaviors (Violations of this Policy)

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

Unacceptable Staff/Student Behaviors without Parent and Supervisor Permission

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

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

Cautionary Staff/Student Behaviors

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

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

Acceptable and Recommended Staff/Student Behaviors

- (a) Getting parents' written consent for any after-school activity.
- (b) Obtaining formal approval to take students off school property for activities such as field trips or competitions.
- (c) E-mails, text, phone and instant messages to students must be very professional and pertaining to school activities or classes (Communication should be limited to school technology).
- (d) Keeping the door open when alone with a student.
- (e) Keeping reasonable space between you and your students.
- (f) Stopping and correcting students if they cross your own personal boundaries.
- (g) Keeping parents informed when a significant issue develops about a student.
- (h) Keeping after-class discussions with a student professional and brief.
- (i) Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries.
- (j) Involving your supervisor if conflict arises with the student.
- (k) Informing your Principal about situations that have the potential to become more severe.
- (l) Making detailed notes about an incident that could evolve into a more serious situation later.
- (m) Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- (n) Asking another staff member to be present if you will be alone with any type of special needs student.
- (o) Asking another staff member to be present when you must be alone with a student after regular school hours.
- (p) Giving students praise and recognition without touching them.
- (q) Pats on the back, high fives and handshakes are acceptable.
- (r) Keeping your professional conduct a high priority.
- (s) Asking yourself if your actions are worth your job and career.

EDUCATION FOR HOMELESS CHILDREN AND YOUTH POLICY

Board Policy Number: 5002

Adopted: August 2, 2021

Revised: [INSERT]

The Amethod Public Schools (“AMPS” or the “Charter School”) 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.

Definition of Homeless Children and Youth

The term “*homeless children and youth*” means individuals who lack a fixed, regular and adequate nighttime residence and includes children and youth who (42 U.S.C. § 11434a):

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 Charter School Liaison.

Charter School Liaison

The Chief Executive Officer designates the following staff person as the Charter School Liaison for homeless students (42 U.S.C. § 11432(g)(1)(J)(ii)):

Richmond Charter Academy

Gabriela Lopez-Reifsnider
Dean of Students
 1450 Marina Way South
 Richmond, CA 94804
 510-215-7009

Downtown Charter Academy

Gregg Pentony
Dean of Students
 2000 Dennison Street
 Oakland, CA 94606
 510-535-1580

Benito Juarez Elementary School

Amira Elmukhtar
Dean of Instruction
 1450 Marina Way South
 Richmond, CA 94804
 510-235-2465

Oakland Charter Academy

Greer Relphorde
Dean of Instruction
 4215 Foothill Blvd.
 Oakland, CA 94601
 510-532-6751

John Henry High School

Raul Romo-Romo
Dean of Students
 1402 Marina Way South
 Richmond, CA 94804
 510-235-2439

Oakland Charter High School

Aunyah Ames
Dean of Students
 2433 Coolidge Avenue
 Oakland, CA 94601
 510-436-0101

The Charter School Liaison shall ensure that the following requirements are fulfilled by the Charter School (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 and through the annual housing questionnaire administered by the Charter School.
2. Homeless students enroll in and have a full and equal opportunity to succeed at AMPS.
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 AMPS, 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, AMPS charter, and Board policy.

Commented [MB11]: See detailed description under the Housing Questionnaire section below. If the Charter School will not administer the questionnaire, this reference can be removed.

7. Parents/guardians and any unaccompanied youth are fully informed of all transportation services, as applicable.
8. Charter School personnel providing services receive professional development and other support.
9. The Charter School Liaison collaborates with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.
10. Unaccompanied youth are enrolled in school; have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth; and are informed of their status as independent students and that the youths may obtain assistance from the Charter School Liaison to receive verification of such status for the purposes of the Free Application for Federal Student Aid.

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

Enrollment

AMPS 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.

AMPS 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 AMPS 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 Chief Executive Officer 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.

Enrollment Disputes

If a dispute arises over admissions/enrollment, the student shall be immediately admitted (subject to Charter School'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).)~~

The parent/guardian shall be provided with a written explanation of the admission/enrollment decision, including an explanation of the parent/guardian's right to appeal the decision. The parent/guardian shall also be referred to the Charter School Liaison. ~~(42 U.S.C. § 11432(g)(3)(E).)~~

The Charter School Liaison shall carry out the Board-adopted dispute resolution and complaint process as expeditiously as possible after receiving notice of the dispute. (42 U.S.C. § 11432(g)(3)(E).)

Housing Questionnaire

~~AMPS shall administer a housing questionnaire for purposes of identifying homeless children and youth. AMPS shall ensure that the housing questionnaire is based on the best practices developed by the CDE. AMPS shall annually provide the housing questionnaire to all parents/guardians of students and to all unaccompanied youths at AMPS. The housing questionnaire shall include an explanation of the rights and protections a student has as a homeless child or youth or as an unaccompanied youth. The housing questionnaire shall be available in paper form. The housing questionnaire shall be available in the primary language other than English spoken by fifteen (15) percent or more of the students enrolled at AMPS and shall be translated into other languages upon request of a student's parent/guardian or an unaccompanied youth. AMPS shall collect the completed housing questionnaires and annually report to the CDE the number of homeless children and youths and unaccompanied youths enrolled. (Education Code Section 48851.)~~

Commented [MB12]: B 27 added Ed. Code 48851 which requires all LEAs that receive funding from the American Rescue Plan Elementary and Secondary School Emergency Relief - Homeless Children and Youth Fund to administer a housing questionnaire to all students/families beginning in the 2021-22 school year. Although schools that don't receive this funding aren't required to administer this questionnaire, it is recommended as a best practice to ensure the identification of all students eligible under McKinney Vento. The CDE's Model Housing Questionnaire is available at: <https://www.cde.ca.gov/sp/hs/cy/documents/housingquestionnaire.pdf>

If the Charter School does not wish to administer the housing questionnaire, this section can be removed. However, the Charter School is still required to identify all homeless children and youths and unaccompanied youths enrolled at the school per EC 48851(a) even if it does not use the questionnaire.

Comparable Services

Each homeless child or youth shall promptly be provided services comparable to services offered to other students in AMPS 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

Transportation

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

If the AMPS does not otherwise provide transportation services to all AMPS students, AMPS shall ensure that transportation is provided for homeless students to and from AMPS, at the request of the parent or guardian (or Charter School Liaison), if AMPS is the student's school of origin. (42 U.S.C. §

11432(g)(1)(J).) Transportation provided by AMPS will be adequate and appropriate for the Student's situation, but AMPS does not commit to any one method of transportation for all youth.

Eligibility for Extracurricular Activities

A homeless child or youth shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities.

Waiver of Fees for Afterschool Programs

The Charter School shall not charge any student who is a homeless youth any family fees associated with an After-School Education and Safety ("ASES") Program operated by the Charter School.

Commented [MB13]: This section can be removed if the school does not have a ASES afterschool program or does not require residency for extracurricular activities,

Professional Development

All administrators, teachers and employees of AMPS, including the Charter School Liaison, 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. The Charter School Liaison will verify that the Charter School is providing the required training to school personnel providing services to youth experiencing homelessness at least annually, through the CDE's verification system. (Education Code Section 48852.5(c)(2).)~~

Commented [MB14]: Please note that this section is optional. Accordingly, you may delete this section if so desired.

However, please note that professional development for the School Liaison is not optional and is required. (42 U.S.C. § 11432(g)(6)):

provide professional [development](#) opportunities for [local educational agency](#) personnel and the [local educational agency](#) liaison designated under subsection (g)(1)(J)(ii) to assist such personnel and liaison in identifying and meeting the needs of [homeless children and youths](#), and provide training on the definitions of terms [related](#) to homelessness specified in sections [11302](#), [11360](#), and [11434a](#) of this title to the liaison.

The Charter School Liaison shall offer training to Inspire certificated and classified employees providing services to pupils experiencing homelessness, including, but not limited to, teachers, support staff, and other school staff who work with pupils, at least annually relating to: (1) Inspire's homeless education program policies; and (2) Recognition of signs that pupils are experiencing, or are at risk of experiencing, homelessness. The Charter School Liaison shall inform such employees of the availability of training and the services the Charter School Liaison provides to aid in the identification and provision of services to pupils who are experiencing, or are at risk of experiencing, homelessness.

High School Graduation Requirements

Homeless students who transfer to the AMPS 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 AMPS 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.

Commented [MB15]: Please be sure you are providing this separate notice as required.

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.

Commented [MB16]: Please be sure you are providing this separate notice as required.

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.

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).)

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. Charter School's review of its homeless education program policies shall use resources developed by the CDE and posted on the CDE's internet website and resources developed by homeless education technical assistance centers established using funding from the American Rescue Plan Act of 2021.

Commented [CLF17]: Per AB 408.

School Website Posting

AMPS shall ensure that the following information is posted, and updated as necessary, on its internet website:

- The name and contact information of the Charter School Liaison(s) for homeless children and youths.
- The contact information of any employee or contractor that assists the Charter School Liaison in completing the liaison's duties.
- Specific information regarding the educational rights and resources available to persons experiencing homelessness.

Commented [MB18]: Per EC 48852.6 (AB 27), the Charter School must post the Charter School Liaison's contact information on the school website (and the contact information of any employees/contractors whose duties include assisting the liaison in completing the liaison's duties under 42 USC 11432(g)(6).

The school website must also include specific information regarding the educational rights and resources available to persons experiencing homelessness.

Commented [MB19]: While not required to be included in the Policy, the Charter School may want to keep this section here to remind itself of the required website postings related to this Policy.

EDUCATION FOR FOSTER AND MOBILE YOUTH POLICY

Board Policy Number: 5001

Adopted: June 29, 2021

Revised: [INSERT]

Introduction

The Governing Board of Amethod Public Schools ("AMPS" or the "Charter School") 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, the Charter School shall provide them with full access to the Charter School's educational program and implement strategies identified as required by law and necessary for the improvement of the academic achievement of foster youth in the Charter School's local control and accountability plan ("LCAP").

Definitions

- "Foster youth" means any of the following:

1. A child who ~~has been removed from their home~~ is the subject of a petition filed pursuant to California Welfare and Institutions Code ("WIC") section 309 ~~and (whether or not the child has been removed from the child's home by juvenile court).~~
- 1-2. A child who is the subject of a petition filed ~~under Welfare and Institutions Code~~ pursuant WIC section 300 ~~or 602. This includes children who are the subject of~~ ~~eases, has been removed from the child's home by the juvenile court, and is in~~ ~~dependency court and juvenile justice court~~ foster care.
3. A nonminor under the transition jurisdiction of the juvenile court, as described in WIC section 450, who satisfies all of the following criteria:
 - a. The nonminor has attained 18 years of age while under an order of foster care placement by the juvenile court.
 - b. The nonminor is in foster care under the placement and care responsibility of the county welfare department, county probation department, Indian tribe, consortium of tribes, or tribal organization.
 - c. The nonminor is participating in a transitional independent living case plan.
4. A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court.³

Commented [MB20]: ONLY for purposes of computing Local Control Funding Formula, no later than 2020-21 fiscal year, the definition of "foster youth" will include A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court pursuant to the tribal court's jurisdiction in accordance with the tribe's law, provided that the child would also meet one of the descriptions in Section 300 of the Welfare and Institutions Code describing when a child may be adjudged a dependent child of the juvenile court. (Ed. Code section 42238.01(b)(4).)

³ The Charter School shall not require an Indian tribe or tribal court representative to certify that any student is a dependent of an Indian tribe, consortium of tribes, or tribal organization.

5. [A child who is the subject of a voluntary placement agreement, as defined in WIC section 11400.](#)

- “*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 Charter School liaison for foster youth, in consultation with and with the agreement of the foster youth and the 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 Charter School 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.”

Foster and Mobile Youth Liaison

In order to help facilitate the enrollment, placement, and transfer of Foster and Mobile Youth to the Charter School, the Governing Board shall designate a Foster and Mobile Youth liaison. The Governing

Board designates the Site Director from each school site as the Charter School's liaison for Foster and Mobile Youth:

[INSERT NAME/TITLE]
[INSERT CONTACT INFO]

Commented [MB21]: You need to actually provide the names and contact info below.

Commented [MB22]: As you need with the homeless student policy, please list each site director from each site here, with their contact info.

The Foster and Mobile Youth Liaison shall be responsible for the following:

1. Ensure and facilitate the proper educational placement, enrollment in the Charter School, and checkout from the Charter School of Foster and Mobile Youth foster youth.
2. Ensure proper transfer of credits, records, and grades when Foster and Mobile Youth foster youth transfer to or from the Charter School.
3. When a foster youth is enrolling in the Charter School, 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 the Charter School's 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 the Charter School's 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 Charter School staff, including but not limited to principals, deans, and attendance clerks, 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 the Charter School's foster youth.
9. Monitor the educational progress of foster youth and provide reports to the Chief Executive Officer or designee and the Governing Board based on indicators identified in the Charter School's local control and accountability plan.

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~~ [WIC](#) sections 319, 361 or 726, a surrogate parent, or a foster parent exercising authority under 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.

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 the 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 the Charter School 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 the Charter School as the foster youth's school of origin, the foster youth has the right to remain in the Charter School pending resolution of the dispute. The dispute shall be resolved in accordance with the existing Charter School dispute resolution process.

Transportation

The Charter School 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. The Charter School 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.

Effect of Absences on Grades

The grades of a foster youth shall not be lowered for any absence from the Charter School that is due to

either of the following circumstances:

- a. 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.
- b. A verified court appearance or related court-ordered activity.

Transfer of Coursework and Credits

The Charter School shall accept coursework satisfactorily completed by a Foster and Mobile Youth while attending another public school⁴, 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.

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 the Charter School, 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 the Charter School 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.

Applicability of Graduation Requirements

To obtain a high school diploma from the Charter School, a student must complete all courses required by the Charter School and fulfill any additional graduation requirements prescribed by the Board. However, Foster and Mobile Youth who transfer to the Charter School 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 the Charter School 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 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

⁴ 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.⁴

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 Chief Executive Officer or designee shall notify a Foster and Mobile Youth and their ERH if the Charter School grants an exemption from the additional graduation requirements, how any requirements that are waived will affect the student'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 student 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~~ a Foster and Mobile Youth 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~~ they is enrolled in school or if the student transfers to another school, including a charter school, or school district.

The Charter School 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 the Charter School's graduation requirements within the student's fifth year of high school, the Chief Executive Officer 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 the Charter School's 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 student to stay in school for a fifth year to complete the Charter School's 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.

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.

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.

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.

Complaints of Noncompliance

Complaints of noncompliance with this Policy shall be governed by the Charter School's Uniform Complaint Procedures. A copy of the Uniform Complaint Policy and Procedures is available upon request at the main office.

FREE AND REDUCED-PRICE UNIVERSAL MEALS POLICY

Board Policy Number: **[INSERT]**

Adopted: **[INSERT]**

Amethod Public Schools (“AMPS” or the “Charter School”) Governing Board (the “Board”) recognizes that adequate nutrition is essential to the development, health, and learning of all students. The Chief Executive Officer or designee shall facilitate and encourage the participation of students from low-income families in the Charter School’s food service program.

~~Each AMPS Commencing with the 2022-23 school year, each AMPS school site shall provide at least one (1) nutritionally adequate meal to each student who requests a meal without consideration of the student’s eligibility for a federally funded free or reduced-price meal, with a maximum of one free meal per meal service (breakfast and lunch) each school day, free of charge. This shall apply to all pupils in kindergarten through grade twelve (12).~~

Universal Free and Reduced-Price Meals Application and Notification

~~If the Charter School participates in the National School Lunch Program and/or federal School Breakfast Program, the Charter School will continue to collect meal application forms aligned with federal regulations. However, regardless of eligibility for free or reduced-price meals, ALL students who request meals will receive meals free of charge, consistent with this Policy and Education Code Section 49501.5. The Chief Executive Officer or designee shall ensure that the application form for free and reduced-price universal meals program and related materials include the following statements:~~

- ~~1. Applications for free and reduced-price school meals may be submitted at any time during a schoolday.~~
- ~~2. Regardless of federal eligibility for free or reduced-price meals pursuant to NSLP and/or SBP, ALL students who request a meal will receive meals free of charge.~~
- ~~2. Children participating in the federal National School Lunch Program NSLP and/or SBP will not be overtly identified by the use of special tokens, special tickets, special serving lines, separate entrances, separate dining areas, or by any other means.~~

The application packet shall include the following notifications and information using simple and culturally appropriate language:

- ~~1. A notification that if a child qualifies for free school lunches, then the child may qualify for free or reduced-cost health coverage.~~
- ~~2. A request for the applicant’s consent for the child to participate in the Medi-Cal program, if eligible for free school lunches, and to have the information on the school lunch application shared with the entity designated by the State Department of Health Care Services to make an accelerated determination and the local agency that determines eligibility under the Medi-Cal program.~~

Commented [MB23]: This policy required because the school participates in the National School Lunch Program.

Commented [MB24]: Client Note: California Universal Meals (AB130) updates *Education Code (EC)*, Section 49501.5 that requires public school districts, county offices of education, and charter schools to provide a breakfast and lunch to students that request a meal, free of charge for each school day beginning in SY 2022–23.

In order to receive state reimbursement for the two meals, local educational agencies (LEA) must participate in both the NSLP and SBP.

The state meal mandate applies to charter schools. However, only charters that participate in the NSLP and SBP are eligible to receive the state meal reimbursement.

Commented [MB25]: Client Note: The California Universal Meals Program is subject to budget appropriation. The state will provide supplemental funding intended to cover the difference between the federal free meal reimbursement rate and the reduced-price and paid reimbursement rates. This means local education agencies participating in the NSLP and SBP will receive the federal reimbursement rate for meals served by student eligibility type, and additional state meal reimbursement that is the difference between the federal and state free and reduced-price meal reimbursement amount and the paid rate. For example, during the 2019–20 SY, if a school lunch was served and claimed to a paid student and the federal meal reimbursement rate was \$0.32, under the Universal Meals Program, this meal would be eligible for an additional \$3.09 in state meal reimbursement.

Commented [MB26]: Client Note: Local education agencies participating in the NSLP and SBP will still need to collect meal applications. However, there is no “new” or “separate” application for the universal meals program.

All federal regulations still apply for the determination of eligibility for the NSLP and SBP. Meal counts submitted for reimbursement need to be claimed in accordance with the amount of free, reduced-price, and paid meals served.

<https://www.cde.ca.gov/ls/nu/univmealsqandapart2.asp#:~:text=California%20Universal%20Meals%20updates%20Education,beginning%20in%20SY%202022%E2%80%9223>.

Commented [MB27]: Client Note: The California Universal Meals Program requires that very high poverty schools apply to participate in a federal meal provision such as CEP or Provision 2. For the purposes of Universal Meals, very high poverty schools are defined as those who meet the minimum eligibility requirements to participate in the federal CEP. To meet this requirement, high poverty schools may apply to participate in Provision 1, 2, or 3, or CEP. For more information about CEP and Provisions, please see the [CDE CEP web page](#) and the [CDE Provisions Claiming Alternatives web page](#).

3. A notification that the Charter School will not forward the school lunch application to the entity designated by the State Department of Health Care Services to make an accelerated determination and the local agency that determines eligibility under the Medi-Cal program, without the consent of the child's parent or guardian.
4. A notification that the school lunch application is confidential and, with the exception of forwarding the information for use in health program enrollment upon the consent of the child's parent or guardian, the Charter School will not share the information with any other governmental agency, including the federal Department of Homeland Security and the Social Security Administration.
5. A notification that the school lunch application information will only be used by the entity designated by the State Department of Health Care Services to make an accelerated determination and the state and local agencies that administer the Medi-Cal program for purposes directly related to the administration of the Medi-Cal program and will not be shared with other governmental agencies, including the federal Department of Homeland Security and the Social Security Administration for any purpose other than the administration of the Medi-Cal program.
6. Information regarding the Medi-Cal program, including available services, program requirements, rights and responsibilities, and privacy and confidentiality requirements.

If AMPS elects to post its ~~free and reduced-price~~ school meals application online, it will include the following:

1. Include a link to the Internet Web site on which translated applications are posted by the United States Department of Agriculture, with instructions in that language that inform the applicant how to submit the application.
2. Require completion of only those questions necessary for determining eligibility.
- 2.3. ~~Include a clear statement that regardless of federal eligibility for free or reduced-price meals pursuant to NSLP and/or SBP, ALL students who request a meal will receive meals free of charge.~~
- 3.4. Include clear instructions for families that are homeless or migrant.
- 4.5. Comply with the privacy rights and disclosure protections established by Public Laws 113-79 and 105-277.
- 5.6. Include links to all of the following:
 - (i) The online application to CalFresh.
 - (ii) The online single state application for health care.
 - (iii) The Internet Web page maintained by the State Department of Public Health entitled "About WIC and How to Apply," or another Internet Web page identified by the State Department of Public Health that connects families to the Special Supplemental Nutrition Program for Women, Infants and Children.

Commented [MB28]: This language complies with EC 49557.2. Please note that this provision of the EC only provides permissive language as guidance to school districts and county schools. Due to the mega waiver, this section may or may not apply to charter schools, and is not required of any schools, however, we recommend including this information as best practice.

Commented [MB29]: The inclusion of this statement is not required EC 49557, but we strongly recommend including it.

(iv) The Internet Web site of a summer lunch program authorized to participate within the city or school district.

~~Eligibility and ongoing eligibility shall be determined for the free and reduced-price meal program based on the criteria made available by the California Department of Education.~~

Direct Certification

Although every family should submit an application for ~~free or reduced-price lunch~~ school meals, in certain circumstances, AMPS may be able to determine student eligibility without further application. AMPS shall directly certify as eligible the following students:

1. Any child who is a member of a household receiving assistance under the supplemental nutrition assistance program as eligible for free lunches and/or free breakfasts under the Child Nutrition Act of 1966.
2. Any child who is a member of a household that receives CalWORKs (also known as Temporary Assistance for Needy Families or "TANF") or CalFresh aid.
3. Any child who is a member of a household that receives the assistance of a Food Distribution program on Indian Reservations.
4. Any child identified as a foster, migrant, homeless or runaway youth, as defined by the California Education Code.

~~It is the policy of the Board that non-paying students shall not be shamed, treated differently, or served a meal that differs from the meal of a paying student.~~ This Policy prohibits the Charter School from disciplining a student which would result in the denial or delay of a nutritionally adequate meal to that student.

Unpaid Meals

~~AMPS shall notify a parent/guardian of the negative balance of a student's school meal account no later than ten (10) days after the account has reached a negative balance. Before sending this notification to the parent/guardian, AMPS will exhaust all options and methods to directly certify the student for free or reduced-price meals. AMPS shall ensure that a student who is eligible for a reimbursable meal whose parent or guardian has unpaid school meal fees is not denied a reimbursable meal of the student's choice because of the fact that the student's parent or guardian has unpaid meal fees.~~

~~In the event that AMPS determines that a student who has accrued a negative balance would have been eligible for free or reduced-price school meals, the Charter School shall credit such balance in accordance with this Policy. AMPS shall reimburse school meal fees paid by a student's parent/guardian in the event that the student is subsequently determined to have qualified for free or reduced-price meals. In the event that AMPS is not able to directly certify the student, AMPS shall provide the parent or guardian with a paper copy of, or an electronic link to, an application with the notification and contact the parent or guardian to encourage application submission.~~

~~AMPS will not overtly identify any student with unrecovered or delinquent debt. Should it become~~

Commented [MB30]: This language complies with EC 49557. Please note that this provision of the EC only specifically applies to school districts and county schools, therefore it may not be required of charter schools due to the mega waiver. Please see comment above.

Commented [MB31]: if the charter school participates in CEP, then the school is NOT required to conduct verification activities.

Commented [MB32]: This section added in accordance with 42 USC 17658(b)(4), and as clarified in CDE guidance. The requirement for direct certification applies to all LEAs. See, e.g. <https://www.cde.ca.gov/ls/nu/sn/mbnsdsnp082012.asp>

Commented [MB33]: Direct Certification is the federally mandated process that sponsors must use to certify school-age recipients of CalFresh (formerly Food Stamps) and CalWORKs benefits as eligible for free school meals without further application. **Charter schools** may implement DC by using either a local data match through their county's Department of Social or Welfare Services and/or using the California Longitudinal Pupil Achievement Data System (CALPADS). <https://www.cde.ca.gov/ls/nu/sn/mbnsdsnp082012.asp>

Even though the Charter School is required to provide 2 free meals to each student per school day **regardless** of federal free/reduced price lunch eligibility, each student's status (i.e. free lunch eligible, or reduced price lunch eligible, etc.) will determine how much cost reimbursement the Charter School receives for that student as a result of Charter School's participation in NSLP. Thus, direct certification allows the Charter collect reimbursement from the NSLP, for those students that are federally eligible for free lunch but don't submit an application.

~~necessary that AMPS take action to recover unpaid meal charges, AMPS shall not take any action directed at a student to collect unpaid school meal fees and the cost to recover such debt will not exceed the amount of the debt owed. AMPS may attempt to collect unpaid school meal fees from a parent or guardian, but shall not use a debt collector, as defined in Section 803 of the federal Consumer Credit Protection Act (15 U.S.C. Sec. 1692a). AMPS shall comply with the cost principles set forth in 2 C.F.R. section 200.426 and applicable law. AMPS's collection policies for unpaid meal charges is consistent with AMPS's collection procedures and policies for all debt, and with state agency guidance.~~

Confidentiality/Release of Records

All applications and records related to ~~eligibility for the free and reduced-price universal school meals~~ program shall be confidential and may not be released except as provided by law and authorized by the Board or pursuant to a court order.

The Board authorizes designated employees to use individual records pertaining to ~~student eligibility for the free and reduced-price-the universal school meals~~ program for the following purposes:

1. Disaggregation of academic achievement data
2. Identification of students eligible for alternative supports in any school identified as a Title 1 program improvement school

If a student transfers from the Charter School to another charter school, district, county office of education program, or private school, the Chief Executive Officer or designee may share the student's meal eligibility information to the other educational agency to assist in the continuation of the student's meal benefits.

The Chief Executive Officer or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to another charter school, school district, or county office of education that is serving a student living in the same household as an enrolled student for purposes related to program eligibility and data used in local control funding formula calculations.

The Chief Executive Officer or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to the Superintendent of Public Instruction for purposes of determining funding allocations under the local control funding formula and for assessing accountability of that funding.

The Chief Executive Officer or designee may release information on the school lunch program application to the local agency that determines eligibility for participation in the Medi-Cal program if the student has been approved for free meals and if the applicant consents to the sharing of this information.

The Chief Executive Officer or designee may also release information on the school lunch application to the local agency that determines eligibility for CalFresh or to an agency that determines eligibility for nutrition assistance programs if the student has been approved for free or reduced-price meals and if the applicant consents to the sharing of this information.

This information released shall adhere to the following requirements:

1. Individual indicators of participation in a free or reduced-price meal program shall not be

maintained in the permanent record of any student, unless otherwise authorized by law.

2. The public release of information regarding individual student participation in a free or reduced-price meal program is not permitted.
3. All other confidentiality requirements imposed by law or regulation are met.

SECTION 504: POLICY, PROCEDURES, AND PARENT RIGHTS REGARDING IDENTIFICATION, EVALUATION AND EDUCATION

Board Policy Number: 5004

Adopted: June 16, 2021

A. SECTION 504 POLICY

The Board of Directors of Amethod Public Schools (“AMPS” or the “Charter School”) recognizes the need to identify and evaluate students with disabilities in order to provide them with a free, appropriate public education and its legal responsibility to ensure that “no qualified person with a disability shall, solely by reason of their disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” This Policy and the related administrative regulation has been developed to ensure the implementation of Section 504 of the Rehabilitation Act of 1973 (“Section 504”), and its implementing regulations as amended, which pertains to public schools. The intent is to ensure that all students with disabilities, who are eligible under Section 504, are identified and evaluated and have access to a free, appropriate public education (“FAPE”).

Under Section 504, individuals with physical or mental impairments that substantially limit one or more major life activities, including learning, are entitled to receive regular or special education and/or related aids and services designed to meet their individual needs as adequately as the needs of nondisabled students are met. Major Life Activities include functions such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working, as well as the operation of a major bodily functions, including functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. Students may be disabled and entitled to services under Section 504 even though they are not eligible for services pursuant to the Individuals with Disabilities Education Act Improvement Act of 2004 (“IDEA”).

The Charter School’s Chief Executive Officer or designee shall ensure that this policy and set of procedures is implemented and followed. Whenever there is reason to believe that, because of a disability, a student needs regular or special education and/or related aids and services (and the student has not been found eligible under IDEA) that student will be evaluated under this policy’s corresponding procedures.

A Section 504 Team will be convened to determine the student’s need for regular or special education

and/or related aids and services. The 504 Team will include persons knowledgeable about the Section 504 standards, the student's individual needs and school history, the meaning of evaluation data, and placement options. The student's parent/guardian shall be invited to participate in this 504 Team and shall receive notice of procedural safeguards guaranteed by law.

If AMPS does not assess a student after a parent has requested an assessment, the Charter School shall provide notice of the parent's/guardian's procedural safeguards. AMPS shall not retaliate in any way against parents/guardians or students who exercise any rights under the procedural safeguards and/or Section 504.

If the student, due to disability, is found to require regular or special education and/or related aids and services under Section 504, the Section 504 Team shall develop a 504 plan for the provision of such services to the student. The student shall be educated with nondisabled students to the maximum extent appropriate to the student's individual needs. The student's parent/guardian shall be provided a copy of the 504 plan and shall receive notice of procedural safeguards guaranteed by law. AMPS shall periodically review the student's progress and placement.

The Charter School does not discriminate on the basis of disability or any other characteristic protected under law. AMPS will implement this policy through its corresponding procedures.

B. SECTION 504 PROCEDURES

A. Definitions

1. **Academic Setting** – the regular, educational environment operated by AMPS.
2. **Individual with a Disability under Section 504** – An individual who:
 - a. has a physical or mental impairment that substantially limits one or more major life activities;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
3. **Evaluation** – procedures used to determine whether a student has a disability as defined within these Procedures, and the nature and extent of the services that the student needs. The term means procedures used selectively with an individual student and does not include basic tests administered to, or procedures used with, all students in a school, grade or class.
4. **504 Plan** – is a plan developed to identify and document the student's needs for regular or special education and related aids and services for participation in educational programs, activities, and school-sponsored events.
5. **Free Appropriate Public Education ("FAPE")** – the provision of regular or special education and related aids and services that are designed to meet the individual needs of persons with disabilities as adequately as the needs of persons without disabilities are met.
6. **Major Life Activities** - Functions such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. A major life activity also includes the operation of a major bodily

function, including but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions.

7. **Physical or Mental Impairment –**

- a. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory; including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin; and endocrine; or
- b. Any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

8. **504 Coordinator** – The Site Director at each AMPS school site shall serve as the Charter School's Section 504 Coordinator. The parents or guardians may request a Section 504 due process hearing from or direct any questions or concerns to the Section 504 Coordinator at the phone numbers listed below, within this policy.

9. **Has a record of such an impairment** - means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

10. **Is regarded as having an impairment** - means

- a. An individual meets the requirement of 'being regarded as having such an impairment' if the individual establishes that they have been subjected to an action prohibited under this Act because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity.
- b. Being regarded as having an impairment shall not apply to impairments that are transitory and minor. A transitory impairment is an impairment with an actual or expected duration of 6 months or less.

B. Referral, Assessment and Evaluation Procedures

- 1. AMPS will evaluate any student who, because of disability, needs or is believed to need regular or special education and/or related aids and services.
- 2. A student may be referred by anyone, including a parent/guardian, teacher, other school employee or community agency, for consideration as to whether the student qualifies as a student with disabilities under Section 504. Requests for evaluation shall be made in writing, and a copy of said request will remain in the student's file regardless of the final determination. This referral should be made to the Section 504 Coordinator who will convene a 504 Team. Any requests made to another Charter School employee will be forwarded to the Section 504 Coordinator.
- 3. The Charter School has the responsibility to ensure that students with disabilities are evaluated. Therefore, it is important that students who have or may have a disability are referred to the Section 504 Coordinator so that the assessment process is initiated.
- 4. The 504 Team convened by the Section 504 Coordinator will be composed of the student's parents/guardians and other persons knowledgeable about the student (such as the student's regular education teachers), the student's school history, the student's individual needs

(such as a person knowledgeable about the student's disabling condition), the meaning of evaluation data, the options for placement and services, and the legal requirements for least restrictive environment and comparable facilities.

5. The 504 Team shall promptly consider the referral and determine what assessments are needed in all suspected areas of disability to evaluate whether the student is a student with a disability under Section 504 and what special needs the student may have. The decision regarding what assessments shall be undertaken shall be based on a review of the student's school records (including academic, social and behavioral records), any relevant medical records, and the student's needs. Students requiring assessment shall be provided appropriate assessments administered by qualified assessment specialists.
6. The 504 Team will consider the following information in its evaluation of the student:
 - a. Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel;
 - b. Tests and other evaluation materials including those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
 - c. Tests are selected and administered so as to best ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure.)
7. The evaluation of the student must be sufficient for the 504 Team to accurately and completely describe: (a) the nature and extent of the disabilities; (b) the student's special needs; (c) the impact upon the student's education; and (d) what regular or special education and/or related aids and services are appropriate to ensure that the student receives a free appropriate public education. All significant factors relating to the learning process for that student, including adaptive behavior and cultural and language background, must be considered. The evaluation may include, but is not limited to, classroom and playground observation, performance-based testing, academic assessment information, and data offered by the student's teachers and parent/guardian.
8. Mitigating measures cannot be considered when evaluating whether or not a student has a substantially limiting impairment. Mitigating measures could include medications, prosthetic devices, assistive devices, or learned behavioral or adaptive neurological modifications a student uses to eliminate or reduce the effects of an impairment.
9. The parents/guardians shall be given an opportunity in advance of 504 Team meetings to examine assessment results and all other relevant records.
10. If a request for evaluation is denied, the 504 Team shall inform the parents/guardians in writing of this decision and of their procedural rights as described below.

C. 504 Plan

1. When a student is identified as having a disability within the meaning of Section 504, the 504 Team shall determine what, if any, services are needed to ensure that the student receives a FAPE.
 2. The 504 Team responsible for making the placement decision shall include the parents/guardians and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.
 3. For each identified eligible student, the 504 Team will develop a 504 Plan describing the student's disability and the regular or special education and/or related aids and services needed. The Plan will specify how the special education and/or related aids and services will be provided to the eligible student and by whom. The 504 Plan will also identify the person responsible for ensuring that all the components of the Plan are implemented.
 4. The student's teacher and any other staff who are to provide services to the student or who are to make modifications in the classroom for the student shall be informed of the services or modifications necessary for the student and, if appropriate, provided a copy of the 504 Plan. A copy of this plan shall be kept in the student's cumulative file in a manner that limits access to those persons involved in the 504 process and/or the provision of services and modifications.
 5. The eligible student shall be placed in the regular education environment unless it is demonstrated that the student's needs cannot be met in the regular education environment with supplementary aids and services. The student shall be educated with students who are not disabled to the maximum extent appropriate to their individual needs.
 6. The referral, assessment, evaluation and placement process will be completed within a reasonable time. It is generally not reasonable to exceed fifty (50) school days in completing this process.
 7. The parents/guardians shall be notified in writing of the final decision concerning the student's identification as a person with disabilities, the educational program and services to be provided, if any, and of the Section 504 procedural safeguards, as described below, including the right to an impartial hearing to challenge the decision.
 8. If the 504 Team determines that the student has a disability but that no special services are necessary for the student, the 504 Plan shall reflect the identification of the student as a person with a disability under Section 504 and shall state the basis for the decision that no special services are presently needed.
 9. The 504 Plan shall include a schedule for annual review of the student's needs and indicate that this review may occur more frequently at the request of the parent/guardian or school staff.
 10. AMPS shall immediately implement a student's prior 504 Plan, when a student enrolls at the Charter School. Within thirty (30) calendar days of starting school, AMPS shall schedule a 504 Team meeting to review the existing 504 Plan. AMPS shall request a copy of the prior 504 plan from both the prior school and the parent/guardian.
- D. Review of the Student's Progress
1. The 504 Team shall monitor the progress of the eligible student and the effectiveness of the student's 504 Plan. According to the review schedule set out in the student's 504 Plan, the 504 Team shall annually determine whether the services and modifications are appropriate.
 2. A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement.
- E. Procedural Safeguards

1. Parents/guardians shall be notified in writing of all decisions regarding the identification, evaluation or educational placement of students with disabilities or suspected disabilities. Notifications shall include a statement of their rights to:
 - Examine relevant records
 - Have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel
 - Have the right to file a Uniform Complaint pursuant to Charter School policy
 - Seek review in federal court if the parents/guardians disagree with the hearing decision.
2. Notifications shall also set forth the procedures for requesting an impartial hearing. Requests shall be made to the following:

Anjelica Zermeño
Benito Juarez Elementary &
Richmond Charter Academy
1450 Marina Way South
Richmond, CA 94804
(510) 215-7009

Allyson Schoolcraft & Natalie Garcia
John Henry High School
1402 Marina Way South
Richmond, CA 94804
(510) 235-2439

Claudia Lee
Downtown Charter Academy
2000 Dennison Street
Oakland, CA 94606
(510) 535-1580

Phillip Ellingberg
Oakland Charter Academy 4
215 Foothill Blvd.
Oakland, CA 94601
(510) 532-6751

Eric Becker
Oakland Charter High School
2433 Coolidge Ave.

**Oakland, CA 94601
(510) 436-0101**

Notifications shall also advise that reimbursement for attorney's fees is available only as authorized by law.

3. The Chief Executive Officer or designee shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with AMPS or any district within the El Dorado County SELPA, in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.
4. If a parent/guardian disagrees with the identification, evaluation or educational placement of a student with disabilities under Section 504, the parent/guardian may request a hearing to initiate due process procedures. The parent/guardian shall set forth in writing their request for a hearing. A request for hearing should include:
 - The specific decision or action with which the parent/guardian disagrees.
 - The changes to the 504 Plan the parent/guardian seeks.
 - Any other information the parent/guardian believes is pertinent.
5. Within five (5) calendar days of receiving the parent/guardian's request for a hearing, the Charter School may offer the parent/guardian an optional alternative dispute resolution process. However, the timeline for the hearing shall remain in effect unless it is extended by mutual written agreement of the parent/guardian and the Charter School. Alternative dispute resolution options include:
 - Mediation by a neutral third party.
 - Review of the 504 Plan by the Chief Executive Officer or designee.
6. Within ten (10) calendar days of receiving the parent/guardian's request, the Chief Executive Officer or designee shall select an impartial hearing officer. These 10 days may be extended for good cause or by mutual agreement of the parent/guardian and Chief Executive Officer.
7. Within thirty-five (35) calendar days of the selection of the hearing officer, the due process hearing shall be conducted. These thirty-five (35) calendar days may be extended for good cause or by mutual agreement of the parent/guardian and Chief Executive Officer.
8. The parent/guardian and the School shall be afforded the rights to:
 - Be accompanied and advised by counsel and by individuals with special knowledge or training related to the individual needs of students who are qualified as having a disability under Section 504.

- Present written and oral evidence.
 - Question and cross-examine witnesses.
 - Receive written findings by the hearing officer.
9. The hearing officer shall issue a written decision within ten (10) calendar days of the hearing.
 10. If desired, either party may seek a review of the hearing officer's decision by a federal court. The decision shall be implemented unless the decision is stayed, modified or overturned by a court.
 11. AMPS shall not retaliate in any way against parents/guardians or students who exercise any rights under the procedural safeguards and/or Section 504.

F. Suspension and Expulsion, Special Procedures for Students with Disabilities

AMPS shall follow the suspension and expulsion policy and procedures as set forth in the charter. A student who is qualified for services under Section 504 of the Rehabilitation Act of 1973 is subject to the same grounds for disciplinary action, including suspension and expulsion, and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. AMPS will follow Section 504 and all applicable federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students. The following procedures shall be followed when a student with a disability is considered for suspension or expulsion. These procedures will be updated if there is a change in the law.

1. Services During Suspension

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

2. Procedural Safeguards/Manifestation Determination

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

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

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

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

- a. Conduct an FBA and implement a behavioral intervention plan ("BIP") for such child, provided that AMPS had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b. If the child has a BIP, review the BIP and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed, unless the parent and AMPS agree to a change of placement as part of the modification of the BIP.

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

3. Appeals

The parent/guardian of a child with a disability under a 504 Plan who disagrees with any decision regarding placement, or the manifestation determination, or if the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, either party may request to utilize the appeal process outlined in the Procedural Safeguards section of these Procedures.

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

4. Special Circumstances

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

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

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

5. Interim Alternative Educational Setting

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

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

A student who has not been identified as an individual with disabilities pursuant to the IDEA 2004 and who has violated AMPS's disciplinary procedures may assert the procedural safeguards granted under these Procedures only if AMPS had knowledge that the student had a disability before the behavior occurred.

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

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

If AMPS knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEA 2004-eligible children with disabilities, including the right to stay-put.

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

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

C. PARENT/STUDENT RIGHTS IN IDENTIFICATION, EVALUATION, ACCOMMODATION AND PLACEMENT

The following is a description of the rights granted by federal law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions. Please keep this explanation for future reference.

You have the right to:

1. Have your child take part in and receive benefits from public education programs without discrimination because of their disabling condition.
2. Have AMPS advise you of your rights under federal law.
3. Receive notice with respect to Section 504 identification, evaluation and/or placement of your child.
4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have AMPS make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided to non-disabled students.
6. Have your child receive special education and related services if your child is found to be eligible under the Individuals with Disabilities Education Improvement Act (IDEA 2004).
7. Have an evaluation, educational recommendation, and placement decision developed by a team of persons who are knowledgeable of the student, the assessment data, and any placement options. This includes the right to an evaluation before the initial placement of the student and before any subsequent significant change in placement.
8. Have your child be given an equal opportunity to participate in non-academic and extracurricular activities offered by AMPS.
9. Examine all relevant records relating to decisions regarding your child's Section 504 identification, evaluation, educational program, and placement.
10. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny

you access to the records.

11. Obtain a response from AMPS to reasonable requests for explanations and interpretations of your child's records.
12. Request an amendment of your child's educational records if there is reasonable cause to believe they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If AMPS refuses this request for amendment, the Charter School shall notify you within a reasonable time and advise you of your right to an impartial hearing.
13. Request mediation or file a grievance in accordance with Charter School's Section 504 mediation grievance and hearing procedures, outlined above.
14. Request an impartial hearing regarding the Section 504 identification, evaluation, or placement of your child. You and the student may take part in the hearing and have an attorney represent you.
15. File a formal complaint pursuant to the Charter School's Uniform Complaint Policy and Procedures. Please ask the Chief Executive Officer for a copy of the Charter School's Uniform Complaint Policy and Procedures if you need one.
16. File a formal complaint with the U.S. Department of Education.

Office for Civil Rights, U.S. Department of Education
San Francisco Office
50 United Nations Plaza
San Francisco, CA 94102
(415) 486-5555 PHONE
(415) 486-5570 FAX
Email: OCR.SanFrancisco@ed.gov

17. Be free from any retaliation from AMPS for exercising any of these rights.
Please contact the 504 Coordinator, with any questions regarding the information contained herein:

Anjelica Zermeño
Benito Juarez Elementary &
Richmond Charter Academy
1450 Marina Way
South Richmond, CA 94804
(510) 215-7009

Allyson Schoolcraft & Natalie Garcia
John Henry High School

**1402 Marina Way South
Richmond, CA 94804
(510) 235-2439**

**Claudia Lee
Downtown Charter Academy
2000 Dennison Street
Oakland, CA 94606
(510) 535-1580**

**Phillip Ellingberg
Oakland Charter Academy
4215 Foothill Blvd.
Oakland, CA 94601
(510) 532-6751**

**Eric Becker
Oakland Charter High School
2433 Coolidge Ave.
Oakland, CA 94601
(510) 436-0101**

STUDENT WELLNESS POLICY

Board Policy Number: INSERT
Adopted/Ratified: 05/19/2021

Amethod Public Schools ("AMPS" or "Charter School") is committed to the optimal development of every student. The Charter School believes that for students to have the opportunity to achieve personal, academic, developmental, and social success, we need to create positive, safe, and health-promoting learning environments at every level, in every setting, throughout the school year.

Research shows that two components, good nutrition and physical activity before, during, and after the school day, are strongly correlated with positive student outcomes. Conversely, less-than-adequate consumption of specific foods including fruits, vegetables, and dairy products, is associated with lower grades among students. In addition, students who are physically active through active transport to and from school, recess, physical activity breaks, high-quality physical education, and extracurricular activities – do better academically. Finally, there is evidence that adequate hydration is associated with better cognitive performance.

This policy outlines the Charter School's approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. Specifically, this policy establishes goals and procedures to ensure that:

- Students in the Charter School have access to healthy foods throughout the school day—both through reimbursable school meals and other foods available throughout the school campus—in accordance with Federal and state nutrition standards;
- Students receive quality nutrition education that helps them develop lifelong healthy eating behaviors;
- Students have opportunities to be physically active before, during, and after school;
- Charter School engages in nutrition and physical activity promotion and other activities that promote student wellness;
- Charter School staff are encouraged and supported to practice healthy nutrition and physical activity behaviors in and out of school;
- The community is engaged in supporting the work of the Charter School in creating continuity between Charter School and other settings for students and staff to practice lifelong healthy habits; and
- The Charter School establishes and maintains an infrastructure for management, oversight, implementation, communication about, and monitoring of the policy and its established goals and objectives.

The Wellness Policy in its entirety may be viewed in the School's Main Office and on the school website. Specific measurable goals and outcomes are identified within each section below.

I. School Wellness Committee

Committee Role and Membership

The Charter School will convene a representative Charter School wellness committee (hereto referred to as the CSWC or work within an existing school health committee) that meets at least two times per year to establish goals for and oversee school health and safety policies and programs, including development, implementation, and periodic review and update of this Charter School-level wellness policy (heretofore referred as "wellness policy").

The CSWC membership will represent all AMPs school levels (elementary and secondary schools) and include (to the extent possible), but not be limited to: parents and caregivers; students; representatives of the school nutrition program (ex., school nutrition director); physical education teachers; health education teachers; school health professionals (ex., health education teachers, school health services staff [i.e., nurses, physicians, dentists, health educators, and other allied health personnel who provide school health services], and mental health and social services staff [i.e., school counselors, psychologists, social workers, or psychiatrists]; school administrators (ex., superintendent, principal, vice principal), school board members; health professionals (ex., dietitians, doctors, nurses, dentists); and the general public. To the extent possible, the CSWC will include representatives from each school campus and reflect the diversity of the community.

Leadership

The Food Service Director or designee(s) will convene the CSWC and facilitate development of and updates to the wellness policy, and will ensure each campus's compliance with the policy.

Name	Title	Email address	Role
Grace Borja	Operations and Compliance Manager	gborja@amethodschools.org	CSWC Committee Chair
Cheryl Archer	Guardian	cheryl@signworks.us.com	Member
Stephanie Cervantes	Administrative Assistant/ Lunch Manager	scervantes@amethodschools.org	Member
Patricia Perez	Lunch Manager	pperez@amethodschools.org	Member
Martha Vega	Parent/ Lunch Assistant	mvegalorena@amethodschools.org	Member

Claudia Padilla	Parent/ Lunch Assistant	cpadilla@amethodschools.org	Member
Jhoan Valladares	Student	jhoan.ayala@amethodschools.org	Member

Each campus will designate a school wellness policy coordinator, who will ensure compliance with the policy. Refer to Appendix A for a list of school level wellness policy coordinators.

II. Wellness Policy Implementation, Monitoring, Accountability, and Community Engagement

This wellness policy and the progress reports can be found at: <http://amps-ca.schoolloop.com/>. Using the steps outlined below, AMPS will ensure that all of its school campuses meet legal obligations regarding implementation of this Policy.

Recordkeeping

The Charter School will retain records to document compliance with the requirements of the wellness policy at the Amethod Public Schools 2101 Livingston St., Oakland, CA 94606 and/or on the Amethod Public Schools website, www.amethodschools.org

Documentation maintained in this location will include but will not be limited to:

- The written wellness policy;
- Documentation demonstrating compliance with community involvement requirements, including (1) Efforts to actively solicit CSWC membership from the required stakeholder groups; and (2) These groups' participation in the development, implementation, and periodic review and update of the wellness policy;
- Documentation of annual policy progress reports for each school under its jurisdiction; and
- Documentation of the triennial assessment of the policy;
- Documentation demonstrating compliance with public notification requirements, including: (1) Methods by which the wellness policy, annual progress reports, and triennial assessments are made available to the public; and (2) Efforts to actively notify families about the availability of wellness policy.

Annual Notification of Policy

Charter School will actively inform families and the public each year of basic information about this Policy, including its content, any updates to the Policy, and implementation status. Charter School will make this information available via the Charter School website and/or Charter School-wide communications. Charter School will provide as much information as possible about the Charter School nutrition environment. This annual report will be published around the same time each year in June, and will include information from each school within the Charter School. The annual notification will be available in English, and translated into Spanish as requested. This notification will include, but is not limited to:

- The website address for the wellness policy and/or how the public can receive/access a copy of the wellness policy;
- A description of each school's progress in meeting the wellness policy goals;
- A summary of each school's events or activities related to wellness policy implementation;
- The name, position title, and contact information of the designated Charter School policy leader(s) identified in Section I; and
- Information on how individuals and the public can get involved with the CSWC or SWC.

Triennial Progress Assessments

At least once every three years, the Charter School will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

- The extent to which each Charter School campus is in compliance with the wellness policy;
- The extent to which the Charter School's wellness policy compares to model wellness policies; and
- A description of the progress made in attaining the goals of the Charter School's wellness policy.

The position/person responsible for managing the triennial assessment and contact information is Grace Borja, Finance and Operations Coordinator, 510-501-4799.

The CSWC, in collaboration with the individual school campuses, will monitor schools' compliance with this wellness policy.

The Charter School will actively notify households/families of the availability of the triennial progress report.

Revisions and Updating the Policy

The CSWC will update or modify the wellness policy based on the results of the annual Charter School Health Index and triennial assessments, and/or as Charter School priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. **The wellness policy will be assessed and updated as indicated at least every three years, following the triennial assessment.**

Community Involvement, Outreach, and Communications

The Charter School is committed to being responsive to community input, which begins with awareness of the wellness policy. The Charter School will actively communicate ways in which representatives of CSWC and others can participate in the development, implementation, and periodic review and update of the wellness policy through a variety of means. The Charter School will also inform parents of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs and how to apply, and a description of and compliance with Smart Snacks in Charter School nutrition standards.

The Charter School will use electronic mechanisms, such as email or displaying notices on the Charter School's website, as well as non-electronic mechanisms, such as newsletters, presentations to parents, or sending information home to parents, to ensure that all families are actively notified of the content of, implementation of, and updates to the wellness policy, as well as how to get involved and support the policy. The Charter School will ensure that communications are culturally and linguistically appropriate to the community, and accomplished through means similar to other ways that the Charter School and other local schools and school districts are communicating important school information with parents.

The Charter School will actively notify the public about the content of or any updates to the wellness policy annually, at a minimum. The Charter School will also use these mechanisms to inform the community about the availability of the annual and triennial reports.

III. Nutrition

School Meals

AMPS is committed to serving healthy meals to children, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk; moderate in sodium, low in saturated fat, and zero grams *trans* fat per serving (nutrition label or manufacturer's specification); and to meet the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns, and support healthy choices while accommodating cultural food preferences and special dietary needs.

AMPS participates in USDA child nutrition programs, including the National School Lunch Program (NSLP) and School Breakfast Programs, and other applicable Federal child nutrition programs, that:

- Are accessible to all students;
- Are appealing and attractive to children;
- Are served in clean and pleasant settings;
- Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations. (The Charter School offers reimbursable school meals that meet [USDA nutrition standards](#).)
- Promote healthy food and beverage choices using at least ten of the following [Smarter Lunchroom techniques](#):
 - Whole fruit options are displayed in attractive bowls or baskets (instead of chaffing dishes or hotel pans)
 - Daily fruit options are displayed in a location in the line of sight and reach of students
 - All available vegetable options have been given creative or descriptive names
 - Daily vegetable options are bundled into all grab and go meals available to students
 - All staff members, especially those serving, have been trained to politely prompt students to select and consume the daily vegetable options with their meal
 - White milk is placed in front of other beverages in all coolers

- Alternative entrée options (e.g., salad bar, yogurt parfaits, etc.) are highlighted on posters or signs within all service and dining areas
- Student surveys and taste testing opportunities are used to inform menu development, dining space decor, and promotional ideas
- Student artwork is displayed in the service and/or dining areas
- Daily announcements are used to promote and market menu options
- The Charter School child nutrition program will accommodate students with special dietary needs.
- Participation in Federal child nutrition programs will be promoted among students and families to help ensure that families know what programs are available in their children's school.

Staff Qualifications and Professional Development

All Charter School nutrition program directors, Food Managers, and staff will meet or exceed hiring and annual continuing education/training requirements in the [USDA professional standards for child nutrition professionals](#). These Charter School nutrition personnel will refer to [USDA's Professional Standards for School Nutrition Standards website](#) to search for training that meets their learning needs.

Water

To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the school day and throughout every AMPS school campus. The Charter School will make drinking water available where school meals are served during mealtimes. In addition, students will be allowed to bring and carry (approved) water bottles filled with only water with them throughout the day.

Competitive Foods and Beverages

The Charter School is committed to ensuring that all foods and beverages available to students on each AMPS school campus during the school day support healthy eating. The foods and beverages sold to students on campus during the school day (including the period from the midnight before, to 30 minutes after the end of the official school day) and served outside of the Charter School meal programs (i.e., "competitive" foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day, and create an environment that reinforces the development of healthy eating habits. A summary of the standards and information are available at: <http://www.fns.usda.gov/healthierschoolday/tools-schools-smart-snacks>. The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at www.healthiergeneration.org/smartsnacks.

To support healthy food choices and improve student health and well-being, all foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet or exceed the state nutrition. These standards will apply in all locations and through all services where foods and beverages are sold, which may include,

but are not limited to, a la carte options in cafeterias, vending machines, school stores, and snack or food carts.

Celebrations and Rewards

All foods offered on an AMPS school campus will meet or exceed the state nutrition standards, including through:

1. Celebrations and parties. The Charter School will provide a list of healthy party ideas to parents and teachers, including non-food celebration ideas. Healthy party ideas from the [Alliance for a Healthier Generation](#) and from the [USDA](#).
2. Classroom snacks brought by parents. The Charter School will provide to parents a [list of foods and beverages that meet Smart Snacks](#) nutrition standards; and
3. Rewards and incentives. The Charter School will provide teachers and other relevant school staff a [list of alternative ways to reward children](#). Foods and beverages will not be used as a reward, or withheld as punishment for any reason, such as for performance or behavior.

Fundraising

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on any AMPS school campus during the school day. The Charter School will make available to parents and teachers a list of healthy fundraising ideas [examples from the [Alliance for a Healthier Generation](#) and the [USDA](#)].

Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout the AMPS campuses, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by school staff and teachers, parents, students, and the community.

The Charter School will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will occur through at least:

- Implementing at least ten evidence-based healthy food promotion techniques through the school meal programs using [Smarter Lunchroom techniques described above](#); and
- Ensuring 100% of foods and beverages promoted to students meet the USDA Smart Snacks in Charter School nutrition standards. Additional possible promotion techniques that the Charter School and individual schools may use are available at www.healthiergeneration.org/smartsnacks.

Nutrition Education

The Charter School aims to teach, model, encourage, and support healthy eating by students. Though not yet implemented, AMPS hopes to provide nutrition education and engage in nutrition promotion that:

- Is designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Is part of not only health education classes, but also integrated into other classroom instruction through subjects such as math, science, language arts, social sciences, and elective subjects;
- Include enjoyable, developmentally-appropriate, culturally-relevant, and participatory activities, such as cooking demonstrations or lessons, promotions, taste-testing, farm visits, and school gardens;
- Promote fruits, vegetables, whole-grain products, low-fat and fat-free dairy products, and healthy food preparation methods;
- Emphasize caloric balance between food intake and energy expenditure (promotes physical activity/exercise);
- Include nutrition education training for teachers and other staff.

Essential Healthy Eating Topics in Health Education

The Charter School will include in the health education curriculum the following essential topics on healthy eating:

- The relationship between healthy eating and personal health and disease prevention
- Food guidance from [MyPlate](#)
- Reading and using USDA's food labels
- Balancing food intake and physical activity
- Eating more fruits, vegetables, and whole grain products
- Choosing foods that are low in fat, saturated fat, and cholesterol and do not contain *trans* fat
- Choosing foods and beverages with little added sugars
- Eating more calcium-rich foods
- Preparing healthy meals and snacks
- Risks of unhealthy weight control practices
- Accepting body size differences
- Importance of water consumption
- Importance of eating breakfast
- Eating disorders
- Reducing sodium intake
- Social influences on healthy eating, including media, family, peers, and culture
- How to find valid information or services related to nutrition and dietary behavior
- How to develop a plan and track progress toward achieving a personal goal to eat healthfully

- Resisting peer pressure related to unhealthy dietary behavior
- Influencing, supporting, or advocating for others' healthy dietary behavior

[USDA's Team Nutrition](#) provides free nutrition education and promotion materials, including standards-based nutrition education curricula and lesson plans, posters, interactive games, menu graphics, and more.

Food and Beverage Marketing in Schools

The Charter School strives to teach students how to make informed choices about nutrition, health, and physical activity. These efforts will be weakened if students are subjected to advertising on Charter School property that contains messages inconsistent with the health information the Charter School is imparting through nutrition education and health promotion efforts. It is the intent of the Charter School to protect and promote student's health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the school campus, consistent with the Charter School's wellness policy.

Any foods and beverages marketed or promoted to students on the school campus during the extended school day will meet or exceed the state nutrition standards.

Food advertising and marketing is defined by the USDA as an oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product. This term includes, but is not limited to the following:

- Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.
- Displays, such as on vending machine exteriors.
- Corporate brand, logo, name, or trademark on school equipment, such as marquees, message boards, scoreboards, or backboards (Note: immediate replacement of these items are not required; however, Charter Schools will consider replacing or updating scoreboards or other durable equipment over time so that decisions about the replacement include compliance with the marketing policy.)
- Corporate brand, logo, name, or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans, and other food service equipment; as well as on posters, book covers, pupil assignment books, or school supplies displayed, distributed, offered, or sold by the Charter School.
- Advertisements in school publications or school mailings.
- Free product samples, taste tests, or coupons of a product, or free samples displaying advertising of a product.

As the CEO or Site Director reviews existing contracts and considers new contracts, equipment and product purchasing (and replacement) decisions should reflect the applicable marketing guidelines established by this Policy.

IV. Physical Activity

The Centers for Disease Control (“CDC”) recommends that all children and adolescents should participate in a minimum of sixty (60) minutes of physical activity every day. The CDC recommends that aerobic activity make up the bulk of such physical activity, with vigorous-intensity aerobic activity on at least three days per week. The CDC also recommends that physical activity include muscle strengthening activities, such as gymnastics or push-ups, on at least three days per week, and bone strengthening activities like jumping rope or running at least three days per week. The Charter School has the following specific goals to promote student wellness, consistent with this Policy:

- Implementing a comprehensive, school-based physical activity program (CSPAP) that includes these components: physical education, recess, classroom-based physical activity, walk and bicycle to school, and out-of-school time activities. Charter School is committed to providing these opportunities.
- AMPS school campuses will ensure that these varied opportunities are in addition to, and not as a substitute for, physical education (addressed in “Physical Education” subsection).
- Physical activity during the school day (including but not limited to recess, physical activity breaks, or physical education) **will not be withheld** as punishment for any student misbehavior.
- The Charter School will provide teachers and other school staff with a [list of ideas](#) for alternative ways to discipline students.
- To the extent practicable, the Charter School will ensure that its grounds and facilities are safe and that equipment is available to students to be active. The Charter School will conduct necessary inspections and repairs.

In developing these goals, the Charter School reviewed and considered evidence-based strategies and techniques and parent input.

Physical Education

The Charter School will provide students with physical education, using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits, as well as incorporate essential health education concepts.

All students will be provided equal opportunity to participate in physical education classes. The Charter School will make appropriate accommodations to allow for equitable participation for all students.

All AMPS **secondary students** (middle and high school) are required to take the equivalent of three (3) academic years of physical education, in Middle School, and 2 academic years of physical education in high school.

Essential Physical Activity Topics in Health Education

The Charter School will include in the health education curriculum the following essential topics on physical activity:

- The physical, psychological, or social benefits of physical activity
- How physical activity can contribute to maintaining physical fitness
- How physical activity can contribute to the academic learning process
- How an inactive lifestyle contributes to chronic disease and potential obesity
- Health-related fitness, that is, cardiovascular endurance, muscular endurance, muscular strength, flexibility, and body composition
- Differences between physical activity, exercise, and fitness
- Phases of an exercise session, that is, warm up, workout, and cool down
- Overcoming barriers to physical activity
- Decreasing sedentary activities, such as TV watching and gaming
- Opportunities for physical activity in the community
- Preventing injury during physical activity
- Weather-related safety, for example, avoiding heat stroke, hypothermia, and sunburn while being physically active
- How much physical activity is enough, that is, determining frequency, intensity, time, and type of physical activity
- Developing an individualized physical activity and fitness plan
- Monitoring progress toward reaching goals in an individualized physical activity plan
- Dangers of using performance-enhancing drugs, such as steroids
- Social influences on physical activity, including media, family, peers, and culture
- How to find valid information or services related to physical activity and fitness
- How to influence, support, or advocate for others to engage in physical activity
- How to resist peer pressure that discourages physical activity

Physical Activity Breaks (Elementary and Secondary)

The Charter School recognizes that students are more attentive and ready to learn if provided with periodic breaks when they can be physically active or stretch. Thus, students will be offered **periodic opportunities** to be active or to stretch throughout the day on all or most days during a typical school week. The Charter School recommends teachers provide short (3-5 minute) physical activity breaks to students during and between classroom time. These physical activity breaks will complement, not substitute, for physical education class, recess, and class transition periods.

The Charter School will provide resources and links to resources, tools, and technology with ideas for physical activity breaks. Resources and ideas are available through [USDA](#) and the [Alliance for a Healthier Generation](#).

Active Academics

Teachers will incorporate movement and kinesthetic learning approaches into “core” subject instruction when possible (e.g., science, math, language arts, social studies, and others) and do their part to limit sedentary behavior during the school day.

The Charter School will support classroom teachers incorporating physical activity and employing kinesthetic learning approaches into core subjects by providing annual professional development opportunities and resources, including information on leading activities, activity options, as well as making available background material on the connections between learning and movement.

Teachers will serve as role models by being physically active alongside the students whenever feasible.

Before and After School Activities

The Charter School offers opportunities for students to participate in physical activity either before and/or after the school day (or both) through a variety of methods. The Charter School will encourage students to be physically active before and after school by:

A. Active Transport

The Charter School will support active transport to and from school, such as walking or biking. The Charter School will encourage this behavior by engaging in *six or more* of the activities below; including but not limited to:

- Designation of safe or preferred routes to school
- Promotional activities such as participation in International Walk to School Week, National Walk and Bike to School Week
- Secure storage facilities for bicycles and helmets (e.g., shed, cage, fenced area)
- Instruction on walking/bicycling safety provided to students
- Promotion of safe routes program to students, staff, and parents via newsletters, websites
- Crossing guards are used
- Crosswalks exist on streets leading to schools
- Documentation of number of children walking and or biking to and from school
- Creation and distribution of maps of school environment (e.g., sidewalks, crosswalks, roads, pathways, bike racks, etc.)

V. Other Activities that Promote Student Wellness

The Charter School will integrate wellness activities across the entire school setting, not just in the cafeteria, other food and beverage venues, and physical activity facilities. The Charter School will coordinate and integrate other initiatives related to physical activity, physical education, nutrition, and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development, and strong educational outcomes.

All efforts related to obtaining federal, state, or association recognition for efforts, or grants/funding opportunities for healthy school environments will be coordinated with and complementary of the wellness policy, including but not limited to ensuring the involvement of the CSWC and/or parents and the community. All school-sponsored events will adhere to the

wellness policy. All school-sponsored wellness events will include physical activity and healthy eating opportunities when appropriate.

Community Partnerships

The Charter School will develop relationships with community partners (i.e. hospitals, universities/colleges, local businesses, etc.) in support of this wellness policy's implementation. Existing and new community partnerships and sponsorships will be evaluated to ensure that they are consistent with the wellness policy and its goals.

Community Health Promotion and Engagement

The Charter School will promote to parents/caregivers, families, and the general community the benefits of and approaches for healthy eating and physical activity throughout the school year. Families will be informed and invited to participate in school-sponsored activities

As described in the "Community Involvement, Outreach, and Communications" subsection, the Charter School will use electronic mechanisms (such as email or displaying notices on the Charter School's website), as well as non-electronic mechanisms, (such as newsletters, presentations to parents, or sending information home to parents), to ensure that all families are actively notified of opportunities to participate in school-sponsored activities and receive information about health promotion efforts.

Staff Wellness and Health Promotion

AMPS will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors. The Charter School promotes staff member participation in health promotion programs and will support programs for staff members on healthy eating/weight management that are accessible and free or low-cost.

Professional Learning

When feasible, the Charter School will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and school (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class). Professional learning will help Charter School staff understand the connections between academics and health and the ways in which health and wellness are integrated into ongoing Charter School reform or academic improvement plans/effort

INDEPENDENT STUDY POLICY

Board Policy #: 5014
 Adopted/Ratified: August 2, 2021
 Revision Date: August 6, 2022

Amethod Public School, which operates Benito Juarez Elementary, Oakland Charter Academy, Downtown Charter Academy, Richmond Charter Academy, Oakland Charter High School and John Henty High School (collectively, “AMPS” or the “Charter School”) may offer independent study to meet the educational needs of pupils enrolled in the charter school. Independent study is an optional alternative education in which no student may be required to participate and is designed to teach the knowledge and skills of the core curriculum. AMPS will enforce the adopted Independent Study Policy in consideration that excessive leniency of these terms can result in pupils falling far behind their peers as to increase, rather than decrease, the risk of their dropping out of school. AMPS Charter School shall provide appropriate existing services and resources to enable pupils to complete their independent study successfully.

Commented [MB34]: What does this mean?

The following written policies have been adopted by the Board for implementation at the Charter School:

1. For pupils in all grade levels offered by the School, the maximum length of time that may elapse between the time an assignment is made and the date by which the pupil must complete the assigned work shall be five (5) school days.
2. The Principal or designee shall conduct an evaluation to determine whether it is in the best interests of the pupil to remain in independent study upon the following triggers:
 - a. When any pupil fails to complete three (3) assignments during any period of five (5) school days.
 - b. In the event the pupil’s educational progress falls below satisfactory levels as determined by the Charter School’s SST processes, which considers ALL of the following indicators:
 - i. The pupil’s achievement and engagement in the independent study program, as indicated by the pupil’s performance on applicable pupil-level measures of pupil achievement and pupil engagement set forth in Education Code Section 52060(d) paragraphs (4) and (5).
 - ii. The completion of assignments, assessments, or other indicators that evidence that the pupil is working on assignments.
 - iii. Learning required concepts, as determined by the supervising teacher.
 - iv. Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher.

A written record of the findings of any evaluation conducted pursuant to this policy shall be treated as a mandatory interim pupil record. This record shall be maintained for a period of

three years from the date of the evaluation and if the pupil transfers to another California public school, the record shall be forwarded to that school.

3. The Charter School shall provide content aligned to grade level standards that is substantially equivalent to in-person instruction. For high school grade levels this shall include access to all courses offered by the Charter School for graduation and approved by the UC or CSU as creditable under the A-G admissions criteria.
4. The Charter School has adopted tiered reengagement strategies* for the following pupils:
 - a. All pupils who are not generating attendance for more than 10 percent of required minimum instructional time over four continuous weeks of the Charter School's approved instructional calendar;
 - b. Pupils found not participatory in synchronous instructional offerings pursuant to Education Code Section 51747.5 for more than 50 percent of the scheduled times of synchronous instruction in a school month as applicable by grade span; or
 - c. Pupils who are in violation of the written agreement pursuant to Education Code Section 51747(g).

These procedures shall include local programs intended to address chronic absenteeism, as applicable, with at least all of the following:

- a. Verification of current contact information for each enrolled pupil;
 - b. Notification to parents or guardians of lack of participation within one (1) school day of the recording of a non-attendance day or lack of participation;
 - c. A plan for outreach from the Charter School to determine pupil needs including connection with health and social services as necessary;
 - d. A clear standard for requiring a pupil-parent-educator conference to review a pupil's written agreement and reconsider the independent study program's impact on the pupil's achievement and well-being, consistent with the policies adopted pursuant to paragraph (4) of subdivision (g) of Education Code Section 51747.
5. The following plan shall be in place in accordance with Education Code Section 51747(e) for synchronous instruction and live interaction*:
 - a. For pupils in transitional kindergarten through grade 3, inclusive, the plan to provide opportunities for daily synchronous instruction for all pupils throughout the school year by each pupil's teacher or teachers of record shall be as follows:
 - i. "Synchronous instruction" means classroom-style instruction or designated small group or one-on-one instruction delivered in person, or in the form of internet or telephonic communications, and involving live two-way communication between the teacher

or teachers of record and pupil. Synchronous instruction shall be provided by the teacher or teachers of record for that pupil pursuant to Section 51747.5.

- ii. The teacher or teachers of record will deliver daily synchronous instruction to the pupil;
 - iii. Instruction will be delivered primarily as classroom-style instruction, through a hybrid classroom;
 - iv. When classroom-style instruction is not possible, instruction will be delivered as one-on-one instruction, in the form of zoom meetings or other form of live communication between the pupil and the teacher or teachers of record.
- b. For pupils in grades 4-8, inclusive, the plan to provide opportunities for daily live interaction between the pupil and a certificated or non-certificated employee of the Charter School and at least weekly synchronous instruction for all pupils throughout the school year by each pupil's teacher or teachers of record shall be as follows:
- i. "Synchronous instruction" means classroom-style instruction or designated small group or one-on-one instruction delivered in person, or in the form of internet or telephonic communications, and involving live two-way communication between the teacher or teachers of record and pupil. Synchronous instruction shall be provided by the teacher or teachers of record for that pupil pursuant to Section 51747.5.
 - ii. "Live interaction" means interaction between the pupil and local educational agency classified or certificated staff, and may include peers, provided for the purpose of maintaining school connectedness, including, but not limited to, wellness checks, progress monitoring, provision of services, and instruction. This interaction may take place in person, or in the form of internet or telephonic communication.
 - iii. The teacher or teachers of record will deliver weekly synchronous instruction to the pupil;
 - iv. Instruction will be delivered primarily as classroom-style instruction, through a hybrid classroom;
 - v. When classroom-style instruction is not possible, instruction will be delivered as one-on-one instruction, in the form of zoom meetings or other form of live communication between the pupil and the teacher or teachers of record.
 - vi. A staff member at the Charter School will provide daily live interaction with the pupil;
 - vii. Interactions will occur through zoom meetings, phone calls, or another type of two-way communication between the pupil and the staff member.
- c. For pupils in grades 9-12, inclusive, the plan to provide opportunities

for at least weekly synchronous instruction for all pupils throughout the school year by each pupil's teacher or teachers of record shall be as follows:

- i. "Synchronous instruction" means classroom-style instruction or designated small group or one-on-one instruction delivered in person, or in the form of internet or telephonic communications, and involving live two-way communication between the teacher or teachers of record and pupil. Synchronous instruction shall be provided by the teacher or teachers of record for that pupil pursuant to Section 51747.5.
 - ii. The teacher or teachers of record will deliver weekly synchronous instruction to the pupil;
 - iii. Instruction will be delivered primarily as classroom-style instruction, through a hybrid classroom;
 - iv. When classroom-style instruction is not possible, instruction will be delivered as one-on-one instruction, in the form of zoom meetings or other form of live communication between the pupil and the teacher or teachers of record.
6. The following plan shall be utilized to transition pupils whose families wish to return to in- person instruction from independent study expeditiously*, and, in no case, later than five instructional days:
- a. The Charter School will alert front office staff and the pupil's teachers that the pupil will be returning to in-person instruction;
 - b. The Charter School will provide the pupil with their weekly schedule and any other necessary material;
 - c. The Charter School will check-in with the student, the morning of return, to ensure the pupil is ready for classes;
 - d. The Charter School will monitor the pupil's progress for two weeks and check-in with the pupil at least twice over the two-week period.

** The tiered reengagement strategies, plan for synchronous instruction and live interaction, and plan to transition pupils whose families wish to return to in-person instruction shall not apply to pupils who participate in an independent study program for fewer than 15 schooldays in a school year and pupils enrolled in a comprehensive school for classroom-based instruction who, under the care of appropriately licensed professionals, participate in independent study due to necessary medical treatments or inpatient treatment for mental health care or substance abuse. Local educational agencies shall obtain evidence from appropriately licensed professionals of the need for pupils to participate in independent study pursuant to this subdivision. These sections shall not apply to independent study offered due to school closure or material decrease in attendance for 15 school days or less for affected pupils under one or more of the circumstances described in Education Code Sections 41422 and/or 46392, and 46393 for which the Charter School files an affidavit seeking an allowance of attendance due to emergency conditions.*

7. A current written agreement shall be maintained on file for each independent

study pupil, including but not limited to, all of the following:

- a. The manner, time, frequency, and place for submitting a pupil's assignments, for reporting the pupil's academic progress, and for communicating with a pupil's parent or guardian regarding a pupil's academic progress.
- b. The objectives and methods of study for the pupil's work, and the methods utilized to evaluate that work.
- c. The specific resources, including materials and personnel, that will be made available to the pupil. These resources shall include confirming or providing access to all pupils to the connectivity and devices adequate to participate in the educational program and complete assigned work.
- d. A statement of the policies adopted pursuant to Education Code Section 51747 subdivisions (a) and (b) regarding the maximum length of time allowed between the assignment and the completion of a pupil's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed prior to an evaluation of whether or not the pupil should be allowed to continue in independent study.
- e. The duration of the independent study agreement, including beginning and ending dates for the pupil's participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than one school year.
- f. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the pupil upon completion.
- g. A statement detailing the academic and other supports that will be provided to address the needs of pupils who are not performing at grade level, or need support in other areas, such as English learners, individuals with exceptional needs in order to be consistent with the pupil's individualized education program or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils in foster care or experiencing homelessness, and pupils requiring mental health supports.
- h. **The inclusion of a statement in each independent study agreement that independent study is an optional educational alternative in which no pupil may be required to participate. In the case of a pupil who is referred or assigned to any school, class or program pursuant to Education Code Section 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the pupil through independent study only if the pupil is offered the alternative of classroom instruction.**
- i. For a pupil participating in an independent study program that is scheduled for more than 14 school days, each written agreement shall be signed, prior to the commencement of independent study, by the pupil, the pupil's parent, legal guardian, or care giver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision

of independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable. The written agreement shall also be signed by the CEO or designee for any pupil participating in independent study for fifteen (15) or more schooldays in a school year. Beginning in the 2022-23 school year, for a pupil participating in an independent study program that is scheduled for less than 15 school days, each written agreement shall be signed within 10 school days of the commencement of the first day of the pupil's enrollment in independent study, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable. For purposes of this paragraph "caregiver" means a person who has met the requirements of Part 1.5 (commencing with Section 6550) of the Family Code.

- Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education, that may be a marking that is either computer generated or produced by electronic means and is intended by the signatory to have the same effect as a handwritten signature. The use of an electronic signature shall have the same force and effect as the use of a manual signature if the requirements for digital signatures and their acceptable technology, as provided in Section 16.5 of the Government Code and in Chapter 10 (commencing with Section 22000) of Division 7 of Title 2 of the California Code of Regulations, are satisfied.
8. AMPS Charter School shall comply with the Education Code Sections 51745 through 51749.3 and the provisions of the Charter Schools Act and the State Board of Education regulations adopted there under.
 9. The Principal may establish regulations to implement these policies in accordance with the law.

MISSED ASSIGNMENTS AND INVOLUNTARY REMOVAL POLICY

Board Policy Number: [INSERT]

Adopted: [INSERT]

Revised: [INSERT DATE]

Per California Education Code section 51747, Amethod Public Schools (“AMPS” or the “Charter School”) maintains a board policy establishing [INSERT NUMBER] as the number of missed assignments that will be allowed before an evaluation is conducted to determine whether it is in the best interest of the student to remain in independent study.

Evaluation After Missed Assignments

After [INSERT NUMBER] missed assignments during any period of [INSERT NUMBER] school days, an evaluation will be conducted by the **Chief Executive Officer** and/or designee and supervising teacher to determine whether it is in the best interests of the student to remain enrolled in independent study. **The Evaluation After Missed Assignments may include but is not limited to the review of the following:**

- 1) Attendance based on completion of assignments as quantified by the assigned supervising teacher;
- 2) Demonstration of skills on assignments;
- 3) Standardized test scores;
- 4) Written tests and reports if appropriate;
- 5) Oral or written presentations;
- 6) Student’s attitude toward learning and achievement;
- 7) Punctual attendance at scheduled appointments;
- 8) Ability to meet scheduled appointments;
- 9) Preparedness for scheduled appointments;
- 10) Student demonstration of adequate and appropriate progress toward
- 11) Common Core State Standards;
- 12) Appropriate learning environment; and/or
- 13) Parent(s) ability to support student learning in the home.

As part of the evaluation process, the student, parent(s), guardian(s), or if the student is a foster child or youth or a homeless child or youth, the student’s educational rights holder (all generally referred throughout as “Parent(s)”) will be invited to present evidence to the individual(s) conducting the Evaluation After Missed Assignments meeting. During this meeting, the Charter School will determine whether it is in the best interest of the student to remain in independent study. A written record of the findings of any evaluation made pursuant to this Policy shall be maintained in the student’s mandatory interim record.

Additional Consideration for Students with a Section 504 Plan or IEP

If the Charter School recommends removal from independent study as a result of the Evaluation After Missed Assignments, above, and the student has a Section 504 Plan or individualized education program (“IEP”), the Charter School shall schedule an IEP meeting or Section 504 meeting (as applicable) following

Commented [MB35]: The Charter School must include:
(a) The maximum length of time, by grade level and type of program, that may elapse between the time an independent study assignment is made and the date by which the pupil must complete the assigned work. EC 51747.

Please ensure this number aligns with what is included within your Independent Study Policy and Master Agreement.

Commented [MB36]: See comment above. Please ensure this number aligns with what is included within your Independent Study Policy and Master Agreement.

Commented [MB37]: Please ensure this number aligns with what is included within your Independent Study Policy and Master Agreement.

Commented [MB38]: The School must include:
(b) The number of missed assignments that will be allowed before an evaluation is conducted to determine whether it is in the best interests of the pupil to remain in independent study, or whether he or she should return to the regular school program. A written record of the findings of any evaluation made pursuant to this subdivision shall be treated as a mandatory interim pupil record. The record shall be maintained for a period of three years from the date of the evaluation and, if the pupil transfers to another California public school, the record shall be forwarded to that school. EC 51747.

applicable legal timelines, to determine the following:

- 1) Whether the missed assignments were caused by or had a direct and substantial relationship to the student's disability; or
- 2) Whether the missed assignments were the direct result of the Charter School's failure to implement the IEP or Section 504 Plan, as applicable.

If the answer to either (1) or (2), above, is yes, then the missed assignments are a manifestation of the student's disability and the School will follow applicable state and federal laws to ensure that the student is offered a free appropriate public education.

If the answer to both (1) and (2), above, is no, then the student may be removed from independent study consistent with this Policy.

This meeting may be combined with the Evaluation After Missed Assignments meeting, referenced above, at the discretion of the Charter School.

Notice of Decision and Opportunity to Request a Hearing Prior to Removal

Once the Evaluation is complete, if it is determined that it is not in the best interest of the student to remain enrolled in the independent study program, the Parent(s) shall be notified in writing of the Charter School's intent to remove the student as it is not in their best interest to remain in independent study. The Notice shall be in the native language of the Parent(s) and provided no less than five (5) schooldays before the effective date of student's removal. The Notice shall include the following:

- 1) The School's intent to remove the student as it is not in their best interest to remain in independent study.
- 2) The opportunity of the Parent(s) to request a hearing that follows the same procedures as the Charter School's disciplinary hearing. Parent(s) (or the student if over 18) must submit the request for hearing writing within five (5) calendar days from the date of the Notice.
- 3) If Parent(s) or student over 18 requests a hearing:
 - a. It will be scheduled following the Charter School's expulsion hearing procedures as outlined in the Charter School's approved Charter and Suspension and Expulsion policy.
 - b. The student shall remain enrolled and shall not be removed until the Charter School issues a final decision.
 - c. 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) calendar days.
 - d. 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 occur or re-occur.
- 4) If no hearing is requested, the student shall be removed from the school on the date listed on the notice.

Commented [MB39]: These are not requirements under AB 1360, but we advise taking these steps to provide due process to the student. Therefore, the charter school will need to ensure documents are translated and include a copy of the expulsion hearing procedures.

Commented [MB40]: Per AB 1360 (EC 47605(b)(5)(J)): a student cannot be involuntarily removed without following the procedures available under this subdivision of the statute. It is unclear whether that means the Charter School must follow its expulsion hearing procedures OR provide a hearing as outlined in the statute. Thus, the Charter School could consider utilizing slightly different hearing procedures, so long as the following criteria are met:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

SPECIAL EDUCATION POLICY

Board Policy Number: [INSERT]

Adopted: [INSERT]

Revised: [INSERT DATE]

The Board of Directors of Amethod Public Schools (“AMPS” or the “Charter School”) recognizes the need to identify, evaluate, and serve students with disabilities in order to provide them with a free appropriate public education (“FAPE”) in the least restrictive environment. Accordingly, this Policy has been adopted consistent with Education Code section 56195.8.

Identification, Referral, and Evaluation for Special Education

Charter School shall follow applicable state and federal law and regulations and Special Education Local Plan Area (“SELPA”) policy with respect to the identification, referral, and assessments of students for special education and related services.

Individualized Education Program (“IEP”) Team Meetings

AMPS shall convene IEP team meetings with the legally required composition within all legally applicable timelines, in accordance with state and federal law and regulations and SELPA policy.

Charter School shall also review, at the request of a student’s general or special education teacher, the student’s assignment to their class. A mandatory IEP meeting shall be convened if the review indicates a change to the student’s placement, instruction, related services, or any combination thereof may be required. The [INSERT STAFF – e.g., Chief Executive Officer, school psychologist, and Director of Special Education] shall be responsible for completing the review within fifteen (15) school days of the teacher’s request.

Procedural Safeguards

Parents/guardians shall receive written notice of their rights in accordance with state and federal law and regulation, and SELPA policy.

Please see [INSERT LOCATION – e.g., website link, the main office, the Director of Special Education] for a copy of your procedural safeguards.

Nonpublic, Nonsectarian Services

AMPS may contract with state-certified nonpublic, nonsectarian schools or agencies to provide special education services or facilities when an appropriate public education program at AMPS is not available in accordance with Education Code section 56366 and Section 3062 of Title 5 of the California Code of Regulations. When entering into agreements with nonpublic, nonsectarian schools (“NPSs”) or agencies (“NPAs”), AMPS shall consider the needs of the individual student and the recommendations of the IEP

Commented [MB41]: If the School wants to include the name of the specific SELPA to which you belong, you may insert that here.

Commented [MB42]: See above comment. EC section 56195.8 does not require language regarding IEPs to be included in this policy. We included this brief language because it made sense in the chronology of sped events.

Commented [MB43]: Amend as necessary to align with the school’s preferred admin designee.

Commented [MB44]: EC section 56195.8(b)(2) requires this language, as well as inclusion of the personnel who are responsible for the review and the timetable for completing it. Accordingly, please update to ensure the appropriate personnel for the review and timetable for your School. These are our suggestions.

Commented [MB45]: EC section 56195.8(b)(3) requires the policy to include “procedural safeguards pursuant to Chapter 5 (commencing with Section 56500).”

Because each SELPA is different, we included this language here and a reference to where parents can obtain the procedural safeguards, which we understand most schools use the SELPA-provided safeguards. However, the School also has the option to create your own safeguards; if you would like to explore that option, please let us know and we can assist.

Commented [MB46]: EC section 56195.8(b)(1) requires the policy to include “nonpublic, nonsectarian services, including those provided pursuant to Sections 56365 and 56366.” Because each SELPA is different, we included this language that the School would comply with the law and SELPA policies.

team. The IEP team shall remain accountable for monitoring the progress of students placed in nonpublic, nonsectarian programs towards the goals identified in each student's IEP.

In accordance with Education Code section 56366.1, when entering into a Master Contract with an NPS where AMPS has not previously placed a student, the Charter School shall conduct an onsite visit to the NPS at the time of placement. AMPS shall also conduct at least one onsite monitoring visit to the NPA during each school year in which the Charter School has a student attending pursuant to a Master Contract. The monitoring visit shall include the following:

- A review of services provided to the student through the individual service agreement between AMPS and the NPS;
- A review of progress the student is making toward the student's IEP goals;
- A review of progress the student is making toward the goals set forth in the student's behavior intervention plan;
- If applicable, an observation of the student during instruction;
- A walkthrough of the facility; and
- Any other reviews and/or observations deemed necessary by AMPS.

AMPS shall follow state and federal law and regulations and SELPA policy when contracting with nonpublic, nonsectarian schools or agencies.

Resource Specialist Program

AMPS shall employ or contract with certificated resource specialists to provide services for students with disabilities which shall include, but not be limited to:

1. Providing instruction and services to students whose needs have been identified in an IEP developed by the IEP team and who are assigned to regular classroom teachers for a majority of the school day. Students shall not be enrolled in a resource specialist program for the majority of the school day without approval of the IEP team.
2. Providing information and assistance to students with disabilities and their parents/guardians.
3. Providing consultation, resource information, and material regarding students with disabilities to their parents/guardians and regular education staff members.
4. Coordinating special education services with the regular school programs for each student with disabilities enrolled in the resource specialist program.
5. Monitoring student progress on a regular basis, participating in the review and revision of IEPs as appropriate, and referring students who do not demonstrate appropriate progress to the IEP team.
6. At the secondary school level, emphasizing academic achievement, career and vocational development, and preparation for adult life.

Commented [MB47]: Pursuant to AB 1172, codified as EC section 56366.1(e)(3)(A)-(B), these preliminary and monitoring visits are required beginning in the 2020-2021 school year.

Additionally, Charter School MUST report the findings of the monitoring visits to the CDE within 60 calendar days of the visit. Reporting criteria is required to be provided by the CDE by June 30, 2020.

Commented [MB48]: EC section 56365(i)(2) (AB 1172) requires an NPS/A to report to the Charter School with which it has a master Contract of any pupil-involved incident at the school or agency in which law enforcement was contacted. Notification must be provided in writing no later than one business day after the incident occurred.

Commented [MB49]: EC section 56195.8(b)(4) requires the policy to include "resource specialists pursuant to Section 56362" and "Caseloads pursuant to Chapter 4.45 (commencing with section 56440)" once the caseload regulations have been adopted. Accordingly this language is consistent with EC 56362

7. Resource specialists shall not simultaneously be assigned to serve as resource specialists and to teach regular classes.

AMPS's resource specialist program shall be under the direction of a resource specialist who possesses:

1. A special education credential or clinical services credential with a special class authorization.
2. Three or more years of teaching experience, including both regular and special education teaching experience, as defined by rules and regulations of the Commission on Teacher Credentialing.
3. Demonstration of competencies required for a resource specialist as established by the Commission on Teacher Credentialing.

The **Chief Executive Officer** shall ensure that caseloads for special education teachers are within the maximum caseloads established by law, collective bargaining agreement, and/or SELPA policy. No resource specialist shall have a caseload which exceeds twenty-eight (28) students, unless a valid waiver is obtained through the State Board of Education, consistent with Title 5, California Code of Regulations, section 3100.

Transportation

Charter School shall ensure appropriate, no cost transportation services are provided for students with disabilities as specified in their IEP as a related service when required. The specific needs of the student shall be the primary consideration when an IEP team is determining the student's transportation needs. Considerations may include, but are not limited to, the student's health needs, travel distances, physical accessibility and safety of streets and sidewalks, accessibility of public transportation systems, midday or other transportation needs, extended-year services, and, as necessary, implementation of a behavioral intervention plan.

When transportation services are required, the **Chief Executive Officer** or designee shall arrange transportation schedules so that students with disabilities do not spend an excessive amount of time on buses compared to other students. Arrivals and departures shall not reduce the length of the school day for these students except as may be prescribed on an individual basis.

When contracting with a nonpublic, nonsectarian school or agency to provide special education services, the **Chief Executive Officer** or designee shall ensure that the contract includes general administrative and financial agreements related to the provision of transportation services if specified in the student's IEP.

Guide dogs, signal dogs and service dogs trained to provide assistance to persons with disabilities may be transported in a school bus when accompanied by students with disabilities, teachers with disabilities, or persons training the dogs.

Charter School shall ensure that all school buses, school student activity buses, youth buses and childcare motor vehicles, whenever they may be used, are equipped with an operational child safety alert system. Charter School shall ensure that all buses are equipped with a passenger restraint system.

Commented [MB50]: EC section 56195.8(b)(7) requires the Policy to include information about caseloads. We have included sample language to address this issue.

Commented [MB51]: We also advise that the School have a Transportation Safety Plan if the school provides transportation to/from school or on school field trips. If you would like assistance with this Policy, please let us know.

We also advise that you work closely with your insurance carrier to ensure that your policy is up to date and the School is complying with coverage requirements.

Commented [MB52]: EC section 56195.8(b)(5) requires the Policy to include: "Transportation, where appropriate, which describes how special education transportation is coordinated with regular home-to-school transportation. The policy shall set forth criteria for meeting the transportation needs of special education pupils. The policy shall include procedures to ensure compatibility between mobile seating devices, when used, and the securement systems required by Federal Motor Vehicle Safety Standard No. 222 (49 C.F.R. 571.222) and to ensure that school bus drivers are trained in the proper installation of mobile seating devices in the securement systems."

Commented [MB53]: AB 1840 amended Vehicle Code section 28160 extending the time for the requirement that school buses, school pupil activity buses, youth buses and child care motor vehicles are to be equipped with an operational child safety alert system on or before **March 1, 2019**.

The bill grants specified charter schools (ADA of less than 4,000) an additional 6 months to meet that requirement if certain documentation is submitted to the CHP on or before **March 1, 2019**.

Commented [MB54]: AB 1798 amended Vehicle Code section 27316 to require that, on or before **July 1, 2035**, all school buses in use in CA be equipped with a passenger restraint system.

This is some sample, broad language to meet the legal requirement, if the school is currently in compliance

Mobile seating devices, when used, shall be compatible with the securement systems required by Federal Motor Vehicle Safety Standard No. 222 (49 C.F.R. § 571.222). AMPS shall ensure school bus drivers are trained in the proper installation of mobile seating devices in the securement systems.

Information on the Number of Individuals with Exceptional Needs

Information regarding the number of individuals with exceptional needs who are being provided special education and related services shall be provided in accordance with state and federal law and regulation and SELPA policy.

Commented [MB55]: EC section 56195.8(b)(6) requires the policy to include "Information regarding the number of individuals with exceptional needs who are being provided special education and related services."

This is really more a requirement about state reporting, but we included some sample, broad language to meet the legal requirement.

Independent Educational Evaluations

A. IEE at Parent Expense

Charter School acknowledges that a parent/guardian has the right to obtain an independent educational evaluation(s) ("IEE") at their own expense at any time. In these circumstances, the **Chief Executive Officer** or designee(s) shall ensure that the student's IEP team shall consider the results of the IEE when determining an offer of a FAPE for the student. However, the results of an IEE will not dictate the IEP team's determinations.

Commented [MB56]: This section is optional and may be revised and/or removed as desired. Please ensure this language aligns with any existing SELPA policies

If a parent/guardian requests reimbursement for an IEE assessment obtained by the parent/guardian at their own expense, the **Chief Executive Officer** or designee(s) shall ensure that the unilaterally obtained IEE meets the following criteria:

1. The parent disagreed with the Charter School's evaluation and the Charter School received a request within a reasonable time after receipt of the results of the evaluation.
2. The parent timely and upon request provided Charter School with written consent to exchange information with the examiner.
3. The private evaluation meets all criteria contained in this Policy.
4. The parent timely provided a copy of the written evaluation report and all other documents\tests related to the report.
5. The examiner attends the relevant IEP team meeting by phone or in person to discuss their findings and provides protocols of all assessments to Charter School.

The reimbursement will be in an amount no greater than the actual cost to the parents. Parents may only be reimbursed for one (1) IEE for each assessment area or discipline with which they disagree.

In all cases, if Charter School initiates a due process hearing to show that Charter School's evaluation is appropriate, no reimbursement shall be made unless ordered by a Hearing Officer.

B. IEE at Public Expense

Charter School recognizes that federal and state laws provide parents/guardians of students with disabilities with the right to obtain an IEE, **at public expense,** when the parent/guardian disagrees with an assessment

Commented [MB57]: 34 CFR section 300.502(a)(3)(ii) defines public expense as "the **public agency** either pays for the full cost of the **evaluation** or ensures that the **evaluation** is otherwise provided at no cost to the **parent**."

conducted by Charter School within the last two (2) years. Parents may only receive one (1) IEE for each assessment area or discipline with which they disagree.

The **Chief Executive Officer** or designee(s) shall ensure that when a parent/guardian requests an IEE at public expense, Charter School shall provide the parent/guardian with a copy of their Procedural Safeguards *and*, without unnecessary delay, either:

1. Initiate a due process hearing to show that the evaluation, completed by the Charter School, is appropriate; or
2. Provide the parent/guardian with information about where an IEE may be obtained, the Charter School's criteria applicable for IEEs, and ensure that an IEE is provided at public expense.

Should the Charter School grant the parent's request for an IEE, the **Chief Executive Officer** or designee(s) shall ensure the following:

1. The criteria under which the IEE is obtained at public expense, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that Charter School uses when it initiates an evaluation.
2. Charter School does not impose conditions or timelines related to obtaining an IEE at public expense.
3. All assessments shall be completed by persons competent to perform the assessment as determined by Charter School. Parent has the right to choose the examiner.
4. If the original evaluation completed by Charter School included in-class observation of the student, an equivalent opportunity shall apply to an independent educational assessment of the student in the student's current educational placement and setting.
5. A parent/guardian shall have the opportunity to demonstrate that unique circumstances justify a waiver of any of the criteria listed above as defined by Charter School.
6. The evaluator must prepare and sign a full evaluation report containing:
 - a. A list of all information/data reviewed.
 - b. A clear explanation of the testing and assessment results.
 - c. A complete summary of all test scores, including, for all standardized testing administered, all applicable full scale or battery scores, domain or composite scores, and sub-test scores reported in standard, scaled or T-score format.
 - d. A complete summary of all information obtained or reviewed from sources other than testing conducted by the evaluator.
 - e. Recommendations for IEP team consideration for educational programming and, if appropriate, placement that is educationally relevant and realistic within a public educational setting.

The cost determination for an IEE shall be comparable to the costs incurred by Charter School when it uses its own employees or contractors to complete an assessment, whenever possible and shall reflect reasonable and customary rates for such services in the area. As a result, the **Chief Executive Officer** or designee(s)

shall provide a parent/guardian with a recommended cost ceiling. The cost ceiling shall be updated *(once every three (3) years)* and determined by averaging the cost of the following three factors:

1. The cost of an assessment provided by a Charter School employee.
2. The cost of an assessment provided by a neighboring local educational agency.
3. The cost of an assessment provided by a private service provider, with appropriate qualification, within 40 miles from the Charter School.

The Chief Executive Officer or designee(s) shall ensure a parent/guardian may demonstrate that unique circumstances, related to the student's education need(s), justify a financial waiver of any for the cost as defined by Charter School.

The Chief Executive Officer or designee(s) shall ensure a parent/guardian voluntarily have their private health insurance pay the costs of the IEE if covered by their insurance. However, Charter School recognizes that federal and state laws specify that parents/guardians are not required to have private insurance cover the costs of an IEE if the process would result in a financial cost to the parent/guardian including but not limited to:

1. A decrease in available lifetime coverage or any other benefit under an insurance policy
2. An increase in premiums or the discontinuance of the policy
3. An out-of-pocket expense such as payment of a deductible amount incurred in filing a claim

Commented [MB58]: Please let us know if you would like a sample provider criteria chart to provide to families.

Commented [MB59]: Please ensure that this list is updated every three years.

TRANSPORTATION SAFETY PLAN

Board Policy Number: **[INSERT]**

Adopted: **[INSERT]**

Revised: **[INSERT DATE]**

Commented [MB60]: Please update this information.

Because Amethod Public Schools (“AMPS” or the “Charter School”) provides transportation to or from a AMPS school activity, the AMPS Board of Directors (“Board”) approved the following transportation safety plan, which contains procedures for AMPS personnel to follow to ensure the safe transportation of students. A copy of this Plan will be kept at each AMPS school and will be made available upon request to an officer of the Department of the California Highway Patrol. Students shall be informed that any violation of AMPS policies and procedures, including violation of safety procedures on a school bus or school activity bus, could result in discipline pursuant to the AMPS discipline policy.

Definitions

- “*School bus*” is any motor vehicle designed, used, or maintained for the transportation of a AMPS pupil student at or below the grade 12 level to or from AMPS or to and from AMPS activities. “School bus” does not include a passenger vehicle designed for and when actually carrying not more than 10 persons, including the driver, except any vehicle or truck transporting two or more students who use wheelchairs.
- “*School activity bus*” is any motor vehicle, other than the school bus, operated by a common carrier, or by and under the exclusive jurisdiction of a publicly owned or operated transit system, or by a passenger charter-party carrier, used under a contractual agreement between AMPS and carrier to transport AMPS pupils students at or below the grade 12 level to or from a AMPS activity, or used to transport students from residential schools, when the students are received and discharged at off-highway locations where a parent or adult designated by the parent is present to accept the student or place the student on the bus.

Determining Whether a Student Requires an Escort

If the school site or school activity destination a student's home address is located on the opposite side of the street of the actual bus stop, then AMPS and California Vehicle Code section 22112(d) require the student to be physically escorted by the bus driver across that street and under the bus drivers’ direction and supervision. The bus driver will be required to activate the school bus red flashing crossover lights and if so equipped, the stop arm, and physically get out of the bus to assist the students safely across the street. **AMPS** requires ALL students who cross the street, be physically escorted by the bus driver with crossover lights and signs being activated.

Commented [MB61]: The student escort across the street is only required for students grades TK-8 per Vehicle Code section 22112. However, for liability purposes, we recommend that the school provide this for all students.

Procedures for Kindergarten through Eighth Grade Pupils Students Regarding Boarding and Exiting the Bus

AMPS has created the following procedures to govern the safe entry and exit of kindergarten through eighth grade students to and from the school bus. AMPS is not required to use the services of an onboard school bus monitor in addition to the driver to ensure these procedures are followed.

Commented [MB62]: Outlining these procedures for these specific grades is required by Ed. Code 39831.3(a)(2)(A). We included some sample procedures based on our review of other school’s plans, so you can revise as needed to fit the Charter School.

Boarding:

1. Students shall board or exit the school bus ONLY at their assigned bus stop or school activity destination.
2. Students shall board in an orderly manner and utilize the handrails for their safety while loading and unloading.
3. Students are to find their seat as quickly as possible and sit down facing the front of the bus.
4. Students are to remain seated at all times while the bus is in motion.
5. Students are to maintain a noise level which will allow the bus driver to hear approaching traffic.
6. Students are to follow the directions of the bus driver while they are aboard the bus.
7. Students are responsible to follow all rules and regulations.

Exiting:

1. Students shall stay seated until the bus comes to a complete stop.
2. Once the driver has stopped the bus completely and opened the door, students are to unload seat by seat starting with the front of the bus and continuing seat by seat until the bus is empty.
3. Students remaining on the bus are to remain seated until the bus stops at their assigned bus stop or school activity destination.
4. Students will unload in an orderly manner using the handrails.
5. Students shall exit the bus only at their assigned bus stop or school activity destination. Exceptions will only be allowed when the student presents the bus driver with a note signed by his/her the student's parent and endorsed by the **Chief Executive Officer**.
6. Students are to move away from the bus as they unload. Students shall not get underneath the bus to retrieve a book, paper or some other article. The student should always tell the bus driver and have the bus driver get the article for them.
7. Students should always use crosswalks and controlled intersections when available and should not cross in the middle of the block.
8. Students must avoid trespassing on other people's property, stay on sidewalks when possible.

Procedures for All Students to Follow as They Board or Exit a School Bus at AMPS or Other School Activity Location

AMPS has created the following procedures to govern the safe entry and exit of all students at AMPS or other school activity location.

Boarding Buses at School Site or School Activity Location:

1. The school bus driver may not activate the flashing amber warning light system, the flashing red light signal system, and stop signal arm at any school.
2. The driver will monitor the students' entry onto the bus to ensure an orderly and safe entry for all students.
3. The group of students, along with the teacher(s) and any other adult personnel attending a school activity, shall assemble in an area away from the school bus to wait. When the students are ready to load, the AMPS staff shall inform the driver, and the driver will begin the boarding process.

Commented [MB63]: Outlining these procedures is required by Education Code 39831.3(a)(3). We included some sample procedures based on our review of other school's plans, so you can revise as needed to fit the Charter School.

4. Upon completion of the boarding process, the driver will proceed with the bus evacuation and safety presentation, described below. This shall include an explanation and demonstration of all emergency exits, first aid kits, fire extinguishers, etc.
5. Upon completion of the presentation, the driver shall have the AMPS teacher or head chaperone sign a trip sheet, acknowledging the presentation has been given. The driver will then depart when safe to do so.

Commented [MB64]: Ensure the drivers are familiar with this requirement, which is described below.

Exiting Buses at School Site or School Activity Location:

1. Upon arrival at AMPS, the driver shall take the bus to the designated student drop off area.
2. Upon reaching the designated area, the driver will park the bus and open the door when it is clear and safe to do so. The flashing red signal lights will not be activated.
3. Upon arrival at the school or school activity destination, the driver will select an area where the bus can be lawfully parked and the boarding/exiting of students can be reasonably controlled.
 - a. The driver will confer with the AMPS teacher/head chaperone regarding the time and location where the group will assemble to reload the bus.
 - b. When it is clear and safe to do so, the driver will have the students disembark the bus. The flashing red signal lights will not be activated.
 - c. When the AMPS teacher/head chaperone has confirmed all students are accounted for, the group may proceed to the trip.
4. Students exiting the bus at either AMPS or a school activity location should do so in an orderly, respectful, and appropriate manner, following all instructions from AMPS staff and the bus driver.

Procedures for School Staff to Ensure a Student is Not Left Unattended on a School Bus or School Activity Bus

Commented [MB65]: Outlining these procedures is newly required this year by Ed. Code 39831.3(a)(4). We included some sample procedures here but these can be modified as needed/desired.

AMPS staff members should always be involved and active in the supervision of the loading and unloading of students at AMPS and on activity trips to ensure no student is left unattended on the school bus or school activity bus.

To do this, AMPS staff shall adhere to the following procedures:

1. Before leaving the school site for a school activity, the AMPS teacher/head chaperone for the trip shall ensure he/she they have has a copy of the class roster with all student names.
2. Once the bus reaches the destination, a AMPS teacher/head chaperone shall be the first person off the bus and will note each student who exits the bus by comparing the exiting students against the class roster.
3. A AMPS staff member/chaperone shall be the last person to exit the bus at each stop to ensure no students are on left board. Before exiting the bus, the staff member/chaperone will walk up the aisle, checking each seat and area on the floor by each seat to ensure no students are present.
4. Once all students and staff/chaperones have exited the bus, but before leaving for the designated activity, the AMPS teacher/head chaperone will conduct another roll call by calling out each student's name and waiting for verbal and visual confirmation from the student of being that he/she is present.
5. The AMPS teacher/head chaperone will discuss with the bus driver a way to contact each other in the event it is later discovered a student is still on the bus.

Procedures and Standards for Designating an Adult Chaperone, Other than the Bus Driver, to Accompany Students on a School Activity Bus

AMPS shall follow its applicable policies and procedures, including its visitor and volunteer policy, for designating an adult chaperone other than the school bus driver to accompany students on a bus or a school activity bus. All appropriate background checks will be conducted on any chaperone prior to the chaperone's attending a school trip or school activity bus.

Commented [MB66]: Outlining these procedures is newly required this year by Education Code 39831.3(a)(5). We included some sample procedures here, but these can be modified as needed/desired, particularly if the Charter School has any specific chaperone procedures/protocols.

Instruction in School Bus or School Activity Bus Emergency Procedure and Passenger Safety

AMPS shall ensure that all students in kindergarten through grade 12 who are transported in a school bus or school activity bus receive instruction in school bus emergency procedures and passenger safety.

Commented [MB67]: This is required by Education Code 39831.5(a) for all students in public schools.

Instruction for Students who were not Previously Transported in a School Bus

Upon registration, the parents/guardians of students who were not previously transported in a school bus or school activity bus and who are in kindergarten through grade 6, inclusive, shall be provided with written information on school bus safety. This information shall include, but not be limited to, the following:

1. A list of school bus stops near the student's home;.
2. General rules of conduct at school bus loading zones, such as:
 - a. While waiting for the school bus to arrive, students must stand single file in an orderly and well-behaved line; .
 - b. Students are not to play in or be in the street or private property
 - c. Students shall be on the proper side of the street before the bus arrives at the bus stop; .
 - d. Students should arrive at their bus stop five minutes prior to the scheduled leaving time; .
 - e. If the student is late and needs to cross the street that the bus is stopped on, he/she the student must wait for the bus driver to escort him/her the student across the street; .
 - f. Students should not approach the bus until it comes to a complete stop at the stop;
 - g. Students should board and exit the bus in an orderly fashion, with no pushing or shoving; .
 - h. Students should understand the bus driver is in charge at all times, and students should follow the bus driver's his/her directions; .
 - i. The driver will immediately activate the red flashing crossover lights and stop arm if so equipped; .
 - j. Animals, birds, reptiles, fish, insects, breakable containers, weapons, or any object or substance that could be hazardous will not be transported on the bus.
3. Red light crossing instructions, consistent with this Plan; .
4. School bus danger zone(s); .
5. Walking to and from school bus stops.

Commented [MB68]: The numbered list below is from Education Code 39831.5(a)(1)(A) – (E), which are the legal minimums for the safety information. The examples included in the list as items (2)(a) – (g) are based on language we saw in other school policies. We provided it there to give the Charter School some sample conduct, but that can be revised as desired. We recommend this language align with any existing applicable Charter School handbooks or protocol.

Commented [MB69]: While this language is clearly related to home to school transportation, the language of the statute does not explicitly say this requirement does not apply to schools that only provide pupil activity transportation. Hence, we suggest including it

Instruction for all Students Prior to Departure on School Trip

Finally, prior to departure on a school activity trip, AMPS shall provide safety instruction to all students riding in a school bus or school activity bus. This instruction shall include, but not be limited, to the following:

1. Location of emergency exits; and
2. Use of emergency equipment.

Commented [MB70]: This instruction is required by Education Code 39831.5(a)(4).

- a. Instruction may also include responsibilities of passengers seated next to an emergency exit.
3. Instruction on how to use the passenger restraint systems, including but not limited to the following:
 - a. Proper fastening and release of the passenger restraint system;
 - b. Acceptable placement of passenger restraint systems on students;
 - c. Times when the passenger restraint systems should be fastened and released; and
 - d. Acceptable placement of the passenger restraint systems when not in use.

Operation of School Bus or School Activity Bus when Visibility Reduced to 200 Feet or Less

Pursuant to Vehicle Code section 34501.6, AMPS is required to adopt procedures that limit the operation of school buses and school activity buses when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home to school transportation service. Bus drivers of school activity buses shall have the authority to discontinue school activity bus operation if the driver determines that it is unsafe to continue operation because of reduced visibility.

For purposes of this Plan, the procedures for school bus drivers shall be as follows:

1. The school bus driver will notify the Chief Executive Officer that atmospheric conditions have reduced visibility to 200 feet or less.
2. The Chief Executive Officer may consult with legal counsel as needed.
3. The Chief Executive Officer may direct that school bus activity will be suspended or delayed for a minimum of one (1) hour through an indefinite suspension or delay if required by the conditions. The length of time for the suspension or delay of school bus services shall be at the discretion of the Chief Executive Officer

Commented [MB71]: This language is required by Education Code 39831.5(a)(3)(A) – (D). It is unclear from the statute how often this instruction should be given, so we advise it should be done so at each trip to err on the side of caution.

Commented [MB72]: Pursuant to Vehicle Code 34501.6, an LEA is required to adopt this procedure. It is not required to be in this safety plan, but we included some sample language here since it made sense with the rest of the policy. If the Charter School already has a procedure you want to include here, please feel free. Alternatively, if the Charter School does not want to include this in the Plan, you can remove this section entirely. Just ensure there is a policy elsewhere.

PARENT AND FAMILY ENGAGEMENT POLICY

Board Policy Number: 5100
 Adopted: September 23, 2020
 Revised: April 21, 2021

Amethod Public Schools (“AMPS” or the “Charter School”) has developed a written Parent and Family Engagement Policy (“Policy”) with input from Title I parents and families. This Policy applies to all AMPS schools. AMPS has distributed the Policy to parents of Title I students by posting the policy on the AMPS website at www.amethodschools.org and providing copies upon request at the office. This Policy describes the means for carrying out the following Title I parent and family engagement requirements.

Commented [MB73]: Please ensure this occurs.

Charter School Expectations and Objectives

In establishing the Charter School’s expectations and objectives for meaningful parent and family involvement, AMPS has established the following practices:

I. General Expectations:

AMPS agrees to implement the following legal requirements:

- During Family Staff Team meetings, each AMPS school will jointly develop with parents/guardians and distribute to parents/guardians a Family Engagement Policy that the school and parents/guardians agree on.
- The school will notify parents/guardians about the Family Engagement Policy in an understandable and uniform format and, to the extent practicable, will distribute this policy to parents/ guardians in a language that parents/guardians can understand.
- The school will make the Parent and Family Engagement Policy available to the local community. For example, copies of this policy will be available for pickup at the school’s office. A notice of the availability of this policy will be posted on the school website to inform community members.
- The school will update the Family Engagement Policy annually to meet the changing needs of parents/guardians and the school.
- The school will adopt the school’s “ Family School Commitment to Distinction” agreement as a component of its Family Engagement Policy
- The school agrees to be governed by the following legal definition of family engagement, and will carry out programs, activities and procedures in accordance with this definition:
 - Family engagement means the participation of parents/guardians in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring—
 - That parents/guardians play an integral role in assisting their student’s learning;
 - That parents/guardians are encouraged to be actively involved in their student’s education at school;

- That parents/guardians are full partners in their student's education and are included as appropriate, in decision-making and on advisory committees to assist in the education of their student;
- The carrying out of other activities, such as those described in Section 1118 or the ESEA (Elementary and Secondary Education Act).

- II. Description of how the school will implement required Amethod Public Schools Family Engagement Policy components
- a. Each school will take the following actions to involve parents/guardians in the joint development and joint agreement of its Family Engagement Policy and its schoolwide plan, if applicable, in an organized, ongoing, and timely way under section 1118(b) of the ESEA:
 - i. Schedule a meeting of all parents/guardians to discuss the Title 1 program and to disseminate information/
 - ii. Review Title 1 policy and needs assessments through a cycle of inquiry as documented in our LCAP.
 - iii. Work collaboratively with all parent groups and advisory councils to update and inform parents/guardians of the Title 1 program.
 - b. Each school will take the following actions to distribute to all parents/guardians and the local community, the Family Engagement;
 - i. Copy and distribute the policy school-wide at the beginning of each school year and disseminate the information to all parents/guardians.
 - ii. Provide information on the policy through email listserv and online through the school website.
 - c. Each school will periodically update its Family Engagement Policy to meet the changing needs of parents/guardians and the school:
 - i. Family Staff Team will update the Family Engagement Policy annually with input from the parents/guardians.
 - ii. Family Staff Team will collect feedback from parents/guardians for the Family Engagement Policy throughout the year.
 - d. Each school will convene an annual meeting to inform parents/guardians of the following:
 - i. That their student's school participates in the Title 1 schoolwide program,
 - ii. About the requirements of Title I, and
 - iii. Of their rights to be involved in school activities, functions, and governance.
 - e. Each school will hold a flexible number of meetings at varying times to make family involvement more convenient for families.
 - f. Each school will provide timely information about Title 1 programs to all parents/guardians using the following:
 - i. Annual Title 1 Meeting (during Fall Open House)
 - ii. School website
 - iii. Family Staff Team meetings and bulletin board
 - g. Each school will provide to all parents/guardians 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 by using the following:
 - i. Open House

- ii. Quarterly Report Cards
- iii. Parent Teacher Conferences (Fall and Spring- for students at-risk academically)
- h. Each school will provide parents/guardians of participating students, if requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their students, and respond to any such suggestions as soon as practicably possible using the following:
 - i. Annual Title 1 Meeting
 - ii. Parent Teacher Conferences
 - iii. Family Staff team Meetings
 - iv. Town Halls
- i. Each school will submit to the CEO any parent comments if the schoolwide plan under section (1114)(b)(2) is not satisfactory to parents/guardians following the District Uniform Complaint process.

III. Shared Responsibilities for High Student Academic Achievement

- a. Amethod Public Schools will build the school's and parents/guardians' capacity for strong family involvement, in order to ensure effective involvement of parents/guardians and to support a partnership among the school, parents/guardians, and the community to improve student academic achievement, through the following activities specifically described below:
 - i. Provide opportunities for school, family, community partnership: Back to School Night, Open House, Annual Title 1 Meeting, Parent Teacher Conferences, Family Staff Team, parent volunteer, Literacy Nights, Data Dig Nights, AMPS Wellness Committee
 - ii. Update the Family School Commitment to Distinction agreement annually with parents/guardians through the Family Staff Team. The agreement will explain how the responsibility for high student academic achievement will be the shared responsibility of teachers/administrators, parents/guardians, and students.
 - iii. Publicize to parents that anyone can participate in the Family Staff Team meetings.
- b. Each school will, with the assistance of the Home Office, provide assistance to parents/guardians of students served by the school in understanding topics such as the following:
 - i. The State's Common Core State Standards (CCSS)
 - ii. The State's student academic achievement standards,
 - iii. The State and local academic assessments including alternate assessments,
 - iv. The requirements of Title 1,
 - v. How to monitor their student's progress, and
 - vi. How to work with educators;

Information will be distributed in the following ways to provide assistance to parents/guardians in understanding how to work with their students and school staff

- Family Handbook, in paper form, in the front office
- School Enrollment Packets
- Back to School Night
- Open House
- Family Staff Team

- Report Card and Parent Teacher Conferences
- Robo calls, emails, and text messages through School Messenger.
- c. Each school will, with the assistance of the Home Office, provide materials and training to help parents/guardians work with their students to improve their students' academic achievement, such as literacy training, and using technology, as appropriate, to foster family engagement, by:
 - i. Distributing information to parents/guardians regarding district-wide trainings.
- d. Each school will, with the assistance of the Home Office, educate its staff in how to reach out to, communicate with, and work with parents/guardians as equal partners, in the value and utility of contributions of parents/guardians, and in how to implement and coordinate parent programs and build ties between parents/guardians and schools, by:
 - i. Having AMPS Community Outreach Coordinators to present at teacher Professional Development Friday staff meetings
 - ii. Welcoming teachers to attend Family Staff Team meetings
- e. Each school will, to the extent feasible and appropriate, coordinate and integrate family engagement and activities with it's afterschool program, ASES through:
 - i. Recruiting parent volunteers to share their expertise or hobby with students
 - ii. Recruiting parent volunteers as homework helpers
 - iii. Having the ASES Coordinator present periodically at Family Staff Meetings informing parents of opportunities offered to their students through the after school program
- f. Each school will, to the extent feasible and appropriate, take the following actions to ensure that information related to the school and parents such as programs, meetings, and other activities, is sent to parents/guardians in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language the parents/guardians can understand, by:
 - i. Disseminating information to parents/guardians in robo-calls, and email messages through AMPS Communications team
 - ii. Posting information to parents/guardians on bulletin boards at the school entrance and on school website
 - iii. Disseminating and posting messages in multiple languages as represented by our student population
 - iv. Providing interpreters for parents/guardians during parent teacher conferences, Family Staff Meetings, Back to School Night, etc.
 - v. Providing required Title 1 information, including parental/guardian rights and program details specific to our school, in a simplified and condensed one page handout.

Family-School Compact

Teachers/School Administration: *"We fully commit to distinction and commit to AMPS Schools."*

1. We will provide high-quality curriculum and instruct in a supportive and effective learning environment that enables all children to meet the Common Core State Standards.
2. We will monitor student progress and ensure all students get help as needs arise.
3. We will communicate with parents and guardians throughout the year about how their child is doing academically and socially, and ways the family can support their child's success.
4. We will communicate with parents and guardians throughout the year about how their child is

doing academically and socially, and ways the family can support their child's success.

5. We will create a partnership with every family in our class/school and be accessible to parents at reasonable times through phone calls, notes, emails, or conferences.
6. We will provide a safe, positive, and healthy learning environment.
7. We will provide parents opportunities to volunteer and participate in our classroom activities during this school year, and we will make such opportunities accessible to all parents and family members including those with limited English proficiency and disabilities.
8. We will, as much as reasonably possible, provide information related to school and parent programs, meetings, and other activities in a format and language that the parents and family members can understand.

Parents/Families: "We fully commit to distinction and commit to AMPS Schools by the following:"

1. We/I will make sure our child arrives to school every day by the school's published start time (see school's bell schedule)
2. We/I know that students will abide by the term of the AMPS Attendance and Truancy policies and procedures. Student absences may be required to be made up during Saturday school.
3. We/I will make sure our child follows the dress code.
4. We/I know that students cannot have visible or use personal electronic devices (i.e. cell phones, iPads, or iPods) campus during school hours unless an exception per the AMPS Cell Phone and Electronics Policy is applicable. If your child uses these items at school, they may be confiscated.
5. We/I will assure that students complete all homework given by the teacher; No Excuses.
6. We/I will make arrangements for our child to come to school on assigned Saturday Schools on time and remain until they end.
7. We/I will make arrangements so our child can remain at school until 5:00 p.m. (Mon. - Fri.) if needed
8. We/I will check our child's academic progress throughout the school year including grades, progress reports, and other items pertinent to my child's academics.
9. We/I understand that our child must follow rules so as to protect the safety, integrity, interests, and items of all individuals in the classroom.
10. We/I know that tardiness and other infractions will result in after school detention and/or Friday and/or Saturday School.
11. We/I know that all students who choose to bring lunch must bring their own lunch and that parents cannot drop off lunch for the students after instruction begins.
12. We/I know that students will take pride in campus and work together with staff to keep school campus clean.
13. We/I know that Students are not allowed fast food, candy, or sodas on campus.
14. We/I understand that a child's negative behavior will prohibit their academic success, and for which there should be no excuse.

Commented [MB74]: Why are students staying this late?

Parent/Guardian Signature: _____

Date: _____

Students: "We fully commit to distinction and commit to AMPS Schools"

1. I will arrive to school on time, every day.
2. I will attend all assigned Saturday schools and extension programs.
3. I will respect the school uniform and follow it daily.
4. I know that there are no easy routes to a long and successful path. I will Honor Hard Work.
5. I will complete assigned tasks, including homework- No Excuses!
6. I will be true to myself and commit to work, think, and behave in the best way I know how. I

will ask questions in of my teachers and principal if I do not understand something.

7. I will not put-down my teammates at school.
8. I know that Fighting will not be tolerated.
9. I will adhere to expectations and raise my game every day!
10. I know that students must keep their hands to themselves.
11. I will not take, or borrow school, or others property without permission. Otherwise, it shall be considered stealing.
12. I will always behave and respect all rights of all individuals in the classroom.
13. I will commit to take pride and will work to keep my school campus clean.
14. I know that I cannot leave school campus or grounds at any time during school day without permission from the Site Director.
15. I know that respect of the school facility is dependent on me doing my part and taking pride in my school.

Student Name (First & Last): _____ **Date:** _____

EDUCATIONAL RECORDS AND STUDENT INFORMATION POLICY

Board Policy Number: **[INSERT]**

Adopted: **[INSERT]**

Revised: **[INSERT DATE]**

Commented [MB75]: Please update this information.

The Family Educational Rights and Privacy Act ("FERPA") (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. This includes all Amethod Public Schools ("AMPS").

FERPA gives parents certain rights with respect to their children's education records, which can be in writing, print; or in the form of a video, audio recording, film, microfilm, or microfiche. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records in person. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, AMPS must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
 - School officials with legitimate educational interest;
 - Other schools to which a student is transferring;
 - Specified officials for audit or evaluation purposes;
 - Appropriate parties in connection with financial aid to a student;
 - Organizations conducting certain studies for or on behalf of the school;
 - Accrediting organizations;
 - To comply with a judicial order or lawfully issued subpoena;
 - Appropriate officials in cases of health and safety emergencies; and
 - State and local authorities, within a juvenile justice system, pursuant to specific State law.

AMPS will use best judgment in accordance with the law on a case-by-case basis in regards to student information and written requests. Moreover, Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance.

However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory

information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in an AMPS bulletin, student handbook, or newspaper article) is left to the discretion of each school. Parents DO NOT have a right to other student records (i.e.) a recording of a surveillance video with more than one child (a child that is not theirs).

For additional information or technical assistance, you may call (510) 436-0172 (voice).

Documentation

AMPS must maintain a record of every person who requests or obtains access to a particular student's record, except for the student's parents and school officials.

Commented [MB76]: There have been numerous legal changes to this policy. We provide all updated language in tracked changes below.

The Board of Directors of Amethod Public Schools ("AMPS" or "Charter School"), 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 AMPS.

Definitions

"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 AMPS or by a party acting for AMPS. Such information includes, but is not limited to:

1. 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;
2. Grades, test scores, courses taken, academic specializations and school activities;
3. Special education records;
4. Disciplinary records;
5. Medical and health records;
6. Attendance records and records of past schools attended; and/or
7. 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:

1. 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;

2. Records maintained by a law enforcement unit of AMPS that were created by that law enforcement unit for the purpose of law enforcement;
 3. In the case of a person who is employed by AMPS but not in attendance at AMPS, 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;
 4. 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 AMPS;
 5. Records that only contain information about an individual after the individual is no longer a student at AMPS; or
 6. Grades on peer-graded papers before they are collected and recorded by a teacher.
- "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 AMPS reasonably believes knows the identity of the student to whom the education record relates.
 - "Directory Information": Charter School may disclose the PII that it has designated as directory information, consistent with the terms of the annual notice provided by AMPS pursuant to the FERPA (20 U.S.C. § 1232g). AMPS has designated the following information as directory information:
 1. Student's name
 2. Student's address
 3. Parent/guardian's address
 4. Telephone listing
 5. Student's electronic mail address
 6. Parent/guardian's electronic mail address
 7. Photograph
 8. Date and place of birth
 9. Dates of attendance

10. Grade level11. Participation in officially recognized activities and sports12. Weight and height of members of athletic teams13. Degrees, honors, and awards received14. The most recent educational agency or institution attended15. 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.)

- “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.
- “Eligible Student”: Eligible student means a student who has reached eighteen (18) years of age.
- “School Official”: A school official is a person employed by Charter School 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 AMPS. A school official also may include a volunteer for AMPS or an independent contractor of AMPS or other party who performs an institutional service or function for which AMPS would otherwise use its own employees and who is under the direct control of AMPS with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing their tasks.
- “Legitimate Educational Interest”: A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility.

Commented [MB77]: The Charter School may, but is not required to include all these options. This list can be revised to fit the Charter's School's needs. Please ensure that the student handbook/annual notice language matches this list.

Commented [MB78]: Defining school official broadly is helpful, particularly where the School may be contracting for certain services.

Disclosure Of Directory Information

At the beginning of each school year, AMPS 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 AMPS 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 AMPS in writing of the categories of “directory information” that it may not disclose without the parent's or eligible student's prior written consent. AMPS will continue to honor a valid request to opt out of the disclosure of a former student's directory information made while the former student was in attendance unless the student rescinds the opt out request.

Annual Notification To Parents And Eligible Students

At the beginning of each school year, in addition to the notice required for directory information, Charter School 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:

Commented [MB79]: Pursuant to 34 CFR Section 99.7(b), schools must effectively notify parents or eligible students who are disabled or who have a primary or home language other than English.

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 AMPS to comply with the requirements of FERPA and its promulgated regulations; and
5. Request that AMPS 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 AMPS 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.

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 **Chief Executive Officer**. Within five (5) business days, AMPS shall comply with the request.

Copies of Education Records

Charter School will provide copies of requested documents within five (5) business days of a written request for copies. AMPS 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.

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 **Chief Executive Officer** to correct or remove any information in the student's education record that is any of the following:

- a. Inaccurate.
- b. Misleading.
- c. In violation of the privacy rights of the student.

Commented [MB80]: Federal law permits 45 days to respond. However, the Education Code requires a response within 5 business days, including for requests related to special education records. Charter schools agree to comply with the 5-day requirement for purposes of special education through membership in a SELPA and/or in compliance with the authorizer's procedures. In addition, many charter schools agree to comply with records request requirements with an MOU or the charter petition.

While we have not reviewed these documents for the School, we advise complying with the 5-business-day timeline for all requests to avoid confusion among staff and ensure compliance with state special education laws.

Commented [MB81]: Although the School can voluntarily agree to comply with Ed. Code section 49070, which also allows amendments based on education records that are 1) an unsubstantiated personal conclusion or inference, 2) a conclusion or inference outside the observer's area of competence, or 3) not based on the personal observation of a named person with the time and place of the observation noted, as a charter school, the School is not required to include these additional bases for amendments unless it otherwise agreed to do so in its charter petition, MOU etc. The procedures for requesting amendment to a student record and hearings to challenge a record that are contained in this Policy comply with the FERPA requirements.

Charter School will respond within thirty (30) days of the receipt of the request to amend. AMPS's response will be in writing and if the request for amendment is denied, AMPS 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 Chief Executive Officer sustains any or all of the allegations, the Chief Executive Officer must order the correction or the removal and destruction of the information. The Chief Executive Officer or designee must then inform the parent or eligible student of the amendment in writing.

If the Chief Executive Officer sustains the parent or eligible student's request to change the student's name and/or gender, Charter School shall add a new document to the student's record that includes all of the following information:

- a. The date of the request.
- b. The date the requested records were corrected.
- c. A list of the records requested to be corrected.
- d. The type of documentation, if any, provided to demonstrate a legal change to the student's name and/or gender. The parent or guardian of the student is not required to provide documentation of a legal change to the student's name and/or gender.
- e. The name of the employee that completed the request.
- f. The student's corrected and former names and/or genders.

Charter School shall immediately update a former student's records to include the student's updated legal name or gender if the Charter School receives government-issued documentation demonstrating that the former student's legal name or gender has been changed. Acceptable government issued identification includes but is not limited to:

- a. State-issued driver's license.
- b. Birth certificate.
- c. Passport.
- d. Social security card.
- e. Court order indicating a name change or a gender change, or both.

If requested by the former student, the Charter School shall reissue any documents conferred upon the former student with the former student's updated legal name or gender. Documents that may be reissued by Charter School include, but are not limited to, a transcript, a high school diploma, a high school equivalency certificate, or other similar documents conferred upon the former student.

If a former student requests that their name or gender be changed and the requested records are reissued, the Charter School shall add a new document to the former student's file that includes all of the following:

- a. The date of the request.
- b. The date the requested records were reissued to the former student.
- c. A list of the records that were requested by, and reissued to, the former student.
- d. The type of documentation provided by the former student in order to demonstrate the legal name or gender change.

- e. The name of the school district, charter school, or county office of education staff person that completed the request.
- f. The current and former name or gender of the former student.

• **Hearing to Challenge Education Record**

If Charter School denies a parent or eligible student's request to amend an education record, the parent or eligible student may, within thirty (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 record on the grounds that the information contained in the education record 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:

- a. The principal or designee of a public school other than the public school at which the record is on file;
- b. A certificated Charter School employee; and
- c. A parent appointed by the Chief Executive Officer 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 Charter School to the parent or eligible student no later than twenty (20) days before the hearing.

The Chief Executive Officer or designee of a public school will 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. 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, AMPS's 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, Charter School 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, Charter School 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 AMPS, or both. If AMPS 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

Commented [MB82]: Education Code section 49071 states:

"To assist in making determinations pursuant to Section 49070, a district superintendent or governing board may convene a hearing panel composed of the following persons, provided that the parent has given written consent to release information from the relevant pupil's records to the members of the panel so convened:

- (1) The principal of a public school other than the public school at which the record is on file.
- (2) A certificated employee appointed by the chairman of the certificated employee council of the district, or, if no such council exists, a certificated employee appointed by the parent.
- (3) A parent appointed by the superintendent or by the governing board of the district, depending upon who convenes the panel.

- (b) The persons appointed pursuant to paragraphs (2) and (3) of subdivision (a) shall, if possible, not be acquainted with the pupil, his parent or guardian, or the certificated employee who recorded the information, except when the parent or guardian appoints the person pursuant to paragraph (2).
- (c) The principal appointed to the hearing panel shall serve as its chairman."

Since this provision of the Education Code is only directly applicable to school districts, it arguably does not apply to charter schools. The School should feel free to review and revise the members of this panel. The end goal is to create a neutral panel. I have included some recommendations for your consideration.

and disclose the statement whenever it discloses the portion of the record to which the statement relates.

Disclosure Of Education Records And Directory Information

Charter School 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 AMPS 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.

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

Commented [MB83]: This sentence is included for compliance with AB 699.

1. Charter School will disclose education records, without prior written consent of the parent or eligible student, to the following parties:
2. School officials who have a legitimate educational interest as defined by 34 Code of Federal Regulations ("C.F.R.") Part 99;
3. 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, AMPS 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. AMPS 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, AMPS 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;
4. Certain government officials listed in 20 U.S.C. § 1232g(b)(1) in order to carry out lawful functions;
5. 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;

6. Organizations conducting certain studies for AMPS in accordance with 20 U.S.C. § 1232g(b)(1)(F);
7. Accrediting organizations in order to carry out their accrediting functions;
8. Parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1986;
9. 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;
10. Persons who need to know in cases of health and safety emergencies;
11. State and local authorities, within a juvenile justice system, pursuant to specific State law;
12. 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 AMPS for student and parents, and any individualized education program ("IEP") or Section 504 plan that may have been developed or maintained by AMPS; and/or
13. 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 AMPS with respect to that alleged crime or offense. AMPS may disclose the final results of the disciplinary proceeding, regardless of whether AMPS concluded a violation was committed.

Solicitation and Disclosure of Student Information for Immigration Purposes

Charter School shall observe the following:

1. Except as required by state or federal law or as required to administer a state or federally supported education program, Charter School officials and employees will not collect information or documents regarding citizenship or immigration status of students or their family members.
2. If Charter School possesses information that could indicate immigration status, citizenship status, or national origin information, Charter School will not use the acquired information to discriminate against any student or families or bar children from enrolling in or attending school.
3. If parents or guardians choose not to provide information that could indicate their or their children's immigration status, citizenship status, or national origin, Charter School will not use such actions as a basis to discriminate against any students or families or bar children from enrolling or attending school.

Commented [MB84]: The School may have a separate immigration and Enforcement policy. If so, please double check to ensure that this language aligns with your existing language.

4. Charter School will not allow school resources or data to be used to create a registry based on race, gender, sexual orientation, religion, ethnicity, or national origin.

5. During the enrollment process:

a. Where permitted by law, Charter School shall accept alternative means to establish residency, age, or other eligibility criteria for enrollment or programs, and those alternative means shall include among them documentation or information that are available to persons regardless of immigration status, citizenship status, or national origin, and that do not reveal information related to citizenship or immigration status.

b. Charter School will not inquire specifically about a student's citizenship or immigration status or the citizenship or immigration status of a student's parents or guardians; nor shall personnel seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student's immigration status, such as a green card, voter registration, a passport, or citizenship papers.

c. Charter School will not collect entire social security numbers or cards or a statement that the parent or guardian does not possess a Social Security number for the purposes of enrollment, and failure to provide this information will not bar a student from enrolling or attending Charter School. However, the last four digits of an adult household member's Social Security number may be solicited and/or collected if required to establish eligibility for federal benefit programs such as free or reduced-price meals. This Social Security information will only be collected for the limited purpose of establishing eligibility for federal benefit programs and will not affect student enrollment.

6. Charter School will not release information to third parties for immigration-enforcement purposes, except as required by law or court order. Except for investigations of child abuse, child neglect, or child dependency, or when the subpoena served on the Charter School prohibits disclosure, Charter School shall provide parental or guardian notification of any court orders, warrants, or subpoenas before responding to such requests.

The parent, guardian, or eligible student is not required to sign the consent form. If the parent, guardian or eligible student refuses to provide written consent for the release of student information that this not otherwise subject to release, Charter School shall not release the information. Charter School will permanently keep the consent notice with the record file.

Charter School personnel shall take the following steps upon receiving an information request related to a student's or family's immigration or citizenship status:

1. Notify a designated Charter School official about the information request.
2. Provide students and families with appropriate notice and a description of the immigration officer's request.
3. Document any verbal or written request for information by immigration authorities.

4. Unless prohibited, provide students and parents/guardians with any documents issued by the immigration-enforcement officer.

Contract for Digital Storage, Management, and Retrieval of Student Records

The Charter School may enter into a contract with a third party for the digital storage, management, and retrieval of student records and/or to authorize a third party provider of digital software to access, store, and use student records, provided that the contract meets the requirements of Education Code section 49073.1 and other applicable state and federal laws.

Record Keeping Requirements

AMPS 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 AMPS 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 AMPS 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, AMPS 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 PII may be inspected by parents and eligible students, AMPS 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 Charter School.

Student cumulative records may not be removed from the premises of AMPS, unless the individual removing the record has a legitimate educational interest, and is authorized by the **Chief Executive Officer**, or by a majority of a quorum of the Board of Directors at a duly agendized meeting. Employees who remove student cumulative records or other student records from the AMPS 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.).

Complaints

Parents and eligible students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by Charter School 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. 20202-8520

Record Retention

Charter School complies with the definition and retention of student records as established in Title 5 of the California Code of Regulations (“CCR”) sections 431 through 438, per the following:

- “Mandatory Permanent Student Records”: must be maintained indefinitely or an exact copy thereof for every student who was enrolled in the charter school. These records are defined as:
 1. Legal name of student
 2. Date of birth
 3. Method of verification of birth date
 4. Sex of student
 5. Place of birth
 6. Name and address of parent of minor student
 7. Address of minor student if different than above
 8. An annual verification of the name and address of the parent and the residence of the student
 9. Entering and leaving date of each school year and for any summer session or other extra session Subjects taken during each year, half year, summer session or quarter
 10. If marks or credit are given, the mark or number of credits toward graduation allows for work taken.
 11. Verification of or exemption from required immunizations
 12. Date of high school graduation or equivalent

The mandatory permanent student record or a copy thereof shall be forwarded by the Charter School upon request of a public or private school in which the student has enrolled or intends to enroll. If the Charter School forwards the original mandatory permanent student record, a copy must be maintained by the Charter School. If the Charter School forwards a copy, the original must be maintained by the Charter School.

- “Mandatory Interim Student Records”: Must be maintained until judged to be disposable defined as “when the student leaves the charter school or when their usefulness ceases.” These records may be destroyed during the third (3rd) school year following the determination that the records are disposable (i.e. 2019-2020 records may be destroyed after July 1, 2023). These records are defined as:
 1. A log or record identifying those persons (except authorized school personnel) or organizations requesting or receiving information from the record. The log or record shall be accessible only to the legal parent or guardian or the eligible student, or a dependent adult student, or an adult student, or the custodian of records.
 2. Health information, including Child Health Developmental Disabilities Prevention Program verification or waiver
 3. Participation in special education programs including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge
 4. Language training records
 5. Progress slips and/or notices

Commented [MB85]: This section aligns with the Regulations but is not required to be included in the Education Records and Student Information policy.

6. Parental restrictions regarding access to directory information or related stipulations.
7. Parental or adult student rejoinders to challenged records and to disciplinary action
8. Parental authorizations or prohibitions of student participation in specific programs
9. Results of standardized tests administered within the preceding three years

The mandatory interim student record or a copy thereof shall be forwarded by the Charter School upon request of a public school in California in which the student has enrolled or intends to enroll. If the transfer is to an out of state or to a private school, the mandatory interim student record may be forwarded. If the Charter School forwards the original mandatory interim student record, a copy must be maintained by the Charter School until it is destroyed in accordance with this Policy. If the Charter School forwards a copy, the original must be maintained by the Charter School until destroyed in accordance with this Policy.

- "Permitted Student Records": may be maintained and may be destroyed when their usefulness ceases or after six (6) months following the student's completion or withdrawal from school. These records are defined as:
 1. Objective counselor and/or teacher ratings
 2. Standardized test results older than three years
 3. Routine discipline data
 4. Verified reports of relevant behavioral patterns
 5. All disciplinary notices
 6. Attendance records not covered in the 5 CCR § 400

Permitted student records may be forwarded upon a request by a public or private school in which a student is enrolling. If the Charter School forwards the original permitted student record, a copy must be maintained by the Charter School until it is destroyed in accordance with this Policy. If the Charter School forwards a copy, the original must be maintained by the Charter School until destroyed in accordance with this Policy.

STUDENT USE OF TECHNOLOGY POLICY

Commented [MB86]: This policy is legally required because the school accepts e-rate funds.

Board Policy Number: 5000-11

Adopted: September 29, 2022

The Board of Directors of Amethod Public Schools (“AMPS” or the “Charter School”) finds that new technologies are modifying the way in which information may be accessed, communicated and transferred. Those changes also alter instruction and student learning. The Charter School offers students access to technologies that may include Internet access, electronic mail, and equipment, such as computers, tablets, or other multimedia hardware. By its adoption of this Policy, the Board intends that technological resources provided by the Charter School be used in a safe, responsible, and proper manner in support of the instructional program and for the advancement of student learning.

Definitions

- “*Educational purpose*” means classroom activities, research in academic subjects, career or professional development activities, Charter School approved personal research activities, or other purposes as defined by the Charter School from time to time.
- “*Inappropriate use*” means a use that is inconsistent with an educational purpose or that is in clear violation of this Policy and the Acceptable Use Agreement.

Approved Use of Charter School Technology

Use of Charter School equipment and access to the Internet via Charter School equipment and resource networks is intended to serve and pursue educational goals and purposes. Student use of the Internet is therefore limited to only those activities that further or enhance the delivery of an educational purpose. Students and staff have a duty to use Charter School resources only in a manner specified in the Policy.

Notice and Acceptable Use Agreement

The Charter School shall notify students and parents/guardians about authorized uses of Charter School computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities.

Before a student is authorized to use the Charter School’s technological resources, the student and the student’s parent/guardian shall sign and return the Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and the student’s parent/guardian shall agree not to hold the Charter School or any Charter School staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence. They shall also agree to indemnify and hold harmless the Charter School and Charter School personnel for any damages or costs incurred.

Safety

The Charter School shall ensure that all Charter School computers with Internet access have a technology protection measure that blocks or filters Internet access to websites that have no educational purpose and/or contain visual depictions that are obscene, constitute child pornography, or that are harmful to minors. While the Charter School is able exercise reasonable control over content created and purchased by the Charter School, it has limited control over content accessed via the internet and no filtering system is 100% effective. Neither the Charter School nor its staff shall be responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes, misuse or negligence.

To reinforce these measures, the Chief Executive Officer or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities. Staff⁵ shall monitor students while they are using AMPS computers, laptops, or tablets to access the internet or online services on a AMPS campus and may have teacher aides, student aides, and volunteers assist in this monitoring. Parents/guardians are required to supervise and monitor their child's use of AMPS equipment including but not limited to their child's access to the internet and any online services through such equipment any and all times during which any Charter School equipment is being used by their child outside school facilities or school hours to ensure compliance with this policy.

The Chief Executive Officer or designee also shall establish regulations to address the safety and security of students and student information when using email, chat rooms, and other forms of direct electronic communication.

The Chief Executive Officer or designees shall provide age-appropriate instruction⁶ regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, maintaining the student's online reputation and ensuring their personal safety by keeping their personal information private, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.⁷ Students are expected to follow safe practices when using Charter School technology.

⁵ The federal regulation requires the school to "enforce the operation of the technology protection measure during use of its computers with Internet access," which requires the school to provide for staff supervision as part of this policy. The federal regulation also specifically requires the school's policy to include "monitoring the online activities of minors."

⁶ The federal regulation requires the policy to "provide for educating minors about appropriate online behavior, including interacting with other individuals on social networking Web sites and in chat rooms and cyberbullying awareness and response."

⁷ "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils, directed toward one or more pupils that has or can be reasonably predicted to have one or more of the following effects:

- Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupil's person or property.
- Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- Causing a reasonable pupil to experience substantial interference with his or her academic performance.
- Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the school.

As used in connection with "bullying," an "electronic act" means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other

AMPS 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.

Students shall not use the Internet to perform any illegal act or to help others perform illegal acts. Illegal acts include, but are not limited to, any activities in violation of local, state, and federal law and/or accessing information designed to further criminal or dangerous activities. Such information includes, but is not limited to, information that if acted upon could cause damage, present a danger, or cause disruption to the Charter School, other students, or the community. Damaging, debilitating or disabling computers, computer networks or systems through the intentional or overuse of electronic distribution or the spreading of computer viruses or other harmful programs shall be prohibited. Any unauthorized online access to other computers by means of hacking into other computers, downloading hacker tools such as port scanners and password crackers designed to evade restrictions shall also be strictly prohibited.

Student use of Charter School computers to access social networking sites is not prohibited, but access is limited to educational purposes only. To the extent possible, the Chief Executive Officer or designee shall block access to such sites on Charter School computers with Internet access.

The Chief Executive Officer or designee shall oversee the maintenance of the Charter School's technological resources and may establish guidelines and limits on their use.

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

- A message, text, sound, video, or image.
- A post on a social network Internet Web site, including, but not limited to:
 - Posting to or creating a "burn page" (i.e., an Internet Web site created for the purpose of bullying).
 - Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects of bullying. To create a "credible impersonation" means to (knowingly and without consent) impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - Creating a false profile for the purpose of having one or more of the effects of bullying. A "false profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- An act of cyber sexual bullying. The term "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects of bullying. 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. The term "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.

All employees shall receive a copy of this policy and the accompanying Acceptable Use Agreement describing expectations for appropriate use of the system and shall also be provided with information about the role of staff in supervising student use of technological resources. All employees shall comply with this policy and the Acceptable Use Agreement, in addition to any separate policies governing employee use of technology.

Student use of Charter School's computers, networks, and Internet services is a privilege, not a right. Compliance with the Charter School's policies and rules concerning computer use is mandatory. Students who violate these policies and rules may have their computer privileges limited and may be subject to discipline, including but not limited to suspension or expulsion per school policy.

ACCEPTABLE USE AGREEMENT

The Charter School believes that providing access to technology enhances the educational experience for students. However, student use of Charter School computers, networks, and Internet services is a privilege, not a right. To make that experience successful for everyone, students must abide by the following terms and conditions:

1. **Security.** Students shall not impair the security of Charter School technology resources. Students are expected to:
 - a. Safeguard all personal passwords. Students should not share passwords with others and should change passwords frequently. Students are expected to notify an administrator immediately if they believe their student account has been compromised.
 - b. Access technology only with their account or with a shared account as directed by their teacher and not to allow others to use their account or to use the accounts of others, with or without the account owner's authorization.
2. **Authorized Use.** Students may use Charter School technology resources when directed by a teacher, when technology has been designated for open student use (e.g., computers in the library), and for other educational purposes.
3. **Protection Measures.** While the Charter School is able exercise reasonable control over content created and purchased by the Charter School, it has limited control over content accessed via the internet and no filtering system is 100% effective. Neither the Charter School nor its staff, employees, officers, directors or volunteers shall be responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes, misuse or negligence. The student and parent/guardian agree not to hold the Charter School or any Charter School staff, employees, officers, directors or volunteers responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes, misuse or negligence. They also agree to indemnify and hold harmless the Charter School, Charter School staff, employees, officers, directors and volunteers for any damages or costs incurred. Parents/guardians are required to supervise and monitor their child's use of AMPS equipment including but not limited to their child's access to the internet and any online services through such equipment any and all times during which any AMPS equipment is being used by their child outside school facilities or school hours to ensure compliance with this policy.
4. **Inappropriate Use.** Charter School technology, hardware, software and bandwidth are shared and limited resources and all users have an obligation to use those resources responsibly. Students are provided access to the Charter School technology primarily for educational purposes. Students shall not use Charter School technology or equipment for personal activities or for activities that violate Charter School policy or local law. These include but are not limited to:
 - a. Playing games or online gaming.
 - b. Downloading software, music, movies or other content in violation of licensing requirements, copyright or other intellectual property rights.
 - c. Installing software on Charter School equipment without the permission of a teacher or other authorized Charter School staff person.
 - d. Downloading, viewing or sharing inappropriate content, including pornographic, defamatory or otherwise offensive material.
 - e. Conducting any activity that is in violation of Charter School policy, the student code of conduct or local, state or federal law.
 - f. Engaging in any activity that is harmful to other student(s), including the use of technology to harass, intimidate, bully or otherwise disrupt the educational process.

- g. Conducting for-profit business.
 - h. Using hacking tools on the network or intentionally introducing malicious code or viruses into the Charter School's network.
 - i. Using any software or proxy service to obscure either the student's IP address or the sites that the student visits.
 - j. Disabling, bypassing, or attempting to disable or bypass any system monitoring, filtering or other security measures.
 - k. Accessing or attempting to access material or systems on the network that the student is not authorized to access.
5. **No Expectation of Privacy.** Student acknowledges that computer equipment, Internet access networks, email accounts, and any other technology resources are owned by Charter School and provided to students for educational purposes. The Charter School may require staff to monitor and supervise all access to computer equipment, Internet access networks, and email accounts. To facilitate monitoring of activities, computer screens may be positioned so that they are visible to the staff member supervising the students. The Charter School reserves the right to access stored computer records and communications, files, and other data stored on Charter School equipment or sent over Charter School networks. Such communications, files, and data are not private and may be accessed during routine system maintenance; during inspection of Charter School equipment at the end of the school year/term or agree to use period; and review of individual files or monitoring of individual activity when there is a reasonable suspicion that the student is engaging in an inappropriate use.
 6. **Disruptive Activity.** Students should not intentionally interfere with the performance of the Charter School's network or intentionally damage any Charter School technology resources.
 7. **Unauthorized Networks.** Students may not create unauthorized wireless networks to access the Charter School's network. This includes establishing wireless access points, wireless routers and open networks on personal devices.
 8. **Consequences of Inappropriate Use.** Students who violate this Agreement will be subject to discipline, which may include loss of access to Charter School technology resources and/or other appropriate disciplinary or legal action in accordance with the Student Code of Conduct and applicable laws.
 9. **Technology Systems/Equipment Care.** Students are not permitted to have food or drink near computers/other technology and must keep equipment and assigned areas free of vandalism.

After reading the Student Use of Technology Policy and the Acceptable Use Agreement, please complete this form to indicate that you agree with the terms and conditions provided. The signature of both the student and parent/guardian are mandatory before access may be granted to the technologies available. This document, which incorporates the Use Procedure, reflects the entire agreement and understanding of all parties. AMPS encourages parents/guardians to discuss this Policy with their children to ensure their children understand and comply with this Policy.

As a user of Charter School technologies, I have read Student Use of Technology Policy and hereby agree to comply with it and the Acceptable Use Agreement.

I understand that computer use is a privilege and not a right. I understand that students who violate this policy in any way will be subject to a referral and possible suspension or expulsion. I understand that if a student willfully damages AMPS's property, including but not limited to AMPS's technology, equipment and networks, or fails to return AMPS's property that has been loaned to the student, the student's parents/guardians are liable for all damages caused by the student's misconduct up to an amount not to

exceed ten thousand dollars (\$10,000), adjusted annually for inflation. After notifying the student's parent or guardian in writing of the student's alleged misconduct and affording the student due process, AMPS may withhold the student's grades, transcripts, and diploma until the damages have been paid or the property has been returned. If the student and the student's parent/guardian are unable to pay for the damages or to return the property, AMPS will provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Upon completion of the voluntary work, the student's grades, transcripts and diploma will be released. When the minor and parent are unable to pay for the damages, the Charter School will provide a program of voluntary work for the minor in lieu of the payment of monetary damages. A student over the age of majority shall be liable for the same. (Ed. Code § 48904).

Student Name (please print): _____ Grade: _____

Student Signature: _____ Date: _____

Parent/Guardian Name (Please Print): _____

Parent/Guardian Signature: _____ Date: _____

_____ **For School Employees Only** _____

I have read, understand and agree to abide by the Student Use of Technology Policy and the Acceptable Use Agreement. I understand that the Charter School's policies, procedures, rules, and regulations which apply to students also apply to me as an adult user of the Charter School's technology, in addition to any separate policies governing employee use of technology.

Employee Signature: _____

Employee Name (Please Print) _____

NONDISCRIMINATION STATEMENT

Board Policy Number: **[INSERT]**

Adopted: **[INSERT]**

Revised: **[INSERT DATE]**

Commented [MB87]: Please update this information.

Amethod Public Schools (“AMPS” or the “Charter School”) does not discriminate against any person on the basis of actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, citizenship, immigration status, religion, religious affiliation, sexual orientation, pregnancy status, or any other characteristic that is contained in the definition of hate crimes in the California Penal Code. AMPS adheres to all provisions of federal law related to students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 (“ADA”), and the Individuals with Disabilities Education Improvement Act of 2004 (“IDEA”).

AMPS does not discourage students from enrolling or seeking to enroll in Charter School for any reason, including, but not limited to, academic performance, disability, neglect or delinquency, English proficiency, for being homeless or a foster/mobile youth, economic disadvantage, nationality, race, ethnicity, or sexual orientation. Charter School shall not encourage a student currently attending Charter School to disenroll or transfer to another school based on any of the aforementioned reasons except in cases of expulsion and suspension or involuntary removal in accordance with AMPS’s charter and **relevant policies**.

Commented [MB88]: These policies that include involuntary removal language generally include the suspension/expulsion policy, attendance policy, and/or an independent study policy.

AMPS does not request nor require student records prior to a student’s enrollment.

AMPS is committed to providing an educational atmosphere that is free of unlawful harassment under Title IX of the Education Amendments of 1972 (sex); Titles IV, VI, and VII of the Civil Rights Act of 1964 (race, color, or national origin); The Age Discrimination Act of 1975; the IDEA; and Section 504 and Title II of the ADA (mental or physical disability).

AMPS also prohibits sexual harassment, including cyber sexual bullying, and harassment based upon pregnancy, childbirth or related medical conditions, race or ethnicity, religion, religious affiliation, creed, color, citizenship, immigration status, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation.

AMPS does not condone or tolerate harassment of any type, including but not limited to unlawful discrimination, intimidation, or bullying, including cyber sexual bullying, by any employee; independent contractor or other person with which the Charter School does business; student; volunteer; or community member regardless of position or gender. AMPS will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted.

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

The Charter School’s Nondiscrimination Statement relevant to employees is located within AMPS’s **Employee Handbook** and can be located at **[INSERT LOCATION]**.

Commented [MB89]: Please ensure that this aligns with the name of your employment manual.

IMMUNIZATION POLICY

Board Policy Number: [INSERT]

Adopted: [INSERT]

Revised: [INSERT]

Commented [MB90]: Please update this information.

Amethod Public Schools (“AMPS” or the “Charter School”) will adhere to all laws related to legally required immunizations for entering students pursuant to Health and Safety Code Sections 120325-120380, and Title 17, California Code of Regulations Sections 6000-6075.

Required Immunizations, Records and Reports

California law requires that an immunization record be presented to AMPS staff before a child can be unconditionally enrolled in school. AMPS requires written verification from a doctor or immunization clinic of the following immunizations:

Entering students who are not exempt will need the following immunization requirements:

Child's Grade	Immunization	Dosage
Entering Kindergarten ⁸	Diphtheria, Pertussis, and Tetanus (DTaP)	Five (5) doses
	Polio	Four (4) doses
	Measles, Mumps, and Rubella (MMR)	Two (2) doses
	Hepatitis B (Hep B)	Three (3) doses
	Varicella (chickenpox)	Two (2) doses
Entering 7 th Grade ⁹	Tetanus, reduced Diphtheria, and acellular Pertussis (Tdap)	One (1) dose

⁸ **NOTE:** Four doses of DTaP are allowed if one was given on or after the fourth birthday. Three doses meet the requirement if at least one dose of Tdap, DTaP, or DTP vaccine was given on or after the seventh birthday (also meets the 7th-12th grade Tdap requirement.) One or two doses of Td vaccine given on or after the seventh birthday count towards the requirement. Three doses of Polio are allowed if one was given on or after fourth birthday. MMR doses must be given on or after first birthday. Two doses of measles, two doses of mumps, and one dose of rubella vaccine meet the requirement, separately or combined. Combination vaccines (e.g., MMRV) meet the requirements for individual component vaccines.

⁹ **NOTE:** In order to begin seventh grade, students who had a valid personal belief exemption on file with a public or private elementary or secondary school in California before January 1, 2016 must meet all requirements for children 7-17 years old (i.e., polio, MMR, chickenpox/varicella and primary series for diphtheria, tetanus, and pertussis), in addition to the seventh grade requirements for Tdap (at least one dose of pertussis-containing vaccine on or after the seventh birthday) and two (2) doses of Varicella (varicella requirement for seventh grade advancement

	Varicella	Two (2) Doses
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Verification of immunizations will be completed with written medical records from the child's doctor or immunization clinic. Immunization records shall be part of the mandatory permanent pupil record and shall be kept in accordance with AMPS's Educational Records and Student Information Policy. Charter School will file a written report on the immunization status of all new entrants to AMPS with the California Department of Public Health, on at least an annual basis, as required by law.

Any child leaving the United States for a short vacation to or long stay in any country considered by the Center of Disease Control and Prevention ("CDC") to have increased risk of TB exposure MUST contact the County Tuberculosis Clinic for a TB Screening upon return.

Charter School shall immediately admit a foster child, as defined in Education Code § 48853.5(a), and a homeless child, as defined in Section 11434a(2) of Title 42 of the United States Code, even if the foster or homeless child's immunization records are not available or are missing. However, this does not alter AMPS's obligation to obtain immunization records for foster and homeless students or to ensure the full immunization of foster and homeless students as required by law.

If Charter School discovers that an admitted student who was previously believed to be in compliance with the immunization requirements is subsequently discovered to not be in compliance with either the unconditional admission requirements or the conditional admission requirements, AMPS will notify the student's parent/guardian of: 1) the time period within which the doses must be received, which may be no more than ten (10) school days after notification; and 2) that the student shall continue in attendance only if the parent/guardian provides documentation that the immunization requirements have been met within the time period designated by the School. If the student does not provide documentation of having received all required immunizations within the time period designated by the School, AMPS shall exclude this student from attendance. The student shall remain excluded from Charter School until the student is fully immunized as required by law. The student shall also be reported to the School Registrar.

The Chief Executive Officer, or designee, may arrange for a licensed physician or a qualified registered nurse to administer immunizations at Charter School to any student whose parent/guardian has consented in writing.

Conditional Admittance

Students may be conditionally admitted in accordance with Health and Safety Code Section 120340 and Title 17, California Code of Regulations Section 6035. The Chief Executive Officer or designee shall notify the student's parents/guardians of the date by which the student must complete all the remaining doses. The Chief Executive Officer or designee shall review the immunization record of each student admitted conditionally at least every thirty (30) days from the date of admission until that student has received all the required immunizations or submitted an exemption. If a student conditionally admitted fails to fulfill the conditions of admission, AMPS will prohibit the student from further attendance until that student has been fully immunized as required by law.

Documentary Proof

expires after June 30, 2025).

Commented [MB91]: Client Note: Tuberculosis screening is technically not part of the California school immunization law, so the School is not legally required to include that specific provision in its immunization policy (unless it otherwise agreed to do so in its charter, MOU, etc.). However, per 22 CCR § 41329, "A pupil who has not been examined for tuberculosis as required . . . who may have tuberculosis, or who may have been exposed, shall be reported by the governing authority immediately by telephone to the local health officer. The local health officer may require the exclusion of the pupil from school until certified to be free of communicable tuberculosis." (Emphasis added). As such, we recommend that you keep this language in the policy and allow the Health Department to determine whether an examination is necessary before the student returns.

Commented [MB92]: Please verify this is the correct person for this role.

Commented [MB93]: Conditional admittance is permitted through Health and Safety Code section 120340 and 17 CCR Section 6035. However, the School is not required to allow conditional admittance. If the School chooses to prohibit conditional admittance, please let us know as further revisions to this template may be necessary.

The **Chief Executive Officer** shall maintain the student's immunization information in the student's mandatory permanent record and shall file annual immunization status reports as required by the California Department of Public Health.

Exemptions from Immunization Requirements

All students must be fully immunized in accordance with the California Health and Safety Code, the California Code of Regulations, and this Policy with the following exceptions:

1. Students who show proof of a medical exemption by a physician licensed to practice medicine in California pursuant to Health and Safety Code Section 120370.
 - a. Commencing January 1, 2021, the California Department of Public Health standardized medical exemption form shall be the only documentation of a medical exemption that the School shall accept.
 - b. On and after July 1, 2021, the School shall not unconditionally admit or readmit, or admit or advance any student to 7th grade, unless the student has been fully immunized or files a California Department of Public Health standardized medical exemption form as required by law.
 - c. Medical exemptions issued before January 1, 2020 will continue to remain valid until the child enrolls in the next grade span, defined below.
2. Students who are enrolled in a home-based private school or independent study program and do not receive any classroom-based instruction.
 - a. A student who has not received all of the required immunizations will not be eligible to attend classes at a Charter School resource center unless the student is otherwise exempt under #1 or #3.
3. Students who, prior to January 1, 2016, submitted a letter or affidavit on file at a private or public elementary or secondary school in California stating beliefs opposed to immunization, and who provides said letter or affidavit to the AMPS, shall be allowed to enroll at the Charter School without being fully immunized until the student enrolls in the next grade span pursuant to Health and Safety Code Section 120335(g).
 - a. "Grade span" means each of the following:
 - i. Birth to Preschool.
 - ii. Kindergarten and grades 1 to 6, inclusive, including transitional kindergarten.
 - iii. Grades 7 to 12, inclusive.

Commented [MB94]: Client Note: The School may, but is not required to, have parents sign an acknowledgement of receipt of this policy.

If there is good cause to believe that a child has been exposed to a disease listed in subdivision (b) of Section 120335 and his or her documentary proof of immunization status does not show proof of immunization against that disease, that child may be temporarily excluded from the School until the local health officer is satisfied that the child is no longer at risk of developing or transmitting the disease.

This Policy does not prohibit a student who qualifies for an individualized education program ("IEP"), pursuant to federal law and Education Code Section 56026, from accessing any special education and related services required by the student's IEP.

SCHOOL SPONSORED FIELD TRIPS & CULTURAL EXCURSIONS POLICY

Board Policy Number: [INSERT]

Adopted: [INSERT]
Revised: [INSERT]

Commented [MB95]: Please update this information.

The Board of Directors of Amethod Public Schools (“AMPS” or the “Charter School”) recognizes and supports the concept of connecting our students with the broader community, both locally and globally, by providing field trips, cultural and art experiences, community service opportunities, and environmental education to fulfill AMPS’s mission and philosophy. These activities help to promote tolerance, understanding, and acceptance of others, and enrich the educational experiences of the students, as well as meet the Charter School’s goal of creating passionate life-long learners.

The safety and security of our students is a primary priority when planning or participating in field trips or excursions. These activities will be carried out in an appropriate manner to maximize and ensure student safety and to minimize the Charter School’s legal liability and financial cost.

Definition

- A “*field trip or cultural excursion*” involves students leaving AMPS grounds to participate in school sponsored educational opportunities in connection with AMPS’s course of study or school related social, educational, cultural, athletic, school band or other extracurricular or cocurricular activities.

Selection of Field Trips and Excursions

The teaching team will continue to research and provide enriching learning opportunities to share with their students both within the classroom and out in the broader community. The **Chief Executive Officer** shall have the authority to approve all in-state day (non-overnight) field trips and excursions. Requests for out of state, out of country or overnight travel shall be brought before the **Board of Directors** for approval. The **Chief Executive Officer** will initially receive all such requests and make a recommendation to the Board of Directors as to whether the request should be approved.

Commented [MB96]: Not legally required of charter schools, but a best practice.

The **Chief Executive Officer** will ensure that the following items will be adhered to for all AMPS field trips and excursions:

1. The proposed field trip or cultural excursion relates to AMPS’s educational objectives
2. The correct ratio of adult to students is met for supervision of the activity
3. A means of transportation to and from the activity is provided
4. Adequate restroom facilities, food and water will be available during the activity

The **Chief Executive Officer** shall not approve any activity that he/she considers to be inherently dangerous to students.

Permission Slips

Before a student can participate in a school-sponsored trip, the teacher shall obtain parent/guardian permission for the trip. Whenever a trip involves water activities, the parent/guardian shall provide specific permission for his/her child to participate in the water activities. The Charter School shall provide an alternative educational experience for students whose parents/guardians do not wish them to participate in a trip.

All persons making the field trip or excursion shall be deemed to have waived all claims against the Charter School or the State of California for injury, accident, illness, or death occurring during or by reason of the field trip or excursion. All adults taking out-of-state field trips or excursions and all parents/guardians of students taking out-of-state field trips or excursions shall sign a statement waiving such claims.

Items that will be included on the permission slip are:

1. An emergency phone number for the student
2. Any medications the student is required to take with the time and dosage required
3. Any medications the student is allergic to
4. Any other medical information necessary to ensure the student's safety
5. Waiver as described above

A copy of a completed and signed permission slip will be kept on the Charter School site and one copy will be given to the teacher or teachers to take on the field trip or excursion.

Voluntary Participation

The Charter School will provide alternative educational activities to those students who choose not to attend a specific field trip or excursion. Parents/guardians will have advance notice of any upcoming field trip or excursion and have the option to withdraw their permission for their child to attend that field trip or excursion.

Disciplinary Rules

Students are under the jurisdiction of the Charter School Board at all times during the field trip or excursion and all AMPS policies continue to be enforced during field trips and excursions. Charter School disciplinary policies are to be adhered to at all times. (e.g. Horseplay, practical jokes, harassment, taunting, rough play, aggressive or violent behavior, profanity, viewing of pornographic material, and use of alcohol and/or controlled substances during the field trip or excursion are strictly prohibited.)

Except as otherwise required by law, a student may be excluded from the trip if their presence poses a safety or disciplinary risk.

Commented [MB97]: We recommend you work with counsel prior to excluding a student from a field trip to assist the school in considering the specific students and any special protections they may have (i.e. special education).

Defraying Expenses of Field Trips and Excursions

The Charter School may charge a fee for field trips and excursions pursuant Education Code section 35330. However, the Charter School will endeavor to keep the costs of any field trips affordable for all students' families. In no event will a student be prevented from participating in the field trip or excursion due to lack of sufficient funds. In accordance with Education Code section 35330(b), the Charter School will coordinate the efforts of community service groups to supply funds for students in need.

Supervision of Field Trips and Excursions

The teacher who coordinated the field trip will be present to supervise the field trip or excursion, except in unusual circumstances when a replacement teacher is assigned because of an unexpected unavailability. The Chief Executive Officer will be designated as the emergency contact for the group on the field trip or

excursion. Any injuries or unusual incidents occurring during the field trip or excursion will be documented in writing by the coordinating teacher and given to the Charter School's **Chief Executive Officer**

The **Chief Executive Officer** shall ensure that the field trips and excursions have an adequate number of adults attending to safely supervise the student attending the field trip or excursion.

A first aid kit shall be in the possession of or immediately available to a teacher, employee, or agent of the school during the student field trip or excursion. Whenever trips are conducted in areas known to be infested with poisonous snakes, the first aid kit taken on the trip shall contain medically accepted snakebite remedies. In addition, a teacher, employee, or agent of the school who has completed a first aid course which is certified by the American Red Cross and which emphasizes the treatment of snakebites shall participate in the trip.

Charter School employees or volunteers shall not consume alcohol or use controlled substances (except for medications taken under a physician's orders) while accompanying and supervising students on a field trip or excursion.

Accident Insurance

The Charter School provides student accident insurance which covers medical expenses arising from student injuries on campus or while participating in a Charter School-sponsored off campus activity. The family's health insurance is primary, but if there is no health insurance, the Charter School's Student Accident Insurance becomes primary. Information and applications for student accident insurance are available from the **Chief Executive Officer**. The cost incurred by the Charter School shall be covered by the pupil or his or her parent or guardian.

Commented [MB98]: Required of school districts, but not charter schools. However, charter school's may be able to purchase such insurance options through their insurance provider and offer it as a benefit for parents.

Parent or Guardian Participation in Field Trips and Excursions

As field trips and excursions are an integral part of the Charter School learning experience, parents are encouraged to participate in an assisting role with students. The **Chief Executive Officer** or the coordinating teacher will provide parents and guardians with specific supervisory guidelines prior to any Charter School group trip involving students. Topics to be included are safety regulations, emergency responses, and responsibilities of the parent volunteers and language or behavior requirements of all attendees.

A participating parent or guardian will be assigned to a specific group of students to supervise and will be responsible for these students at all times during the field trip or excursion. Under no circumstances will a parent or guardian consume alcohol or use controlled substances (except for medications taken under a physician's orders) during a field trip or excursion. The parent or guardian will notify the coordinating teacher, in advance of the field trip or excursion, should he/she be under a physician's orders and using medications.

All adults taking out-of-state field trips or excursions, and all parents or guardians of pupils taking out-of-state field trips or excursions are required to sign a statement waiving all claims against AMPS, its employees, and the State of California for injury, accident, illness or death occurring during or by reason of the field trip or excursion.

Commented [MB99]: This is consistent with Subdivision (d) of Section 35330 of the Education Code. All persons making an in-state trip are deemed to have waived all claims. A signed statement is only needed for out-of-state trips. However, please check with your insurance provider who may require or recommend a signed statement for all field trips.

Transportation

Commented [MB100]: Not required to be in the Policy. If you are not going to use employees/volunteers to transport, which is a safer option, we would recommend removing this language and instead having a separate transportation policy regarding bus travel.

At all times during the field trip or excursion, teachers, staff and parents will use the safest mode of transportation and the safest and most direct routes of travel. If travel is not by bus, the legal occupancy limit of ten (10) occupants (including the driver) must not be exceeded, all speed notices must be strictly adhered to and students are to be seated with individual seatbelts at all times.

The Charter School shall take reasonable precautions to ensure that all employees and volunteers who transport students are responsible and capable operators of the vehicles to be used and ensure compliance with the Charter School Student Transportation Policy and Driver Requirements as follows:

Employee or volunteer drivers who offer to provide transportation for a field trip or excursion must provide a copy of the following:

1. Proof of liability insurance for their vehicle with a minimum of \$100K/\$300K coverage.
2. A copy of their Driver's License and Vehicle Registration.
3. A written statement acknowledging that their insurance carrier is the primary agent responsible for insurance during the field trip or excursion.
4. A criminal background check conducted by the California Department of Justice ("DOJ"). Employees or volunteers whose DOJ report reveals a Driving Under the Influence conviction shall not be permitted to transport students or operate any vehicle on Charter School business for ten (10) years from the date of the conviction. Any employee or volunteer convicted of a felony shall not be permitted to transport Charter School students on Charter School business.
5. A Department of Motor Vehicles record. Employees or volunteers with driving records with two (2) points or more shall not be permitted to transport students or operate any vehicle for Charter School field trips and excursions.

Each of these items will be provided to the **Chief Executive Officer** or coordinating teacher prior to driving on a field trip or excursion.

Under no circumstances shall students transport other students.

For the volunteer's safety and that of all the students in his/her car, the following rules apply:

1. All Charter School rules apply to students in the volunteer's car. Volunteer drivers are free to appropriately manage student behavior as necessary to maintain safety.
2. All California driving laws must be followed including child restraint laws: no texting or distracted driving, hands-free phone use only.
3. No movies may be shown in vehicles.
4. No side trips allowed, including gasoline stops. Please be sure to have enough gas before leaving on the trip.
5. Maps and directions from the teacher should be reviewed prior to leaving.

6. No purchases for students should be made on the field trip including food or treats for students in the car.
7. Call the Charter School office immediately if there is a problem.

Non-School-Sponsored Field Trips/Excursions

A non-school-sponsored field trip/excursion is defined as one that is organized and promoted by an outside organization whether or not it is of an educational value or is somehow connected to a particular course of study. This includes trips that are organized by organizations that may be affiliated with the Charter School (i.e. parent organizations, cultural groups, etc.):

1. Students who miss school will receive an unexcused absence.
2. Teachers are not responsible for creating school work ahead of time.
3. Students must make up missed academic work.
4. The Charter School has no responsibility to provide travel.
5. Any employee of the Charter School who attends a non-sponsored field trip/excursion does so voluntarily and is not acting as an employee of the Charter School.
6. If a non-sponsored field trip/excursion is promoted on Charter School property, all materials must clearly state that this is a non-sponsored school field trip/activity.
7. No insurance coverage will be provided by the Charter School.
8. The Charter School assumes no legal or financial responsibility for non-sanctioned field trips.

GENERAL COMPLAINT POLICY

Board Policy Number: [INSERT]
Adopted: [INSERT]
Revised: [INSERT]

Commented [MB101]: Please update this information.

Amethod Public Schools (the “Charter School”) has adopted this General Complaint Policy to address concerns about the Charter School generally and/or regarding specific Charter School employees. For complaints regarding unlawful discrimination, harassment, intimidation or bullying, unlawful pupil fees, or other specific perceived violations of state or federal laws, please refer to the Charter School’s Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy and/or the Charter School’s Uniform Complaint Policy and Procedures. For all other complaints, this Policy, the General Complaint Form, and accompanying procedures will be appropriate. For any questions regarding the application of this Policy or the Charter School’s other policies, please contact the Chief Executive Officer at:

Chief Executive Officer
Amethod Public Schools
2101 Livingston St.
Oakland, CA 94606
Telephone: (510) 436-0172

This Policy shall be used when a non-employee complainant raises a complaint or concern about Charter School generally or a Charter School employee.

If reasonably feasible, third-party complaints shall be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the Charter School employee directly. However, in the event an informal resolution cannot be achieved or is not appropriate, the following steps will be followed:

1. The complainant begins the process by filing a written complaint using a General Complaint Form (sample below) with the office of the **Chief Executive Officer** as soon as possible after the events that give rise to the complainant’s concerns. The written complaint shall set forth in detail the factual basis for the complaint;
2. The **Chief Executive Officer** (or designee) shall use their best efforts to ascertain the facts relating to the complaint. When applicable, the **Chief Executive Officer** (or designee) shall confer with the parties identified in the complaint or persons with knowledge of the particulars of the complaint to ascertain said facts; and
3. In the event that the **Chief Executive Officer** (or designee) finds that a complaint is valid, the **Chief Executive Officer** (or designee) shall take appropriate action to resolve the concern. In the event the complaint is against an employee of the Charter School, the **Chief Executive Officer** (or designee) may take disciplinary action against the employee. As appropriate, the **Chief Executive Officer** (or designee) may counsel or reprimand employees as to their conduct without initiating formal disciplinary measures. The **Chief Executive Officer**’s (or designee’s) decision relating to the complaint shall be final.
4. If the complaint is about the **Chief Executive Officer**, the complainant may file their complaint by using a General Complaint Form (sample below) and sending it to the **Chair** of the Board, who will then conduct a fact-finding investigation or authorize a third-party investigator on behalf of the Charter School. The **Chair** or investigator will report the findings to the Board, in **closed session** for review and further action, if necessary.

Commented [MB102]: This should be agendized as:
“Public Employee Discipline/Dismissal Release (§ 54957) Or could
be Conference with legal counsel.

5. The **Chief Executive Officer** or Chair shall draft a written response to the complainant indicating that the matter has been investigated and sufficiently addressed. If appropriate, the response may include general details about the manner of the resolution, but at all times employee and student privacy rights shall be maintained. No response may include any details about adverse action taken against a student or employee.

GENERAL ASSURANCES

Confidentiality: All complainants shall be notified that information obtained from the complainants, and thereafter gathered during the investigation, shall be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be guaranteed.

Non-Retaliation: All complainants shall be advised that complainants shall be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.

Resolution: The Board, **Chief Executive Officer**, or designee will investigate complaints appropriately under the circumstances, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

GENERAL COMPLAINT FORM

Name: _____ Date: _____

Date of Alleged Incident(s): _____

Name of Person(s) this complaint is about (if known and applicable):

List any witnesses that were present: _____

Where did the incident(s) occur?

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

I hereby authorize the Charter School 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. Employees providing false information in this regard could result in disciplinary action up to and including termination.

Signature of Complainant

Print Name

To be completed by Charter School:
Received by:

Print Name

Date

CAMPUS SEARCH & SEIZURE POLICY

Board Policy Number: **INSERT**

Adopted: June 2, 2021

Revised: **INSERT DATE**

Commented [MB103]: if you plan to utilize metal detectors or other form of daily administrative search of students based upon a systemic safety concern, revisions will be necessary to ensure appropriate notice is provide and the appropriate findings are made by your board when adopting such a policy.

Statement of Findings

Amethod Public Schools ("AMPS" or the "Charter School") recognizes and has determined that the occurrence of incidents which may include the possession of firearms, weapons, alcohol, controlled substances, or other items of contraband prohibited by law or Charter School rules and regulations, jeopardizes the health, safety and welfare of students and Charter School employees.

The California Constitution requires that all students and staff of public schools have the inalienable right to attend campuses which are safe, secure, and peaceful. As such, Charter School adopts this Policy outlining the reasonable search of students and their property, student use areas, and/or student lockers and the seizure of illegal, unsafe, unauthorized or contraband items and materials through a search based upon reasonable suspicion.

Definitions

- *"Reasonable Suspicion"* means a sufficient probability that the search will reveal evidence the student has violated or is violating the law. Certainty is not required. Articulate facts must support a school official's reasonable suspicion that a search is justified. In no case shall a search be conducted if predicated on mere curiosity, rumor or hunch.
- A *"violation of either the law or Charter School rules and regulations"* includes, but is not limited to, possession of illegal, unauthorized or contraband materials. Illegal, unauthorized or contraband materials include those materials which are dangerous to the health or safety of students or school personnel, are disruptive or potentially disruptive, or which have been cited as unauthorized in Charter School rules or regulations.
- *"Personal electronic device"* means a device that stores, generates, or transmits information in electronic form, and is not owned or otherwise loaned to the student by Charter School.
- *"Electronic communication"* means the transfer of signs, signals, writings, images, sounds, data, or intelligence of any nature in whole or in part by a wire, radio, electromagnetic, photoelectric, or photo-optical system.
- *"Electronic communication information"* means any information about an electronic communication or the use of an electronic communication service, including, but not limited to, the contents, sender, recipients, format, or location of the sender or recipients at any point during the communication, the time or date the communication was created, sent, or received, or any information pertaining to any individual or **personal** device participating in the communication, including, but not limited to, an IP address.

Notice

Written notice of this Policy shall be provided to students and their parents and/or guardians at the start of each school year and/or upon enrollment during the school year. A summary of this Policy shall also be placed in the Student Handbook and other materials, as appropriate, to be disseminated by the Charter School to students, parents and/or guardians and Charter School employees. In addition, the Charter School shall place signs and/or other posted notifications on campus regarding this policy, as appropriate.

Student Searches - Generally

A Charter School official (e.g., administrator, employee, teacher, school police officer, and/or employee), may conduct a reasonable search of a student's person and/or personal effects (e.g., backpack, purse, etc.) if a school official has reasonable suspicion that the student is engaged in or has engaged in illegal activity or a violation of Charter School rules and regulations. Whether a search is reasonable depends on the context within which a search takes place. The Charter School official must assess the reliability of the student or person providing the information, the degree of danger to others, and the immediacy of the need for a search.

The search of a student and/or of their personal effects must be:

1. **Justified at its Inception:** There are reasonable grounds for suspecting the search will turn up evidence that the student is violating or has violated the law or Charter School rules. Articulable facts must support a Charter School official's reasonable suspicion that a search is justified. In no case shall a search be conducted if predicated on mere curiosity, rumor or hunch; and
2. **Reasonable in Scope:** The measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Searches of Private Electronic Devices

A student's personal cell phone, smartphone, or other personal electronic device shall not be searched by Charter School officials without a warrant, the student's consent, or a legitimate emergency, unless the device is lost or abandoned. An emergency is any situation involving danger of death or serious physical injury to any person, that requires access to the information located or reasonably believed to be located on the electronic device. If the Charter School has a good faith belief that the device is lost, stolen, or abandoned, the Charter School may only access electronic device information in order to attempt to identify, verify, or contact the owner of the device.

Nothing in this Policy prohibits the Charter School from seizing/confiscating a student's personal electronic device, without searching its contents, if the student's use or possession of the private electronic device is in violation of Charter School rules or regulations.

Required Conduct of Searches:

Commented [MB104]: On January 1, 2016, the California Electronic Communications Privacy Act (also known as CalECPA or SB 178) took effect placing new restrictions on "government entity" searches of electronic devices. "Government entity" is defined under the Act as a department or agency of the state or a political subdivision thereof, or an individual acting for or on behalf of the state or a political subdivision thereof.

This definition is broad and appears to include school districts. While not specifically applicable to charter schools, we believe the most conservative approach would be to assume charter schools are included for the same reason school districts are – because they are entities funded and to a large extent, regulated by the state.

CalECPA defines an emergency as a situation "involving danger of death or serious physical injury to any person [that] requires access to the electronic device information." Penal Code § 1546.1(c)(6).

Please note that this does not prohibit the school from **confiscating** a student's private electronic device – it only limits a school's ability to search the **contents** of the device or access digital communications (such as emails sent or received from a personal account).

Additionally, any search of a student and/or of their personal effects shall be:

1. Conducted in the presence of at least one (1) other adult witness, whenever possible;
2. Conducted out of the presence of other students to maintain student confidentiality;
3. Conducted in a manner that does not involve:
 - a. Conducting a body cavity search of a student manually or with an instrument; or
 - b. Removing or arranging any or all of the clothing of a student to permit visual inspection of the underclothing, breast, buttocks, or genitalia of the student.
4. Documented by keeping a log of the search methods as well as a written description and/or pictures of any prohibited or illegal items ultimately seized as a result of the search.

Student Use Areas

Student use areas, including, but not limited to, instructional and recreational space, are considered Charter School property and remain at all times under the control of Charter School. Periodic general inspections of instructional space and other areas of the school may be conducted by Charter School officials for any reason at any time without notice.

Canine Searches

AMPS officials, including campus security or school police/resource officers, may use trained detection dogs in inspections of unaccompanied belongings for illegal, unauthorized or contraband materials in school facilities and around school grounds. All dogs must be accompanied by a qualified and authorized trainer who will be responsible for the dog's actions and who can verify the reliability and accuracy in sniffing out contraband. Trained detection dogs may sniff all unaccompanied locations, including, but not limited to: lockers, student use areas, vehicles, unattended backpacks and other student belonging, and other inanimate objects throughout school property. Prior to initiating a search, Charter School officials must have reasonable suspicion of a schoolwide concern.

An indication by the dog that illegal, unauthorized or contraband materials are present on school property shall constitute reasonable suspicion, authorizing school officials to search the area or other inanimate object and closed containers and objects within, without securing the consent of the student.

AMPS shall not use dogs to search a student's person without individualized reasonable suspicion of illegal, unauthorized, or contraband material. If a dog alerts on a student's person, the alert shall constitute reasonable suspicion for a lawful search and all applicable law and policy discussed herein shall be followed in the subsequent search.

Lockers

Student lockers, including P.E. lockers, are school property and remain at all times under the control of Charter School. Students shall assume full responsibility for the security of their lockers. Student lockers may not be used to store illegal, unauthorized, or contraband materials.

Commented [MB105]: Only include if the School will use canine searches, if not, remove.

Commented [MB106]: Only include if the School has lockers, if not, remove.

The acceptance and use of locker facilities on school campus by any student shall constitute consent by the student to the search of such locker facilities by authorized Charter School personnel and/or law enforcement. Inspections of lockers may be conducted by Charter School personnel and/or law enforcement though the use of trained dogs as described above.

Seizure of Illegal, Unauthorized, or Contraband Materials

If a lawfully conducted search yields illegal, unauthorized, or contraband materials, such materials shall be turned over to the proper legal authorities for ultimate disposition.

Discipline

If illegal, unauthorized or contraband materials are discovered during a search, including but not limited to searches conducted by Charter School officials or trained detection dogs, AMPS may impose discipline upon the student(s) (including suspension and/or expulsion) in accordance with Charter School's discipline policies and procedures. Charter School shall notify law enforcement authorities if any search and/or seizure results in the discovery of illegal contraband.

Video Surveillance and Other Recording Devices

AMPS may utilize video surveillance devices in all common areas of the school campus including, but not limited to, outdoor spaces, entrances and exits, parking lots, stairwells, hallways, classrooms, the main office, school buses, and any other commonly used spaces. Charter School shall not utilize video surveillance devices in private spaces such as restrooms and locker rooms. Charter School's intent and purpose in utilizing video surveillance devices is to ensure student and staff health, welfare, and safety in order to maintain safe and orderly conduct throughout the school day.

AMPS shall not use audio recording where there is an expectation of privacy without prior consent of all parties subject to recording. Students, staff, parents, and other members of the public are similarly prohibited from audio recording on Charter School campus without prior consent. This policy does not prohibit the Charter School from recording classes as needed for student achievement nor any other permissible audio recording by the Charter School otherwise provided under the law.

Video surveillance recordings are not considered student education records unless the recording is maintained and (1) intended for use in a disciplinary action or proceeding, (2) depicts an activity that shows a student violating the law, (3) shows a student getting injured, attacked, victimized, ill, or having a health emergency, (4) contains personally identifiable information from a student's educational record. A video surveillance recording is not considered a student's education record when the student's image is incidental to the activity shown in the recording or when the student is participating in a public activity.

AMPS shall comply with all state and federal law regarding access to, review, and disclosure of student records, including Family Educational Rights and Privacy Act ("FERPA"). This includes compliance with lawful requests under the California Public Records Act, from law enforcement, and other appropriate agencies. Charter School will evaluate the legality of any requests in advance of disclosure and will comply with all notice requirements under FERPA.

Temperature Screening

In light of the novel coronavirus ("COVID-19") health emergency, AMPS shall ~~follow the below procedures for temperature screening~~ temperature screen individuals, as necessary, in accordance with all applicable law and state and local health orders to prevent the spread of COVID-19. The Charter School will follow its COVID-19 Prevention Policy and/or Comprehensive School Safety Plan which outlines the temperature screening requirements.

~~The Centers for Disease Control and Prevention ("CDC") recognizes fever as a symptom of COVID-19. As a result, and in accordance with guidance from the Center for Disease Control ("CDC"), the California Department of Education ("CDE") and the California Department of Public Health ("CDPH"), all students must submit to a noninvasive temperature screening prior to entering any Charter School resource center or administrative offices. Temperature screenings shall be administered in accordance with the following criteria:~~

- ~~• The Charter School shall utilize a noninvasive forehead temperature scan with a disposable cover on the device which will be changed after each use.~~
- ~~• Individuals who administer temperature screenings shall be appropriately trained in using the device and interpreting the results.~~
- ~~• Individuals who administer temperature screenings shall be provided appropriate personal protective equipment ("PPE"), including gloves and masks.~~
- ~~• Students and vendors must wear a mask over their mouth and nose while receiving a temperature scan.~~
- ~~• All temperature results shall remain confidential and no personnel records shall be created based on a temperature screening.~~

~~Students who present with an elevated temperature of 100 degrees Fahrenheit or greater will be sent home and shall be excluded from all Charter School facilities for a minimum of fourteen (14) days. Students may return to a Charter School facility before fourteen (14) days only if they submit a certification from a health care provider establishing that they do not have COVID-19.~~

CELL PHONES, SMARTPHONES, PAGERS & OTHER ELECTRONIC SIGNALING DEVICES POLICY

Board Policy Number: INSERT

Adopted: INSERT

Revised: INSERT DATE

Amethod Public Schools (“AMPS” or the “Charter School”) Board of Directors recognizes the potential for cell phones, smartphones, pagers, and electronic signaling devices (hereinafter collectively referred to as “private devices”) to disrupt the learning environment of the Charter School, and adopts this Policy to permit students to possess, but not use private devices while on school grounds, at school-sponsored activities, or under the supervision of Charter School employees, except as otherwise provided in this Policy. Students who possess any private devices must always keep them turned off and out of view while on school grounds or at school-sponsored activities and functions. Charter School teachers, administrators, and staff will confiscate any private devices used by a student in violation of this Policy.

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

Private devices may be used:

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

Private devices shall be turned off and shall not be used:

- During instructional classroom time, including assemblies, and any other school activity, which takes place during the regularly scheduled school day on or off campus.
- During break periods, between class periods, or during lunch.
- During events sponsored by the Charter School held before or after regular school hours.
- On field trips or excursions sponsored by the Charter School.

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

Commented [MB107]: This complies with AB 272 (2019) regarding smart phones and EC 48901.7.

Commented [MB108]: Even if the search and confiscation of the phone or personal device is valid, Charter School employees may not search the actual contents of or information contained on a student’s private device without first obtaining consent from the student (note that we also recommend obtaining consent from the student’s parents/guardians) before searching the content/information on the device. An exception to this is if there is an “emergency situation” involving danger of death or serious physical injury to any person [that] requires access to the electronic device information.” Penal Code § 1546.1(c)(6) another exception is if you have court ordered search warrant. Please contact our office if you have any questions.

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

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

STUDENT SUPPORT AND PROGRESS TEAM (“SST”) POLICY

Board Policy Number: [INSERT]

Adopted: [INSERT]

Revised: [INSERT DATE]

Commented [MB109]: Please update this information.

The Board of Directors of Amethod Public Schools (“AMPS” or the “Charter School”) recognizes there are students who may need additional support within the classroom both academically and behaviorally.

A Student Support and Progress Team (“SST”) process utilizes a team of Charter School staff dedicated to identifying and supporting students who exhibit academic or behavioral problems by providing early systematic assistance to student and connect them to appropriate interventions and supports through the regular instructional setting.

An SST uses a systematic problem-solving approach to assist students with concerns which are interfering with success. The SST clarifies problems and concerns; develops strategies and organizes resources; provides a system for school accountability; and serves to assist and counsel the parent, teacher and student.

The SST process is a function of the general education program. All students can benefit from an SST, including but not limited to, those students achieving below or above grade level and students who have experienced emotional trauma, behavioral issues, or language issues.

Referral to an SST

A student may be referred to the SST process for any reason, including, but not limited to:

1. Lack of academic progress;
2. Increasing behavioral concerns;
3. Consideration for retention;
4. Attendance/truancy issues;
5. Parent concerns; and/or
6. Any other reason appearing to impact a student’s access to education.

Any AMPS teacher or staff member who has a concern for a student can refer that student to the SST for consideration.

SST Meeting

The purpose of the SST is to discuss issues and concerns related to a student's performance, identify intervention strategies which may help a student succeed, and monitor his or her progress to ensure learning and development. The team may suggest regular program interventions and/or support services available to all students. The SST may suggest and offer different supports that may include monitoring student progress, developing intervention plans, referring students to intervention services (e.g. reading or math specialists, counseling, etc.) and implementing increasing tiers of school-based intervention services, as necessary.

Anyone who is connected with the student can be included in the SST to provide information to share about the student's strengths, concerns and strategies which have been used in the past. These people may include, but are not limited to, teachers, principals, parents/guardians, counselors, doctors, administration, social workers, and/or law enforcement. The meeting is designed to bring out the best in the people involved.

The AMPS SST meeting steps include, but are not limited to, the following:

1. Team members introduce themselves and their roles
2. Purpose and process of the meeting are stated
3. Timekeeper is appointed
4. Strengths of the student are identified
5. Concerns are discussed, clarified and listed
6. Pertinent information and modifications are listed
7. Concerns are synthesized with one or two chosen for focus
8. Strategies to deal with concerns are chosen; options are brainstormed
9. Team chooses best strategies to carry into actions
10. Individuals make commitments to actions
11. Person responsible and timelines for actions are recorded
12. Formalization of an SST intervention plan
13. Follow-up meeting date is set

Follow-up after an SST

After implementation of an SST intervention plan and follow up meeting, if the student continues to exhibit academic and/or behavioral concerns and/or should the student need additional supports, the SST may discuss making revisions to the student's intervention plan and/or providing the student with additional supports, or if necessary, the SST may refer the student for assessment for special education services and/or a Section 504 accommodation plan as applicable.

Commented [MB110]: An SSPT does not meet the legal requirements under Education Code § 56043 when student is referred for special education assessment, including upon parent request.

Should the team (including parent) determine that SSPT is appropriate in lieu of assessment, the School should obtain a written revocation of the request for assessment and/or a written extension of the 15-day timeline.

If you have any questions regarding the School's obligation under these or similar circumstances, please contact our office.

DRESS CODE AND UNIFORM POLICY

Board Policy #: **[INSERT]**

Adopted/Ratified: June 16, 2021

The following guidelines are intended to define appropriate student attire and personal grooming for students at Amethod Public Schools ("AMPS" or the "Charter School"). The purpose of our dress code is to enhance the classroom atmosphere, encourage appropriate dress for the workplace in the future, and minimize student distraction, so as not to interfere with the educational process. It is also intended to help protect the health, safety, and welfare of the individual student.

All students shall be required to show proper attention to personal cleanliness, health, neatness, safety, appearance and suitability of clothing for school activities. This dress code shall be in effect on campus during school and school sponsored activities except where modified by the site administrator for specific extracurricular activities or in special cases. The AMPS staff and administration reserve the right to determine clothing which disrupts or detracts from the educational environment. This dress code is gender neutral. Clothing may be of any fashion, style or design, as determined by the student and the student's parents/guardians.

Uniforms

Designated and approved school uniforms will be worn by every student attending an Amethod Public Schools ("AMPS") school. Students and families will be expected to adhere the specific uniform requirements at all times including on field trips, excursions, events, unless advised by Director. Uniforms will be available for purchase throughout the year. Students unable to purchase a uniform will be given one.

Dress and Grooming

Students shall at all times dress and groom themselves in a manner which is consistent with the schools' educational goal of providing safe and secure schools and which demonstrates respect for the seriousness appropriate in a learning environment. In cooperation with teachers, students and parents/guardians, the director or designee shall establish school rules governing student dress and grooming which are consistent with law, Governing Board policy and uniform policies. These school dress codes shall be regularly reviewed and at least once per semester.

The following guidelines shall apply to all regular school activities:

1. Appropriate shoes must be worn at all times, which include: sandals with a heel strap, tennis shoes, shoes with laces, and slip on shoes. The following shoes are not permitted: high heel or platform shoes, shoes with grind plates, shoes with wheels, slippers, or flip-flop sandals. Black or white shoes only due to gang color associations and student safety.
2. Accessories: The following are not permitted: wallet chains, facial piercings, or spiked bracelets.
3. Hats, caps or other head coverings shall not be worn unless it is necessary for medical or

religious reasons.

4. Clothes shall be sufficient to conceal undergarments at all times. See-through or fish-net fabrics, and skirts or shorts shorter than knee-thigh are prohibited. No shirts may be worn that expose bare midriff.
5. Hair shall be clean and neatly groomed. Hair may not be sprayed by any coloring. Neatly groomed hair is essential to avoid specific gang associations by use of hair designs and/or color.
6. Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes.
7. No clothing, jewelry, accessories, or hairstyles which are, or include, a picture, writing, or insignia which is: (1) gang related; (2) presents a safety hazard to the wearer or others; (3) advertises or symbolizes any type of alcohol, drugs, tobacco, or gambling; (4) includes weapons or acts which are illegal, violent, obscene, or hazardous to one's health; (5) sexually suggestive, crude, vulgar, profane; discriminatory, obscene, contain threats, libelous; or (6) offensive or degrading to students or staff on the basis of gender, cultural, religious or ethnic values.

- ~~8.~~—The Director, staff, students and parent/guardians at each school may establish reasonable dress and grooming regulations for times when students are engaged in extracurricular or other special school activities.

~~9-8.~~

Religious Requirements

The school will be respectful of religious dress requirements, including but not limited to the wearing of scarves or head coverings.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received.

Notification of the Student Dress Code

Parents and students will be provided notice of the Charter School's dress code at the beginning of the school year and/or upon enrollment.

Dress Code Violations

If a Charter School staff member determines that a student's attire is inappropriate or disruptive to the educational environment as described hearing, the following may occur:

1. The student may be asked to briefly leave class to change clothing to align with this dress code.
2. The Charter School may confiscate items that violate the dress code.

3. The Charter School may notify the student's parents/guardians of the dress code violation(s).
4. The Charter School may schedule a conference with the student's parents/guardians to discuss the dress code violation(s).

Students may not be disciplined, penalized academically, or removed from class as a consequence for wearing "inappropriate" attire.

ATTENDANCE POLICY

Board Policy #: 5270

Adopted/Ratified: 2005

Revision Date: October 20, 2021; [INSERT DATE]

Consistent school attendance is critical to the school's 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 further behavioral problems. It is the intent of the Board of Directors ("Board") of Amethod Public Schools ("AMPS" or "Charter School") to ensure that students attend school every day and on time. The policy permits students to be excused from school for justifiable reasons such as illness, doctor's appointment, family emergency, and attendance at religious retreats.

Definitions

- *"Tardy"*: Students shall be classified as tardy if the student arrives after the school's published start time (see school's bell's schedule).
- *"Unexcused Absence"*: A student shall have an unexcused absence if the student is absent or is tardy for more than thirty (30) minutes without a valid excuse.
- *"Truant"*: A student shall be classified as a 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 Site Director or designee.
- *"Habitual Truant"*: A student 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")"*: The SART panel will be composed of the School Administrator, School Counselor, Community Outreach Coordinator, and additional personnel as deemed necessary by the Site Director. The SART panel will discuss the absence problem with the student's parent/guardian to work on solutions, develop strategies, discuss appropriate support services for the student and student's family, and establish a plan to resolve the attendance issue.

1. The SART panel shall direct the parent/guardian that no further unexcused absences or tardies can be tolerated.
2. The parent/guardian shall be required to sign a contract formalizing the agreement by the parent/guardian 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:
 - a. Parent/guardian to attend school with the child for one day
 - b. Student retention
 - c. After school detention program
 - d. Required school counseling
 - e. Loss of field trip privileges
 - f. Loss of school store privileges
 - g. Loss of school event privileges
 - h. Mandatory Saturday school
 - i. Required remediation plan as set by the SART
 - j. Notification to the County District Attorney
3. The SART panel may discuss other school placement options.
4. Notice of action recommended by the SART will be provided in writing to the parent/guardian.

Excused Absences for Classroom Based Attendance

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as ~~permitted required~~ bylaw or ~~permitted under this Board policy~~Attendance Policy.

A student's absence shall be excused for the following reasons:

1. Personal illness, including an absence for the benefit of the pupil's mental or behavioral health (with a valid doctor's note or medical documentation);
2. Quarantine under the direction of a county or city health officer;
3. Medical, dental, optometric, or chiropractic appointments;
 - 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. Attendance at funeral services for a member of the immediate family:
 - a. Excused absence in this instance shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state.
 - b. "Immediate family" shall be defined as ~~mother, father, grandmother, grandfather~~ a parent or guardian, grandparent, spouse, son/son-in-law,

- daughter/daughter-in-law, brother, sister or any relative living in the student's ~~immediate~~ household.
5. Participation in religious instruction or exercises ~~in accordance with Board policy as follows:~~
 - a. The student shall be excused for this purpose on no more than four school days per month.
 6. For the purposes of jury duty in the manner provided for by law.
 7. Due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent, including absences to care for a sick child. (The school does not require a note from the doctor for this excusal).
 8. To permit the student to spend time with an immediate family member who is an active duty member of the uniformed services, as defined in Education Code section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the Charter School.
 9. For the purpose of serving as a member of a precinct board for an election pursuant to Election Code section 12302.
 10. Attendance at the student's naturalization ceremony to become a United States citizen.
 11. Authorized parental leave for a pregnant or parenting student for up to eight (8) weeks, which may be extended if deemed medically necessary by the student's physician.
 12. Authorized at the discretion of the Site Director or designee, based on the facts of the student's circumstances, are deemed to constitute a valid excuse.
 13. 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.
 - ~~14.~~ 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.~~~~15.~~ For the purpose of participating in a cultural ceremony or event. "Cultural" for these purposes means relating to the habits, practices, beliefs, and traditions of a certain group of people.
 16. For the purpose of a middle school or high school pupil engaging in a civic or political event, provided that the pupil notifies the school ahead of the absence. A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.

- a. A middle school or high school pupil who is absent pursuant to this provision is required to be excused for only one schoolday-long absence per school year.
- a-b. A middle school or high school pupil who is absent pursuant to this provision may be permitted additional excused absences in the discretion of a school administrator.

15.17. For the following justifiable personal reasons for a maximum of five (5) school days per school year, upon advance written request by the student's parent or guardian and approval by the Site Director or designee pursuant to uniform standards.

- a. Appearance in court;
- b. Observation of a holiday or ceremony of ~~his/her~~the student's religion;
- c. Attendance at religious retreats ~~for no more than four hours during a semester.~~
- d. Attendance at an employment conference.
- e. Attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization.

A student who is absent due to an excused absence will be allowed to complete all assignments and tests missed during the excused absence that can be reasonably provided and will receive full credit upon satisfactory completion within a reasonable period of time. The teacher of the class from which a student is absent shall determine which tests and assignments are reasonably equivalent to, but not necessarily identical to, the tests and assignments that the student missed during the excused absence.

Method of Verification

When a student has not arrived within the first fifteen (15) minutes of school, and no contact from a parent has been received, a school representative will attempt to contact the parent/guardian. To have an absence excused, a parent/guardian must notify the school by stating the reason for the absence and providing appropriate ~~documentation~~documentation upon the student's return to school.

If appropriate notification has not been received within two (2) days of student's return to school, the absence may be considered an unexcused absence. Parents whose work schedule prevents them from contacting the school during the normal school hours are strongly urged to send a note with the student, leave a voicemail, or email the school.

When students who have been absent return to school, they must present a satisfactory explanation verifying the reason for the absence.

The following methods may be used to verify student absences:

1. Written note from parent/guardian, or 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 designee, 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, School staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.
 - b. A healthcare provider's note or medical documentation of illness will be accepted for any reported absence.

***Insofar as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during non-school hours, and, whenever possible, to encourage students to return to school after a non-emergency appointment.*

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.~~

Unexcused Absences/Truancy for Classroom Based Attendance

The Site Director, or designee, shall implement positive steps to reduce truancy, including working with the family in an attempt to resolve the attendance problem. A student's progress and learning may be affected by excessive unexcused absences. In addition, the Charter School is fiscally dependent on student attendance and is negatively impacted by excessive unexcused absences. If all attempts to resolve the student's attendance problem are unsuccessful, the Charter School will implement the processes described below.

Process for Addressing Truancy

- a. 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 automated school messenger system. A staff member from the school may also call home.
- b. 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 Registrar or designee. In addition, the Dean may also call home and/or the Charter School 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.

- c. Upon reaching five (5) unexcused absences or unexcused tardies over 30 minutes, the parent/guardian will receive **“Truancy Letter #2 – Habitual Truant Classification Notice and Conference Request,”** notifying the parent/guardian of the student’s “Habitual Truant” status and a parent/guardian conference will be scheduled to review the student’s records and develop an intervention plan/contract. In addition, the Charter School will consult with a school counselor regarding the appropriateness of a home visitation and/or case management.
- d. Upon reaching six (6) unexcused absences or unexcused tardies over 30 minutes, the parent/guardian will receive a **“Truancy Letter #3 – Referral to SART Meeting”** and the student will be referred to a Student Success Team (SST) and the SART.
5. If the conditions of the SART contract are not met, the student may incur additional administrative action up to and including disenrollment from the Charter School, consistent with the Involuntary Removal Process described below. If the student is disenrolled after the Involuntary Removal Process has been followed, notification will be sent within thirty (30) days to the student’s last known school district of residence.
6. For all communications set forth in this process, the Charter School will use the contact information provided by the parent/guardian in the registration packet. It is the parent’s or guardian’s responsibility to update the Charter School with any new contact information.
7. If a student is absent ten (10) or more consecutive school days without valid excuse and the student’s parent/guardian cannot be reached at the number or address provided in the registration packet and does not otherwise respond to the Charter School’s communication attempts, as set forth above, the student will be in violation of the SART contract, and the SART panel will recommend that the student be disenrolled in compliance with the Involuntary Removal Process described below. The Involuntary Removal Process can be started immediately upon the Charter School receiving documentation of the student’s enrollment and attendance at another public or private school (i.e., a CALPADS report).

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

When a student is not in attendance on the first five (5) days of the school year, the Charter School will attempt to reach the student’s parent/guardian on a daily basis for each of the first five (5) 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, the student’s parent/guardian must notify the Charter School 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-sixth~~ (5th6th) day of the school year ~~due to an unexcused absence~~ 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 (1st) day of the school year will be contacted by phone to ensure their intent to enroll in the Charter School.
2. Students who have indicated their intent to enroll but have not attended by the third (3rd) day of the school year and do not have an excused absence will receive a letter indicating the student's risk of disenrollment.
3. Students who have indicated their intent to enroll but have not attended by the fifth (5th) day of the school year and do not have an excused absence will receive a phone call reiterating the content of the letter.
4. Students who are not in attendance by the sixth (6th) day of the school year and do not have an excused absence will receive an Involuntary Removal Notice and the CDE Enrollment Complaint Notice and Form. The Charter School will follow the Involuntary Removal Process described below, which includes an additional five (5) schooldays for the parent/guardian to respond to the Charter School and request a hearing before disenrollment.
5. The Involuntary Removal Process can be started immediately upon the Charter School receiving documentation of the student's enrollment and attendance at another public or private school (i.e., a CALPADS report).
6. The Charter School will use the contact information provided by the parent/guardian in the registration packet.
7. Within thirty (30) calendar days of disenrollment, the Charter School will send the student's last known school district of residence a letter notifying it of the student's failure to attend the Charter School.

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 the Charter School's intent to remove the student ("Involuntary Removal Notice"). The Involuntary Removal Notice must be provided to the parent or guardian no less than five (5) schooldays before the effective date of the proposed disenrollment date.

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:

1. The charges against the student
2. An explanation of the student's basic rights including the right to request a hearing before the effective date of the action
3. The CDE Enrollment Complaint Notice and Form

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 a parent's or guardian's 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 school district of residence within thirty (30) calendar 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.

These policies will be enforced fairly, uniformly, and consistently without regard to any protected classification, including but not limited to race, ethnicity, national origin, gender, disability, or sexual orientation.

Referral to Appropriate Agencies or County District Attorney

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

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

Non-Discrimination

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

Reports

The Site Director, or designee, shall gather and report semi-annually 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.

VISITATION AND VOLUNTEER POLICY

Board Policy Number: 5028

Adopted: June 29, 2021

While Amethod Public School (“AMPS” or the “Charter School”) encourages parents/guardians and interested members of the community to visit the Charter School and view the educational program, AMPS 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, the AMPS Board of Directors 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

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

1. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be (1) fingerprinted and (2) receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

2. A volunteer shall also have on file with AMPS a certificate showing that, upon initial volunteer assignment, the person submitted to a tuberculosis risk assessment and, if tuberculosis risk factors were identified, was examined and found to be free of infectious tuberculosis. If no risk factors are identified, an examination is not required. At the discretion of the AMPS Board of Directors, this paragraph shall not apply to a volunteer whose functions do not require frequent or prolonged contact with pupils.
3. Volunteering must be arranged with the classroom teacher and Site Director or designee, at least forty-eight (48) hours in advance.
4. A volunteer may not volunteer in the classroom for more than three (3) hours per month.
5. Prior to volunteering in the classroom, the volunteer should communicate with the teacher 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 aide the volunteer may leave their volunteer position for that day.
6. Information gained by volunteers regarding students (e.g. academic performance or behavior) is to be maintained in strict confidentiality. Volunteers must sign in agreement that they have read and understand and agree to follow the Family Educational Rights and Privacy Act ("FERPA") Policy.
7. 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.
8. Volunteerism by parents is encouraged but not mandatory. Any volunteer hours are tracked for purposes of maintaining data on the parent participation at the School.
9. This Policy does not authorize AMPS 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

1. Visits during school hours should first be arranged with the teacher and Site Director or designee, at least forty-eight (48) hours in advance. If a conference is desired, an appointment should be set with the teacher during non-instructional time, at least forty-eight (48) hours in advance. Parents/guardians seeking to visit a classroom during school hours must first obtain the approval of the classroom teacher and the Site Director or designee.
2. All visitors (including volunteers) shall register in the Visitors 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. 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.

3. 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. AMPS 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.
4. If the visitor is a government officer/official (including but not limited to local law enforcement officers, immigration enforcement officers, social workers, district attorneys, or U.S. attorneys) the officer/official will also be asked to produce any documentation that authorizes school access. AMPS shall make reasonable efforts to notify parents or guardians prior to permitting a student to be interviewed or searched, consistent with the law and/or any court order, warrant or instructions from the officer/official. A copy of the documentation provided by the officer and notes from the encounter may be maintained by AMPS, consistent with the law. The AMPS Board of Directors and Bureau of Children's Justice in the California Department of Justice, at BCJ@doj.ca.gov, will be timely informed regarding any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes, as recommended by the Attorney General.
5. For purposes of school safety and security, the Site Director or designee may design a visible means of identification for visitors while on school premises.
6. Except for unusual circumstances, approved by the Site Director, AMPS visits should not exceed approximately sixty (60) minutes in length and may not occur more than twice per semester.
7. 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 Site Director's written permission.
8. Before leaving campus, the visitor shall return the Visitor's Permit and sign out of the Visitors Log Book in the main office.
9. The Site Director, 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.
10. The Site Director 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 Site Director or designee will not be permitted to return to the Charter School campus for at least seven (7) days.

11. The Site Director or designee may withdraw consent to be on campus for up to fourteen (14) days 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 AMPS's orderly operation. Consent shall be reinstated whenever the Site Director has reason to believe that the presence of the person will not constitute a substantial and material threat to the orderly operation of the School campus. The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the two-week period. The written request shall state the address to which notice of hearing is to be sent. The Site Director shall grant such a hearing not later than seven (7) days from the date of receipt of the request and shall immediately mail a written notice of the time, place, and date of such hearing to such person.
12. The Site Director 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 Site Director 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.
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 Site Director or designee is located, and what route to take to that office, and setting forth the penalties for violation of this Policy.
14. The Site Director or designee may seek the assistance of the police in managing or reporting any visitor in violation of this Policy.

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, the visitor will be guilty of a misdemeanor, 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, any 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 AMPS's 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.

ADMINISTRATION OF MEDICATION POLICY

Board Policy #: [INSERT]
 Adopted/Ratified: [INSERT]
 Revision Date: [INSERT]

Amethod Public Schools (“AMPS” or the “Charter School”) staff is responsible for overseeing the administration of medication to students attending AMPS during the regular school day. It is imperative that practices followed in the administration of medication be carefully delineated to ensure the safety of our students and the legal protection of our employees.

Definitions

- “*Authorized health care provider*” means an individual who is licensed by the State of California to prescribe medication.
- “*Authorizing physician and surgeon*” may include, but is not limited to, a physician and surgeon employed by, or contracting with, a local educational agency, a medical director of the local health department, or a local emergency medical services director.
- “*School nurse*” means an individual who is currently a credentialed and licensed registered nurse employed by the Charter School.
- “*Other designated Charter School personnel*” means an individual employed by the Charter School who has (1) has consented to assist/administer medication to students and (2) may legally assist/administer the medication to students.
- “*Medication*” includes prescription medication, over-the-counter remedies, nutritional supplements, and herbal remedies. Sunscreen is not considered a medication.
- “*Opioid antagonist*” means naloxone hydrochloride (“NARCAN”) or another drug approved by the federal Food and Drug Administration (“FDA”) that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body, and has been approved for the treatment of an opioid overdose.

Commented [MB111]: This section is OPTIONAL and should be removed if the School does not include within this policy the section on opioid training.

- “Regular school day” includes during school hours, before- or after-school programs, field trips, extracurricular or co-curricular activities, and camps or other activities that typically involve at least one (1) overnight stay from home.

Administration of Medication with Charter School Assistance

Any student who is or may be required to take, during the regular schoolday, prescription medication prescribed or ordered for the student by an authorized health care provider may be assisted by the school nurse or designated Charter School personnel.

In order for a student to be assisted by the school nurse or other designated Charter School personnel in administering medication, Charter School shall obtain both:

1. A written statement from the student’s authorized health care provider detailing the name of the medication, method, amount/dosage, and time schedules by which the medication is to be taken, and
2. A written statement from the parent, foster parent, or guardian of the student indicating the desire that AMPS assist the student in the matters set forth in the statement of the authorized health care provider.

These written statements specified shall be provided at least annually and more frequently if the medication, dosage/amount, frequency of administration, or reason for administration changes.

The primary responsibility for the administration of medication rests with the parent/guardian, student, and medical professionals.

Self-Administration of Medication (without Charter School assistance)

Students in grades [INSERT] will be permitted to self-carry and self-administer prescription medication if an authorized health care provider has indicated that a student may need to take this medication or is required to take this medication during the regular school day. Prescription medication includes an auto-injectable epinephrine (“EpiPen”) and inhaled asthma medication. In order to carry and self-administer this medication, AMPs must receive the following:

1. A written statement from the student’s authorized health care provider (1) detailing the name of the medication, method, dosage/amount, and time schedules by which the medication is to be taken, and (2) confirming that the student is able to self-administer an EpiPen or inhaled asthma medication, and
2. A written statement from the parent, foster parent, or guardian of the student (1) consenting to the self-administration, (2) providing a release for the school nurse or designated Charter School personnel to consult with the health care provider of the student regarding any questions that may arise with regard to the medication, and (3) releasing AMPS and Charter School personnel from civil liability if the self-administering student suffers an adverse reaction as a result of self-administering medication.

Commented [MB112]: Pursuant to 5 CCR Section 605, the School may allow a pupil to carry medication and to self-administer the medication.

Please note that while self-administration of medication is not prohibited by state law, **we strongly urge caution here.** The most conservative option would be to not allow for any self-administration of medication apart from epi-pens and asthma inhalers. However, if you wish to retain a broader self-administration procedure, we recommend limiting it to older (high school) students.

If you wish to keep this language restrictive, it can be revised to state:

The Charter School does not permit students to self-carry and self-administer prescription medication with the exception of auto-injectable epinephrine (“EpiPen”) and inhaled asthma medication as authorized by a health care provider that has indicated that a student may need to take this medication or is required to take this medication during the regular school day. In order to carry and self-administer this medication, **AMPs** must receive the following:

These written statements specified shall be provided at least annually and more frequently if the medication, dosage/amount, frequency of administration, or reason for administration changes.

AMPs may elect to observe and document the student's ability to safety and competently self-carry and self-administer prescription medication as directed by the authorized health care provider. A student may be subject to disciplinary action if the student uses this prescription medication in a manner other than as prescribed.

Any student requiring insulin shots must establish a plan for administration of insulin shots with the Chief Executive Officer in consultation with the parent or guardian and the student's medical professional.

Staff Training and Emergency Response

Additional information about staff trainings and the Charter School's response to emergencies may be located within the Employment Handbook and/or the School Safety Plan.

A. Response to Anaphylactic Reaction

The school nurse or trained personnel who have volunteered may use an EpiPen to provide emergency medical aid to persons suffering, or reasonably believed to be suffering from, an anaphylactic reaction. Charter School will ensure it has the appropriate type of EpiPen on site (i.e., regular or junior) to meet the needs of its students. AMPS will ensure staff properly store, maintain, and restock the EpiPen as needed.

Charter School will ensure any Charter School personnel who volunteer are appropriately trained regarding the storage and emergency use of an EpiPen. Adequate training shall include all of the following:

1. Techniques for recognizing symptoms of anaphylaxis.
2. Standards and procedures for the storage, restocking, and emergency use of EpiPens.
3. Emergency follow-up procedures, including calling the emergency 911 telephone number and contacting, if possible, the student's parent(s)/guardian(s) and physician.
4. Recommendations on the necessity of instruction and certification in cardiopulmonary resuscitation.
5. Instruction on how to determine whether to use an adult EpiPen or a EpiPen, which shall include consideration of a student's grade level or age as a guideline of equivalency for the appropriate student weight determination.
6. Written materials covering the information required pursuant to the training.

AMPS will distribute an annual notice to all staff describing the request for volunteers who will be trained to administer an EpiPen to a person if that person is suffering, or reasonably believed to be suffering from, anaphylaxis. The annual notice shall also describe the training the volunteer will receive.

Commented [MB113]: Pursuant to 5 CCR Section 605, the School may establish rules governing self-administration in order to protect the health and safety both of the student and of the whole student body and staff at the schoolsite. Through such rules, the School may describe circumstances under which self-administration may be prohibited. Please see: the CDE Program Advisory on Administration of Medications.

<https://www.cde.ca.gov/ls/he/hn/documents/medadvisory.pdf>

[If the School wants to flesh out this section and detail the type of documentation that may occur, the following were recommended by the CDE:](#)

Observation of the student self-administering the medication. Determination of the student's capability to have in his or her possession all necessary equipment and supplies.

Determination of the student's capability to adhere to standard precautions and appropriate handling of syringes, needles, lancets, and other medical equipment.

Determination of the student's capability to maintain safety and privacy.

Development of an individualized school healthcare plan (ISHP) by the school nurse or other designated personnel if the student's health condition and status require monitoring and supervision.

Development of a Section 504 Plan or a written agreement with the student that includes:

Procedures for reporting to designated school personnel any problems with medication, supplies or equipment, or if and when the student needs assistance.

A monitoring system for tracking self-medicating student outcomes. Information for the student of what constitutes responsible behavior and that any act of inappropriate behavior with regard to self-administration of medication, such as sharing medications with peers, may result in the school administrator informing the parent or guardian and revoking the privilege of self-administration.

Provision for the student to keep on his or her person a copy of the authorized health care provider and parent or guardian written statements.

Recommendation that the student carry photo identification.

Commented [MB114]: Please review and confirm.

Commented [MB115]: Elementary schools are required to have one junior and or regular EpiPen. Education Code section 49414(g).

Commented [MB116]: Epi Pens need to be restocked 2 weeks after use or when expired. Education Code section 49414(h).

Commented [MB117]: please ensure that the school provides this notice.

B. Response to a Diabetic or Hypoglycemic Emergency

AMPS provides Charter School personnel with voluntary emergency medical training on how to provide emergency medical assistance to students with diabetes suffering from severe hypoglycemia. The volunteer personnel shall provide this emergency care in accordance with standards established herein and the performance instructions set forth by the licensed health care provider of the student. A Charter School employee who does not volunteer or who has not been trained pursuant to this Policy may not be required to provide emergency medical assistance.

Training by a physician, credentialed school nurse, registered nurse, or certificated public health nurse according to the standards established pursuant to this section shall be deemed adequate training. Training established shall include all of the following:

1. Recognition and treatment of hypoglycemia.
2. Administration of glucagon.
3. Basic emergency follow-up procedures, including, but not limited to, calling the emergency 911 telephone number and contacting, if possible, the student's parent or guardian and licensed health care provider.

A Charter School employee shall notify the Chief Executive Officer if the employee administers glucagon pursuant to this Policy.

All materials necessary to administer the glucagon shall be provided by the parent or guardian of the student.

In the case of a student who is able to self-test and monitor their own blood glucose level, upon written request of the parent or guardian, and with authorization of the licensed health care provider of the student, a student with diabetes shall be permitted to test their own blood glucose level and to otherwise provide diabetes self-care in the classroom, in any area of the Charter School or Charter School grounds, during any Charter School-related activity, and, upon specific request by a parent or guardian, in a private location.

Designated staff shall establish emergency procedures for specific medical conditions that require an immediate response (i.e. allergies, asthma, diabetes).

C. Response to an Opioid Overdose

AMPs provides Charter School personnel with voluntary emergency medical training on the administration of opioid antagonists to students exhibiting potentially life-threatening symptoms, or reasonably believed to be suffering, from an opioid overdose at school or a school activity. AMPs will ensure staff properly store, maintain, and restock opioid antagonists as needed.

Training shall include all of the following:

1. Techniques for recognizing symptoms of an opioid overdose.
2. Standards and procedures for the storage, restocking, and emergency use of naloxone hydrochloride or another opioid antagonist.

Commented [MB118]: This may also be a child find trigger for a Section 504 plan and/or IEP.

Commented [MB119]: opioid antagonists need to be restocked 2 weeks after use or when expired. Education Code section 49414.3(h).

3. Basic emergency follow-up procedures, including, but not limited to, a requirement for the school or charter school administrator or, if the administrator is not available, another school staff member to call the emergency 911 telephone number and to contact the student's parent(s)/guardian(s).
4. Recommendations on the necessity of instruction and certification in cardiopulmonary resuscitation.
5. Written materials covering the information required pursuant to the training.

The Chief Executive Officer shall distribute an annual notice to all staff regarding volunteering for training to administer opioid antagonists and a volunteer's right to rescind their offer to volunteer.

Commented [MB120]: Please ensure this occurs.

Commented [MB121]: **THIS SECTION IS OPTIONAL.**
Pursuant to Ed Code 49414.3, the School **may voluntarily** determine whether or not to make emergency naloxone hydrochloride or another opioid antagonist and trained personnel available. In making this determination, the School shall evaluate the emergency medical response time to the School and determine whether initiating emergency medical services is an acceptable alternative to naloxone hydrochloride or another opioid antagonist and trained personnel.

Storage and Record Keeping

1. All medication will be kept in a secure and appropriate storage location and administered per an authorized health care provider's instructions by appropriately designated staff.
2. Designated staff shall keep records of medication administered at AMPS. The medication log may include the following:
 - a. Student's name.
 - b. Name of medication the student is required to take.
 - c. Dose of medication.
 - d. Method by which the student is required to take the medication.
 - e. Time the medication is to be taken during the regular school day.
 - f. Date(s) on which the student is required to take the medication.
 - g. Authorized health care provider's name and contact information.
 - h. A space for daily recording of medication administration to the student or otherwise assisting the student in administration of the medication, such as date, time, amount, and signature of the individual administering the medication or otherwise assisting in administration of the medication.

Designated staff shall return all surplus, discontinued, or outdated medication to the parent/guardian upon completion of the regimen or prior to extended holidays. If the medication cannot be returned, it will be disposed of at the end of the school year.

Commented [MB122]: Medications should not be flushed down the toilet and medications should not be disposed of in the school trash. See: <https://www.cde.ca.gov/ls/he/hn/documents/medadvisory.pdf>

GRADUATION POLICY

Board Policy #: [INSERT]
Adopted/Ratified: [INSERT]
Revision Date: [INSERT]

Commented [MB123]: AMPS had an existing graduation ceremony policy. Please see out suggested additions to this policy below in tracked changes. Please note this is not a required policy to have.

This Graduation Policy was reviewed and approved by the Amethod Charter School (“Charter School” or “AMPS”) Board of Directors as follows:

High school graduation ceremonies shall be held to recognize those students who have earned a diploma or certificate by successfully completing the required course of study, satisfying school graduation standards, and passing any required assessments. The organization believes that these students deserve a public celebration that recognizes the significance of their achievement and encourages them to continue the pursuit of learning throughout their lives.

The school or organization shall not direct invocations, prayers or benedictions at graduation ceremonies.

Conduct at Graduation Ceremonies

Any student participating in a graduation ceremony shall comply with school policies and regulations pertaining to student conduct. The Site Administrator or Director may require graduating students to wear ceremonial attire, such as cap and gown, at the ceremony.

Disciplinary Considerations

In order to encourage high standards of student conduct and behavior, the Site Director may deny a student the privilege of participating in graduation ceremonies and/or activities in accordance with school rules. School rules shall ensure that prior to denial of the privilege(s), the student, and where practicable

his/her parent/guardian, is made aware of the grounds for such denial and that the student is given an opportunity to respond to the proposed denial.

Graduation Ceremony

AMPS's graduation ceremony and related activities (e.g. grad night) are extracurricular educational activities, such that participation in these activities is not an absolute right.

To participate in the graduation ceremony, students must demonstrate one of the following:

1. Completion of the minimum [INSERT #] credits as described above.
2. Completion of sufficient credits to satisfy the minimum required credits by the end of summer session and have enrolled in the appropriate summer session classes.
3. Eligibility for a Certificate of Completion, consistent with this Policy.

Students who meet the above requirements may still not be eligible to participate in the graduation ceremony and related activities if the Student does not demonstrate a record of conduct and citizen consistent with AMPS's conduct policies. The Chief Executive Officer or designee will determine a student's ability to participate in graduation ceremonies and/or activities. Prior to denial of the privilege(s), the student, and where practicable their parent or guardian, shall be made aware of the grounds for such denial and shall be given an opportunity to respond to the proposed denial. If privilege(s) are to be denied, the student and parent/guardian shall receive written notice of the denied privilege and the means whereby the individual may appeal this decision. If a student has an IEP plan or 504 plan, any decisions regarding that student's participation in graduation ceremony/activities will be made by the IEP/504 team and will include the parent/guardian.

Any student participating in a graduation ceremony or activity shall comply with AMPS policies pertaining to student conduct.

The Chief Executive Officer or designee may require graduating students to wear ceremonial attire, such as cap and gown, at the ceremony. Any required attire will be provided to students free of charge for use during the ceremony. A student and/or parent/guardian will have the option of purchasing a cap and gown as a keepsake. Students are permitted to wear tribal regalia or recognized objects of religious or cultural significance as an adornment at the graduation ceremony, in addition to but not instead of the required cap and gown. Any accessory, object or adornment that is likely to cause a substantial disruption of, or interference with, the graduation ceremony will not be permitted. Any graduating student who has completed basic training and is an active member of any branch of the United States Armed Forces may, at their option, wear their military dress uniform at the ceremony.

Course Requirements

AMPS students are expected to meet the requirements set forth in the Charter. The current Charter requires a minimum of [INSERT #] credits as follows:

[INSERT CREDIT BREAKDOWN]

Commented [MB124]: Courts have consistently found that schools can enforce graduation ceremony requirements, even for students with disabilities. *See, e.g., City of Boston v. Bureau of Special Educ. Appeals*, 37 IDELR 256 (Mass. Super. Ct. 2002) and *In re: Student with a Disability*, 115 LRP 24735 (SEA IL 05/15/15). The legal analysis the courts have relied on is that participation in the ceremony is not a protected property right, is not essential to providing a FAPE and is not a change of placement that would require a manifestation determination.

However, for a student who has an IEP, the IEP team should decide if the student meets graduation ceremony requirements based on current performance. A California court found that a decision to exclude a student from graduation ceremonies was not appropriate when the decision was made based on dated information and not by the IEP team. *Capistrano (CA) Unified School District*, 38 IDELR 136 (OCR 2002). The IEP team may also consider modifying the requirements for the individual student if doing so might help the student benefit from his education (e.g. providing motivation for a behavior intervention plan) but is not required to do so. *See Appleton Area Sch. Dist.*, 27 IDELR 682 (SEA WI 1998), *aff'd*, 32 IDELR 91 (E.D. Wis. 2000); and *Independent Sch. Dist. No. 833*, 115 LRP 34828 (SEA MN 03/06/15).

Commented [MB125]: Please remove if this does not apply to your school.

Commented [MB126]: AB 1248 (effective 1/1/19), EC 35183.1 added new rules and allowances for cultural and religious adornment in graduation ceremonies.

For the purposes of this section, "cultural" is defined as "recognized practices and traditions of a certain group of people." The definition of "cultural" appears to signal that the new law is not intended to permit students to merely adorn their graduation cap and gown with any expression of their choosing. Yet, ambiguity in the law in this respect will require schools to be thoughtful on how they align their policies and practices in this area, and risks school officials needing to act as arbiter of what student adornment satisfies the definition of "cultural" and what does not.

Commented [RAD127]: Client Note: Please insert this information from your current Charter, and ensure that the information is consistent throughout other policies or your handbook that may mention graduation requirements.

INSERT CREDIT BREAKDOWN
INSERT CREDIT BREAKDOWN

AMPS's course requirements align with the A-G requirements that set forth the minimum standards for admission to California State University and University of California Colleges. Because the prescribed course of study may not accommodate the needs of some students, AMPS will provide alternative means for the completion of prescribed courses as needed in accordance with State and Federal law and this Policy.

Commented [RAD128]: Client Note: This is likely to apply to many schools, but will not apply to all.

To determine whether student's transferring into AMPS have met course requirements, AMPS's Executive Director will establish procedures to evaluate the comparability of course and/or students' understanding of course content. Such procedures shall include methods for determining the number of years of school attendance, the specific courses completed by the student and the value of credits earned. AMPS shall accept for credit full or partial coursework satisfactorily completed by students while attending a public district or charter school, juvenile court school, or nonpublic nonsectarian school or agency.

Reduced Requirements for Foster and Highly Mobile Students

AMPS recognizes that certain students are at risk of not completing high school due to interruptions in education and high mobility. AMPS shall provide eligible highly mobile youth with the option to complete reduced course requirements to earn a high school diploma.

Highly mobile youth includes a student in foster care, a student who is a homeless child or youth, a former juvenile court school student, a student who is a child of a military family, a student who is a migratory child, or a student participating in a newcomer program.

A highly mobile youth who transfers into AMPS any time after the youth completed their second year of high school or is participating in a newcomer program, and is unable to complete AMPS's course requirements as defined above by the end of the Student's fourth year of high school will have the option to be exempted from all requirements that exceed California's minimum high school graduation requirements.

If a student is found eligible for an exemption to AMPS's graduation requirements, AMPS will notify the student and the student's parent/guardian/educational rights holder ("ERH") if any of the requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges.

An identified youth and/or their ERH have the ultimate right to decide if the youth will pursue a high school diploma pursuant to the California minimum requirements or continue for a fifth year of high school to complete AMPS's course requirements. AMPS will not require a student to graduate before the completion of their fourth year.

For additional information regarding graduation requirements for highly mobile youth, the Charter School's complete policy Education of Foster and Mobile Youth Policy is available upon request at the main office.

Commented [MB129]: This policy is included within this Policy Manual.

Differential Graduation and Competency for Students with Disabilities

AMPS recognizes that students with disabilities are entitled to a course of study that provides them with

a free appropriate public education (“FAPE”) and that modifications AMPS’s regular course of study may be needed on an individualized basis to provide FAPE. In accordance with law, each student’s individualized education program (“IEP”) team shall determine the appropriate goals, as well as any appropriate individual accommodations necessary for measuring the academic achievement and functional performance of the student on daily instruction and state and districtwide assessments. The IEP team shall also determine the appropriate graduation track for each student with a disability based on the student’s ability to complete the Charter School’s prescribed course of study to earn a high school diploma.

No student shall be classified as eligible for differential standards of proficiency for the purpose of circumventing the legal requirement to maintain academic eligibility for extracurricular or cocurricular activities.

Certificate of Completion

The Charter School **Chief Executive Officer** or designee shall award a certificate of completion instead of a high school diploma, if a student with exceptional needs has minimally met one (1) of the following requirements:

1. Satisfactorily completed a prescribed alternative course of study approved by the Charter School Governing Board which has jurisdiction over the student as identified in the IEP.
2. Satisfactorily met the student’s IEP goals and objectives during high school as determined by the IEP team.
3. Satisfactorily attended high school, participated in the instruction as prescribed in the student’s IEP, and met the objectives of the statement of transition services.

The **Chief Executive Officer** or designee shall ensure a student with disabilities who meets any of the criteria specified above shall be eligible to participate in any graduation ceremony and any Charter School activity related to graduation in which a graduating student of similar age without disabilities would be eligible to participate. In addition, the **Chief Executive Officer** or designee shall ensure that the student will continue to have access to special education related supports and services until the student meets the Charter School’s criteria to receive a high school diploma or until age 22.

Whether a student receives a certificate of completion or a diploma is confidential. AMPS does not inform other students whether their peers are receiving a certificate or a diploma, and all students will participate equally graduation ceremonies and activities.

California High School Proficiency Exam

The California High School Proficiency Examination (“CHSPE”) is a test for students who need to verify their high school level skills. In some cases, students take the test and leave high school early to work or attend college. Those who pass the test receive a Certificate of Proficiency, which is equal by law to a California high school diploma, from the State Board of Education. However, the Certificate of Proficiency is not equivalent to completing all course work required for graduation from high school. If a student is planning to continue their studies in a college or university, they should contact the admissions office of the institution they plan to attend so that the student may understand that institution’s admission requirements including whether or not the Certificate of Proficiency will be sufficient for admission.

Commented [MB130]: Complies with EC 35160.5 - This does not necessarily apply to a charter school but we would recommend compliance.

Commented [MB131]: Please amend as necessary to align with the title of the school’s preferred admin designee.

Commented [MB132]: The CHSPE test will change following the October 2020 test administration. Consequently, examinees who have not yet earned a Certificate of Proficiency by the October 2020 administration will need to begin the testing process again in the new test series. The March 2021 exam administration will be the first of the new series.

People who are sixteen years of age or older; or who have completed one year of enrollment in grade ten; or who will have completed one year of enrollment in grade ten at the end of the semester during which the exam is administered may take the test. There is no upper age limit to take the test and current enrollment in high school is not required to take the exam. The CHSPE is given twice each year at many sites throughout the state. The test covers three subjects: language, reading, and mathematics. There is a fee to take the test, though the fee will be waived for homeless and foster youth who submit required paperwork.

AMPS will distribute an announcement to each student in grades eleven and twelve explaining the CHSPE. This announcement will be distributed in time sufficient to enable interested students to meet all examination registration requirements for the fall test of that year.

Honorary Diploma

AMPS may confer an honorary high school diploma upon a student who is terminally ill. The honorary high school diploma will be clearly distinguishable from the regular diploma of graduation awarded by AMPS.

Withholding a Diploma

In accordance with Education Code section 48904, if the student willfully cut, defaced, or otherwise injured the school property or willfully not returned upon demand of an employee any property loaned to the student and after affording the student their due process rights, a student's diploma may be withheld until such time as the student or the student's parent/guardian has paid for the damages. If the student or the student's parent/guardian are unable to pay for the damages or return the property, AMPS shall provide a program of voluntary work for the student in lieu of the payment of monetary damages.

Retroactive Grant of Diploma Due to Effects of COVID-19

The AMPS Board may retroactively grant a high school diploma to a person who was in their senior year of high school during the 2019–20 school year; in good academic standing and on track to graduate at the end of the 2019–20 school year, as of March 1, 2020; and unable to complete the statewide graduation requirements as a result of the COVID-19 crisis.

Commented [MB133]: Pursuant to AB 1350, effective January 1, 2021.

PROMOTION AND RETENTION POLICY

Philosophy

The standards for progress at Amethod Public Schools' ("AMPS" or "Charter School") sites are high and considerably more demanding than many of the local school districts and schools. The nature of the high stakes certainty of charter schools and the existing achievement gaps among racial and economic sub groups in public education merit and justify the need for exceeding academic standards and programs.

As such, the school/organization expects students to progress through each grade within one school year. To accomplish this, instruction and programs will accommodate growth patterns in accordance with the state standards and frameworks. Needs of individual students which include strategies for addressing academic deficiencies when needed.

Students shall progress through the grade levels by demonstrating growth in learning and meeting grade-level standards of expected student achievement. Progress toward high school graduation shall be based on the student's ability to pass the subjects and electives necessary to earn the required number of credits as set by school and organizational policy. The student must also meet the minimum proficiency requirements set by the academic policies accepted by the Board.

AMPS is committed to the success of each student. AMPS has adopted and follows a Student Success Team ("SST") Policy to establish and implement student achievement and intervention strategies in a timely manner. Despite the implementation of such strategies it may be necessary to retain a student in the prior grade level or promote a student above their grade level for the following school year. In implementing this policy, the AMPS Board of Directors ("Board") is guided by the following principles:

1. Retention and promotion criteria will be objectively based on a student's ability or inability to meet the grade level AMPS standards of expected student achievement in language arts, mathematics, science, or social science, for students in grades kindergarten (K) through twelfth (12), as determined by the AMPS staff as articulated in its California standards-based report card or performance on the California Assessment of Student Performance and Progress ("CAASP"). (See Specific Grade Level Criteria for Retention or Promotion, attached as Exhibit A).

Commented [MB134]: This policy was drafted to address the need to retain and/or promote a child at grade level. Separate policies dealing with only one or the other can also be an option. This is an optional policy for charter schools (unlike school districts which are required to have a policy) and is not required of charter schools unless otherwise required by the Charter School's approved charter.

Commented [MB135]: We used language from your existing Promotion/Retention Policy, and supplemented with additional recommended language. Please let us know if you have any questions.

Commented [MB136]: This policy is included within this Policy Manual.

Commented [MB137]: This policy was drafted to apply to all students, however, the School can limit this policy to specific grade levels if needed. For example, the School may decide that Kindergarten and first grade students will not be eligible for retention and will only begin retention at the second-grade level. The reason for this may be to ensure that younger children mature and socialize with same age peers for these two years. If you need assistance revising this language, please let me know.

Commented [MB138]: Please make sure to attach the document prior to finalizing this Policy. This Exhibit is attached at the end of this Policy.

2. For English Learners, retention cannot be based on the student's lack of English fluency as related to meeting English standards.
3. Decisions about retention or promotion will not be based on requests for a student to be placed with or avoid a specific teacher or other students.

Retention

A. Required Steps Preceding Retention Decision

Before retaining a student, AMPS will follow the following steps:

1. Parent(s)/Guardian(s) will receive notice of progress or lack of progress in target areas through mid-semester progress reports and semester report cards. Parents will be notified by the teacher of areas of academic concerns in parent teacher conferences or in writing on progress reports or semester report card. Student achievement will be determined "at risk" as defined by AMPS "Specific Grade Level Criteria for Retention or Promotion" for one or more semesters. (See Specific Grade Level Criteria for Retention or Promotion, attached as Exhibit A).
2. AMPS will hold an SST meeting for Student.¹⁰ Parent(s)/Guardian(s) will be invited to the SST meeting to discuss concerns and proposed interventions. Parent(s)/Guardian(s) will receive a copy of the SST meeting notes which will serve as notice of proposed interventions and student achievement strategies.
3. Research based interventions suggested at the SST meeting will be implemented and documented in an ongoing and consistent manner. A recommended interval of six (6) weeks of academic interventions should occur before the initial SST and the recommendation for retention.
4. Following the above interventions, a teacher may make a recommendation for retention. Once made, Parent(s)/Guardian(s) will be invited to conference with the teacher(s), Site Director, and other staff members as deemed necessary ("Retention Team"). Retention Team Conference invitation will be via telephone by teacher to the number Parent(s)/Guardian(s) provided to the Charter School, followed up by a written confirmation sent via US Mail to the address Parent(s)/Guardian(s) provided to the Charter School. Teacher will log all attempts to contact Parent(s)/Guardian(s). If after two (2) documented attempts to schedule a conference by phone, Parent(s)/Guardian(s) do not respond or attend the Retention Team Conference, the conference will be held without their presence.
5. The Retention Team Conference will include:
 - a. Review of previous SST notes;
 - b. Discussion of previous/current/ongoing interventions, review of intervention logs;

Commented [MB139]: have included these suggested steps, however, the School should adapt and modify these steps based on the School's needs and/or programming.

Commented [MB140]: We strongly advice that the School provide notice of academic concern and the possibility of retention to ensure that this does not surprise parents and lead to a complaint later on.

¹⁰ For students qualified under the Individuals with Disabilities Education Act ("IDEA"), any decisions regarding retention will be made by the Individualized Education Program ("IEP") team in an IEP meeting. For Students with a Section 504 Plan, any decisions will be made by the Section 504 team in a 504 meeting.

c. Review of current work and available assessments;

d. Development of a plan for support for the following academic year;

e. Determination of student's grade level for the following academic year; and

4-6. The following criteria will be reviewed in calculating retention or promotion of grade:

- a. Grade Point Average (*Grades below the mark of C- are considered as failing and receive 0 credits*) More than 2 semester grades below a C- may constitute retention
- b. PE and language are included in grade calculations
- c. Multiple measures assessments (*including Standardized Testing and Reporting Program and Interim assessments*) * *these are not used to retain. May be reviewed in conjunction with other areas.*
- d. Attendance record (*More than 5 unexcused absences may constitute a retention*)
- e. Independent Learning Plans (ILP) as established and progress towards set goals

7. If the decision is to retain the Student, appropriate instruction and interventions are targeted for the following year so the student will be supported in meeting the standards the following year in the retained grade.

8. If there is disagreement among the Retention Team, the Site Director will make the determination based upon all information discussed at the meeting.

9. When a final decision is made, AMPS will send the Parent(s)/Guardian(s) notes from the meeting, a copy of this policy, and the decision of the Retention Team in writing within forty-eight (48) hours of the meeting at the address provided by Parent(s)/Guardian(s) to the Charter School via registered mail unless otherwise agreed to in writing.

Commented [MB141]: We advise that this be sent via a method of deliver that can be tracked to ensure that the Parent's received this information.

B. Right to Appeal

If the Parent(s)/Guardian(s) disagree with the decision, they have the right to appeal to the AMPS Chief Executive Officer through the following steps:

1. Parent(s)/Guardian(s) choosing to appeal a decision to retain a student shall submit a completed Promotion or Retention Appeal Request Form (attached as Exhibit B) to the Chief Executive Officer specifying the reasons why the decision should be overturned. The submission of the Retention Appeal Request Form must occur no later than ten (10) school days following the Parent(s)/Guardian(s) receipt of the determination of retention.

2. The Chief Executive Officer shall review the appeal as well as the student's academic performance records on which the Retention Team relied. The Site Director shall be provided an opportunity to state orally and/or in writing the criteria on which the Retention Team or Site Director's decision was based. The Parent(s)/Guardian(s) will also be given an opportunity to state orally and/or in writing their reason for appeal. The Chief Executive Officer will prepare a written decision which summarizes findings and conclusions.

Commented [MB142]: The below process assumes the Site Director is in charge of the initial review and the CEO handles the appeal. This is one way to do it, but of course you can revise the procedure based on the school's needs. For example, many school will have the CEO oversee the initial retention review, and the Board of Directors oversees the appeal. Please let us know if you'd like us to amend this process for you.

Commented [MB143]: Please make sure to attach the Appeal Request Form to this Policy as Exhibit B. This Exhibit is attached at the end of this Policy.

3. The **Chief Executive Officer** shall notify the Parent(s)/Guardian(s) and **Site Director** of its decision in writing within seven (7) school days of the Appeal via registered mail at the address provided by Parent(s)/Guardian(s) to the Charter School unless otherwise agreed to in writing.
4. The **Chief Executive Officer**'s decision is final.

C. Supplemental Instruction

Supplemental instructional programs will be available for students who are recommended for retention, retained, or identified as at-risk of retention. Such programs may be offered by AMPS during the summer, after school, on Saturdays and/or during intersession.

The **Site Director** or designee may require recommended students to participate in supplemental instructional programs. Parents who exclude their students from supplemental instructional programs will be notified in writing by AMPS of their risk of retention for the student's failure to access supplemental instruction.

Promotion

When high academic achievement is evident, the Site Administrators may recommend a student for acceleration into a higher grade level. The student's social and emotional growth shall be taken into consideration in making a determination to accelerate a student.

A. Required Steps Preceding Promotion Decision

Before promoting a student, AMPS will follow the following steps:

1. If AMPS receives a promotion request from a student's Parent(s)/Guardian(s), AMPS will schedule and hold an SST meeting for Student.¹¹ Parent(s)/Guardian(s) will be invited to the SST meeting to discuss student progress on grade level benchmarks and other considerations/concerns for promotion. Parent(s)/Guardian(s) will receive a copy of the SST meeting notes which will serve as notice of proposed student achievement strategies (and interventions, where applicable).
2. If there is disagreement among the SST, the **Site Director** will make the determination whether to recommend the student for promotion based upon all information discussed at the meeting. The **Site Director** will send notice of this decision within forty-eight (48) hours of the meeting at the address provided by Parent(s)/Guardian(s) to the Charter School via registered mail unless otherwise agreed to in writing.

B. Right to Appeal

If the Parent(s)/Guardian(s) disagree with the decision, they have the right to appeal to the AMPS **Chief Executive Officer** through the following steps:

¹¹ For students qualified under the Individuals with Disabilities Education Act ("IDEA"), any decisions regarding promotion will be made by the Individualized Education Program ("IEP") team in an IEP meeting. For Students with a Section 504 Plan, any decisions will be made by the Section 504 team in a 504 meeting.

Commented [MB144]: Ensure this aligns with your programming.

Commented [MB145]: We have included these suggested steps, however, the School should adapt and modify these steps based on the School's needs and/or programming.

Commented [MB146]: The below process assumes the Site Director is in charge of the initial review and the CEO handles the appeal. This is one way to do it, but of course you can revise the procedure based on the school's needs. For example, many school will have the CEO oversee the initial promotion review, and the Board of Directors oversees the appeal. Please let us know if you'd like us to amend this process for you.

1. Parent(s)/Guardian(s) choosing to appeal a decision to promote a student shall submit a completed Promotion or Retention Appeal Request Form (attached as Exhibit B) to the Chief Executive Officer specifying the reasons why the decision should be overturned. The submission of the Retention Appeal Request Form must occur no later than ten (10) school days following the Parent(s)/Guardian(s) receipt of the determination of promotion.
2. The Chief Executive Officer shall review the appeal as well as the student's academic performance records on which the SST relied. The Site Director shall be provided an opportunity to state orally and/or in writing the criteria on which the SST or Site Director's decision was based. The Parent(s)/Guardian(s) will also be given an opportunity to state orally and/or in writing their reason for appeal. The Chief Executive Officer will prepare a written decision which summarizes findings and conclusions.
3. The Chief Executive Officer shall notify the Parent(s)/Guardian(s) and Site Director of its decision in writing within seven (7) school days of the Appeal via registered mail at the address provided by Parent(s)/Guardian(s) to the Charter School unless otherwise agreed in writing.
4. The Chief Executive Officer's decision is final.

Students with Special Needs

Students identified as students with Special Needs will be evaluated within the stated goals of Individual Education Plan (IEP) and student needs. Although standards will remain high for all subgroups, Special Needs Students will be evaluated on an individual basis with consideration of the existing IEP programs, goals, and offered modifications.

Exhibit A

Amethod Public Schools
Specific Grade Level Criteria for Retention or Promotion

INSERT

INSERT

INSERT

INSERT

Commented [MB147]: Place information here about what the school looks for in each specific grade. This criteria should be objective and align with the common core.

Exhibit B

Amethod Public Schools
Promotion or Retention Appeal Request Form

Date: _____

Name of Student: _____

Date of Birth: _____ Grade: _____

Appealing the decision for (please circle one): Retention _____ Promotion _____

As outlined in the Amethod Public Schools ("AMPS") Promotion and Retention Policy, my child was recommended for retention/promotion by the AMPS Retention Team or promotion by the SST. I do not agree with this recommendation and wish to appeal this decision to the AMPS Board of Directors.

Please explain your disagreement: _____

I am aware that this appeal must be made within ten (10) school days of my receipt of the recommendation to retain or promote my child and should be submitted to the **Chief Executive Officer**. This appeal will go before the AMPS Board of Directors and it will make a final determination regarding retention or promotion.

Parent/Guardian Name

Parent/Guardian Signature Date

STUDENT ACCIDENTS POLICY

Although Amethod Public Schools (“AMPS” or “the Charter School”) makes every reasonable effort to prevent student accidents and injuries, accidents occur. The **Chief Executive Officer** or designee shall develop procedures to ensure that first aid and/or medical attention is provided as quickly as possible and that parents/guardians are notified of accidents. Parents/Guardians shall maintain current student medical information (including insurance information) on file with AMPS.

Universal precautions shall be observed whenever it is possible that students, employees or others may have contact with blood or body fluids as a result of the accident. The AMPS staff shall appropriately report and document student accidents.

If Parents/Guardians would like a copy of the **affordable care handout**, please request a copy at the front office.

Commented [MB148]: Education Code section 49471 states that:

“If the governing board of any school district maintaining junior high schools or high schools does not provide or make available medical and hospital services for pupils of the district injured while participating in athletic activities, in accordance with Section 49470, the board shall notify, in writing, the parent or guardian of each pupil of the district participating in such athletic activities that the services are not provided or made available by the governing board.”

This provision of the Education Code only applies to school districts, but it is recommended that if a Charter School sponsors an athletic/sports team on campus, and does not provide insurance coverage or make available medical services for athletics, it provide this notice as well.

Please check in with your insurance carrier to determine what medical/hospital services are available and include within this policy what, if anything, is offered through the Charter School.

Commented [MB149]: Please ensure this is available at the front office. The flier is available here:
https://hbex.coveredca.com/toolkit/PDFs/ALL_IN_Flyer_EnrollGetCareRenew_CC.pdf

POLICY REGARDING SERVICE ANIMALS ON SCHOOL PREMISES

Amethod Public School (“AMPS” or the “Charter School”) Governing Board adopts the following Policy with regard to service animals on campus.

Charter School staff must allow a service animal to accompany the handler at all times and everywhere on campus, within Charter School property, except where service animals are specifically prohibited due to health, environmental, or safety hazards. AMPS staff should direct staff, students, and other persons to refrain from petting, feeding, or deliberately startling a service animal.

Definitions

- A “*service animal*” is any dog (or miniature horse) that is individually trained to perform tasks to the benefit of an individual with a disability. The work or tasks performed by a service animal must be directly related to the individual's disability.
- A “*emotional support animal*” is an animal that provides emotional support that alleviates one or more identified symptoms or effects of a person’s disability and has been identified as an emotional support animal by a licensed mental health professional in writing.
- A “*therapy animal*” is an animal trained in animal-assisted intervention in which the animal meeting specific criteria is an integral part of the treatment process.
- A “*companion animal*” is a domesticated animal whose physical, emotional, behavioral and social needs can be readily met as a companion in the home, or in close daily relationships with humans, including pets.

Commented [MB150]: A work or tasks performed by a service animal includes, but is not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Only Service Animals are Permitted on Campus

Only service animals are permitted on campus. To ensure the safety and security of the school community, students, staff, and community members are not allowed to bring service animals in training to Charter School property and/or facilities or to participate in Charter School-sponsored activities, unless the service animal is being trained for the student, staff or community member’s own personal use as an individual with a disability.

Emotional support, therapy, and companion animals, including pets, are not permitted on Charter School property and facilities or at Charter School-sponsored activities.

Inquiries by Charter School

AMPS may make two (2) inquiries to determine whether an animal qualifies as a service animal:

1. Whether the animal is required because of a disability?
2. What work or task the animal has been trained to perform?

AMPS will not make either of these inquiries when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual

who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

AMPS shall consider the following additional factors for miniature horses:

1. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
2. Whether the handler has sufficient control of the miniature horse;
3. Whether the miniature horse is housebroken; and
4. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

AMPS may not ask for:

1. A badge/identification (such as a harness, vest, patch, or tag) for the animal
2. Proof that the animal has been certified/trained
3. Proof that the person has a disability
4. Require a demonstration of the work/tasks

Requirement of Service Animals and their Handlers

- *Identification:* The service dog should wear a harness, cape, identification tag or other gear that readily identifies its working status.
- *Leash:* The service dog must be on a leash at all times, unless the use of a leash would interfere with the service animal's safe, effective performance of work or tasks. If the animals cannot be on a leash for legitimate reasons related to the individual's disability and the necessary tasks to be performed, the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
- *Control:* The handler, including the student if the student is the handler, must be in full control of the service dog at all times.
- *Care of Service Dog:* The care and supervision of a service dog is solely the responsibility of its handler, including a student handler.
- *License and Tags:* All service dogs should be licensed by the appropriate local agency and wear such license and an owner identification tag, but Charter School will not require documentation.
- *Clean Up Rule:* The handler must always carry equipment sufficient to clean up the dog's waste, immediately remove the waste, and be responsible for the proper disposal of the dog's waste.
- *Vaccinations:* The service dog must have a current rabies vaccination.
- *Public Appearance Standards:* The service animal must be (1) clean, well-groomed with no offensive odor, (2) does not urinate or defecate in inappropriate locations, and (3) treated for and kept free of fleas and ticks.

- *Behavior standards:* The service animal must not (1) disrupt the normal course of school business; solicit attention, visit or annoy, solicit or steal food or other items from any member of the staff or student population; or vocalize unnecessarily (e.g., barking, growling or whining) or (2) show aggression towards people or other animals (e.g., showing teeth, barking, growling, jumping on individuals).
- *General training standards:* The service animal must: (1) works calmly and quietly on harness, leash, or other tether, (2) performs tasks in the school setting and lies quietly beside the student handler without blocking aisles, doorways, etc., and (3) be trained to urinate and defecate on command.

Disruptions and Removal

AMPS staff should immediately report any disruptive behavior of a service dog to the **Chief Executive Officer**. No attempt should be made by the Charter School staff member to separate a student from their service animal. Charter School staff may ask an individual with a disability to remove a service animal from the premises if—

1. The animal is out of control and the animal's handler does not take effective action to control it; or
2. The animal is not housebroken.

“Out of control” behaviors include, but are not limited to, excessive, unwarranted barking, unprovoked aggressive behavior, failure to follow the handler’s commands, or wandering away from the handler without a specific purpose.

If any service dog behaves aggressively or causes injury or direct threat of safety or health to staff or students, the dog must be immediately removed from the Charter School property and/or facilities until the situation is resolved. Whether a service animal poses a direct threat to health or safety of staff or students will be made on an individualize basis.

AMPS may also deny a service animal on the basis that the presence of the animal fundamentally alters the learning or work environment.

If AMPS properly excludes a service animal, it shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises.

Notice

A service dog will not be prohibited due to fear or allergies of other students. If the presence of a service animal causes fear or allergies in other students required to be in the presence of the service animal throughout the school day, the Charter School will make reasonable accommodations for both the affected student and the student with disabilities requiring the service animal to relocate one or both students to another location within the room or a different room, if possible. If your child requires a reasonable accommodation due to fear or allergies, please notify the Executive Director.

Misrepresentation

Commented [MB151]: Please update accordingly.

Commented [MB152]: Any person who knowingly and fraudulently represents himself or herself, through verbal or written notice, to be the owner or trainer of any canine licensed as, to be qualified as, or identified as, a guide, signal, or service dog, as defined in subdivisions (d), (e), and (f) of Section 365.5 and paragraph (6) of subdivision (b) of Section 54.1 of the Civil Code, shall be guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six months, by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment. - Cal. Penal Code section 365.7

Any person who knowingly and fraudulently represents himself or herself, through verbal or written notice, to be the owner or trainer of a service animal shall be guilty of a misdemeanor punishable by imprisonment up to six months or fine up to \$1000.00.

Special Education

Any request for a service animal by a student with a qualifying disability under IDEA will be discussed in an IEP meeting and the IEP team will determine the following:

1. Whether the student requires the service animal in order to access a Free Appropriate Public Education (“FAPE”); and
2. Whether the proposed service animal meeting the requirements of this Policy.

[PLACE ON CHARTER SCHOOL LETTERHEAD]**SERVICE ANIMAL AGREEMENT AND AUTHORIZATION**

This Agreement and Authorization regarding Request for a Service Animal to Accompany a Student on School Premises ("Agreement") is necessary for AMPS to process a request for the use of a service animals on campus. The presence of a service animal at Charter School presents unique health and safety concerns. To minimize any risks that a service animal may poses to students, staff, and the educational environment, Charter School requests the following information and authorizations to allow Charter School to provide a healthy and safe environment for its entire school community.

Commented [MB153]: This form is not required nor is it expressly prohibited by the law. Other schools and districts use a similar form. We recommend having a meeting with families to discuss this policy and form to ensure that everyone is on the same page and understands the roles and responsibilities of having a service dog on campus.

Student Name <i>(please print)</i>	Date of Birth	Grade
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Parent/Guardian name <i>(please print)</i>	Contact phone number
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Please initial below each statement:

- **We understand and agree to comply with the requirements of California Civil Code section 54.2.**

"[An individual with a disability] shall be liable for any damage done to the premises or facilities by his or her dog. These persons shall ensure the dog is on a leash and tagged as a guide dog, signal dog, or service dog by an identification tag issued by the county clerk, animal control department, or other agency . . ." (Civ. Code § 54.2(b))

(Initials) (Initials)

- **We understand and agree to comply with the requirements of the Americans with Disabilities Act Implementing Regulations (28 CFR § 35.136).**

"(b) **Exceptions.** A public entity may ask an individual with a disability to remove a service animal from the premises if—

- (1) The animal is out of control and the animal's handler does not take effective action to control it; or
- (2) The animal is not housebroken.

...

- (d) **Animal under handler's control.** A service animal shall be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash,

or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).

- (e) **Care or supervision.** A public entity is not responsible for the care or supervision of a service animal.” (28 C.F.R. § 35.136)

(Initials) (Initials)

- **Pursuant to 34 CFR § 99.30, we hereby provide authorization for Charter School to release the following personally identifiable student information necessary to inform the school community of Charter School of the presence of a service dog at Charter School:**
 - **Student's Name**
 - **Student's Grade Level**
 - **Student's Classes/Teachers(s)**

(Initials) (Initials)

- **We agree to indemnify and hold harmless Charter School for any and all actions, suits, claims, demands, defense costs and/or attorney's fees, or liabilities arising out of or related to the presence of the service dog at Charter School.**

(Initials) (Initials)

- **We agree to hold Charter School, its employees, agents, and assigns harmless for any injury to, including death of, the service dog.**

(Initials) (Initials)

Parent/Guardian Signature Date

Student's Signature Date

*Please complete this form and return it to the Charter School **Chief Executive Officer**.*

COMPREHENSIVE SEXUAL HEALTH EDUCATION POLICY

This Policy of Amethod Public Schools (the “Charter School” or “AMPS”) Board of Directors (“Board”) has been adopted to meet the Legislative intent of the California Healthy Youth Act (“CHYA”) as follows: (1) to provide students with the knowledge and skills necessary to protect their sexual and reproductive health from human immunodeficiency virus (“HIV”) and other sexually transmitted infections and from unintended pregnancy; (2) to provide students with the knowledge and skills they need to develop healthy attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family; (3) to promote understanding of sexuality as a normal part of human development; (4) to ensure students receive integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention instruction and provide educators with clear tools and guidance to accomplish that end; and (5) to provide students with the knowledge and skills necessary to have healthy, positive, and safe relationships and behaviors.

Definitions

- “*Age appropriate*”: topics, messages, and teaching methods suitable to particular ages or age groups of children and adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group.
- “*Comprehensive sexual health education*”: education regarding human development and sexuality, including education on pregnancy, contraception, and sexually transmitted infections.
- “*English Learner*”: a pupil who is “limited English proficient” as that term is defined in the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 7801(25)).
- “*HIV prevention education*”: instruction on the nature of human immunodeficiency virus (“HIV”) and acquired immunodeficiency syndrome (“AIDS”), methods of transmission, strategies to reduce the risk of HIV infection, and social and public health issues related to HIV and AIDS.
- “*Instructors trained in the appropriate courses*”: instructors with knowledge of the most recent medically accurate research on human sexuality, healthy relationships, pregnancy, and HIV and other sexually transmitted infections.
- “*Medically accurate*”: verified or supported by research conducted in compliance with scientific methods and published in peer-reviewed journals, where appropriate, and recognized as accurate and objective by professional organizations and agencies with expertise in the relevant field.

Instruction to Students

The CHYA requires that comprehensive sexual health education and HIV prevention education be provided to all Charter School students in grades 7 to 12, inclusive, at least once in middle school or junior high school and once in high school.

In compliance with the CHYA, Charter School will ensure that all students in grades 7 to 12, inclusive, are provided the following instruction:

Commented [MB154]: This Policy is based on the California Healthy Youth Act – which includes Education Code (ED) Sections 51930-51939.

Commented [MB155]: This policy is mandatory for grades 7-12, but optional for grades earlier than 7. Confirm with the client if they want to include grades earlier than 7. It must be taught once in the middle school grades, and once in the high school grades.

Per EC 51934(c), the Charter School may also provide comprehensive sexual health education or HIV prevention education consisting of age-appropriate instruction earlier than grade 7 using instructors trained in the appropriate courses. If you would like to expand this policy to grades earlier than grade 7, please let us know and we will modify the policy accordingly.

Commented [MB156]: Many general health or sexual health curriculums that your Charter School may have used in the past will likely not meet each of these requirements. We encourage you to adopt a recommended curriculum or carefully evaluate the curriculum to choose for compliance. CDE has provided resources to assist with curriculum guidance as each of the requirements. See, for example the curriculum compliance assessment tool available at <http://ashwg.org/wp-content/uploads/2018/01/CHYA-CAT-Part-1-Curriculum-Only-ETR.pdf>

1. Information on the nature of HIV, as well as other sexually transmitted infections, and their effects on the human body.
2. Information on the manner in which HIV and other sexually transmitted infections are and are not transmitted, including information on the relative risk of infection according to specific behaviors, including sexual activities and injection drug use.
3. Information that abstinence from sexual activity and injection drug use is the only certain way to prevent HIV and other sexually transmitted infections and abstinence from sexual intercourse is the only certain way to prevent unintended pregnancy. This instruction shall provide information about the value of delaying sexual activity while also providing medically accurate information on other methods of preventing HIV and other sexually transmitted infections and pregnancy.
4. Information about the effectiveness and safety of all federal Food and Drug Administration ("FDA") approved methods that prevent or reduce the risk of contracting HIV and other sexually transmitted infections, including use of antiretroviral medication, consistent with the federal Centers for Disease Control and Prevention.
5. Information about the effectiveness and safety of reducing the risk of HIV transmission as a result of injection drug use by decreasing needle use and needle sharing.
6. Information about the treatment of HIV and other sexually transmitted infections, including how antiretroviral therapy can dramatically prolong the lives of many people living with HIV and reduce the likelihood of transmitting HIV to others.
7. Discussion about social views on HIV and AIDS, including addressing unfounded stereotypes and myths regarding HIV and AIDS and people living with HIV. This instruction shall emphasize that successfully treated HIV-positive individuals have a normal life expectancy, all people are at some risk of contracting HIV, and the only way to know if one is HIV-positive is to get tested.
8. Information about local resources, how to access local resources, and students' legal rights to access local resources for sexual and reproductive health care such as testing and medical care for HIV and other sexually transmitted infections and pregnancy prevention and care, as well as local resources for assistance with sexual assault and intimate partner violence.
9. Information about the effectiveness and safety of all FDA-approved contraceptive methods in preventing pregnancy, including, but not limited to, emergency contraception. Instruction on pregnancy shall include an objective discussion of all legally available pregnancy outcomes, including, but not limited to, all of the following:
 - a. Parenting, adoption, and abortion.
 - b. Information on the law on surrendering physical custody of a minor child 72 hours of age or younger., pursuant to Section 1255.7 of the Health and Safety Code and Section 271.5 of the Penal Code.
 - c. The importance of prenatal care.
10. Information about sexual harassment, sexual assault, sexual abuse, and human trafficking. Information on human trafficking shall include both of the following:

- a. Information on the prevalence, nature, and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance.
 - b. Information on how social media and mobile device applications are used for human trafficking.
11. Information about adolescent relationship abuse and intimate partner violence, including the early warning signs thereof.
12. Information regarding the potential risks and consequences of creating and sharing sexually suggestive or sexually explicit materials through cellular telephones, social networking Internet Web sites, computer networks, or other digital media.

Commented [MB157]: Please note that this is optional pursuant to EC section 51934(b). If the School chooses not to include this as part of their instruction, it should be removed from this list.

Further, Charter School shall ensure that all instruction satisfies the following criteria:

- 1. Instruction and materials shall be age appropriate.
- 2. All factual information presented shall be medically accurate and objective.
- 3. All instruction and materials shall align with and support the purposes of Education Code Section 51930(b)(1)-(5) as stated in this Policy and shall:
 - a. Be appropriate for use with students of all races, genders, sexual orientations, and ethnic and cultural backgrounds, students with disabilities, and English learners.
 - b. Be made available on an equal basis to a pupil who is an English learner, consistent with the existing curriculum and alternative options for an English learner pupil as otherwise provided pursuant to applicable law.
 - c. Be accessible to students with disabilities, including, but not limited to, the provision of a modified curriculum, materials and instruction in alternative formats, and auxiliary aids.
 - d. Not reflect or promote bias against any person on the basis of any category protected by Education Code Section 220.
 - e. Affirmatively recognize that people have different sexual orientations and, when discussing or providing examples of relationships and couples, shall be inclusive of same-sex relationships.
 - f. Teach students about gender, gender expression, gender identity, and explore the harm of negative gender stereotypes.
 - g. Encourage a student to communicate with his or her parents, guardians, and other trusted adults about human sexuality and provide the knowledge and skills necessary to do so.
 - h. Teach the value of and prepare students to have and maintain committed relationships such as marriage.
 - i. Provide students with knowledge and skills they need to form healthy relationships that are based on mutual respect and affection, and are free from violence, coercion, and intimidation.
 - j. Provide students with knowledge and skills for making and implementing healthy decisions about sexuality, including negotiation and refusal skills to assist students in overcoming peer pressure and using effective decision making skills to avoid high-risk activities.
 - k. Not teach or promote religious doctrine.

In-Service Training

Charter School shall cooperatively plan and conduct in-service training for all Charter School personnel that provide HIV prevention education, through regional planning, joint powers agreements, or contract services.

In developing and providing in-service training, Charter School shall cooperate and collaborate with the teachers of the Charter School who provide HIV prevention education and with the department.

In-service training shall be conducted periodically to enable Charter School personnel to learn new developments in the scientific understanding of HIV. In-service training shall be voluntary for Charter School personnel who have demonstrated expertise or received in-service training from the department or federal Centers for Disease Control and Prevention.

Charter School may expand HIV in-service training to cover the topic of comprehensive sexual health education in order for Charter School personnel who provide comprehensive sexual health education to learn new developments in the scientific understanding of sexual health.

Guest Speakers

Charter School may contract with outside consultants or guest speakers, including those who have developed multilingual curricula or curricula accessible to persons with disabilities, to deliver comprehensive sexual health education and HIV prevention education or to provide training for Charter School personnel.

All outside consultants and guest speakers shall have expertise in comprehensive sexual health education and HIV prevention education and have knowledge of the most recent medically accurate research on the relevant topic or topics covered in their instruction.

Parental Consent

Charter School encourages students to communicate with their parents or guardians about human sexuality and HIV and to respect the rights of parents or guardians to supervise their children's education on these subjects. Charter School intends to create a streamlined process to make it easier for parents and guardians to review materials and evaluation tools related to comprehensive sexual health education and HIV prevention education, and, if they wish, to excuse their children from participation in all or part of that instruction or evaluation. Charter School recognizes that while parents and guardians overwhelmingly support medically accurate, comprehensive sex education, parents and guardians have the ultimate responsibility for imparting values regarding human sexuality to their children.

A parent or guardian of a pupil has the right to excuse their child from all or part of comprehensive sexual health education, HIV prevention education, and assessments related to that education through a passive consent ("opt-out") process. Charter School shall not require active parental consent ("opt-in") for comprehensive sexual health education and HIV prevention education.

Notwithstanding Education Code section 51513, anonymous, voluntary, and confidential research and evaluation tools to measure students' health behaviors and risks, including tests, questionnaires, and surveys

Commented [MB158]: Please note that the law specifically prohibits requiring active parent consent. If you would like assistance with parent notice and opt out forms, please let us know.

containing age-appropriate questions about the pupil's attitudes concerning or practices relating to sex, may be administered to any pupil in **grades 7 to 12, inclusive**. A parent or guardian has the right to excuse their child from the test, questionnaire, or survey through a passive consent ("opt-out") process. Charter School shall not require active parental consent ("opt-in") for these tests, questionnaires, or surveys in **grades 7 to 12, inclusive**. Parents or guardians shall be notified in writing that this test, questionnaire, or survey is to be administered, given the opportunity to review the test, questionnaire, or survey if they wish, notified of their right to excuse their child from the test, questionnaire, or survey, and informed that in order to excuse their child they must state their request in writing to Charter School.

Annual Notice

At the beginning of each school year, or, for a pupil who enrolls in a school after the beginning of the school year, at the time of that pupil's enrollment, Charter School shall notify the parent or guardian of each pupil about instruction in comprehensive sexual health education and HIV prevention education and research on pupil health behaviors and risks planned for the coming year. The notice shall do all of the following:

1. Advise the parent or guardian that written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education are available for inspection.
2. Advise the parent or guardian whether the comprehensive sexual health education or HIV prevention education will be taught by Charter School personnel or by outside consultants. Charter School may provide comprehensive sexual health education or HIV prevention education, to be taught by outside consultants, and may hold an assembly to deliver comprehensive sexual health education or HIV prevention education by guest speakers, but if it elects to provide comprehensive sexual health education or HIV prevention education in either of these manners, the notice shall include the date of the instruction, the name of the organization or affiliation of each guest speaker, and information stating the right of the parent or guardian to request a copy of this Policy. If arrangements for this instruction are made after the beginning of the school year, notice shall be made by mail or another commonly used method of notification, no fewer than fourteen (14) days before the instruction is delivered.
3. Include information explaining the parent's or guardian's right to request a copy of this Policy and/or Education Code sections 51930-51939.
4. Advise the parent or guardian that the parent or guardian has the right to excuse their child from comprehensive sexual health education and HIV prevention education and that in order to excuse their child they must state their request in writing to Charter School.

For Students who Opt-Out

A pupil may not attend any class in comprehensive sexual health education or HIV prevention education, or participate in any anonymous, voluntary, and confidential test, questionnaire, or survey on pupil health behaviors and risks, if Charter School has received a written request from the pupil's parent or guardian excusing the pupil from participation.

A pupil may not be subject to disciplinary action, academic penalty, or other sanction if the pupil's parent or guardian declines to permit the pupil to receive comprehensive sexual health education or HIV

prevention education or to participate in anonymous, voluntary, and confidential tests, questionnaires, or surveys on pupil health behaviors and risks.

While comprehensive sexual health education, HIV prevention education, or anonymous, voluntary, and confidential test, questionnaire, or survey on pupil health behaviors and risks is being administered, an alternative educational activity shall be made available to students whose parents or guardians have requested that they not receive the instruction or participate in the test, questionnaire, or survey.

Commented [MB159]: Please note that this has been interpreted to mean that the Charter School must provide substantial education materials or experience for students who opt out instead of, for example, simply providing a space and time for these students to work on homework.

FUNDRAISING POLICY

Amethod Public Schools (“AMPS” or the “Charter School”) recognizes a desire and a need for fundraising. AMPS also recognizes a need for restraint to prevent fundraising activities from becoming too numerous and overly demanding on employees, students, and the general public. The dedication and fundraising efforts of our parent community strengthen the ties which make us a caring place where the learning, success, and development of all students are deeply valued. AMPS Governing Board (the “Board”) has the responsibility to monitor, supervise, and control all fundraising activities on campus and associated with official Charter School programs and activities. All fundraising activities must have prior written approval from the Board.

Commented [MB160]: You may revise consistent with the preferences of the Board. If the Board does not review, we recommend that there be an administrative point person.

The Charter School Fundraising Policy stems from the following principles:

- Fundraising should be consistent with the mission and values of the AMPS charter.
- Fundraising events should help develop and enrich the AMPS community.
- Fundraisers should promote multiculturalism by including and incorporating a variety of cultural activities designed to appeal to diverse populations in the larger community.
- Fundraisers should promote students who are active in their learning, aware of their interests, and who seek to expand and explore their knowledge through dynamic collaboration with peers and teachers within an academic setting and the larger community.
- Fundraisers should promote and support education in science, math, humanities, and the arts.
- Fundraisers should reflect a positive image of AMPS and should provide public relations in the community consistent with the AMPS’s mission and values.

Commented [MB161]: You may revise these points to align more closely with the School’s mission and values.

The Charter School Fundraising Policy strives to avoid:

- Partnerships with businesses or organizations that make a profit from fundraisers but do not share the philosophy and values of AMPS.
- The promotion of excessive consumerism, marketing, advertising, or selling commercial products or services.
- Students doing door-to-door canvassing of any kind.
- **The sale of junk foods, packaged sweets, sodas or other unhealthy products that are inconsistent with AMPS’s School Wellness Policy. In general, fundraiser foods or beverages may not be sold on the Charter School campus during the school day or within 30 minutes after the end of the official school day.**
- Raising funds from or promoting any religious products, events or holidays.

Commented [MB162]: This is consistent with 7 CFR Section 210.11(b)(4) regarding competitive food sales, which relate to food sold on campus during the school day that is not a part of the federal reimbursable meal program. Although there are exemptions to the competitive food requirements, “At a minimum, all competitive food sold to students on the school campus during the school day must meet the nutrition standards specified in [7 CFR Section 210.11]” and exempted competitive fundraiser foods or beverages may not be sold in competition with school meals in the food service area during the meal service. (7 CFR Section 210.11(c)). If the School does sell fundraiser foods on campus during the school day, we can add more specific language here that clarifies the competitive food requirements. See also Ed. Code 49431 and 49431.2.

The **Chief Executive Officer** will ascertain that all fundraising events and activities are legal, all necessary permits are obtained, and the site, equipment, and activities are safe and accessible for all participants. Trash and recycling containers should be provided at all fundraising events.

Notice of fundraising events and activities should be disseminated electronically and/or posted in central locations at the school. The **Chief Executive Officer** or designee shall approve all flyers and notices promoting fundraising events prior to distribution.

Voluntary Participation

All student and parent participation in AMPS fundraising activities is voluntary. Participation in fundraising activities is not required for any student's participation in any educational activity or program. Further, AMPS will not discriminate against a student in any way based on whether or not a student or his/her family participated in fundraising activities or contributed time or money to AMPS. **However, students may be provided prizes or other recognition for voluntarily participating in fundraising activities.** Complaints regarding noncompliance with California Education Code sections 49010 *et seq.* may be filed under the Charter School's Uniform Complaint Procedures.

Corporate/Business Sponsorships and Donations

In recognition of the need to raise funds from additional sources, the Board will gratefully accept donations (actual and in-kind) to support AMPS's programs and operations in accordance with the law and AMPS policy.

Only those corporations and businesses whose products, services, and stances are in alignment with and share AMPS's mission and philosophy will be accepted, at the discretion of the Board. Acceptance of such donations does not constitute endorsement of the business or sponsor and will be subject to the following terms:

In determining whether to accept gifts, donations and grants, the Board will consider the following:

1. Items needed by AMPS.
2. Additional costs to AMPS.
3. Whether acceptance of the gift, donation, or grant is consistent with other AMPS policies and goals.

Based on these and other factors identified, the Board may accept the proposed gift, donation, sponsorship, or grant.

Fundraising by Student Organizations

The Board may authorize any organization composed entirely of AMPS pupils to conduct fund-raising activities approved by the Board. By Resolution, the Board may authorize any student body organization to conduct fund-raising activities on AMPS property during AMPS school hours provided that the Board has determined that such activities will not interfere with the normal conduct of AMPS.

The Board shall provide for the supervision of all funds raised by any student body or student organization using AMPS's name.

Commented [MB163]: Again, please ensure these align with School's fiscal policies including its conflict of interest code.

Commented [MB164]: We included this language pursuant to Ed. Code 48932. You can see it is all permissive, stating the Board may allow student organizations to fund raise by passing a Board Resolution, so it is not something the Board must do. Further, it is not required to be in any policy of the School. Accordingly, the School may remove this provision if desired. However we included it for your reference so the School would know what to do if confronted with a question regarding fundraising by students and because it fell within the general purview of this policy.

Commented [MB165]: See Ed. Code 48937. This only applies to school districts; however, the School may choose to adopt this provision as well.

POSITIVE SCHOOL CLIMATE POLICY

It is the goal of Amethod Public Schools (“AMPS”) Board of Directors (“Board”) to implement a comprehensive and progressive approach to school climate that focuses on a college-going environment, positive school culture, incentives, personal accountability, responsibility, and non-tolerance of aggressive student behaviors. To that end, and in accordance with the school’s desire to have positive and studious school atmosphere, every OCA-AMPS school site shall form and maintain an organized and constructive atmosphere.

All existing and future AMPS sites are advised to use the following strategies to create and maintain safe and constructive learning environments that promote academic success, personal responsibility, and respectful behavior:

- Assure staff receive training in classroom management techniques that promote student participation and buy-in.
- Adhere to discipline policies and procedures that maintain the respect of all students and staff.
- Make clear to all staff, families and students that corporal punishment in any fashion will not be tolerated.
- Institute discipline policies that assert school wide respect for self, staff, teachers, and adults; and provide opportunities for students to learn from poor behavior.
- Create a safe learning environment for all on campus.
- Provide opportunities for meaningful student participation in school wide school community service that will instill a sense of pride and ownership of school campus. Site administrators or designees may initiate campus community service projects from time to time.
- Promote an equal opportunity school culture that addresses negative behaviors through preventative and progressive policies for all kids regardless of a student’s ethnicity, culture, race, language, socio-economic status, disability, etc.
- Staff will implement an “Earned” culture at AMPS sites that seeks to instill work ethic and personal responsibility among every student.
- Promote a progressive discipline policy for students seeking to continuously intimidate, bully, or disrupt students and student learning, students, staff, school climate, and school culture.
- Apply progressive discipline policies and procedures with consistency.
- Schools will NOT implement racist or veiled discriminatory policies that tolerate or condone negative behaviors and make justification for behaviors among sub groups based on ethnicity, race, language, culture, socio-economic levels, English language proficiency or religion.
- Create policies that will teach students to think critically about bias, and self-respect.
- Show students how to analyze and manage such obscure discriminatory perspectives in constructive ways.
- Schools establish specific procedures to eliminate idle time and maximize instructional minutes daily.

Alcohol and Drugs

The organization AMPS believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The organization and Board desire to keep all schools free of alcohol and other drugs and desire that every effort be made to reduce student use of these substances. The Board perceives this effort as an important step towards preventing violence, promoting school safety and creating a disciplined environment conducive to learning.

The Chief Executive Officer ("CEO") and/or designee shall develop a comprehensive prevention and intervention program that includes instruction, enforcement/discipline, activities that promote the involvement of parents/guardians and coordination with appropriate community agencies and organizations of public safety.

Commented [MB166]: This is not legally required. However, if you would like to implement this, please ensure that it occurs.

The CEO or designee shall clearly communicate to all students, staff and parents/guardians the school's policies, regulations and school rules related to the use of alcohol and other drugs on school campuses or at school activities. Information about program needs and goals shall be widely distributed in the community.

The Board expects staff to conduct themselves in accordance with the organization's philosophy related to alcohol and other drugs. Staff should help students see themselves as responsible partners in efforts to maintain a safe, constructive school climate.

Instruction

The school shall provide preventative instruction and/or forums which help students avoid the use of alcohol and other drugs. Comprehensive, age-appropriate K-12 instruction shall address the legal, social, personal and health consequences of drug and alcohol use, promote a sense of individual responsibility, and inform students about effective techniques for resisting peer pressure to use alcohol and other drugs.

Commented [MB167]: This is not legally required. Please ensure that it occurs and if not, please remove.

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is wrong and harmful. Instruction shall not include the concept of responsible use when such use is illegal.

Intervention, Referral and Recovering Student Support

~~The Board recognizes that the use of alcohol and other drugs by students is detrimental to their health and educational development. The Board believes that alcohol and other drug use has critical social and emotional consequences which undermine a student's ability to reach his/her full potential and have serious legal ramifications.~~

In an effort to maintain a school environment conducive to the student's overall well-being, the Board intends to keep schools free of alcohol and other drugs. All students are prohibited from the unlawful manufacture, distribution, dispensation, possession or use of alcohol or other drugs in any facility of the schools, while going to or coming from school, while going to or coming from a school event, or at any school/organization-sponsored event. All students will abide by this prohibition. Any student

who violates this prohibition will be disciplined accordingly. The **Executive Director** will develop, implement and monitor administrative procedures consistent with this policy.

The Board strongly encourages any student who is using alcohol or drugs to discuss the matter with his/her parent/guardian or with any staff member. Students who disclose their use of alcohol or other drugs when seeking help from an intervention or recovery program shall not be disciplined for such use.

Enforcement/Discipline

The **School Administrators, staff and Executive Director** shall take appropriate action to eliminate possession, use or sale of alcohol and other drugs and related paraphernalia on school grounds, at school events, or in any situation in which the school is responsible for the conduct and well-being of students. School authorities may search students and school properties **in accordance with state and federal law and the school's Search and Seizure Policy** for the possession of alcohol and other drugs in accordance with law, Board policy and administrative regulations.

Commented [MB168]: Provided within this Policy Manual.

Students possessing, using or selling alcohol or other drugs or related paraphernalia at school or at a school event shall be subject to disciplinary procedures including suspension or expulsion in accordance with law and Board policy. Such students also may be referred to an appropriate rehabilitation program.

Bomb and Firearm Threats

Receiving Threats

Any staff member receiving a ~~telephoned~~ bomb or any other weapons-related threat shall try to keep the caller on the line so as to gather information about the location and timing of the bomb and the person(s) responsible. He/she should also try to determine the caller's gender and age and should take note of any distinctive features of voice or speech and any background noises such as music, traffic, machinery or other voices.

Staff members who customarily receive telephone calls/messages or handle packages **shall receive training** related to bomb threats should use the following procedures:

Commented [MB169]: This is not legally required, but if you choose to implement, please ensure that training occurs.

Procedures

1. Any employee who receives a bomb threat shall immediately call 911 and also report the threat to the **principal or designee**. If the threat is in writing, he/she shall place the message in an envelope and take note of where and by whom it was found.
2. Any student or employee seeing a suspicious package or suspicious persons shall promptly notify the Site Director or designee.
3. The **Site Director** or designee shall immediately use fire drill signals and institute standard evacuation procedures as specified in the emergency plan.
4. The **Site Director** or designee shall turn off any two-way radio equipment which is located in a threatened building.

Law enforcement and/or fire department staff shall conduct the bomb search. Police officers may assist in this search. No other school staff shall search for or handle any explosive or incendiary device.

Except for assigned school security officers, no staff or students shall reenter the threatened building(s) until the law enforcement and/or fire department staff advises the **principal or designee** that reentry is safe.

Any student who makes a bomb threat shall be subject to disciplinary procedures.

Gangs

Principles

1. The school is committed to keeping all students safe
2. Policies will be created to enforce safety
3. Gang culture is predatory on youth
4. Gangs will not, and should not be supported or tolerated at schools
5. Gang signs will not be ignored
6. Families, parents, and guardians will be made aware
7. Local law enforcement are partners in safety
8. Gang culture surrounds the Oakland vicinities
9. ~~AMPS will not work with Community organizations that simply blame~~

Prevention and Intervention Measures

In order to discourage the influence of gangs, school staff shall take the following measures:

1. Any student displaying behavior, gestures, apparel or paraphernalia **in violation of the school Dress Code Policy and** indicative of gang affiliation shall be referred to the **Director or designee**.
 - a. The student's parent/guardian shall be contacted and may be asked to meet with school staff.
 - b. The student may be disciplined accordingly.
2. Staff members shall be provided with the names of known gang members.
3. Students who seek help in rejecting gang associations ~~may need~~ **are encouraged** to talk with a teacher, faculty or **Director**. Staff will address the issue in house, or may seek to seek assistance from outside community service organization, law enforcement, or public safety department as needed.
4. Any gang graffiti on school premises shall be removed, washed down or painted over as soon as discovered.
 - a. **Daily checks for graffiti shall be made throughout the campus.**
 - b. Gang graffiti shall be photographed before it is removed. These photographs shall be shared with local law enforcement authorities and used in future

Commented [MB170]: Please delete this if it does not occur in practice.

disciplinary or criminal action against the offenders.

~~5.—Our schools will only work with community-based organizations that see demanding and rigorous educational programs as a vehicle to college and law enforcement as partners in keeping students safe. Community organizations that seek to pull students away from school and school-related functions for “community” marches and/or meetings will not be sought out.~~

USE OF INFORMATION LEARNED FROM SOCIAL MEDIA POLICY

Purpose

The Board of Directors of Amethod Public Schools (“AMPS” or the “Charter School”) recognizes the value of technology such as social media platforms to gather information that pertains directly to school and student safety. As such, the purpose of this Use of Information Learned From Social Media Policy (“Policy”) is to comply with Education Code section 49073.6 regarding the Charter School’s use of a program to gather or maintain in AMPS’ records any information about any enrolled students obtained from social media.

Definitions

For purposes of this Policy, the following terms have the following meanings:

- “Educational purposes” means for purposes that aid in instruction in the classroom or at home, or in classroom administration.
- “Social media” means an electronic service or account, or electronic content, including, but not limited to, videos, still photographs, blogs, video blogs, podcasts, instant and text messages, email, online services or accounts, or Internet Web site profiles or locations.
- “Social media” shall not include an electronic service or account used exclusively for educational purposes or primarily to facilitate creation of school-sponsored publications, such as a yearbook or student newspaper, under the direction or control of a school, teacher, or yearbook adviser.

Requirements and Limits on Monitoring Social Media

The Charter School shall do all of the following:

1. Gather or maintain only information that pertains directly to school safety or to student safety.
2. Provide a student with access to any information about the student gathered or maintained by the Charter School that was obtained from social media, and an opportunity to correct or delete such information.

Commented [MB171]: Pursuant to EC § 49073.6, before adopting this Policy and program of gathering student information from social media, the Charter School must notify students and their parents or guardians about the proposed program and provide an opportunity for public comment at a regularly scheduled public meeting of the Board.

- 3. Destroy information gathered from social media and maintained in its records within one (1) year after a student turns 18 years of age or within one (1) year after the student is no longer enrolled in the Charter School, whichever occurs first.**

Notification of Parents/Guardians

The Charter School shall notify each parent or guardian of a student subject to the program governed by this Policy that the student's information is being gathered from social media and that any information subject to the program governed by this Policy maintained in the Charter School's records with regard to the student shall be destroyed within one (1) year after a student turns 18 years of age or within one (1) year after the student is no longer enrolled in the Charter School, whichever occurs first.

The notification shall include, but is not limited to: (a) an explanation of the process by which a student or a student's parent or guardian may access the student's records for examination of the information gathered or maintained pursuant to this Policy; and (b) an explanation of the process by which a student or a student's parent or guardian may request the removal of information or make corrections to information gathered or maintained pursuant to this Policy.

Removal or Correction of Records

A parent or eligible student may access their child's records for examination of the information gathered or maintained under program governed by this Policy. Following the inspection and review of a student's education record, a parent or eligible student may file a written request with the **Chief Executive Officer** to correct or remove any information in the student's education record that is any of the following:

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

The process for requesting removal or correction is as follows: The Charter School will follow its Educational Records and Student Information Policy in considering any request for correction or removal of information. A request to remove or correct any record does not guarantee a parent or eligible student a right to have the record removed or corrected. The Charter School will respond within thirty (30) days of the receipt of the request for removal or correction. The Charter School's response will be in writing and if the request for removal or correction is denied, the Charter School 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 **Chief Executive Officer** sustains any or all of the allegations, the **Chief Executive Officer** must order the correction or the removal and destruction of the information. The **Chief Executive Officer** or designee must then inform the parent or eligible student of the amendment in writing.

Contracts with Third-Parties

Subject to future amendments of this Policy by the Board, the Charter School will not contract with a third party to gather information regarding an enrolled student from social media. If the Board amends this Policy to permit such a third-party contract, this Policy shall require the contract to comply fully with the provisions of Education Code section 49073.6 and any other applicable local, state, or federal law or implementing regulations.

Commented [MB172]: Please revise to state the title of the appropriate administrator who will address these requests from parents/guardians. Please revise accordingly and ensure any such revisions are made throughout the Policy.

Commented [MB173]: Please note, this Policy presumes the Charter School will not use a third party for this purpose. We recommend the Charter School refrain from doing so for myriad compliance reasons. If the Charter School decides it wants to use a third party, please contact our office to update this policy and ensure the procedures are lawful.

Coversheet

Special Education Update

Section:	VI. Discussion
Item:	A. Special Education Update
Purpose:	Discuss
Submitted by:	
Related Material:	Integrated Support Services Update.pdf

INTEGRATED SUPPORT SERVICES

Board Meeting - November 16, 2022

SPECIAL EDUCATION AND RELATED SERVICES ARE INTEGRATED SUPPORT SERVICES

Specialized Academic Instruction (SAI)

Occupational Therapy (OT)

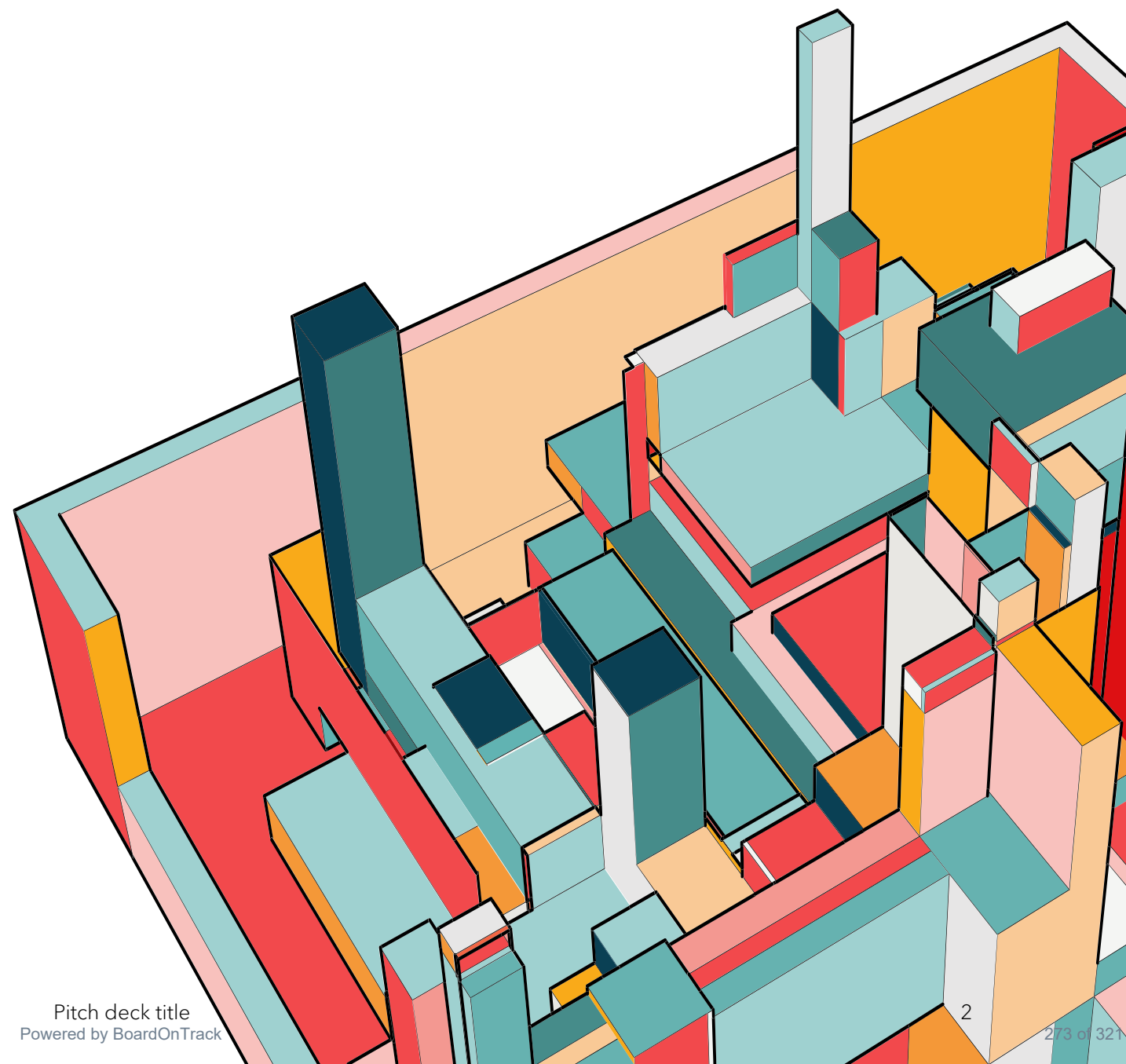
Educationally Related Mental Health Services
(ERMHS)

Speech and Language Therapy

Psychoeducational Evaluation

Behavioral Support Services

7/1/20XX



AMPS STATISTICS ON STUDENTS WITH DISABILITIES

Students with Disabilities

200

Students Requiring Specialized
Academic Instruction (SAI)

157

Students Requiring Speech
Therapy

85

Students Requiring Occupational
Therapy

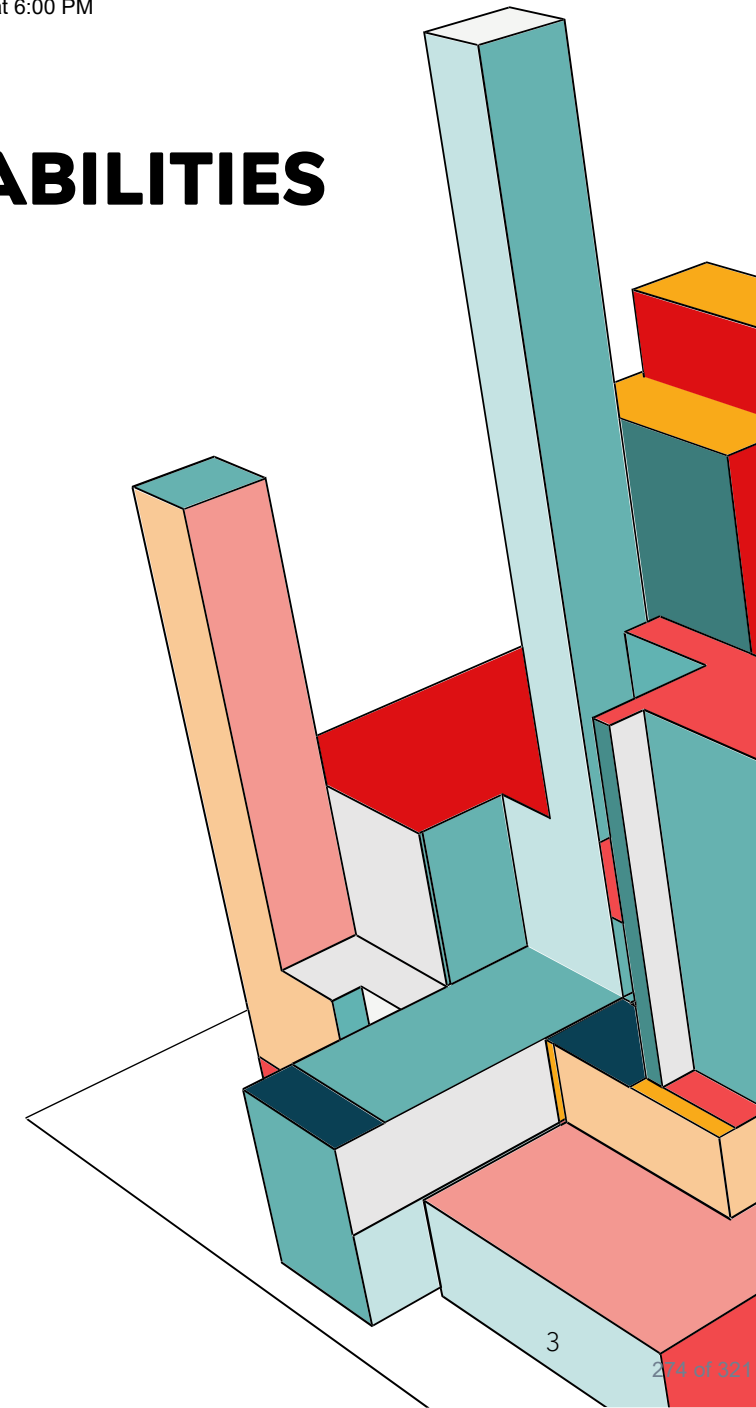
17

Students Requiring
Educationally-Related Mental
Health Services (ERMHS)

52

Students Requiring Intensive
Behavioral Support

9

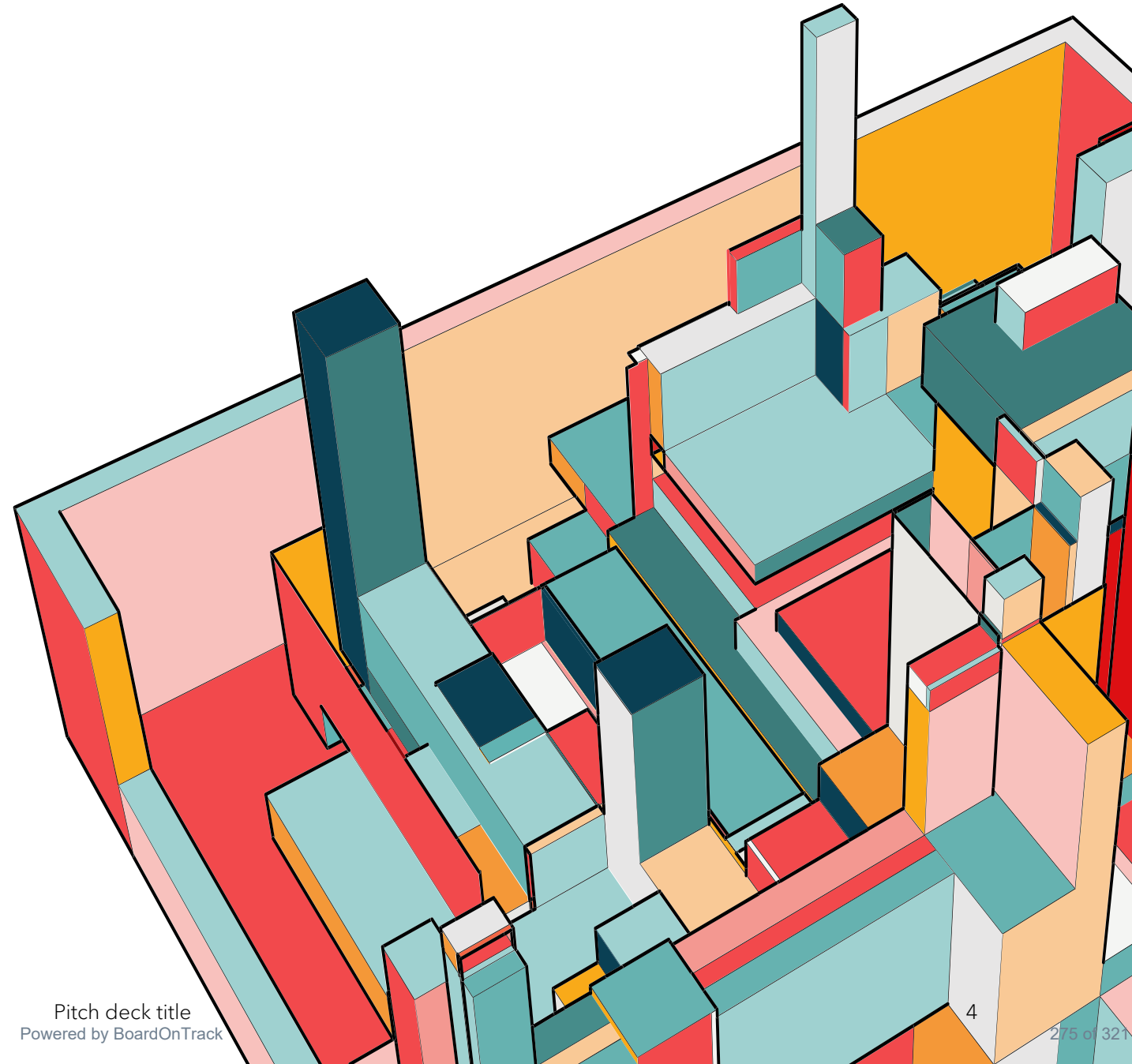


SPECIALIZED ACADEMIC INSTRUCTION

INSTRUCTIONAL PRACTICE THAT ADAPTS THE CONTENT, METHODOLOGY OR DELIVERY OF INSTRUCTION TO ENSURE ACCESS OF THE STUDENT WITH AN INDIVIDUALIZED EDUCATIONAL PROGRAM TO THE GENERAL CURRICULUM SO THAT HE OR SHE CAN MEET THE EDUCATIONAL STANDARDS THAT APPLY TO ALL STUDENTS WITHIN THE JURISDICTION OF THE PUBLIC AGENCY. THIS SERVICE IS PROVIDED BY A CREDENTIALLED EDUCATION SPECIALIST.

7/1/20XX

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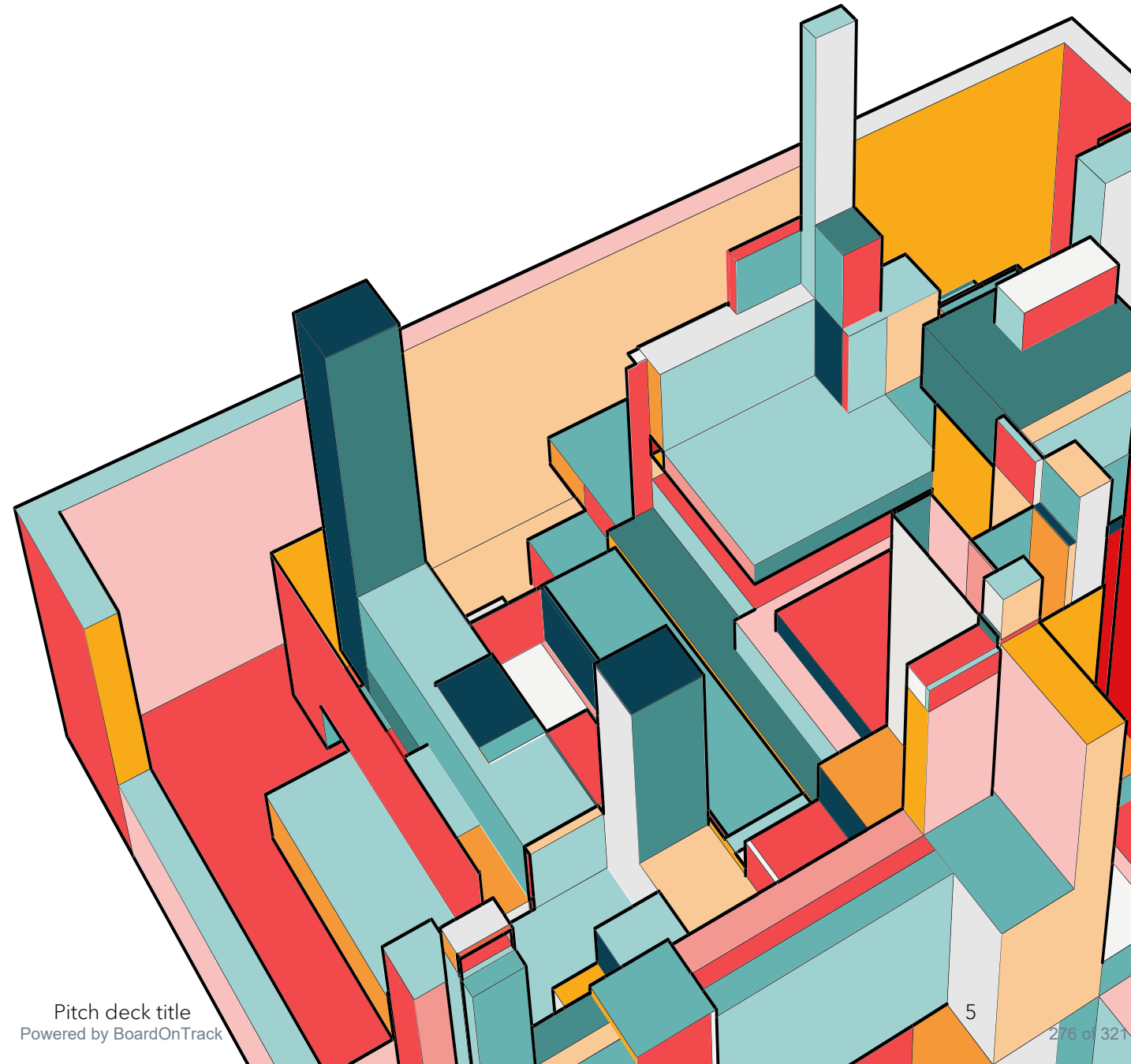


OCCUPATIONAL THERAPY

OCCUPATIONAL THERAPY SERVICES INCLUDES SERVICES TO IMPROVE STUDENT'S EDUCATIONAL PERFORMANCE, POSTURAL STABILITY, SELF-HELP ABILITIES, SENSORY PROCESSING AND ORGANIZATION, IT INVOLVES COLLABORATION TO SUPPORT ENGAGEMENT AND PARTICIPATION IN THE GENERAL ED. CLASSROOM.

7/1/20XX

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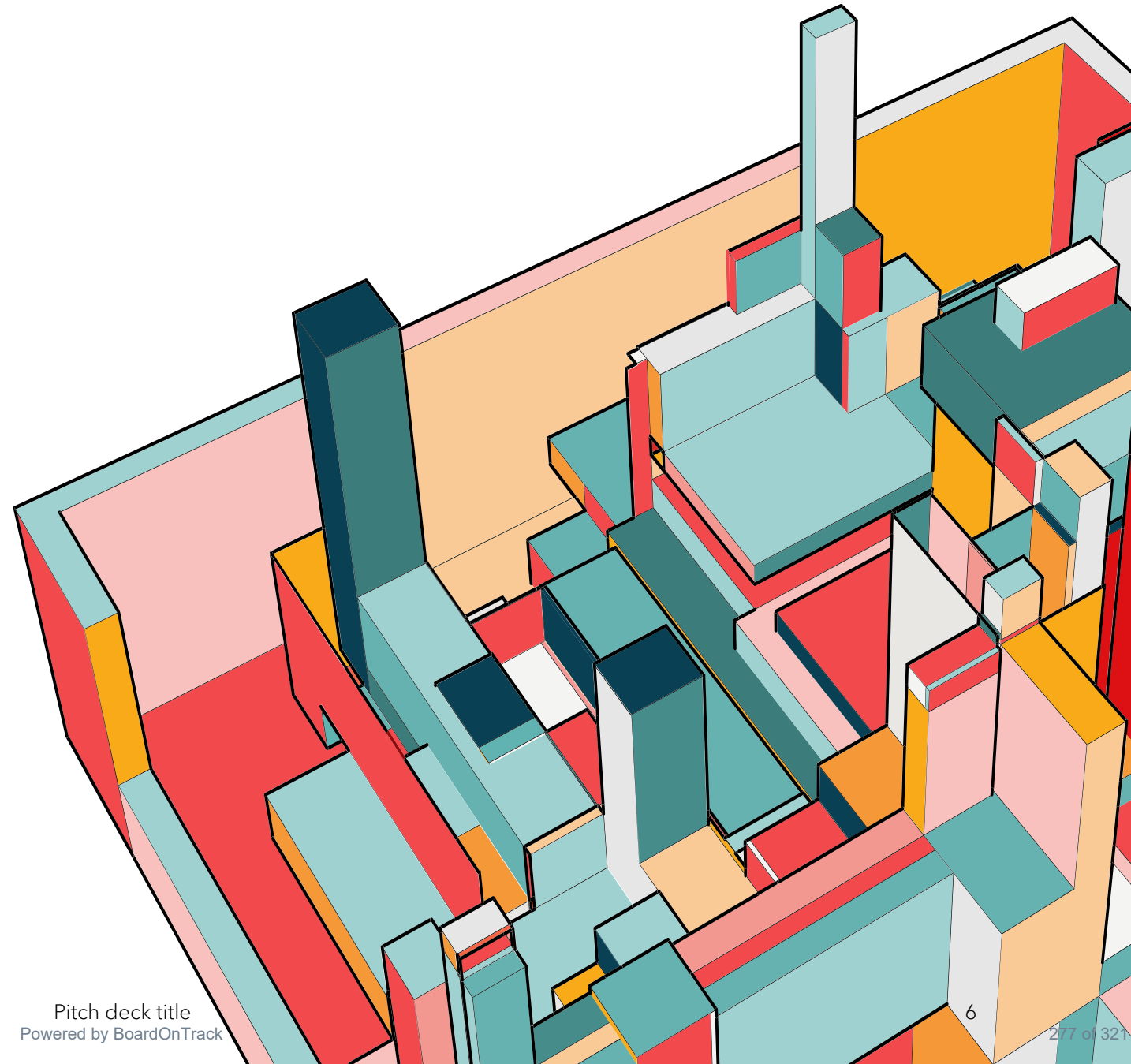


SPEECH AND LANGUAGE THERAPY

LANGUAGE AND SPEECH SERVICES PROVIDE REMEDIAL INTERVENTION FOR ELIGIBLE INDIVIDUALS WITH DIFFICULTY UNDERSTANDING OR USING SPOKEN LANGUAGE. SERVICES ARE PROVIDED BY A CREDENTIALED SPEECH AND LANGUAGE PATHOLOGIST.

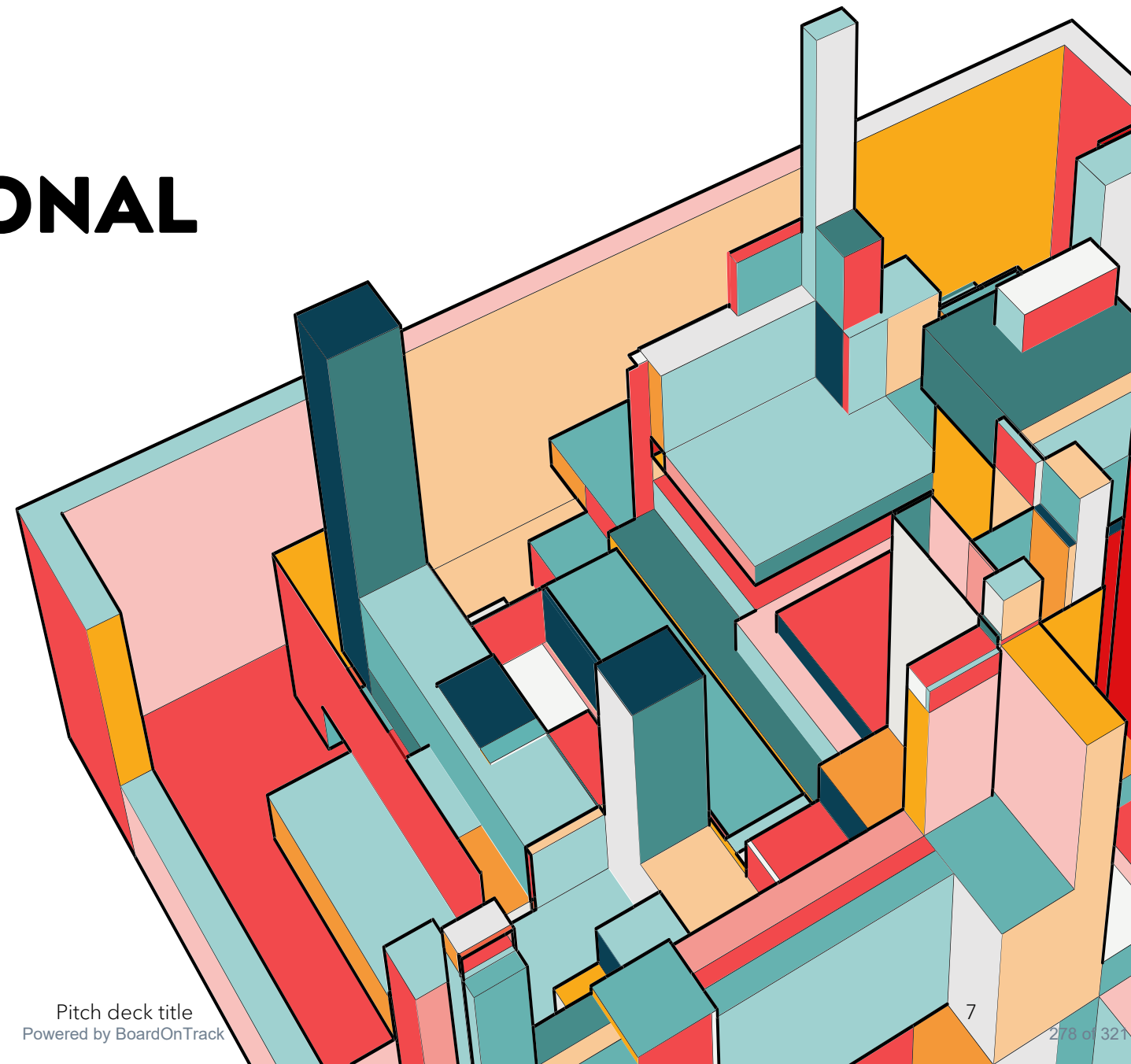
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PSYCHOEDUCATIONAL SERVICES

PSYCHOEDUCATIONAL SERVICES INCLUDE ASSESSMENT TO DETERMINE THE NEED FOR SPECIAL EDUCATION SERVICES, INTERPETING AND EXPLAINING ASSESSMENT RESULTS TO PARENTS AND STAFF, PROVIDING RECOMMENDATIONS FOR INDIVIIDUALIZED EDUCATIONAL PLANNING. PROVIDED BY A CREDENTIALIAED OR LICENSED PSYCHOLOGIST.

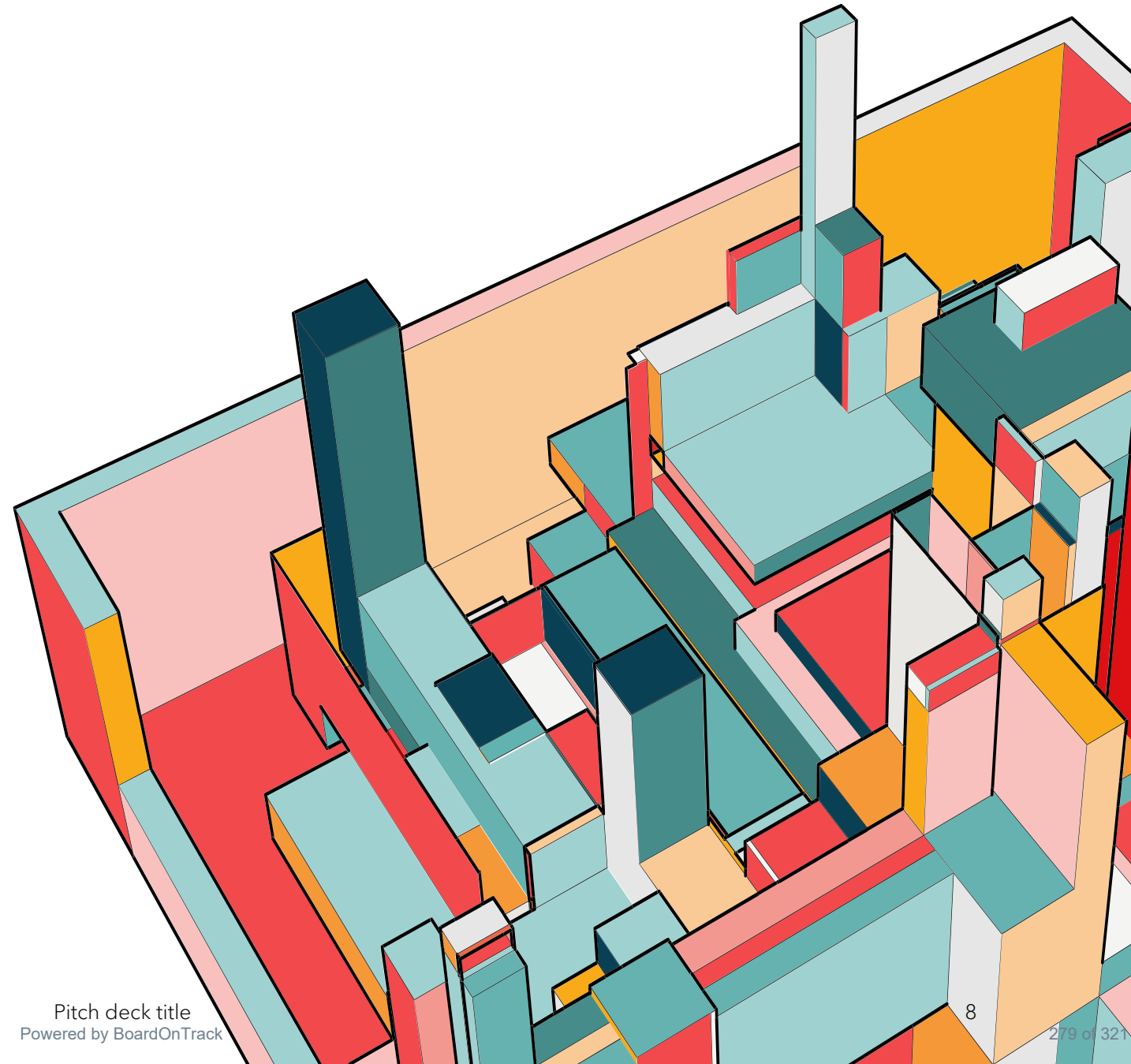


BEHAVIORAL SUPPORT SERVICES

BEHAVIORAL SUPPORT SERVICES ARE PROVIDED BY BEHAVIORAL TECHNICIANS IMPLEMENTATING APPLIED BEHAVIOR ANALYSIS TECHNIQUES. THEY ENGAGE INCONTINUOUS DATA COLLECTION AND MODIFICATION OF BEHAVIOR INTERVENTION STRATEGIES AS NEEDED.

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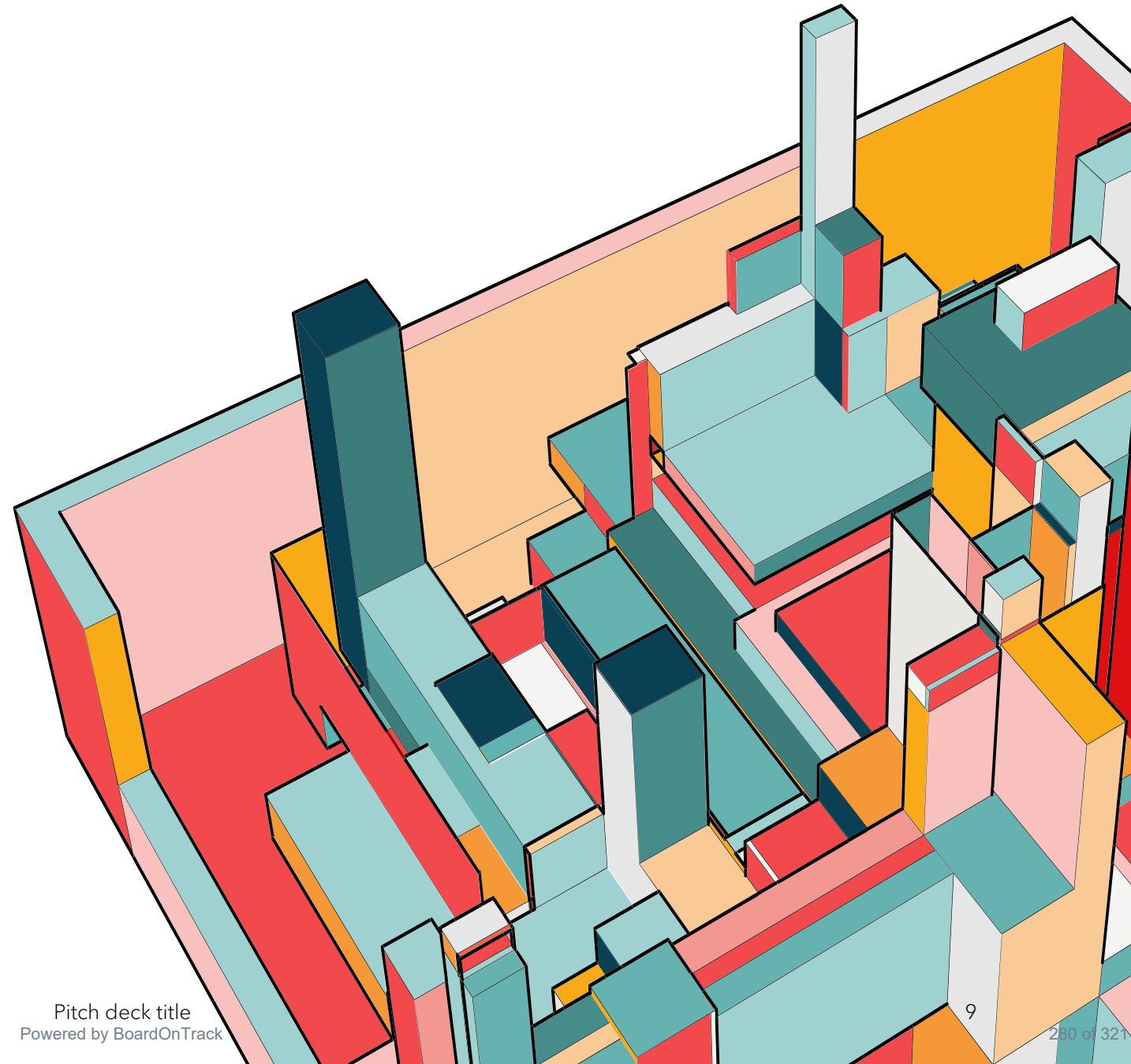


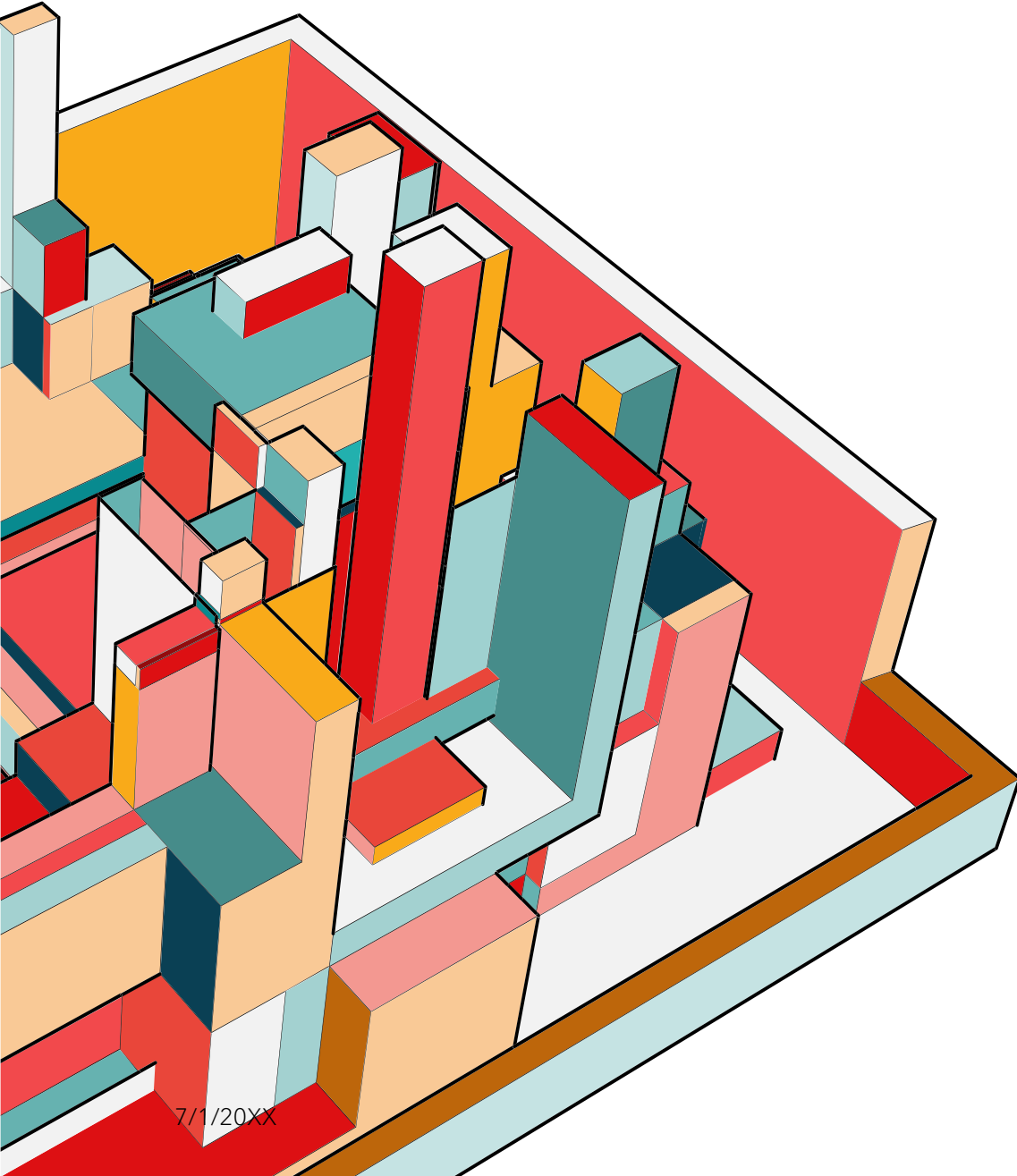
EDUCATIONALLY RELATED MENTAL HEALTH SERVICES (ERMHS)

THE ERMHS THERAPIST PROVIDES MENTAL HEALTH CARE , INTENSIVE ASSESSMENTS AND INTERVENTION FOR STUDENTS WITH SOCIO-EMOTIONAL AND MENTAL HEALTH CHALLENGES AND PROVIDE CONSULTATION SERVICES TO SCHOOL STAFF TO SUPPORT THE MENTAL HEALTH GOALS OF STUDENTS.

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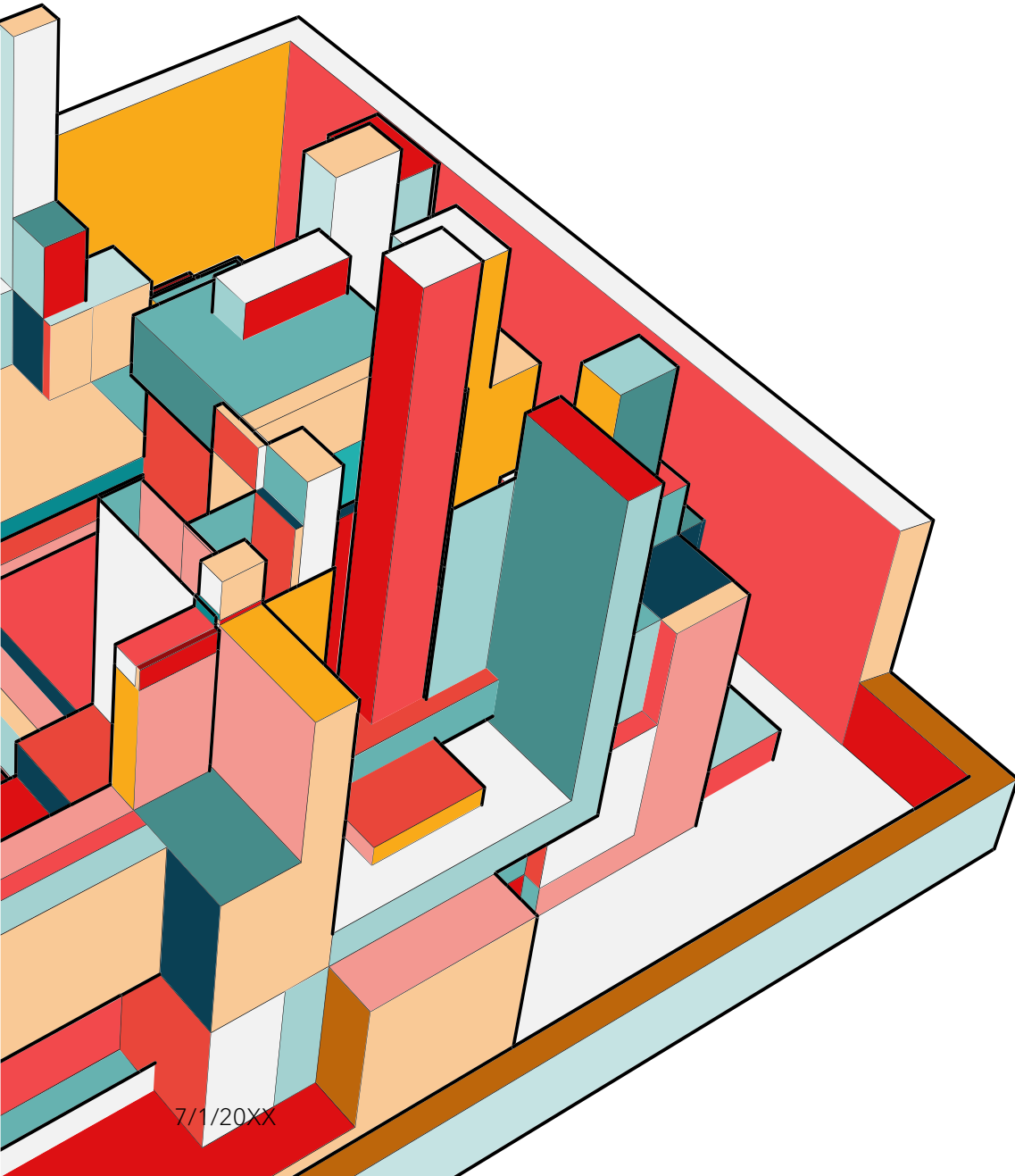
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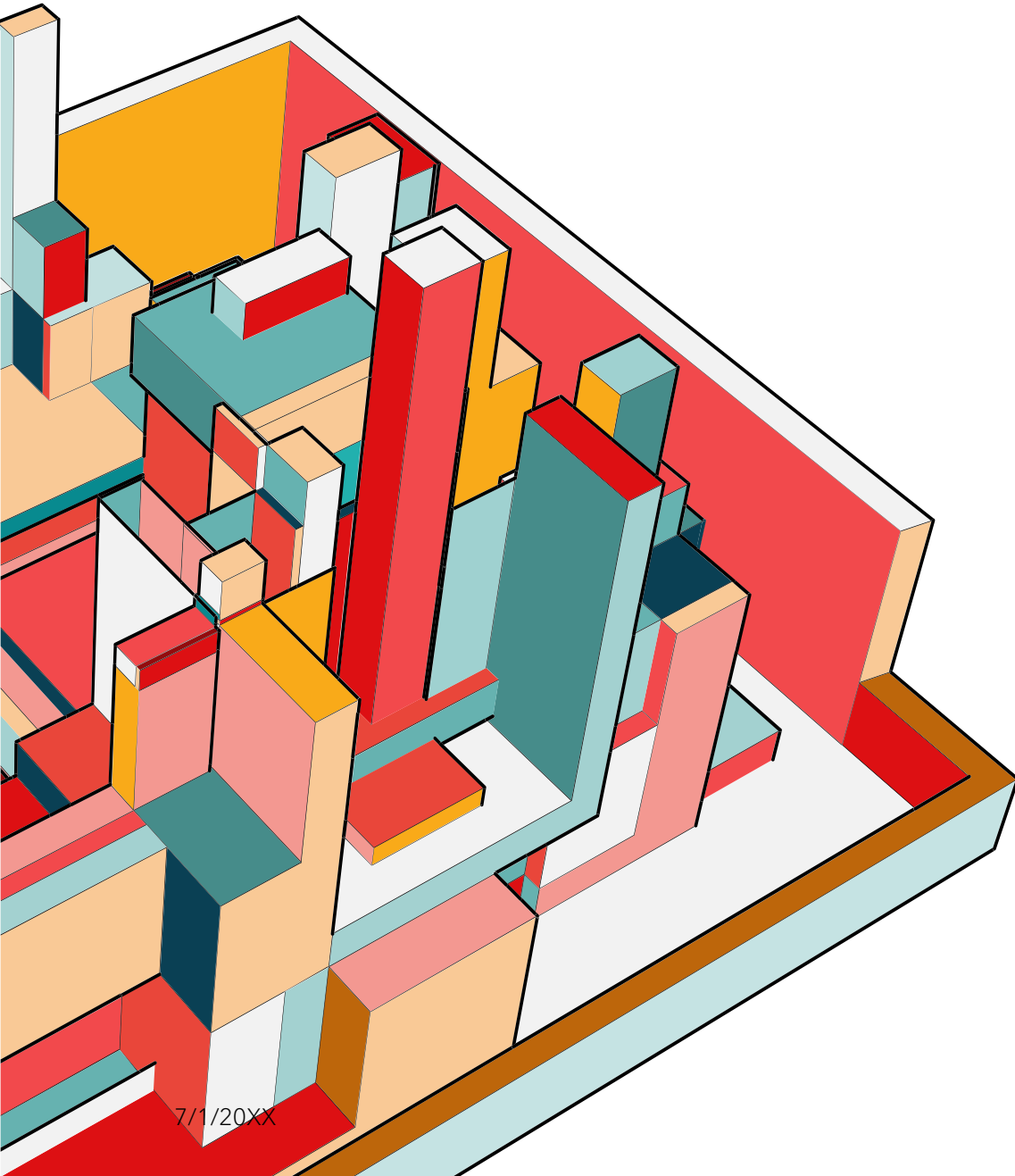
13 ELIGIBILITY CATEGORIES UNDER INDIVIDUALS WITH DISABILITY ACT

7/1/20XX



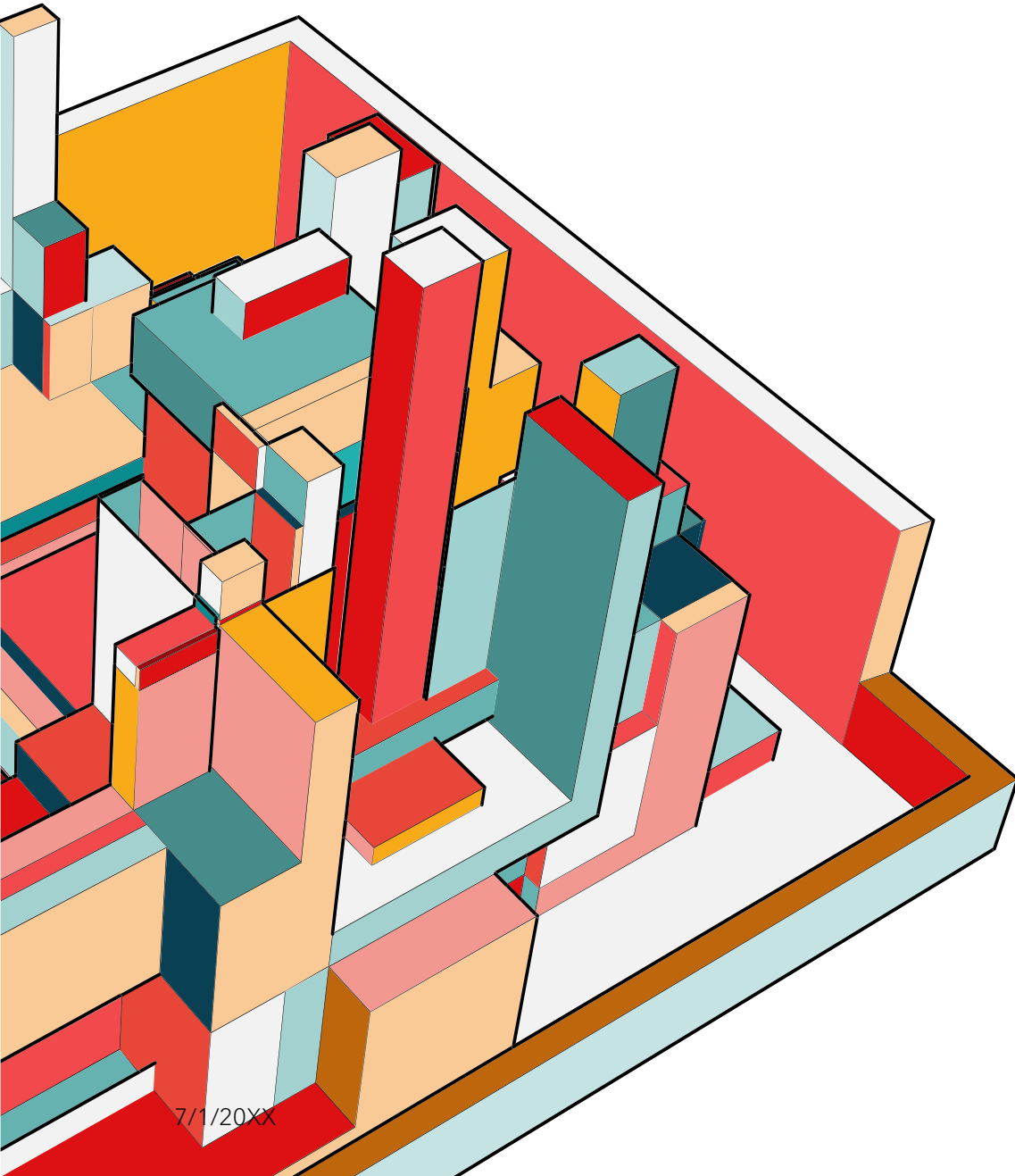
AUTISM SPECTRUM DISORDER

Is a neurodevelopmental disorder that impairs a child's ability to communicate and interact with others. It also includes restricted repetitive behaviors, interests and activities. These issues cause significant impairment in social, occupational and other areas of functioning. It is defined as a single disorder that includes disorders that were previously considered separate – autism, Asperger's syndrome, childhood disintegrative disorder and pervasive developmental disorder not otherwise specified.



DEAF-BLINDNESS

Concomitant (simultaneous) hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in general education programs solely for children with deafness or children with blindness.



DEAFNESS

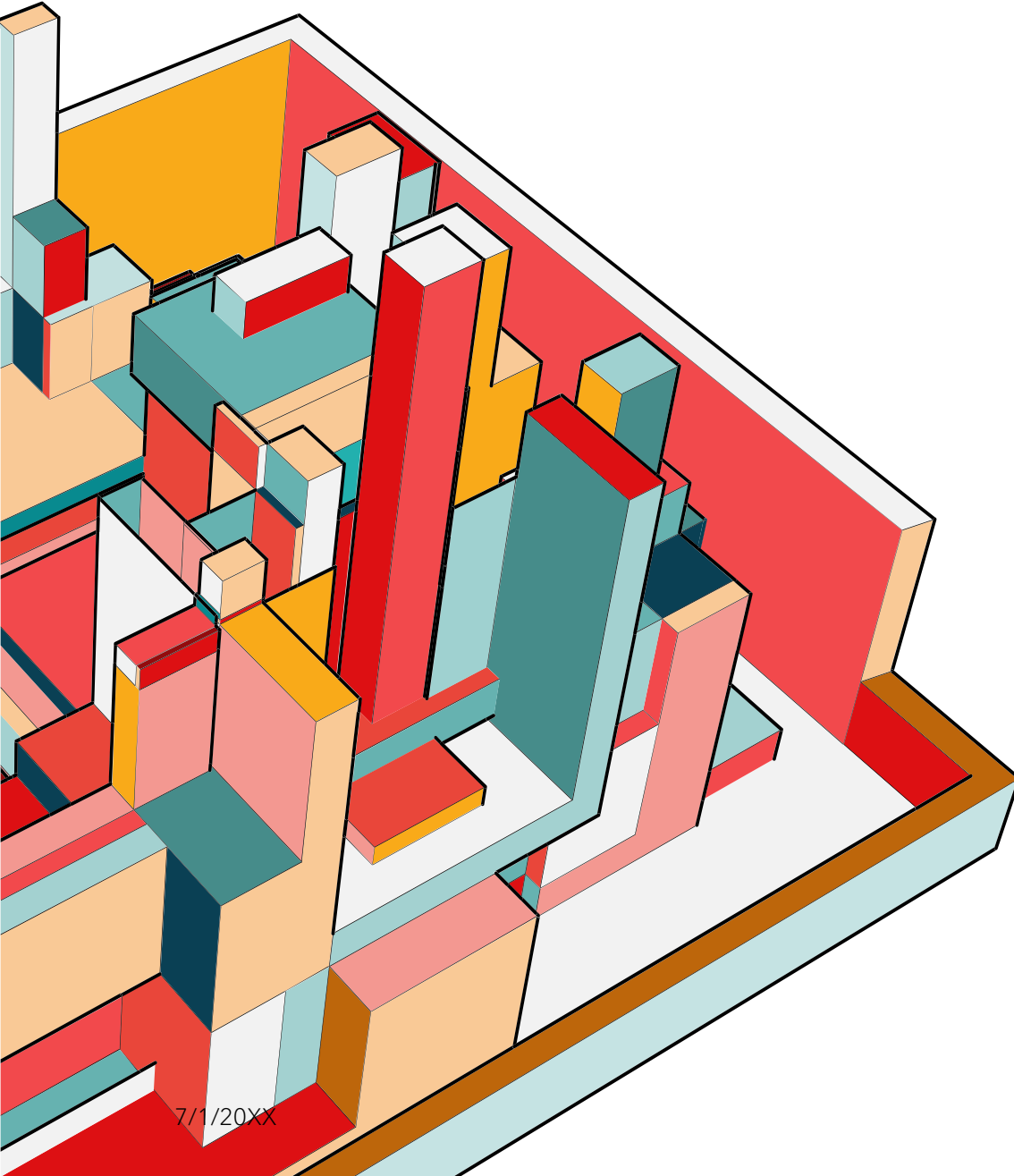
a hearing impairment so severe that a child is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects a child's educational performance.

EMOTIONAL DISTURBANCE

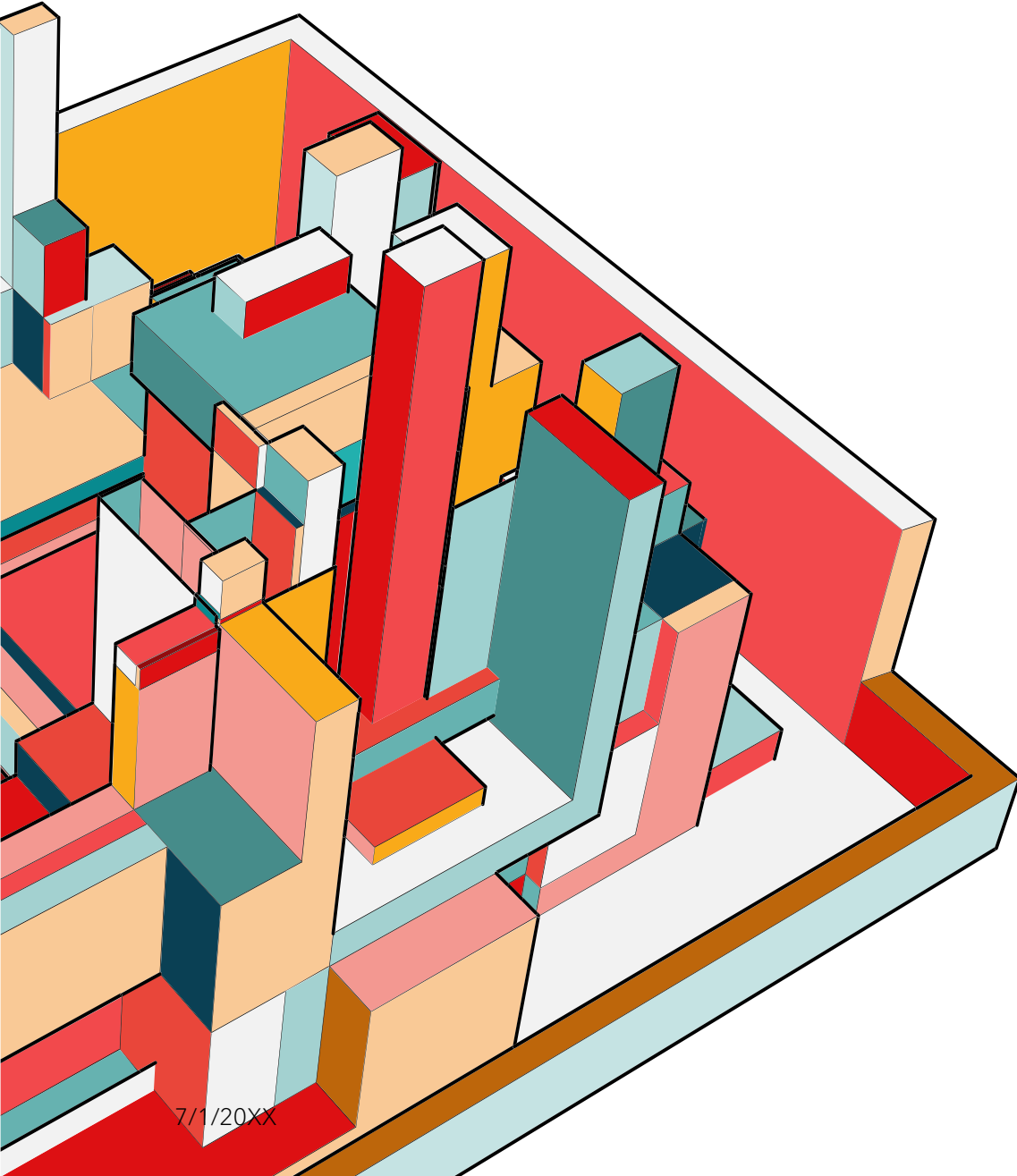
A condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:

- a) An inability to learn that cannot be explained by intellectual, sensory, or health factors;
- (b) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
- (c) Inappropriate types of behavior or feelings under normal circumstances;
- (d) A general pervasive mood of unhappiness or depression;
- (e) A tendency to develop physical symptoms or fears associated with personal or school problems.

The term includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance.

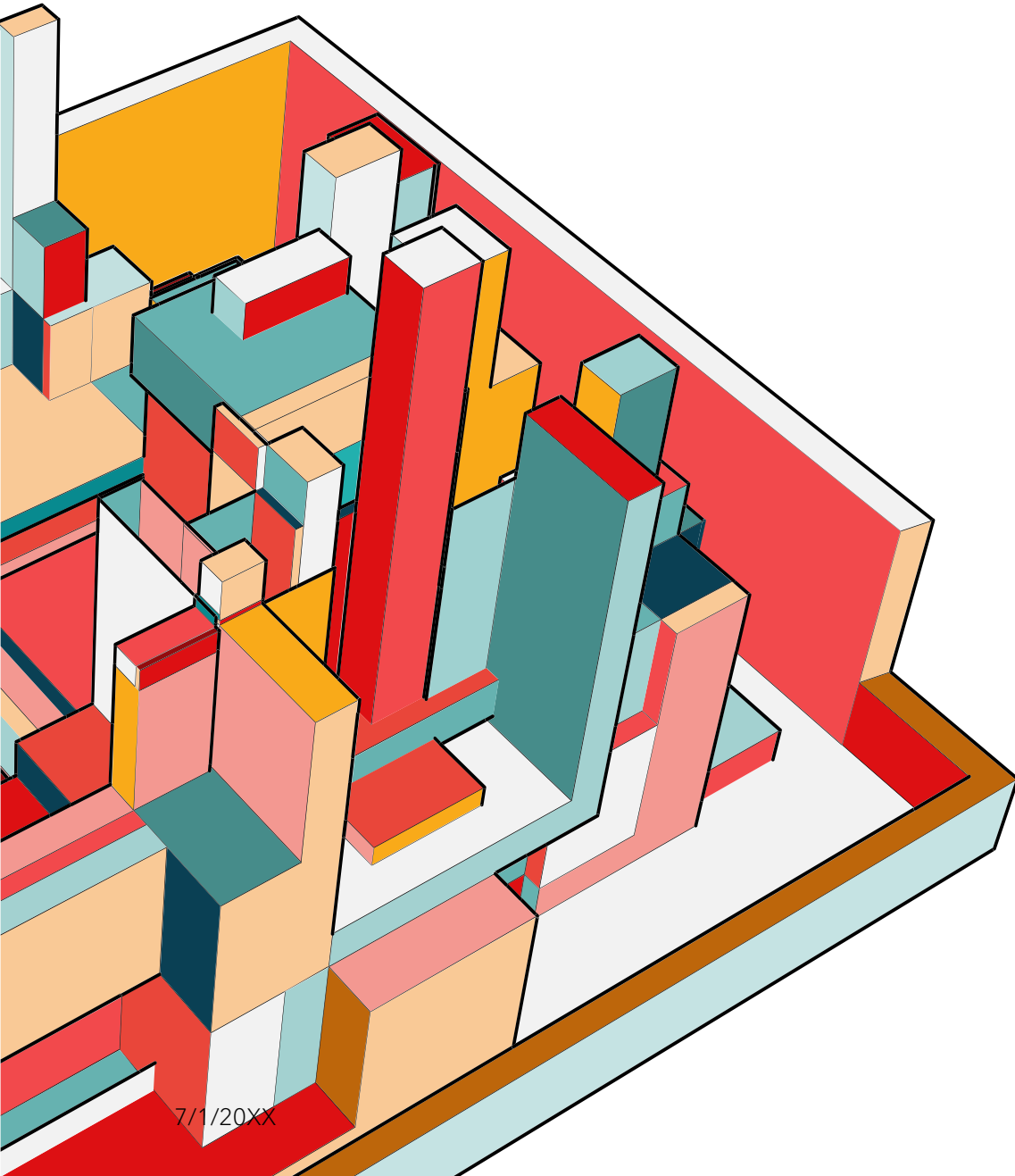


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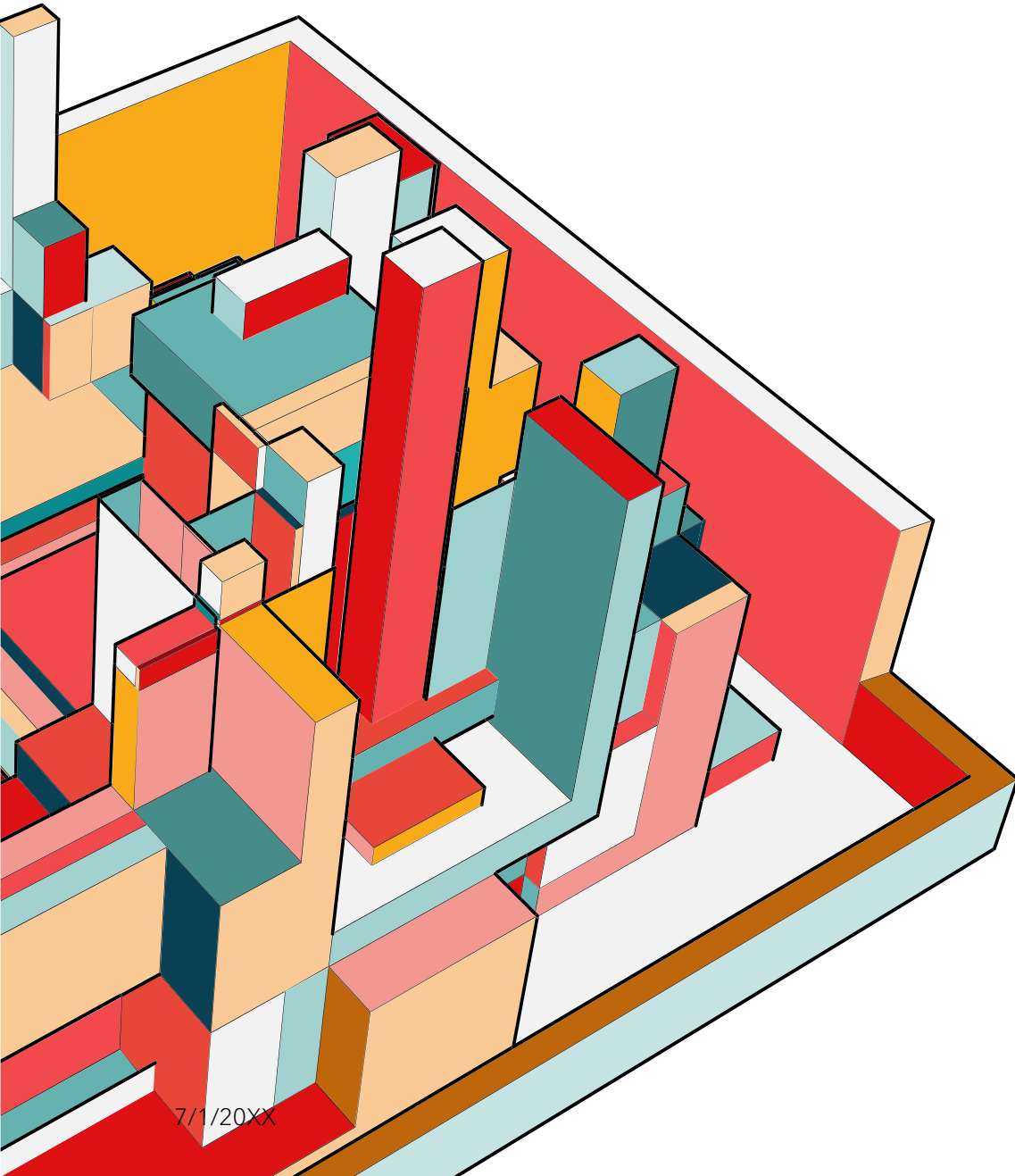
HEARING IMPAIRMENT

An impairment in hearing, whether permanent or fluctuating, that adversely affects a child's educational performance but is not included under the definition of "deafness."



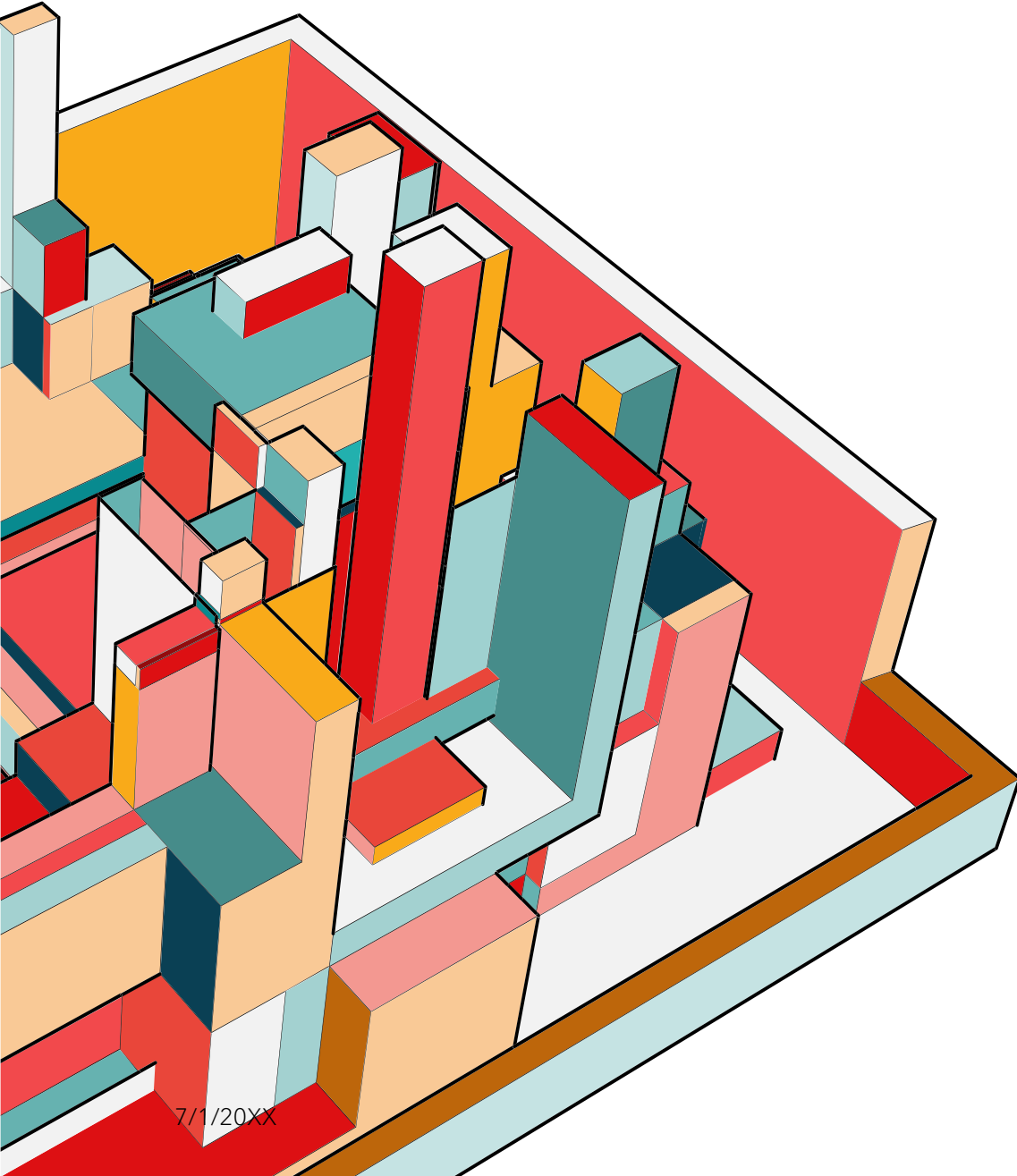
INTELLECTUAL DISABILITY

Significantly sub-average general intellectual functioning, existing concurrently [at the same time] with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a child's educational performance.



MULTIPLE DISABILITIES

Concomitant (simultaneous) impairments (such as intellectual disability-blindness, intellectual disability-orthopedic impairment, etc.), the combination of which causes such severe educational needs that they cannot be accommodated in a special education program solely for one of the impairments. The term does not include deaf-blindness.



ORTHOPEDIC IMPAIRMENT

Severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by a congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes.

OTHER HEALTH IMPAIRMENT

Having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that—

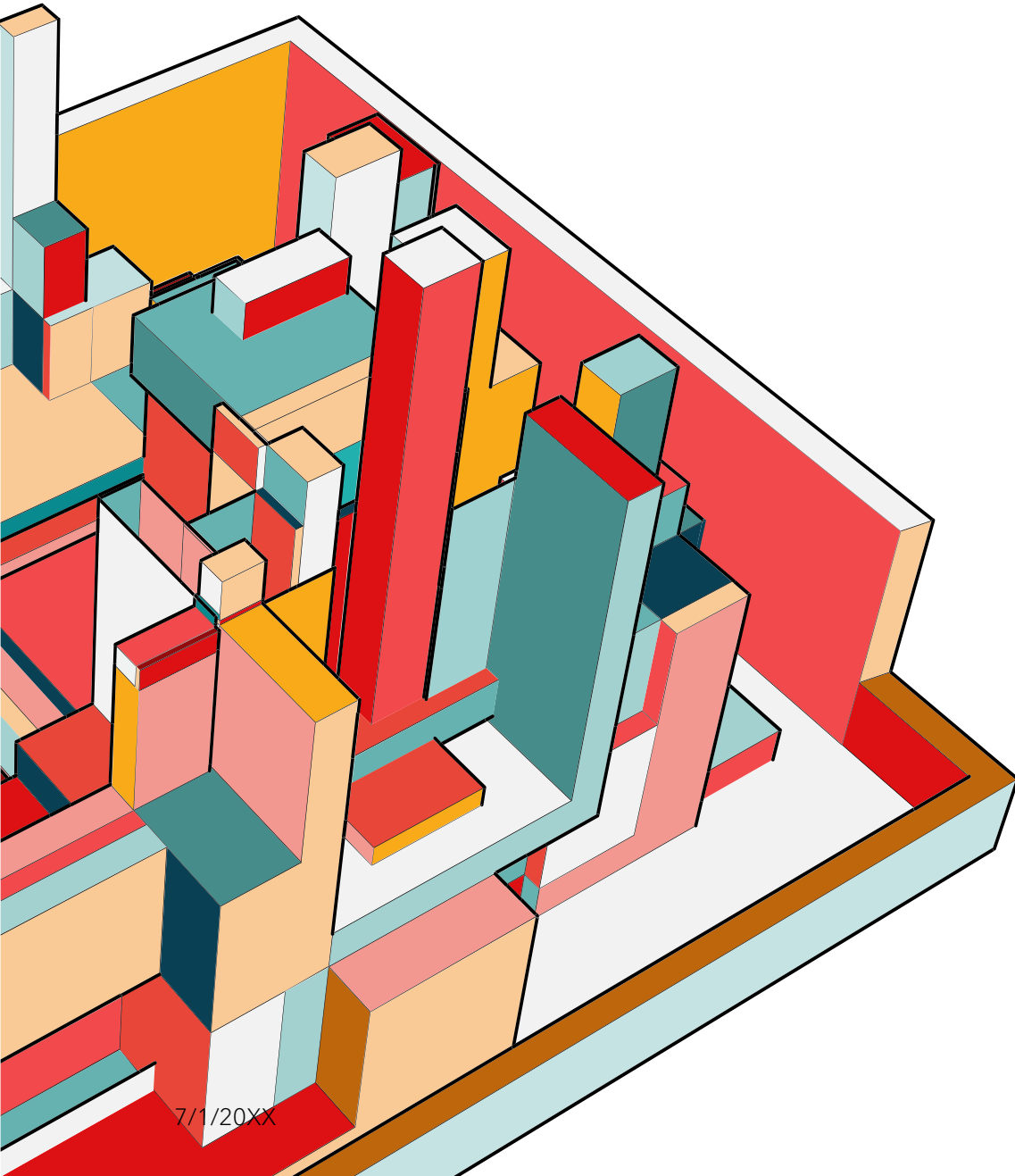
- (a) is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette syndrome;
- and, (b) adversely affects a child's educational performance

(Example: Attention Deficit Hyperactivity Disorder)

SPECIFIC LEARNING DISABILITY

A disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include learning problems that are primarily the result of visual, hearing, or motor disabilities; of intellectual disability; of emotional disturbance; or of environmental, cultural, or economic disadvantage.

(Examples: Dyslexia, Dysgraphia, Dyscalculia, Auditory processing disorder, and Nonverbal learning disability)



7/1/20XX

An abstract 3D bar chart graphic composed of numerous rectangular blocks of varying heights and colors (red, orange, teal, white, and brown) arranged in a complex, stepped pattern. The blocks are set against a white background with a light blue base.

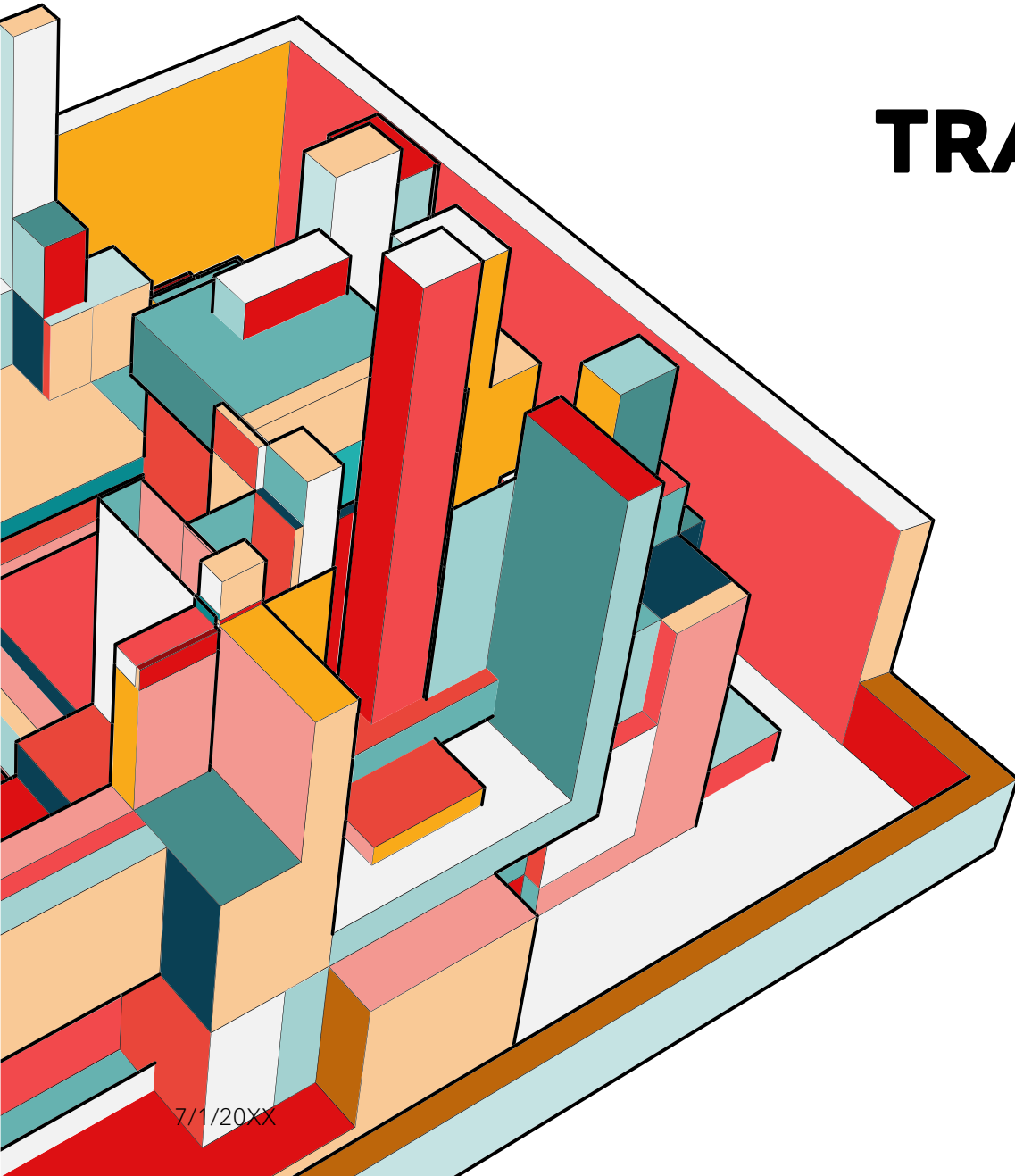
SPEECH OR LANGUAGE IMPAIRMENT

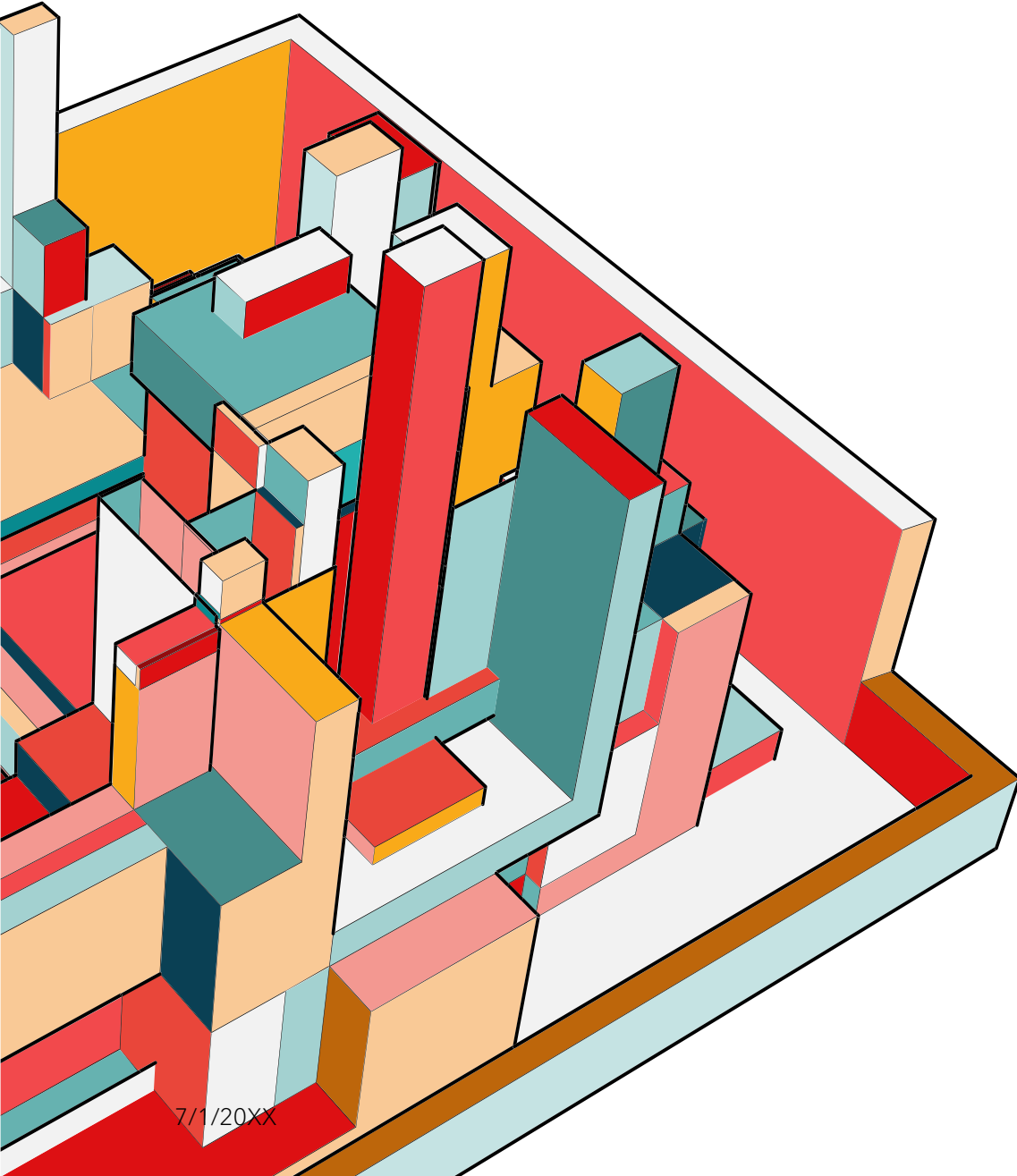
A communication disorder such as stuttering, impaired articulation, language impairment, or a voice impairment that adversely affects a child's educational performance.

TRAUMATIC BRAIN INJURY

An acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance. The term applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech.

The term does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma.





VISUAL IMPAIRMENT

An impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partial sight and blindness.

STATISTICS OF STUDENTS BY ELIGIBILITY CATEGORIES

Specific Learning Disability

106

Other Health Impairment

34

Speech and Language
Impairment

34

Emotional Disturbance

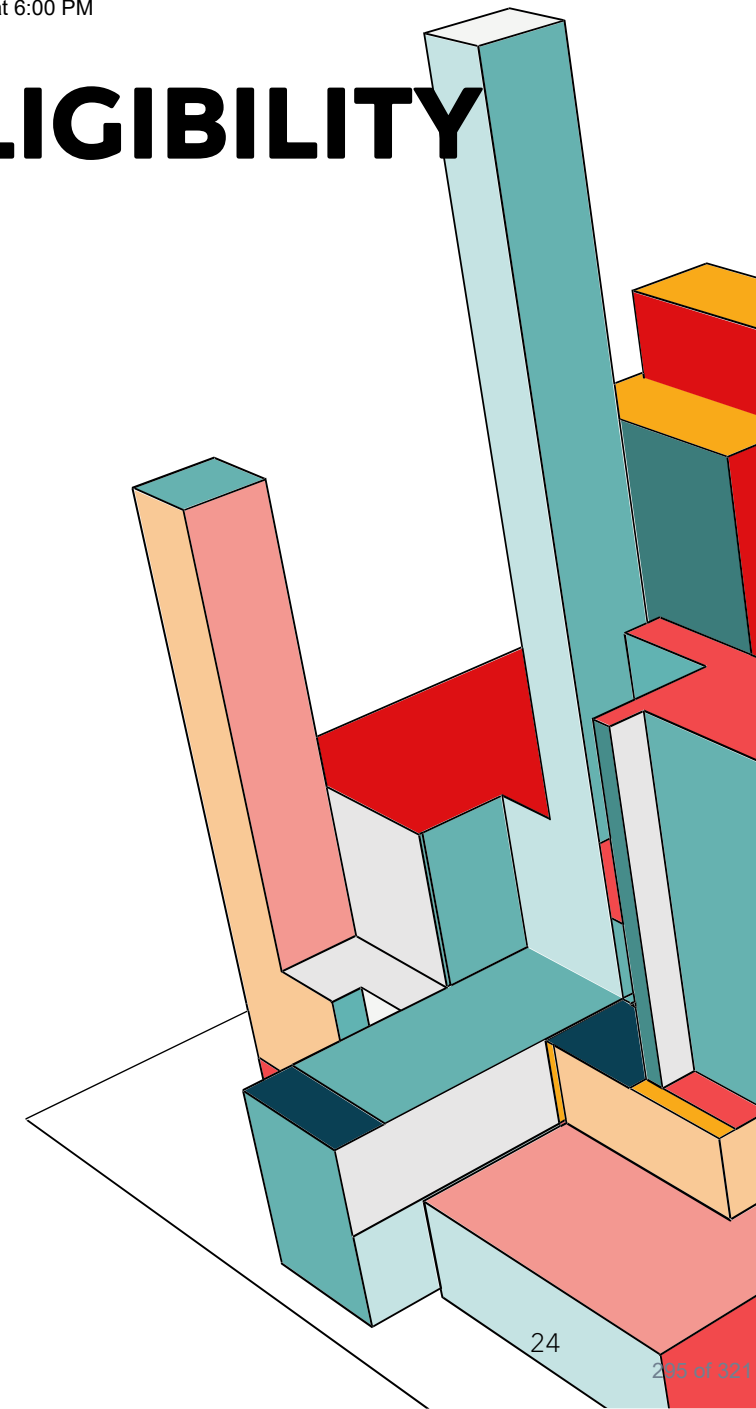
3

Intellectual Disability

6

Autism

16



INCLUSION

IEP AT A GLANCE

Instructional and Testing Accommodations
IEP Goals

RELATED SERVICES

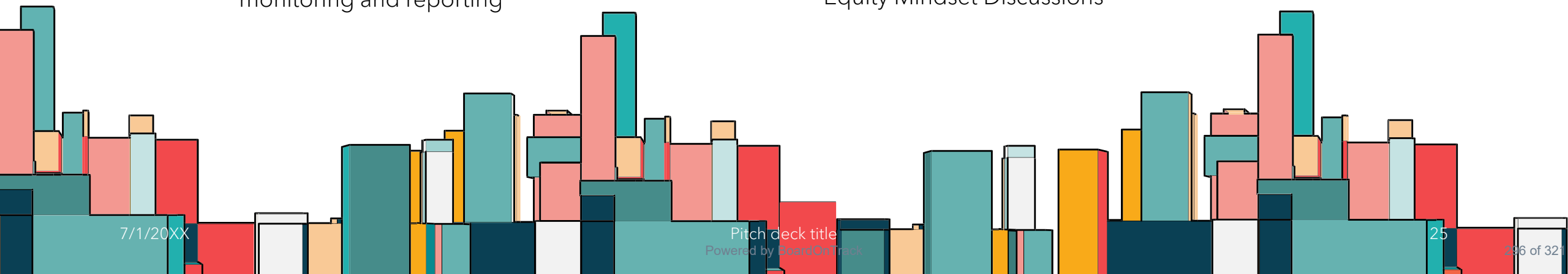
Increase access to general education curriculum

COLLABORATION WITH GEN ED TEACHERS

Differentiating Instruction
Participation in Grade Level/Content Team Meetings
Collaborative assessment and progress monitoring and reporting

PROFESSIONAL LEARNING OPPORTUNITIES

Coherence in Understanding and Implementation among Administrators and SPED Staff
SPED Forum for Ed. Specialists
Equity Mindset Discussions



COMPLIANCE

Files Audit

Uniform filing system for Home Office
Secured filing system at the School Site
Special Education Information System (SEIS)

IEP Master Calendar

Weekly reminders on IEP due dates
Initial, Annual and Triennial IEPs are plotted in one school calendar located in a designated place

Services Log

Required documentation of specialized services rendered

Compensatory Services

Prior Written Notices send to parents acknowledging disruption of services and AMPS commitment to immediately resume services as soon as a qualified service provider is hired.



SMALL LEA CYCLICAL MONITORING REVIEW

POLICIES AND PROCEDURES REVIEW

EDUCATIONAL BENEFIT REVIEWS

2-PRONG REVIEW

POLICIES AND PROCEDURES REVIEW

REVIEW OF PROCESSES AND PROCEDURES
TO DETERMINE IF THEY ARE ALIGNED WITH
THE IDEA REQUIREMENTS. PREREFERRAL AND
REFFERAL PROCESS FOR SPECIAL EDUCATION
SERVICES

ENGLISH LANGUAGE LEARNERS WITH
DISABILITIES

STUDENT FILES REVIEW FOR EDUCATIONAL BENEFIT

INDIVIDUALIZED EDUCATIONAL PROGRAMS
WERE DEVELOPED USING THE THREAD OF
EDUCATION BENEFIT THAT STARTS FROM
ASSESSMENT, IDENTIFICATION OF STUDENT
NEEDS, DEVELOPING GOALS ALIGNED TO THE
IDENTIFIED NEEDS

GROWTH STRATEGY

COHERENCE

HIRE IN-HOUSE STAFF

Job Descriptions for Needed
In-House Positions have been
developed
Collaborative Review of
Credentials

PROFESSIONAL DEVELOPMENT

Attendance in Teacher
Academy - SELPA
Ed. Specialist Learning
Community
Ed Specialist Forum
Equity Mindset and Practices
Discussions
Dually-Identified Students

SCHOOL SITE EMPOWERMENT

Admin access to SEIS
Site Leaders Meeting include
SPED Presentation
SPED Administrators Tool Kit
Strategic Consultation Time
with Administrators
Educational Benefit Review

**SMALL STEPS TOWARDS THE
RIGHT DIRECTION**

**CHILD-CENTERED DECISION-
MAKING**

THANK YOU

Coversheet

CEO Report

Section: VI. Discussion
Item: C. CEO Report
Purpose: Discuss

Submitted by:
Related Material:

SBE_Amethod-John Henry High.pdf
WCCUSD_Amethod-Benito Juarez Elementary.pdf
WCCUSD_Amethod-Richmond Charter Academy 6-8.pdf
Amethod_BenitoJuarezES_2022-23_FIT_REV.pdf
Amethod_JohnHenryHS_2022-23_FIT_REV.pdf
Amethod_RichmondCharterAcademy_2022-23_FIT_FINAL.pdf
Copy of CEO NOV. 2022 .pptx.pdf

Williams Settlement – Site Visit Report 2022-23

Authorizer: California State Board of Education

School: Amethod - John Henry High

Facility Visit Date: 8/4/2022

Textbook Visit Date: 8/24/2022

FINAL REPORT

Document Review

SARC: Facilities Review Date 2020 (out of date); Will be corrected on future SARCs

District / LEA FIT: Will be provided in November 2022

Textbooks:

1. ELA – sufficient
2. Math – sufficient
3. Social Studies – sufficient
4. Science – sufficient
5. ELD (Designated & Integrated) – sufficient
6. World Languages – sufficient

Visitation

Uniform Complaint Policies: Not Required for Charter Schools

Textbooks:

1. ELA – sufficient
2. Math – sufficient
 - Algebra 2 – sufficient, pending delivery of materials to site. *(Materials back ordered, 6/22/2022; not yet received at time of report)*
3. Social Studies – sufficient
4. Science – sufficient
5. World Languages – sufficient
6. ELD (Designated & Integrated) – sufficient

Facilities:

Overall Facilities Rating: GOOD 91.87%

Lessons emphasized student engagement and having students talking rather than teacher talking. There was also a consistent use of visual aids to help the students, especially ELs. The school was clean, calm, and tidy. The principal was a helpful guide who joined us for most of the visit. She was also handling teacher interviews for vacancies and some student issues. Where possible, students picked up a device

before leaving today. Some students had not returned the permission form. Also, due to an error at the tech department some student logins were lost. They are working to restore them ASAP.

Systems, structures, cleanliness and interior surfaces, external surfaces and grounds reflect good repair. Many classrooms, however, have unsafe overhead storage. In many rooms, fire extinguishers are missing, and extension cords and surge protectors are daisy chained. (Specific site work orders have remedied initial deficiencies, raising the final score.)

Category	Systems	Interior	Cleanliness	Electrical	Restrooms/ Fountains	Safety	Structural	External
Total Percent Per Category	100.00%	90.48%	95.65%	71.43%	91.67%	85.72%	100.00%	100.00%
Rank GOOD= 90%-100% FAIR= 75%-89.99% POOR= 1%-74.99%	GOOD	GOOD	GOOD	POOR*	GOOD	FAIR	GOOD	GOOD

* Poor Service Levels (PSL) = a pattern of similar, pervasive deficiencies widespread throughout the facility

Please see attached Facilities Inventory Tool Report for details.

Williams Settlement – Site Visit Report 2022-23

Authorizer: West Contra Costa Unified

School: Amethod - Benito Juarez Elementary

Facility Visit Date: 8/4/2022

Textbook Visit Date: 8/24/2022

FINAL REPORT

Document Review

SARC: In Compliance

District/LEA FIT: Will be provided in November 2022

Textbooks:

1. ELA – sufficient
2. Math – sufficient
3. Social Studies – sufficient
4. Science – sufficient
5. ELD (Designated & Integrated) – sufficient

Visitation

Uniform Complaint Policies: Not Required for Charter Schools

Textbooks:

1. ELA – sufficient
2. Math – sufficient
3. Social Studies – sufficient
4. Science – sufficient
5. ELD (Designated & Integrated) – sufficient

Facilities:

Overall Facilities Rating: GOOD 92.66%

The school was clean and calm. Students were on task. The principal was very gracious and helpful. She organized the route to be efficient, so we were able to finish before first period at the other school. The school is overall in good shape. Systems, structures, interior surfaces, cleanliness, external surfaces, and grounds reflect good repair. Several areas are being renovated and are under construction. Issues include inoperative lighting, damaged ceiling tiles and doors. Fire extinguishers are missing in many rooms. (Specific district work orders have remedied initial deficiencies, raising the final score.)

Category	Systems	Interior	Cleanliness	Electrical	Restrooms/ Fountains	Safety	Structural	External
Total Percent Per Category	100.00%	95.00%	97.50%	75.00%	93.75%	85.00%	100.00%	95.00%
Rank GOOD= 90%-100% FAIR= 75%-89.99% POOR= 1%-74.99%	GOOD	GOOD	GOOD	FAIR	GOOD	FAIR	GOOD	GOOD

Please see attached Facilities Inventory Tool Report for details.

Williams Settlement – Site Visit Report 2022-23

Authorizer: West Contra Costa Unified

School: Amethod - Richmond Charter Academy 6-8

Facility Visit Date: 8/4/2022

Textbook Visit Date: 8/24/2022

FINAL REPORT

Document Review

SARC: In Compliance

District/ LEA FIT: Will be provided in November 2022

Textbooks:

1. ELA – sufficient
2. Math – sufficient
3. Social Studies – sufficient
4. Science – sufficient
5. ELD (Designated & Integrated) – sufficient

Visitation

Uniform Complaint Policies: Not Required for Charter Schools

Textbooks:

1. ELA – sufficient
2. Math – sufficient
3. Social Studies – sufficient
4. Science – sufficient
5. ELD (Designated & Integrated) – sufficient

Facilities:

Overall Facilities Rating: GOOD 98.44%

Clean, organized, welcoming, instruction focused on engagement. Principal was a patient and welcoming tour guide! School is in very good repair! Fire extinguishers are missing in a few rooms.

Category	Systems	Interior	Cleanliness	Electrical	Restrooms/ Fountains	Safety	Structural	External
Total Percent Per Category	100.00%	95.00%	100.00%	100.00%	100.00%	92.50%	100.00%	100.00%
Rank GOOD= 90%-100% FAIR= 75%-89.99% POOR= 1%-74.99%	GOOD	GOOD	GOOD	GOOD	GOOD	GOOD	GOOD	GOOD

Please see attached Facilities Inventory Tool Report for details.

FACILITY INSPECTION TOOL (FIT)
SCHOOL FACILITY CONDITIONS EVALUATION

(REV 04/22) Adapted by CSI 6/2022



OFFICE OF PUBLIC SCHOOL CONSTRUCTION

Page 7 of 7

SCHOOL DISTRICT/COUNTY OFFICE OF EDUCATION Contra Costa County Office of Education			COUNTY Contra Costa		
SCHOOL SITE Beniro Juarez Elementary School			SCHOOL TYPE (GRADE LEVELS)		NUMBER OF CLASSROOMS ON SITE:
INSPECTOR'S NAME JOSEPH C. LUIS			INSPECTOR'S TITLE CSI - CONSULTANT		NUMBER OF RESTROOMS ON SITE: 8
NAME OF DISTRICT REPRESENTATIVE ACCOMPANYING THE INSPECTOR(S) (IF APPLICABLE) Christian					
TOTAL ESTIMATED BUILDING VOLUME (CUBIC FEET):			TIME OF INSPECTION 7:35am		SITE ENROLLMENT
TOTAL ESTIMATED SITE SQUARE FOOTAGE/ ACREAGE:			WEATHER CONDITION AT TIME OF INSPECTION		
TOTAL ESTIMATED BUILDING SQUARE FOOTAGE:			Sunny		

PART III: CATEGORY TOTALS AND RANKING (round all calculations to two decimal places)

TOTAL NUMBER OF AREAS EVALUATED ↓	CATEGORY TOTALS	A. SYSTEMS			B. INTERIOR	C. CLEANLINESS		D. ELECTRICAL	E. RESTROOMS/FOUNTAINS		F. SAFETY		G. STRUCTURAL		H. EXTERNAL	
		GAS LEAKS	MECH/HVAC	SEWER	INTERIOR SURFACES	OVERALL CLEANLINESS	PEST/VERMIN INFESTATION	ELECTRICAL	RESTROOMS	SINKS/ FOUNTAINS	FIRE SAFETY	HAZARDOUS MATERIALS	STRUCTURAL DAMAGE	ROOFS	PLAYGROUND/ SCHOOL GROUNDS	WINDOWS/DOORS/ GATES/FENCES
	Number of "OK"s:	20	20	20	19	19	20	15	7	9	16	18	20	20	20	18
	Number of "D"s:	0	0	0	1	1	0	5	1	0	4	2	0	0	0	2
20	Number of "X"s:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Number of N/As:	0	0	0	0	0	0	0	12	11	0	0	0	0	0	0
Percent of System in Good Repair Number of "OK"s divided by (Total Areas - "NA"s)*		100.00%	100.00%	100.00%	95.00%	95.00%	100.00%	75.00%	87.50%	100.00%	80.00%	90.00%	100.00%	100.00%	100.00%	90.00%
Total Percent per Category (average of above)*		100.00%			95.00%	97.50%		75.00%	93.75%		85.00%		100.00%		95.00%	
Rank (Circle one) GOOD = 90%-100% FAIR = 75%-89.99% POOR = 0%-74.99%		GOOD			GOOD	GOOD		FAIR	GOOD		FAIR		GOOD		GOOD	

*Note: An extreme deficiency in any area automatically results in a "poor" ranking for that category and a zero for "Total Percent per Category".

OVERALL RATING:

DETERMINE AVERAGE PERCENTAGE OF 8 CATEGORIES ABOVE

92.66%

SCHOOL RATING**

GOOD

**For School Rating, apply the Percentage Range below to the average percentage determined above, taking into account the rating Description below.

PERCENTAGE	DESCRIPTION	RATING
99%-100%	The school meets most or all standards of good repair. Deficiencies noted, if any, are not significant and/or impact a very small area of the school.	EXEMPLARY
90%-98.99%	The school is maintained in good repair with a number of non-critical deficiencies noted. These deficiencies are isolated, and/or resulting from minor wear and tear, and/or in the process of being mitigated.	GOOD
75%-89.99%	The school is not in good repair. Some deficiencies noted are critical and/or widespread. Repairs and/or additional maintenance are necessary in several areas of the school site.	FAIR
0%-74.99%	The school facilities are in poor condition. Deficiencies of various degrees have been noted throughout the site. Major repairs and maintenance are necessary throughout the campus.	POOR

INSPECTOR'S COMMENTS AND RATING
EXPLANATION:

The school is overall in good shape. Systems, structures, interior surfaces, cleanliness, external surfaces and grounds reflect good repair. Several areas are being renovated and are under construction. Issues include inoperative lighting , damaged ceiling tiles

and doors. Fire extinguishers are missing in many rooms. (Specific work orders have remedied initial deficiencies, raising the final score.)



PART IIa: EVALUATION DETAIL

Date of Inspection: 8/4/2022

School Name: Beniro Juarez Elementary School

Building / Area Name	Estimated Square Footage	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
		GAS LEAKS	MECH/HVAC	SEWER	INTERIOR SURFACES	OVERALL CLEANLINESS	PEST/VERMIN INFESTATION	ELECTRICAL	RESTROOM	SINKS/ FOUNTAINS	FIRE SAFETY	HAZARDOUS MATERIALS	STRUCTURAL DAMAGE	ROOFS	PLAYGROUND/ SCHOOL GROUNDS	WINDOWS/ DOORS/ GATES/FENCES
LOBBY		OK	OK	OK	OK	D	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:	5. UNSECURED ITEMS ARE STORED TOO HIGH.													
MENS REST ROOM		OK	OK	OK	OK	OK	OK	D	OK	OK	OK	OK	OK	OK	OK	D
		COMMENTS:	7. THREE CAN LIGHTS ARE OUT. 15. HANDICAP DOOR OPENER BUTTON IS MISSING.													
WOMENS REST ROOM		OK	OK	OK	OK	OK	OK	D	OK	OK	OK	OK	OK	OK	OK	D
		COMMENTS:	7. TWO CAN LIGHTS ARE OUT. TWO LIGHT FIXTURES ARE OUT. 8. ONE TOILET IS NOT FLUSHING PROPERLY - Repair Order 10318 . 15. DOOR CLOSER IS MISSING (HALLWAY). DOOR CLOSER COVER IS MISSING (HALLWAY). THRESHOLD IS MISSING (HALLWAY).													
UNISEX REST ROOM		OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
		COMMENTS:														
UNISEX REST ROOM		OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
		COMMENTS:														
1022/ OFFICE		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:														
1072		OK	OK	OK	D	OK	OK	OK	NA	NA	D	D	OK	OK	OK	OK
		COMMENTS:	4. CEILING TILE IS MISSING. 10. FIRE EXTINGUISHER IS MISSING. 11. PAINT IS PEELING ON INTERIOR WALLS.													
1096		OK	OK	OK	OK	OK	OK	D	NA	NA	D	OK	OK	OK	OK	OK
		COMMENTS:	7. ELECTRICAL COVER IS MISSING IN CEILING. 10. FIRE EXTINGUISHER IS MISSING.													
1081		OK	OK	OK	OK	OK	OK	D	NA	NA	D	OK	OK	OK	OK	OK
		COMMENTS:	7. EXTENSION CORD IS BEING PERMANENTLY USED (IN CONDUIT). 10. FIRE EXTINGUISHER IS MISSING.													
1079		OK	OK	OK	OK	OK	OK	D	NA	NA	D	D	OK	OK	OK	OK
		COMMENTS:	7. ELECTRICAL COVER IS MISSING IN CEILING. 10. FIRE EXTINGUISHER IS MISSING. 11. PAINT IS PEELING ON INTERIOR WALL.													
GIRLS REST ROOM		OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
		COMMENTS:														
BOYS REST ROOM		OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
		COMMENTS:	8.URINAL IS OUT OF ORDER - Repair Order 10318													
CAFETERIA		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:														
LIBRARY		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:	UNDER CONSTRUCTION.													
1142		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK



PART IIa: EVALUATION DETAIL

Date of Inspection: 8/4/2022

School Name: Beniro Juarez Elementary School

Building / Area Name	Estimated Square Footage	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15																														
		GAS LEAKS	MECH/HVAC	SEWER	INTERIOR SURFACES	OVERALL CLEANLINESS	PEST/VERMIN INFESTATION	ELECTRICAL	RESTROOM	SINKS/ FOUNTAINS	FIRE SAFETY	HAZARDOUS MATERIALS	STRUCTURAL DAMAGE	ROOFS	PLAYGROUND/ SCHOOL GROUNDS	WINDOWS/ DOORS/ GATES/FENCES																														
		COMMENTS:	UNDER CONSTRUCTION.																																											
UNISEX REST ROOM		OK	OK	OK	OK	OK	OK	OK	D	OK	OK	OK	OK	OK	OK	OK																														
		COMMENTS:	8. TOILET TANK LID IS MISSING.																																											
UNISEX REST ROOM		OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK																														
		COMMENTS:																																												
1136		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK																														
		COMMENTS:	UNDER CONSTRUCTION.																																											
1107		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK																														
		COMMENTS:	UNDER CONSTRUCTION.																																											
1059/ WORKROOM		OK	OK	OK	OK	OK	OK	OK	NA	OK	OK	OK	OK	OK	OK	OK																														
		COMMENTS:																																												
District's Plan to Address:																																														
Deficiencies Noted In Prior Year?																																														
Marks: OK = Good Repair; D = Deficiency; X = Extreme Deficiency; NA = Not Applicable Use Additional Area Lines as necessary.																																														
OK D X NA																																														

FACILITY INSPECTION TOOL (FIT)
SCHOOL FACILITY CONDITIONS EVALUATION

(REV 04/22) Adapted by CSI 6/2022



OFFICE OF PUBLIC SCHOOL CONSTRUCTION

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SCHOOL DISTRICT/COUNTY OFFICE OF EDUCATION Contra Costa County Office of Education - Amethod Public Schools				COUNTY Contra Costa			
SCHOOL SITE SBE John Henry High School				SCHOOL TYPE (GRADE LEVELS)		NUMBER OF CLASSROOMS ON SITE:	
INSPECTOR'S NAME JOSEPH C. LUIS				INSPECTOR'S TITLE CSI - CONSULTANT		NAME OF DISTRICT REPRESENTATIVE ACCOMPANYING THE INSPECTOR(S) (IF APPLICABLE) Christian	
TOTAL ESTIMATED BUILDING VOLUME (CUBIC FEET):			TIME OF INSPECTION		6:05am		SITE ENROLLMENT
TOTAL ESTIMATED SITE SQUARE FOOTAGE/ ACREAGE:			WEATHER CONDITION AT TIME OF INSPECTION				
TOTAL ESTIMATED BUILDING SQUARE FOOTAGE:			Partly Cloudy				

PART III: CATEGORY TOTALS AND RANKING (round all calculations to two decimal places)

TOTAL NUMBER OF AREAS EVALUATED ↓	CATEGORY TOTALS	A. SYSTEMS			B. INTERIOR	C. CLEANLINESS		D. ELECTRICAL	E. RESTROOMS/FOUNTAINS		F. SAFETY		G. STRUCTURAL		H. EXTERNAL	
		GAS LEAKS	MECH/HVAC	SEWER	INTERIOR SURFACES	OVERALL CLEANLINESS	PEST/VERMIN INFESTATION	ELECTRICAL	RESTROOMS	SINKS/ FOUNTAINS	FIRE SAFETY	HAZARDOUS MATERIALS	STRUCTURAL DAMAGE	ROOFS	PLAYGROUND/ SCHOOL GROUNDS	WINDOWS/DOORS/ GATES/FENCES
	Number of "OK"s:	23	21	23	19	21	23	15	5	9	15	23	21	21	23	23
	Number of "D"s:	0	0	0	2	2	0	6	1	0	6	0	0	0	0	0
23	Number of "X"s:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Number of N/As:	0	2	0	2	0	0	2	17	14	2	0	2	2	0	0
Percent of System in Good Repair Number of "OK"s divided by (Total Areas - "NA"s)*		100.00%	100.00%	100.00%	90.48%	91.30%	100.00%	71.43%	83.33%	100.00%	71.43%	100.00%	100.00%	100.00%	100.00%	100.00%
Total Percent per Category (average of above)*		100.00%			90.48%	95.65%		71.43%	91.67%		85.72%		100.00%		100.00%	
Rank (Circle one) GOOD = 90%-100% FAIR = 75%-89.99% POOR = 0%-74.99%		GOOD			GOOD	GOOD		POOR	GOOD		FAIR		GOOD		GOOD	

*Note: An extreme deficiency in any area automatically results in a "poor" ranking for that category and a zero for "Total Percent per Category".

OVERALL RATING:

DETERMINE AVERAGE PERCENTAGE OF 8 CATEGORIES ABOVE	→	91.87%	SCHOOL RATING**	→	GOOD
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**For School Rating, apply the Percentage Range below to the average percentage determined above, taking into account the rating Description below.

PERCENTAGE	DESCRIPTION	RATING
99%-100%	The school meets most or all standards of good repair. Deficiencies noted, if any, are not significant and/or impact a very small area of the school.	EXEMPLARY
90%-98.99%	The school is maintained in good repair with a number of non-critical deficiencies noted. These deficiencies are isolated, and/or resulting from minor wear and tear, and/or in the process of being mitigated.	GOOD
75%-89.99%	The school is not in good repair. Some deficiencies noted are critical and/or widespread. Repairs and/or additional maintenance are necessary in several areas of the school site.	FAIR
0%-74.99%	The school facilities are in poor condition. Deficiencies of various degrees have been noted throughout the site. Major repairs and maintenance are necessary throughout the campus.	POOR

INSPECTOR'S COMMENTS AND RATING
EXPLANATION:

Many restroom facilities are in disrepair.

Systems, structures, cleanliness and interior surfaces, external surfaces and grounds reflect good repair. Many classrooms, however, have unsafe overhead storage. In many rooms, fire extinguishers are missing and extension cords and surge protectors are daisy-chained.



PART IIa: EVALUATION DETAIL

Date of Inspection: 8/4/2022

School Name: SBE John Henry High School

Building / Area Name	Estimated Square Footage	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
		GAS LEAKS	MECH/HVAC	SEWER	INTERIOR SURFACES	OVERALL CLEANLINESS	PEST/VERMIN INFESTATION	ELECTRICAL	RESTROOM	SINKS/ FOUNTAINS	FIRE SAFETY	HAZARDOUS MATERIALS	STRUCTURAL DAMAGE	ROOFS	PLAYGROUND/ SCHOOL GROUNDS	WINDOWS/ DOORS/ GATES/FENCES
LOBBY/ ADMIN		OK	OK	OK	OK	OK	OK	D	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:	7. SURGE PROTECTORS ARE DAISY CHAINED.													
1001/ OFFICE		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:														
1002/ OFFICE		OK	OK	OK	OK	OK	OK	D	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:	7. EXTENSION CORD AND SURGE PROTECTOR ARE DAISY CHAINED.													
1004/ OFFICE		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:														
1011/ LOUNGE		OK	OK	OK	OK	D	OK	D	NA	OK	OK	OK	OK	OK	OK	OK
		COMMENTS:	5. UNSECURED ITEMS ARE STORED TOO HIGH. 7. ONE LIGHT PANEL IS OUT.													
1012/ OFFICE		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:														
1013/ OFFICE		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:														
OPEN SPACE		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:														
1016A		OK	OK	OK	OK	D	OK	OK	NA	OK	D	OK	OK	OK	OK	OK
		COMMENTS:	5. UNSECURED ITEMS ARE STORED TOO HIGH. 10. FIRE EXTINGUISHER TAG IS OUTDATED.													
1023		OK	OK	OK	OK	OK	OK	OK	NA	NA	D	OK	OK	OK	OK	OK
		COMMENTS:	10. FIRE EXTINGUISHER IS MISSING.													
OPEN SPACE		OK	OK	OK	OK	OK	OK	D	NA	NA	D	OK	OK	OK	OK	OK
		COMMENTS:	7. FOUR LIGHT PANELS ARE OUT. 10. EMERGENCY EXIT SIGN IS BROKEN.													
BOYS REST ROOM		OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
		COMMENTS:	8. TOILET IS LOOSE AT BASE Repair Order 10318													
GIRLS REST ROOM		OK	OK	OK	OK	OK	OK	OK	D	OK	OK	OK	OK	OK	OK	OK
		COMMENTS:	8. TWO TOILET SEATS ARE LOOSE.													
CAFETERIA		OK	OK	OK	OK	OK	OK	OK	NA	OK	OK	OK	OK	OK	OK	OK
		COMMENTS:														
COLLEGE CENTER		OK	OK	OK	D	OK	OK	D	NA	NA	D	OK	OK	OK	OK	OK



PART IIa: EVALUATION DETAIL

Date of Inspection: 8/4/2022

School Name: SBE John Henry High School

Building / Area Name	Estimated Square Footage	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
		GAS LEAKS	MECH/HVAC	SEWER	INTERIOR SURFACES	OVERALL CLEANLINESS	PEST/VERMIN INFESTATION	ELECTRICAL	RESTROOM	SINKS/ FOUNTAINS	FIRE SAFETY	HAZARDOUS MATERIALS	STRUCTURAL DAMAGE	ROOFS	PLAYGROUND/ SCHOOL GROUNDS	WINDOWS/ DOORS/ GATES/FENCES
COLLEGE CENTER		COMMENTS:	4. RUBBER TRIM IS MISSING AROUND CARPET. 7. EXTENSION CORD AND SURGE PROTECTOR ARE DAISY CHAINED. 10. EMERGENCY EXIT SIGN IS NOT FUNCTIONING.													
1020A		OK	OK	OK	D	OK	OK	D	NA	NA	D	OK	OK	OK	OK	OK
		COMMENTS:	4. METAL TRIM IS MISSING ON POSTER BOARD. HOLE IN POSTER BOARD. 7. ONE LIGHT PANEL IS OUT. ELECTRICAL COVER IS BROKEN. ELECTRICAL COVER IS MISSING IN CEILING. 10. FIRE EXTINGUISHER IS MISSING.													
GIRLS REST ROOM		OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
		COMMENTS:	8. ONE TOILET DOES NOT FLUSHING - Repair Order 10318 9. MULTIPLE FAUCETS HAVE A LOW FLOW - Repair Order 10318 ONE SINK IS LOOSE FROM THE WALL - Repair Order 10318													
BOYS REST ROOM		OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
		COMMENTS:	8. ONE TOILET IS OUT OF ORDER. Repair Order 10318 9. ONE FAUCET HAS NO FLOW - Repair Order 10318													
UNISEX REST ROOM		OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
		COMMENTS:														
UNISEX REST ROOM		OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
		COMMENTS:														
1038		OK	OK	OK	OK	OK	OK	OK	NA	NA	D	OK	OK	OK	OK	OK
		COMMENTS:	10. FIRE EXTINGUISHER IS MISSING.													
PLAY COURTS		OK	NA	OK	NA	OK	OK	NA	NA	NA	NA	OK	NA	NA	OK	OK
		COMMENTS:														
PARKING LOT		OK	NA	OK	NA	OK	OK	NA	NA	NA	NA	OK	NA	NA	OK	OK
		COMMENTS:														

District's Plan to Address:

Deficiencies Noted In Prior Year?

Marks: OK = Good Repair; D = Deficiency; X = Extreme Deficiency; NA = Not Applicable
 Use Additional Area Lines as necessary.

OK D X NA



SCHOOL DISTRICT/COUNTY OFFICE OF EDUCATION Contra Costa County Office of Education			COUNTY Contra Costa		
SCHOOL SITE Richmond Charter Academy			SCHOOL TYPE (GRADE LEVELS)	NUMBER OF CLASSROOMS ON SITE:	
				NUMBER OF RESTROOMS ON SITE:	4
INSPECTOR'S NAME JOSEPH C. LUIS		INSPECTOR'S TITLE CSI - CONSULTANT		NAME OF DISTRICT REPRESENTATIVE ACCOMPANYING THE INSPECTOR(S) (IF APPLICABLE) Christian	
TOTAL ESTIMATED BUILDING VOLUME (CUBIC FEET):			TIME OF INSPECTION	8:45AM	SITE ENROLLMENT
TOTAL ESTIMATED SITE SQUARE FOOTAGE/ ACREAGE:			WEATHER CONDITION AT TIME OF INSPECTION		
TOTAL ESTIMATED BUILDING SQUARE FOOTAGE:			Overcast		

PART III: CATEGORY TOTALS AND RANKING (round all calculations to two decimal places)

TOTAL NUMBER OF AREAS EVALUATED ↓	CATEGORY TOTALS	A. SYSTEMS			B. INTERIOR	C. CLEANLINESS		D. ELECTRICAL	E. RESTROOMS/FOUNTAINS		F. SAFETY		G. STRUCTURAL		H. EXTERNAL	
		GAS LEAKS	MECH/HVAC	SEWER	INTERIOR SURFACES	OVERALL CLEANLINESS	PEST/VERMIN INFESTATION	ELECTRICAL	RESTROOMS	SINKS/ FOUNTAINS	FIRE SAFETY	HAZARDOUS MATERIALS	STRUCTURAL DAMAGE	ROOFS	PLAYGROUND/ SCHOOL GROUNDS	WINDOWS/DOORS/ GATES/FENCES
		20	20	20	19	20	20	20	4	5	17	20	20	20	20	20
20	Number of "OK"s:	0	0	0	1	0	0	0	0	0	3	0	0	0	0	0
	Number of "D"s:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Number of "X"s:	0	0	0	0	0	0	0	16	15	0	0	0	0	0	0
Percent of System in Good Repair Number of "OK"s divided by (Total Areas - "NA"s)*		100.00%	100.00%	100.00%	95.00%	100.00%	100.00%	100.00%	100.00%	100.00%	85.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Total Percent per Category (average of above)*		100.00%			95.00%	100.00%		100.00%	100.00%		92.50%		100.00%		100.00%	
Rank (Circle one) GOOD = 90%-100% FAIR = 75%-89.99% POOR = 0%-74.99%		GOOD			GOOD	GOOD		GOOD	GOOD		GOOD		GOOD		GOOD	

*Note: An extreme deficiency in any area automatically results in a "poor" ranking for that category and a zero for "Total Percent per Category".

OVERALL RATING:

DETERMINE AVERAGE PERCENTAGE OF 8 CATEGORIES ABOVE → 98.44%

SCHOOL RATING** → GOOD

**For School Rating, apply the Percentage Range below to the average percentage determined above, taking into account the rating Description below.

PERCENTAGE	DESCRIPTION	RATING
99%-100%	The school meets most or all standards of good repair. Deficiencies noted, if any, are not significant and/or impact a very small area of the school.	EXEMPLARY
90%-98.99%	The school is maintained in good repair with a number of non-critical deficiencies noted. These deficiencies are isolated, and/or resulting from minor wear and tear, and/or in the process of being mitigated.	GOOD
75%-89.99%	The school is not in good repair. Some deficiencies noted are critical and/or widespread. Repairs and/or additional maintenance are necessary in several areas of the school site.	FAIR
0%-74.99%	The school facilities are in poor condition. Deficiencies of various degrees have been noted throughout the site. Major repairs and maintenance are necessary throughout the campus.	POOR

INSPECTOR'S COMMENTS AND RATING
EXPLANATION:

School is in very good repair! Fire extinguishers are missing in a few rooms.



PART IIa: EVALUATION DETAIL

Date of Inspection: 8/4/2022

School Name: Richmond Charter Academy

Building / Area Name	Estimated Square Footage	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
		GAS LEAKS	MECH/HVAC	SEWER	INTERIOR SURFACES	OVERALL CLEANLINESS	PEST/VERMIN INFESTATION	ELECTRICAL	RESTROOM	SINKS/ FOUNTAINS	FIRE SAFETY	HAZARDOUS MATERIALS	STRUCTURAL DAMAGE	ROOFS	PLAYGROUND/ SCHOOL GROUNDS	WINDOWS/ DOORS/ GATES/FENCES
LOBBY (UPSTAIRS)		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:														
GIRLS REST ROOM		OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
		COMMENTS:	UNDER CONSTRUCTION.													
BOYS REST ROOM		OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
		COMMENTS:	UNDER CONSTRUCTION.													
203/ LOUNGE		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:														
ALL GENDER REST ROOM		OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
		COMMENTS:														
ALL GENDER REST ROOM		OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
		COMMENTS:														
202/ STAFF WORKROOM		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:														
204/ COMMON AREA		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:														
205/ OFFICE		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:														
205A/ OFFICE		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:														
206C		OK	OK	OK	OK	OK	OK	OK	NA	NA	D	OK	OK	OK	OK	OK
		COMMENTS:	10. FIRE EXTINGUISHER IS MISSING.													
207/ COMMONS		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:														
207B		OK	OK	OK	OK	OK	OK	OK	NA	NA	D	OK	OK	OK	OK	OK
		COMMENTS:	10. FIRE EXTINGUISHER IS MISSING.													
208/ COMMONS		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK
		COMMENTS:														
208D		OK	OK	OK	OK	OK	OK	OK	NA	NA	D	OK	OK	OK	OK	OK



PART IIa: EVALUATION DETAIL

Date of Inspection: 8/4/2022

School Name: Richmond Charter Academy

Building / Area Name	Estimated Square Footage	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15																														
		GAS LEAKS	MECH/HVAC	SEWER	INTERIOR SURFACES	OVERALL CLEANLINESS	PEST/VERMIN INFESTATION	ELECTRICAL	RESTROOM	SINKS/ FOUNTAINS	FIRE SAFETY	HAZARDOUS MATERIALS	STRUCTURAL DAMAGE	ROOFS	PLAYGROUND/ SCHOOL GROUNDS	WINDOWS/ DOORS/ GATES/FENCES																														
		COMMENTS:	10. FIRE EXTINGUISHER IS MISSING.																																											
CAFETERIA		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK																														
		COMMENTS:																																												
310/ LIBRARY		OK	OK	OK	D	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK																														
		COMMENTS:	4. CEILING TILES HAVE WATER STAINS.																																											
311/ ART		OK	OK	OK	OK	OK	OK	OK	NA	OK	OK	OK	OK	OK	OK	OK																														
		COMMENTS:																																												
RECEPTION		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK																														
		COMMENTS:																																												
303/ OFFICE		OK	OK	OK	OK	OK	OK	OK	NA	NA	OK	OK	OK	OK	OK	OK																														
		COMMENTS:																																												
District's Plan to Address:																																														
Deficiencies Noted In Prior Year?																																														
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OK D X NA																																														



CEO Report

11.16.2022

- Williams Visits: Reports
- Security -CME
- Renewals-RCA/OCHS
- Meal Premiums Update- HR Director
- John Henry High School Site Visit
11/7-11/9 Postponed
- Director of Special Education
- Local Control Accountability Plans
- Charter Schools Development
Center-CSDC

AMPS

HONOR HARD WORK

Highlights Volleyball



AMPS

HONOR HARD WORK

Highlights- Schools





Attendance Enrollment

Attendance Rates:

	Oct.	Nov. 16th
OCHS	95.33	93.60
JHHS	96.14	95.34
RCA	94.76	93.02
DCA	98.05	97.46
OCA	88.83	86.86
BJE	91.66	89.92

Enrollment:

	Oct.	Nov. 16th
OCHS	418	424
JHHS	335	356
RCA	325	328
DCA	259	260
OCA	226	222
BJE	502	499